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Community Development Department

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

Village of Westmont Planning & Zoning Commission November 8, 2023 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **November 8, 2023 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, Harold Barry III, Chris Lavoie, Matthew Scales, Jill Peterson, Village Attorney John Zemenak, and Community Development Deputy Director - Planning Joseph Hennerfeind

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 October 11, 2023 regular meeting**

MOTION to approve the regular meeting minutes on October 11, 2023, 2023

Motion by: Scales

Second by: Barry

VOTING

Barry: Yes

Scales: Yes

Thomas: Yes

Lavoie: Yes

Van Buren: Yes

Peterson: Yes

Carmichael: Yes

Motion Passed

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

New Business:

PZC 032-2023 Requests by AMALFI PROPERTIES, LLC (Owner) and MARIANI ENTERPRISES, LLC (Business Owner), regarding the property at 1000 and 1010 Vandustrial Drive, Westmont, Illinois, 60559, for the following:

1. Map Amendment request to rezone from M Manufacturing District to M-1 Limited Manufacturing District.
2. Special Use Permit and associated Site Plan approval request for accessory outdoor storage for a landscape contractor's office in the M-1 Limited Manufacturing District.



Presentation: Walter Roach, the owner of 1000 and 1010 Vandustrial Drive provided the commissioners with an overview of their request and the existing uses. Roach explained that the site itself consists of a 9,000 square foot office and warehouse. Roach further explained that the Mariani Landscaping occupies 50% of the office space and 100% of the warehouse. Roach elaborated that Mariani Landscaping is a first in class landscaping company and that they do extensive work within Westmont and are seeking to extend the lease on the property. Roach indicated that the reclassification of the property to the M-1 District would secure a special use for Mariani Landscape to utilize the exterior yard for storage for seasonal landscaping materials.

Ryan Dabari with Interior Design Group, reiterated the request being sought to the commissioner. Dabari also provided the commission with a site plan and proposed building improvements. Dabari explained that the proposed use of the exterior yard will not change however, it would allow Mariani Landscaping to incorporate canopy structure to preserve paintings. Dabari also explained that the special use standards are and will continue to be met and provided the commission with visuals of the existing conditions of the property.

Staff Comment: Deputy Director Hennerfeind provided the commission with a summary of the request being sought and provided context to the requests. Hennerfeind explained that the petitioner originally approached the Village to construct two canopy like structures to protect the plants. Hennerfeind further explained that the proposed construction would be considered an expansion of the outdoor storage which is not permitted in the current zoning district. Hennerfeind elaborated that the request to rezoning to the M-1 Limited Manufacturing district is more limiting than the M Manufacturing district. Hennerfeind also indicated that the special use permit request would be specifically to allow the out storage of the materials and proposed structures.

Public Comment: Patty Desmond, a neighboring resident within Westmont, provided the commission with the history of the uses of the property. Desmond also explained that they have had previous issues with the landscapers leaving grass clippings open to the air and not properly disposing the material into dumpsters which would cause an odor. Desmond expressed concern that if the special use is granted, the odor from the mulch and other landscaping material would return and not allow the residents to enjoy the use of their backyards.

Penny Wier, a resident of Carlton Court and representing the Carlton Court homeowners association, provided the commission with an aerial of the properties that they believe would be and have been affected by the odor from landscaping refuse. Weir also expressed concern over the storage of the landscape material outside.

Patricia Surdyk, a resident of Carlton Court also expressed concern of the past issue related to the landscaping business activity.

Deputy Director Joseph Henenrfeind explained to the commissioners that there are no active code violations on the property and that the previous issues have been remedied to the best of the staff's knowledge.

Walter Roach explained that they received a violation after the old structure was removed and has been remedied.

Nate Birch, Senior Vice President of Mariani Landscaping, expressed to the commission that they are open and willing to discuss and incorporate the neighboring residents' concerns into the special use permit approval.



Joseph Hennerfeind also explained to the commission that the request does not negate the code enforcement requirements but other terms can be set as conditions on the special user permit.

Village Attorney John Zemenak added that it is common practice to attach conditions to a special use permit and provided a list of conditions that may be proposed and provided to the Village Board for final approval.

Birch further added that they are willing to add landscaping and trees on the north end of the property to provide screen and wind buffers for the adjacent homeowners to the north.

Zemenak and Hennerfeind further explained the proper if Mariani was ever deemed in violation of the proposed special use permit and attached conditions.

Commissioner Barry confirmed with the petitioner that the organic waste within the temporary structure instead of utilizing the warehouse due to fire related issues.

Commissioner Comments:

Barry : Commissioner Barry commented on the residents' concerns and the existing activities of Maraini Landscaping. Barry indicated that several conditions would need to be placed on the special use permit.

Scales : Commissioner Scales asked staff to clarify the proposed use and zoning district change. Hennerfeind further elaborated on the expiration of a special use permit and the limits within the M-1 District. Scales also asked the applicant to clarify types of organic waste. Birch provided a list and time of the different types of organic waste.

Lavoie : Commissioner Lavoie asked for clarifications related to the two code complaints that the property has had in the past. Birch provided an explanation of each complaint and subsequent remedy.

Lavoie also asked the petitioner about their willingness to introduce solutions and commit to the conditions of the special use permit.

Birch indicated that they are willing to engage with homeowners and the Village to create accommodations. Birch further clarified that the branch debris is processed into mulch at a separate facility in Lake Bluff and that the 1000 Vandustrial property is used as a storage point.

Peterson : Peterson asked the petitioner to clarify if the dumpster is covered everyday. Birch indicated that at the end of day the dumpster is covered. Resident Desmond contested and indicated that the dumpster is not consistently covered. Village Attorney Zemenak explained that the conditions that imposed would likely indicate a specific time period of when the organic matter must be covered. The commissioners and staff discussed a variety of conditions that may need to be addressed with the petitioner such as: delivery and drop offs, waste hauling, and fire safety. Resident Surdyk raised a question on whether the changes would have an impact on the odor of the surrounding area. Birch explained that the only change would be to relocate that mulch from the warehouse to a covered structure.

Thomas : Commissioner Thomas asked staff to clarify if the commission can require specific time requirements in the conditions. Hennerfeind explained that they can be specific but it can be detrimental to how the business operates. Thomas also asked the petitioner to look into requiring a specific technology for monitoring odor.



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Zemenak also discussed the difficulty with monitoring odor as there are no specific standards within the Village's Code. Commissioner Lavoie agreed with Zemenak and added that the monitors that are currently placed at other locations do not monitor odor.

Van Buren : Commissioner Van Buren acknowledged the issues and indicated the special use permit will hopefully solve the issues.

Commissioner Lavoie discussed the other solutions to alleviate the odor that the petitioner may discuss. Chair Carmichael asked Village Attorney John Zemenak to provide a list of conditions for the Village Board to consider.

Zemnak provided a list of conditions to the commission which includes: grass clippings, leaf waste and other organic waste material shall be stored in dumpsters; the dumpsters shall be covered at all times except when loading or unloading; the dumpsters shall be hauled away from the property two to three times per week; leaf mulch or other mulch shall be stored within concrete blocks and covered by a hoop tent structure on three sides except when loading and unloading; mulch shall not be stored outdoors uncovered for more than a two hour period and; the applicant shall plant landscaping on the north property line for screen and odor protection.

Carmichael : Chair Carmichael asked the petitioner if they would be willing to abide by the conditions. Birch indicated that they likely would but wanted to clarify what the next step in the process would be and if they will have a chance to discuss the conditions with staff.

Zemenak explained that the commission is only a recommending body and that the petitioner will be provided the conditions in writing to review prior to the Village Board meeting. Zemenak further explained that if the conditions need to be adjusted it would be presented to the Village Board in that manner.

MOTION 1

Motion to recommend to the Village Board of Trustees to approve a request by AMALFI PROPERTIES, LLC (Owner) and MARIANI ENTERPRISES, LLC (Business Owner), regarding the property at 1000 and 1010 Vandustrial Drive, Westmont, Illinois, 60559, for a Map Amendment request to rezone from M Manufacturing District to M-1 Limited Manufacturing District.

Motion by: Van Buren

Second by: Scales

VOTING 1

Barry: Present

Scales: Yes

Thomas: Yes

Lavoie: Yes

Van Buren: Yes

Peterson: Yes

Carmichael: Yes

Motion Passed



MOTION 2

Motion to recommend to the Village Board of Trustees to approve a request by AMALFI PROPERTIES, LLC (Owner) and MARIANI ENTERPRISES, LLC (Business Owner), regarding the property at 1000 and 1010 Vandustrial Drive, Westmont, Illinois, 60559, for a Special Use Permit and associated Site Plan approval request for accessory outdoor storage for a landscape contractor's office in the M-1 Limited Manufacturing District with proposed conditions.

Discussion: Lavoie asked staff to clarify if the site plan would be adopted. Zemenak and Hennerfeind indicated that a site plan will be adopted in conjunction with the Special Use Permit however; change may be made prior to the Village Board vote.

Zemnak provided a list of conditions to the commission which includes: grass clippings leaf waste and other organic waste material shall be stored in dumpsters; the dumpsters shall be covered at all times except when loading or unloading; the dumpsters shall be hauled away from the property two to three times per week; leaf mulch or other mulch shall be stored within concrete blocks and covered by a hoop tent structure on three sides except when loading and unloading; mulch shall not be stored outdoors uncovered for more than a two hour Period ; the applicant shall plant landscaping on the north property line for screen and odor protection and; three violations in a twelve month period would be grounds to revoke the special use permit.

Birch asked staff to clarify the difference between a violation and complaint.

Motion by: Lavoie

Second by: Scales

VOTING 2

Scales: Yes

Thomas: Yes

Lavoie: Yes

Van Buren: Yes

Peterson: Yes

Barry: Present

Carmichael: Yes

Motion Passed

PZC 034-2023 Request by CUSTOMWOOD KITCHEN, INC. (Owner) and URBAN TRI GEAR, LLC (Business Owner), regarding the property at 17 East Chicago Avenue, Westmont, Illinois, 60559, for the following:

1. Zoning Ordinance Variance request to reduce the number of off-street parking stalls in the B-2 General Business District.

Presentation: Preston Bocos of Urban Tri Gear provided the commission with a brief explanation of the business and the request for a reduction in the number of required parking spaces. Bocos indicated that the business currently has two locations in Village with one being a warehouse and the other at Saint James Crossing on



Ogden Avenue. Bocos further explained that they also are a vendor at various swim meets and have a large amount of stock. Bocos further explained that the business usually has one to three cars for customers at their current store.

Staff Comment: Deputy Director Hennerfeind explained to the commission that when a new use moves onto a property the Zoning Ordinance requires that the parking requirement is met for the proposed use. Hennerfeind further explained that the use is determined to be a Sporting Goods which requires 1 parking space per 200 square feet. Hennerfeind indicated that the requirement does not distinguish between storing space and floor area. Hennerfeind added that there are currently 10 parking spaces in the front and four gravel spaces in the rear, however the regulations would require 35 parking spaces.

Public Comment: There were no public comments.

Commissioner Comments:

Barry : Commissioner Barry indicated support for the request and the business.

Scales : Commissioner Scales indicated support for the request.

Lavoie : Commissioner Lavoie asked staff if they have received any inquiries from the public. Hennerfeind answered that there has been no communication about the case from the public.

Peterson : Commissioner Peterson asked the petitioner if they would be closing their location at Saint James Crossing. Bocos explained to the commission that the business has outgrown the space at Saint James Crossing, Commissioner Peterson indicated support for the request.

Thomas : Commissioner Thomas Indicated support for the request.

Van Buren : Commissioner Van Buren indicated support for the request.

Carmichael : Chair Carmichael indicated support for the request.

MOTION 1

Motion to recommend to the Village Board of Trustees to approve a request by CUSTOMWOOD KITCHEN, INC. (Owner) and URBAN TRI GEAR, LLC (Business Owner), regarding the property at 17 East Chicago Avenue, Westmont, Illinois, 60559, for a Zoning Ordinance Variance request to reduce the number of off-street parking stalls in the B-2 General Business District.

Motion by: Scales

Second by: Barry

VOTING A

Thomas: Yes

Lavoie: Yes

Van Buren: Yes



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Peterson: Yes

Barry: Yes

Scales: Yes

Carmichael: Yes

Motion Passed

11. Open Forum - No one spoke during Open Forum.

12. Miscellaneous Items -

1. General Updates
 - a. Next PZC on December 13, 2023

13. Adjourn

Motion by: Thomas

Second by: Scales

Meeting adjourned at 8:55 PM