



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 October 13, 2021 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **October 13, 2021 at 7:00 p.m.**, at the Westmont Village Hall located at 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Doug Carmichael led in the following:

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

In Attendance: Chair Doug Carmichael, Commissioners Wallace Van Buren, Thomas Sharp, Chris Lavoie, Alison Clemens, Village Attorney John Zemenak, Community Development Director Bruce Sylvester, and Interim Village Planner Joe Hennerfeind

Absent : Commissioner Craig Thomas, Commissioner Matt Scales

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 August 11, 2021 regular meeting.**

MOTION to approve the regular meeting minutes on August 11, 2021.

Motion by: Clemens

Second by: Van Buren

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**

Community Development Director Bruce Sylvester introduced Joe Hennerfeind to the Commission who was previously employed with Westmont as Village Planner, but who is currently working as the interim Planner.

New Business

PZC 079-2020 Request from Niche & Company Catering and Events, LLC, and Westmont Business Park, LLC, regarding the property located at 825 North Cass Avenue (Unit 303) in Westmont, IL 60559 for the following:

- A) Text Amendment request to amend Appendix A, Section 8.13 of the Westmont Zoning Code to add Catering Facilities as a Special Use in the O/R Office/Research District.
- B) Special Use Permit request to operate a Catering Facility in the O/R Office/Research District.



Presentation: Jim Olguin from the Buikema Law Group spoke on behalf of the property owner of Oakmont Business Center. Olguin stated that with previous tenants operating a larger catering business in the past, they did not foresee any negative impacts and believed the proposed new business complies with all the Village regulations and standards. Olguin noted that benefits of the site included the building location which acts as a buffer for parking from Cass Avenue and Chestnut.

Staff Comment: Hennerfeind provided the Commission with background information and property history for 825 North Cass Avenue. There had previously been a catering facility operating in the space several years ago, but the use was not permitted at that time, however there were no issues that had arisen. The property owner had found another catering business that wanted to occupy the space this year, but the Village could not permit the use without approaching the question of a text amendment. Village staff analyzed the catering use for that district and felt that it was appropriate as a special use versus a permitted use for that district. Special use regulations and standards that staff felt appropriate included :

1. Preparing food for off site consumption
2. Parking requirements are met.
3. Regulating Commercial Vehicles
 - a. Staff felt the vehicles need to be stored in designated areas
 - b. The count of commercial vehicles (1-3 commercial vehicles) could not increase by more than 20 percent without coming back for re-approval.
 - c. Vehicles should always be operable with current registration
 - d. Vehicles shall not be used to store or warehouse products or materials for a period more than 72 hours.
 - e. Vehicles shall be parked in the standard parking stalls and cannot encroach other stalls or require drives and aisles.
 - f. Oversized vehicles are prohibited.
 - g. Vehicles cannot be seen or used for advertising.

Public Comment: Duane Newton asked staff if this text amendment could be applicable to O/R-1. Hennerfeind replied that the O/R-1 district was not included in the above referenced proposed text amendment but could be added through a similar process in the future if requested.

Commissioner Comments:

Lavoie : Commissioner Lavoie was not sure if a text amendment was the most appropriate course of action since this case in particular seemed site specific. Hennerfeind noted that other districts were analyzed to see which district catering fit best in, but due to the truck component and lack of retail, no other districts were well suited.

Carmichael : Commissioner Carmichael asked the petitioner to elaborate on the expected traffic with deliveries. Mr. Olguin replied that the landlord also had concerns, but were told they can expect box size trucks which addressed their concerns.



westmont.illinois.gov

Community Development Department

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

Thomas : Absent

Sharp : Commissioner Sharp asked Ally Cavedo who was the business owner, specific questions about their business operations when it came to pickups and deliveries and the nature of their business. Sharp also asked staff if nuisance odors would be regulated with this text amendment. Hennerfeind replied that nuisance odors, noise, smoke etc. is covered under the manufacturing district code section but is applicable to all districts therefore can be enforced.

Scales : Absent

Van Buren : Commissioner Van Buren asked the petitioner if food trucks were part of their business operations. Mr. Olguin replied that food trucks would not be proposed as part of their use.

Clemens : Commissioner Clemens stated that with its uniqueness, she was in support of the request.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Text Amendment request to amend Appendix A, Section 8.13 of the Westmont Zoning Code to add Catering Facilities as a Special Use in the O/R Office/Research District.

Motion by: Clemens

Second by: Lavoie

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Absent

Lavoie: Yes

Sharp: Yes

Scales: Absent

Clemens: Yes

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate a Catering Facility in the O/R Office/Research District.

Motion by: Lavoie

Second by: Sharp

VOTING B



westmont.illinois.gov

Community Development Department

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

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

Motion Passed

PZC 077-2021 Request from SARC US, LLC, regarding the property located at 6320 South Cass Avenue in Westmont, IL 60559 for the following:

- (A) Preliminary Plat of Subdivision to consolidate two lots in the C-1 Commercial Business District.
- (B) Zoning Code Variance request to allow a parking lot to encroach into the Cass Avenue Supplemental Setback Line.
- (C) Site and Landscaping Plan approval for a medical clinic in the C-1 Commercial Business District.

Presentation: Tom Liabo, owner and representative of Sarc Us, spoke before the Commission to request approval for the submitted plat of consolidation and parking variance due to site line hindrance and tree preservation. Sarc US is looking to develop an urgent and acute care center.

Staff Comment: Hennerfeind explained to the Commission why the Village required a plat of consolidation and noted it was more of a clean up item. The zoning variance was required to park in the front yard setback for Cass Avenue which is not uncommon for designated important streets like Ogden and Cass Avenue. Another factor for the setback variance is due to the narrowness of the lot and visibility.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie thought it would be beneficial to explore a cross access agreement to promote ease of access for waste management and first responders. Lavoie was in favor of the project.

Carmichael : Commissioner Carmichael was in agreement with staying consistent with the neighboring buildings. Carmichael asked the petitioner about proposed security lighting to which the Liabo replied they would have to look into that and get back to the Commission. Hennerfeind added that staff will be working with the applicant during the permitting process to make sure the photometrics meet code requirements.

Thomas : Absent

Sharp : Commissioner Sharp agreed that the variance made sense with the lot width and obstruction from the neighboring buildings. Sharp asked the petitioner why they couldn't retain the 30 foot setback and locate the parking behind of the building. Liabo replied that it has to do with accessing the front entrance. Sharp also added



that the architectural elevations appeared to be mislabeled in terms of compass orientation. Sharp commented on the final plat of consolidation noting a 40 foot building setback rather than 30 foot setback. Hennerfeind replied that the item could be corrected and that the Village Engineer only requests that the setback be listed on the preliminary plat versus final plat.

Scales : Absent

Van Buren : Commissioner Van Buren stated that it's more important to be consistent with the context than it is to be consistent with the codes for this site in particular. Van Buren was in favor of the requests as presented.

Clemens : Commissioner Clemens asked staff for clarification on the 20 foot encroachment on the 30 foot setback.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Preliminary Plat of Subdivision to consolidate two lots in the C-1 Commercial Business District.

Motion by: Lavoie

Second by: Clemens

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Absent

Lavoie: Yes

Sharp: Yes

Scales: Absent

Clemens: Yes

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to allow a parking lot to encroach into the Cass Avenue Supplemental Setback Line.

Motion by: Van Buren

Second by: Clemens

VOTING B

Van Buren: Yes

Carmichael: Yes

Thomas: Absent

Lavoie: Yes

Sharp: Yes

Scales: Absent



Clemens: Yes

Motion Passed

MOTION C

Motion to recommend to the Village Board of Trustees to approve a Site and Landscaping Plan approval for a medical clinic in the C-1 Commercial Business District.

Motion by: Clemens

Second by: Sharp

VOTING C

Van Buren: Yes

Carmichael: Yes

Thomas: Absent

Lavoie: Yes

Sharp: Yes

Scales: Absent

Clemens: Yes

Motion Passed

PZC 083-2021 Request from Calistoga Home Builders regarding the property at 547 63rd Street in Willowbrook, IL 60527, for the following:

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

Presentation: Project Engineer Jiun-Guang Lin with Ridgeline Consultants asked the Commission to consider two requests to make the best and highest use of the subject property. The first request was to rezone the property from R-1 to R-3 and the second request was to subdivide the property into three lots. The property was currently zoned R-1 due to the default zoning district status for annexed properties. Lin noted that the majority of surrounding properties are primarily zoned R-3. The block of properties to the southeast are zoned R-1A, but Lin felt this district would not align with what they are trying to achieve because it would require a much bigger front yard setback. Lin discussed a proposed detention basin as well as a new concrete walk that would run along the east parkway of Ridge Road. Lin noted that the Village's Engineer granted approval with one exception which was to include a statement on the final plat of subdivision that all lot owners will bear the responsibility of maintaining the storm water detention basin.

Lin mentioned that there had been code enforcement action regarding the subject property related to nuisance animals due to heavy vegetation and unsafe structures. In turn, the builder started clearing the trees on the property and is also in the process of demolishing the existing structures. As for the tree preservation, Lin was



confident that the required tree replacement and heritage tree protection or removals would be done in accordance with the Village Code.

Staff Comment: Hennerfeind discussed the time of annexation for 547 63rd Street along with adjoining properties along 63rd Street and why the properties were given the R-1 zoning to begin with. Hennerfeind felt that the new zoning proposal was appropriate and fit with the comprehensive plan.

Village Attorney John Zemenak confirmed with staff that the proposed housing would not exceed 35% lot coverage, and that there would potentially be room to add a deck or patio without exceeding the maximum lot coverage requirements. Zemenak also suggested adding language into a Homeowners Association agreement regarding the detention basin maintenance in addition to the notation on the plat.

Public Comment: Joe Stegar who has family that lives just to the east of the referenced proposed subdivision, asked if there will be some type of buffer since the trees that divided the lots had been removed. Kazi, the property owner of 547 63rd Street, replied that they would install fencing around the property.

Commissioner Comments:

Lavoie : Commissioner Lavoie believed the zoning was the right fit for that area. Lavoie asked staff how the other lots to the east would be impacted if this subdivision were approved. Hennerfeind replied that as you get closer to the PUD to the east, the comprehensive plan suggests multi-family. If the proposed subdivision is approved, access for any future developments would now need to be off of 63rd Street.

Carmichael : Commissioner Carmichael asked the developer if there was a tree plan and felt that a buffer to the east was necessary. Carmichael also asked the petitioner for details on the concrete walk proposal. He was in favor of the proposal.

Thomas : Absent

Sharp : Commissioner Sharp had no questions and was supportive of the requests.

Scales : Absent

Van Buren : Commissioner Van Buren was favorable of the requests, and felt that it was a good fit for the area.

Clemens : Commissioner Clemens felt that the proposal was a good use for the lot, especially given no variances needed.

MOTION A

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

Motion by: Van Buren



Second by: Sharp

VOTING A

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

Motion Passed

MOTION B

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

Motion by: Clemens
Second by: Sharp

VOTING B

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

Motion Passed

PZC 127-2021 Request from Dr. Annie Ubatuba, DVM, and BLAH Group, LLC regarding property located at 100 South Cass Avenue in Westmont, IL 60559 for the following:

- (A) Special Use Permit request to operate an animal clinic in the B-1 Limited Business District.
- (B) Zoning Code Variance request for an animal clinic to be located within 100 feet of a residence district.

Presentation: Ken Just with RWE Design Build represented Veterinarian Dr. Annie Ubatuba who would like to operate an animal clinic in the B-1 district. A variance was also requested since the clinic falls within 100 feet of a residential area. Just felt that the clinic would be a significant improvement to the lot and Community.

Dr. Annie Ubatuba clarified that the business would be less of an animal clinic and more of a rehabilitation service. Ubatuba noted that this would be beneficial to the community and other local veterinarians as there is not a



standalone rehabilitation facility for referral.

Staff Comment: Hennerfeind provided the Commission with background information for the grounds of a Special Use Permit and why in this case it was necessary. Hennerfeind pointed out some areas of concern which included the following :

1. Cleaning up after the pets - The applicant indicated that they would be looking to clean up outside of the building on a regular basis.
2. Green area on the North side in poor condition - The applicant indicated that they would initially put a waste station there and over time would like to re-approach with some exterior improvements.
3. Overnight kenneling of pets - The applicant assured that there would be no overnight stays.
4. Noise - Hennerfeind noted that staff is not requesting any mitigation at this point.

Hennerfeind noted that that the property is in violation for the deteriorated condition of the parking lot in the rear which holds approximately 8-10 spaces. Hennerfeind stated that this would need to be remedied quickly.

Village Attorney John Zemenak noted that the 100-foot setback requirement from a residence district is difficult to achieve for virtually all properties in the B-1 District.

Public Comment: Dr. Jessica Torok who is a Veterinarian at Urban Vet Associates was happy to welcome Dr. Ubatuba to the Westmont and thought that she had a wonderful plan for her clinic and that a rehab facility was a much needed service in the Community.

Commissioner Comments:

Lavoie : Commissioner Lavoie was supportive of the request and felt it was a good fit for the area.

Carmichael : Commissioner Carmichael was supportive of the request.

Thomas : Absent

Sharp : Commissioner Sharp asked the petitioner what the proposed hours would be. Dr. Ubatuba replied that the hours would likely be Monday through Friday, 8-5pm. Sharp also asked if the exterior of the building would be improved to which Dr. Ubatuba replied that the exterior would be updated to reflect the inside of the building. She also noted that the windows would not be obscured, but would be transparent so that pedestrians could see the rehab gym from the outside. Sharp was in favor of the request.

Scales : Absent

Van Buren : Commissioner Van Buren asked if a veterinarian's license is required to do rehabilitation. Dr. Ubatuba replied that some services can be performed by a veterinary technician but they would need to be supervised by a licensed veterinarian. Certain procedures such as intra-articular injections, musculoskeletal ultrasounds and any chiropractic things would need to be performed by a licensed veterinarian. Van Buren was in favor of the request.

Clemens : Commissioner Clemens was surprised that this was an underserved profession. Clemens noted that she does not foresee an issue with waste having had Urban Vet Associates as a neighbor for the last year. Clemens was



westmont.illinois.gov

Community Development Department

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

supportive of the request.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate an animal clinic in the B-1 Limited Business District.

Motion by: Clemens

Second by: Sharp

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Absent

Lavoie: Yes

Sharp: Yes

Scales: Absent

Clemens: Yes

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request for an animal clinic to be located within 100 feet of a residence district.

Motion by: Van Buren

Second by: Lavoie

VOTING B

Van Buren: Yes

Carmichael: Yes

Thomas: Absent

Lavoie: Yes

Sharp: Yes

Scales: Absent

Clemens: Yes

Motion Passed

Old Business

11. Miscellaneous Items -

- A) Hennerfeind noted that the next meeting will be cancelled due to scheduling conflicts and rescheduled to November 17, 2021.



westmont.illinois.gov

Community Development Department

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

- B) Commissioner Sharp asked for an update on the 1 North Cass development. Attorney John Zemenak replied that it is still moving forward and that there are some delays with fine tuning various agreements and final plat approval which is due by April 2022. Once finalized, they can close on the property and move forward with construction.

12. Adjourn

Motion by: Clemens

Second by: Van Buren

Meeting adjourned at 8:45pm