



**Village of Westmont
Planning & Zoning Commission
December 09, 2020 - Approved Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **December 09, 2020 at 7:00 p.m.**, at the Westmont Village Hall located at 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Doug Carmichael led in the following:

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

In Attendance: Chair Doug Carmichael, Commissioners Wallace Van Buren, Craig Thomas, Thomas Sharp, Chris Lavoie, Matt Scales, Village Attorney John Zemenak, and Village Planner Nalini Johnson

Remotely : Alison Clemens

- 3. Pledge of Allegiance**
- 4. Swearing-in of testifying attendees**
- 5. Reminder to silence all electronic devices**
- 6. Reminder to sign-in for any public testimony**
- 7. Approval of the Minutes of the November 11, 2020 regular meeting.**

MOTION to approve the regular meeting minutes on November 11, 2020.

Motion by: Lavoie

Second by: Thomas

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

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

New Business

PZC 104-2020 Planning and Zoning Commission to consider a request from Rosalia Knudtson regarding a property at 22 North Cass Avenue, Westmont, IL 60559 for the following:

- A. A Special Use Permit to allow a beauty parlor on the ground floor of a retail space in the B-1 Limited Business District.

Legal Description

LOT 11 IN BLOCK 12 IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRMONT HEIGHTS, BEING A SUBDIVISION IN THE NORTHEAST ¼ OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 22, 1920 AS DOCUMENT 144403, IN DUPAGE COUNTY, ILLINOIS.

Common Address: 22 N. Cass Ave., Westmont, IL 60559



P.I.N.:

09-09-222-021

Presentation: Rosalia Knudtson, owner of Alia Rose Salon, requested a Special Use Permit to operate her salon on the ground floor of a downtown location (22 N. Cass). Ms. Knudtson noted that her business, which currently operates across the street at 15 N. Cass, is a 53 year old business and has extremely loyal customers as well as accommodations for children, elderly, and special needs.

Staff Comment: Village Planner Nalini Johnson asked the applicant to further explain their business floor plan, parking plan, and traffic patterns. Ms. Knudtson noted that they do not have any parking issues at their current location which is across the street from the proposed location. They utilize the public parking lots and maneuver the employee parking as needed. Ms. Knudtson provided the commission with further details of their renovation plans in which she added that they plan on leaving the tin ceiling and brick alone as it adds character to the building.

Village Planner Johnson stated that 53 public comments had been submitted electronically prior to the meeting, all in support of the business, Alia Rose Salon.

Public Comment: Long time client Nicole Samprduja spoke in support of the business and believed the business would bring prosperity to the entire downtown community.

Neighboring business owners Rick Martin and Dr. Steve Esposito spoke in favor of the business.

Long time employees Lauree and Sarah spoke in support of the business and it's welcoming element.

Commissioner Comments:

Lavoie : Commissioner Lavoie asked staff for clarification on the parking variance requirement. Village Planner Johnon explained that a proposed text amendment for downtown parking, if approved, would eliminate the need for a parking variance. Lavoie was supportive of the request.

Clemens : Commissioner Clemens commented that the business would be an asset to the town and that she was supportive of the request.

Thomas : Commissioner Thomas had no concerns.

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

Sharp : Commissioner Sharp stated that he was impressed with the overwhelming support for the business. Sharp asked the applicant if they were informed of the possible sprinkler requirements. Mr. Knudtson replied that there were discussions with Fire Chief Steve Riley, and it was determined that they did not meet the renovation percentage that would trigger the sprinkler requirement. Sharp stated that he was supportive of the request.

Scales : Commissioner Scales was supportive of the request.

Carmichael : Asked the applicant what their hours of operation were.

MOTION A



Motion to recommend to the Village Board of Trustees to approve a Special Use Permit to allow a beauty parlor on the ground floor of a retail space in the B-1 Limited Business District, located at 22 North Cass Avenue, Westmont, IL 60559

Motion by: Lavoie
Second by: Scales

VOTING A

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

Motion Passed

PZC 088-2020 Planning and Zoning Commission to consider a request from Adam Kandah regarding a property at 1204 South Richmond Avenue, Westmont, IL 60559 for the following:

- A. A Zoning Code Variance request to permit the construction of a 6' solid fence at the lot line, in the side yard adjoining the street in the R-3 Single Family Residential District.

Legal Description

LOT 1 IN BOVENIZER RESUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 22, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN. ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 2001 AS DOCUMENT R2001-044267, IN DUPAGE COUNTY, ILLINOIS.

Common Address: 1204 S. Richmond Ave., Westmont, IL 60559

P.I.N.: 09-22-102-025

Presentation: Westmont resident Adam Kandah requested a variance to install a 6ft solid fence up to his lot line adjoining 63rd Street. Mr. Kanda noted that if he did not request the variance, the code would require him to install the fence 15ft from the side lot line which would ultimately render half of their yard unusable. The purpose for the fence as described by Mr. Kandah would be for safety, security, privacy, and improvement to the neighborhood aesthetic.

Staff Comment: Village Planner Nalini Johnson noted that the tree buffer directly West of the property must remain, and that there needs to be approximately 6 inches between the ground and the fence so that there is no water flow obstruction.

Public Comment: None

Commissioner Comments:



Scales : Commissioner Scales asked staff to clarify a couple technical review comments, one of which referred to the outlot next door which belongs to the townhomes planned development. Johnson replied that the outlot is currently a natural reserve.

Lavoie : Commissioner Lavoie was supportive of the request.

Clemens : Commissioner Clemens was in favor of the request and had no other questions that hadn't already been addressed.

Thomas : Commissioner Thomas was supportive of the request and had no other questions that hadn't already been addressed.

Van Buren : Commissioner Van Buren was supportive of the request and had no other questions that hadn't already been addressed.

Sharp : Commissioner Sharp had questions related to stormwater, and also suggested to staff that a text amendment may be warranted for side yards adjacent to heavily trafficked streets given the number of fence variance requests. Sharp was supportive of the request.

Carmichael : Commissioner Carmichael agreed that a text amendment seemed sensible and was supportive of the request.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to permit the construction of a 6' solid fence at the lot line, in the side yard adjoining the street in the R-3 Single Family Residential District.

Motion by: Sharp

Second by: Scales

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Yes

Clemens: Yes

Motion Passed

PZC 120-2020 Planning and Zoning Commission to consider a request from the Village of Westmont regarding the following proposed Zoning Ordinance text amendments:



- A. Zoning Ordinance text amendments to the Village of Westmont Code of Ordinance, Appendix "A", Zoning, including Article X, Section 10.06 (Off-Street Parking) to remove parking requirements from the B-1 Limited Business District for existing buildings, and modify parking requirements for new construction in the B-1 Limited Business District.

Presentation: Village Planner Nalini Johnson noted that this item was previously discussed at the last Planning and Zoning meeting, at the request of the Village Board. Johnson provided an overview of the current b1 parking requirements, and asked the Commission to consider waiving the parking requirements for existing businesses going forward because the existing buildings cannot inevitably provide additional parking. Downtown businesses would still be required to obtain a b-1 permit, and for some uses, a special-use permit, but would no longer need a parking variance. For new development/construction, parking requirements would be in place. Based on discussions from the previous Planning and Zoning meeting, the Commissioners recommended requiring 1 stall for every 400 square feet of new Commercial space. Reasons behind the recommendation included trying to eliminate impediments and obstacles to new investment and construction in the downtown, and acknowledging that the Village has municipal parking lots existing, and under way. In addition, the Commission previously agreed that 1.25 parking stalls for each proposed new residential unit in the b-1 district would be an appropriate amount. Johnson commented that there was little debate from the Commissioners about the proposed requirement that a mixed-use building would have to provide both a required amount of parking for residential units, plus a required amount of parking for the Commercial spaces. The last item related to b-1 parking that Johnson summarized from the last meeting was that the Commission agreed that a fee in lieu of parking should remain for new developments that do not provide the required amount of parking spaces.

Staff Comment: See Above.

Public Comment: Dr. Steven Esposito was concerned with parking limitations for existing businesses, specifically on the South end of North Cass Avenue.

Commissioner Comments:

Lavoie : Commissioner Lavoie asked staff if an existing building were to be expanded, would that trigger parking requirements. Village Attorney John Zemenak suggested that if an existing building were to be expanded or modified horizontally or vertically, depending on the size or square footage, the Village would require off-street parking for the entirety of the building. Lavoie agreed that there should be a clause including expansion, and stated that he was comfortable requiring 1 stall for every 400 square feet of new Commercial space.

Carmichael : Commissioner Carmichael wanted to discuss with the rest of the Commission if they were still comfortable with 1 stall for every 400 square feet.

Thomas : Commissioner Thomas was comfortable requiring 1 stall for every 400 square feet of new Commercial space.

Sharp : Commissioner Sharp asked staff if the existing parking spaces would be protected. Village Attorney John Zemenak replied that any new structures or site modifications to a b-1 commercial property would require site plan approval, meaning the Commission and Village Board would need to approve the elimination of the parking space. Sharp was supportive of the decision to require 1 stall for every 400 square feet of new Commercial space.

Scales : Commissioner Scales agreed with the other Commissioners and was supportive of the text amendments and was comfortable requiring 1 stall for every 400 square feet of new Commercial space. Scales asked if the



square footage threshold would be defined in the clause regarding expansion of existing businesses.

Van Buren : Commissioner Van Buren was comfortable requiring 1 stall for every 400 square feet of new Commercial space. Van Buren was supportive of the text amendments discussed pertaining to new and existing buildings.

Clemens : Commissioner Clemens was favorable of 1 stall for every 400 square feet of new Commercial space, and agreed that there should be a clause relating to expansion of existing buildings.

Village Attorney John Zemenak proposed a corollary motion to add to the b-1 parking regulations the following : Any expansion of an existing building over 400 square feet whether horizontally or vertically, shall provide off street parking as provided herein for the entirety of the building, or the entirety of the building as expanded.

Commissioner Van Buren suggested only requiring the off-street parking for the expansion and grandfathering in the existing building which would be more business friendly.

The Commission agreed that there should be a reasonable percentage in place that would not deter businesses from expanding.

Johnson suggested eliminating the need to apply for a parking variance triggered by expansion and instead, handle the review administratively and apply an impact fee related to parking through the permitting process. Zemenak was not in favor of utilizing the term impact fee and noted that if approved, the proposed text amendments would relax the rules substantially and make developers for new projects come in for variances.

MOTION A

Motion to recommend to the Village Board of Trustees to approve Zoning Ordinance text amendments to the Village of Westmont Code of Ordinance, Appendix "A", Zoning, including Article X, Section 10.06 (Off-Street Parking) to remove parking requirements from the B-1 Limited Business District for existing buildings, and modify parking requirements for new construction in the B-1 Limited Business District.

Motion by: Thomas
Second by: Clemens

VOTING A

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

Motion Passed

PZC 121-2020 Planning and Zoning Commission to consider a request from the Village of Westmont regarding the following proposed Zoning Ordinance text amendments:



- A. Zoning Ordinance text amendments to the Village of Westmont Code of Ordinance, Appendix "A", Zoning, including Article X, Section 10.06 (Off-Street Parking) to modify off-street parking requirements for multi-tenant buildings in the B-1 Limited Business District, B-2 General Business District and C-1 Commercial Zoning Districts.

Presentation: Village Planner Nalini Johnson stated that using current zoning regulations, and determining the amount of off-street parking that is required for a business that wishes to move into a multi-tenant commercial building such as strip malls can be difficult and cause delays in issuing zoning approvals and business licenses. To make it easier for businesses to move into Westmont, and to make it easier and faster for planning staff to review proposals for businesses wishing to move into *existing* multi-tenant commercial buildings, staff is suggesting that the Village's parking requirements be revised to specifically state that the amount of parking provided at an *existing* multi-tenant commercial building is sufficient for any new business that wishes to move into that building.

At the previous Planning and Zoning meeting, the Commission specifically discussed the idea that any business could move into an *existing* multi-tenant commercial building without needing to provide any off-street parking beyond what is already on that property and expressed comfort with such an approach. No parking variances would ever be needed.

Johnson noted that for new construction, the proposed rule attempts to ensure that *new* strip-malls provide enough parking when they are initially built. The Planning and Zoning Commission recommended a requirement of 1 stall for every 250 square feet of gross floor area during discussions at the previous Planning and Zoning meeting.

Staff Comment: Village Attorney John Zemenak suggested adding a clause similar to the previous agenda item regarding expansion of existing buildings triggering parking requirements. The Commission agreed.

Public Comment: None

Commissioner Comments:

Carmichael : Commissioner Carmichael wanted to discuss with the rest of the Commission if they were still comfortable with 1 stall for every 250 square feet.

Clemens : Commissioner Clemens was favorable of 1 stall for every 250 square feet.

Thomas : Commissioner Thomas was comfortable requiring 1 stall for every 250 square feet.

Van Buren : Commissioner Van Buren was comfortable requiring 1 stall for every 250 square feet.

Sharp : Commissioner Sharp noted that he was unsure if he agreed with staff's suggestion to require a set number of spaces when the business is known versus a different standard when the businesses are unknown. Sharp suggested that the identified use at the time of the application should be ignored, and a generic parking ratio, in this case 1 stall for every 250 square feet, for new buildings should be universally used.

Scales : Commissioner Scales agreed that the 1 stall for every 250 square feet makes sense.



Lavoie : Commissioner Lavoie stated that he was comfortable requiring 1 stall for every 250 square feet. Lavoie asked staff if there were any provisions prohibiting a property owner or business from approaching a neighboring property with excess parking and initiating a cross over easement. Village Attorney John Zemenak replied that there is a section in the parking chapter that allows for parking on property that is not under their control if there is a recorded easement and the property is within 500 feet.

MOTION A

Motion to recommend to the Village Board of Trustees to approve Zoning Ordinance text amendments to the Village of Westmont Code of Ordinance, Appendix "A", Zoning, including Article X, Section 10.06 (Off-Street Parking) to modify off-street parking requirements for multi-tenant buildings in the B-1 Limited Business District, B-2 General Business District and C-1 Commercial Zoning Districts.

Motion by: Van Buren

Second by: Lavoie

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Yes

Clemens: Yes

Motion Passed

PZC 119-2020 Planning and Zoning Commission to consider a request from the Village of Westmont regarding the following proposed Zoning Ordinance text amendments:

- A. Zoning Ordinance text amendments to the Village of Westmont Code of Ordinance, Appendix "A", Zoning, including 1) Article VII, Section 7.03 (Permitted and Special Uses in Business Districts) to allow ATM facilities as permitted uses in the B-1 Limited Business District, and in the B-2 General Business District; 2) Article VII, Section 7.04 (Special Conditions) to remove a special condition related to ATM facilities; and, 3) Article VII, Section 7.07 (Permitted and Special Uses in the C-1 District) to allow ATM facilities as permitted uses in the C-1 Commercial Business District.

Presentation: Village Planner Nalini Johnson discussed Automatic Teller Machines, also known as "ATMs", which are listed in 2 different "Use Tables" in Westmont's zoning ordinance as "ATM/on or off premises". Johnson stated that section 7.03 provides a Use Table for the B-1 and B-2 zoning districts, while Section 7.07 provides a Use Table for the C-1 zoning district. Section 7.04 provides one (1) special condition specifically for ATMs in Footnote 8. Johnson noted that these banking machines are currently regulated as 'Special Uses' in the B-1, B-2, and C-1 zoning districts. Staff is instead suggested that they be designated instead as 'Permitted' uses. Johnson also



commented that the Police Department stated that they were comfortable with allowing the Community Development Department to evaluate each atm as they come in for permitting.

Staff Comment: Village Attorney John Zemenak noted that the text amendment as presented did not address other Commercial zoning districts including B-3, OR-1, or M districts. Zemenak recommended including all zoning districts other than residential for the amendment.

Public Comment: None

Commissioner Comments:

Thomas : Commissioner Thomas was in favor of the text amendment.

Van Buren : Commissioner Van Buren was in agreement with the request.

Sharp : Commissioner Sharp was in agreement with the request.

Scales : Commissioner Scales was in agreement with the request.

Lavoie : Commissioner Lavoie had no questions.

Carmichael : Commissioner Carmichael was in agreement.

Clemens : Commissioner Clemens had no comments.

MOTION A

Motion to recommend to the Village Board of Trustees to approve Zoning Ordinance text amendments to the Village of Westmont Code of Ordinance, Appendix "A", Zoning, including 1) Article VII, Section 7.03 (Permitted and Special Uses in Business Districts) to allow ATM facilities as permitted uses in the B-1 Limited Business District, and in the B-2 General Business District; 2) Article VII, Section 7.04 (Special Conditions) to remove a special condition related to ATM facilities; and, 3) Article VII, Section 7.07 (Permitted and Special Uses in the C-1 District) to allow ATM facilities as permitted uses in the C-1 Commercial Business District. And 4) to allow ATM facilities as permitted uses in the B-3 Special Business District, M Manufacturing District, O/R and O/R-1 Office Research District.

Motion by: Thomas

Second by: Clemens

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Yes

Clemens: Yes

Motion Passed



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Community Development Department

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Old Business - None

11. Miscellaneous Items -

A) None

12. Adjourn

Motion by: Clemens

Second by: Thomas

Meeting adjourned at 9:30pm