



Village of Westmont COMMUNITY DEVELOPMENT

31 West Quincy Street, Westmont, Illinois 60559

cd@westmont.il.gov | 630-981-6250
westmont.illinois.gov | 630-981-6200

Village of Westmont Planning & Zoning Commission August 14, 2024 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **August 14, 2024 at 6:00 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**

Present: 5 - Chair Doug Carmichael, Commissioners Jill Peterson, Chris Lavoie, Matt Scales, Boyar Zekiri

Absent: 2 - Harold Barry III, Craig Thomas

Staff: Scott Williams, Senior Planner, John Zemenak, Village Attorney, Adam Walsh, Planner

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 July 10, 2024 regular meeting.**

MOTION to approve the regular meeting minutes on July 10, 2024.

Motion by: Lavoie

Second by: Zekiri

VOTING:

Yes: 5 - Carmichael, Peterson, Lavoie, Scales, Zekiri

Absent: 2 - Barry, Thomas

Motion Passed

8. **Old Business** - None
9. **New Business**

MOTION to adjourn to Executive Session to discuss security procedures and training pursuant to Section 120/2(d)(8) of the Open Meetings Act.

Motion by: Scales

Seconded by: Zekiri



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VOTING:

Yes: 5 - Carmichael, Peterson, Lavoie, Scales, Zekiri
Absent: 2 - Barry, Thomas

The Executive Session was called to order at 6:04 pm.

The Executive Session was adjourned at 6:59 pm.

The regular Planning and Zoning Commission meeting reconvened at 7:01 pm.

Roll Call:

Present: 5 - Carmichael, Peterson, Lavoie, Scales, Zekiri
Absent: 2 - Barry, Thomas

10. Open Forum

Nobody spoke during the Open Forum.

11. Miscellaneous Items -

A) Zoning Ordinance Update Discussions

Williams opened the discussion, highlighting that there will be three different topics brought before the Commission for guidance. Carmichael reminded the public that the discussion is not a public hearing, so public input will not be taken. However, the public is allowed to listen to the discussion. A public hearing will take place later in the year, which gives the public an opportunity to weigh-in on the proposed Zoning Ordinance.

First Topic: Approval Procedures

Williams gave an overview of the revised processes and review criteria for Zoning Ordinance text and map amendments, special use permits, and variances. He discussed the new processes for major and administrative site plans, which should be a more flexible approach to accommodate unforeseen circumstances. Williams then discussed development plans and amendments to development plans, which are new processes.

Second Topic: Public and Institutional District (P District)

Williams noted that the Public and Institutional (P) District had previously been discussed at the Community Development Committee (CDC) meeting. Walsh introduced the discussion, noting that staff is looking for guidance on the bulk regulations and uses proposed by the consultant. He explained that the P district is meant to streamline the approvals process, as institutions are often located in districts with bulk regulations not intended for institutional structures. Walsh pointed out that the proposed bulk regulations for the P district are smaller than the R-3, Single-Family Detached Residence, district. He explained the proposed uses, giving examples of religious institutions and parks that may find it easier to locate in the P district. Walsh concluded by saying that the smaller setbacks and the change to permitted uses in the P district should reduce the number of approvals needed, but site plans will still be needed, when required.

Williams added that the P district should clean up the approvals process and be more accommodating



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for institutions. He explained that this district is meant to be scattered throughout the Village, and that public and private institutions would be allowed.

Carmichael asked if “safety service” referred to the police and fire departments. Williams answered yes, and that “safety service” can also be inclusive of garages for their vehicles.

Peterson questioned why libraries were proposed as a special use. Williams explained that libraries are currently a special use, and that the consultant did not propose a change to that. Peterson voiced support for the new P district. Zemenak added that libraries are a special use in residential districts because they may have adverse impacts that are not the case in business districts.

Williams gave a hypothetical example of a new library being built. He explained that they would have to ask for a rezoning to the P district, a special use permit, and possibly a site plan. All requests would be heard at the same time.

Carmichael asked why the minimum lot width is 50 feet in the P district when it is 60 feet in the R-3 district. Williams responded that some neighborhood parks could be on 50 foot lots and that CDC discussed reducing the minimum lot width to 50 feet in the R-3 district at a recent meeting.

Peterson asked if an institution would be allowed to ask for variances to the proposed P district bulk regulations. Williams replied yes. If they wanted a use to be added to the district, a text amendment would be required.

Scales asked if outpatient care is classified as a hospital. Williams responded that hospitals are classified as large-scale, campus-like institutions, not individual surgical centers or medical clinics. Scales inquired about what counts as a major or minor infrastructure/utility. Williams explained uses like the ComEd power station is one.

Lavoie questioned if the P district rules will be seen as rules only for governmental uses. He gave an example of a cell tower in the P district being located next to the R-3 causing problems. Lavoie recommended that the Zoning Administrator should be allowed to prevent those situations. Williams replied that special conditions on distance requirements could be placed on uses like cell towers or be a special use. He also explained that cell towers as accessory uses have their own rules that they must follow. Zemenak added that new regulations for cell towers were approved within the last two years, and Williams noted that those regulations will not see many changes in the new Zoning Ordinance.

Lavoie asked what zoning district properties are assigned to when they are annexed into the Village. Williams answered that they are zoned R-3, unless they petition for a rezoning while being annexed.

Williams explained that the Village will likely rezone the properties they own to the P district, but will not force any privately-owned properties to rezone. However, privately-owned properties can request to rezone to the P district.

Lavoie asked if the Code can require annexed properties to be initially zoned to the P district. Williams responded that the requirement is to assign annexed properties to the R-3 district, and that staff does not



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plan on changing that. Zemenak answered that the Village has the option to stipulate that properties can only be annexed to the Village if they are zoned to a certain district. Lavoie asked if there are any properties that are eligible for forced annexation. Williams and Zemenak responded that there are some that are close, but none at this time.

Scales questioned if the 45 foot height limit was set in stone. Williams answered that the current Code allows nonresidential uses to be 45 feet tall in residential districts. He also explained that a 45 foot-tall building can still have a large impact on nearby properties in terms of shadows and sunlight.

Lavoie voiced support for the proposed P district.

Third Topic: Accessory Dwelling Units (ADUs)

Williams introduced the topic of accessory dwelling units (ADUs). He explained that ADUs were discussed at a previous CDC meeting, where Staff was directed to create regulations and have discussions on ADUs during the public hearing stage. Williams explained the proposed regulations Staff created for ADUs.

Carmichael asked if the additional required parking space must be provided in a garage. Williams replied that the driveway can satisfy the requirement, as long as all parking is provided on private property.

Peterson questioned what the difference was between an addition to a house and an ADU. Williams explained that ADUs sometimes have separate exterior entrances or are physically separated by walls and/or ceilings. Peterson responded that a special use permit is not required for an addition to a single-family home. Williams clarified that the special use would be required for an ADU because someone would be living in a separate dwelling unit on the same property.

Zemenak asked if detached garages that do not meet the 10 foot setback could be converted into an ADU. Williams replied that they would have to ask for a variance.

Scales asked what the major drawbacks are for ADUs. Williams explained that because the Village is a non-home rule community, that there cannot be controls on who can live in the ADU without going through the special use process. Some communities require affidavits to ensure the occupant of an ADU is allowed to live there, which Staff is not interested in requiring.

Scales asked about utility connections for ADUs. Williams answered that some communities require a second water meter or leave it to the primary residence, and that it is in the Public Works Department's jurisdiction to make those rules.

Scales also asked about the 10 foot distance requirement from a principal structure. Williams responded that the 10 foot minimum came from Fire Department rules to prevent fire-hopping. Zekiri and Williams clarified that the same regulations apply for other accessory buildings.

Peterson questioned the need for design standards, finding that they can be over the top. Williams asked Peterson if she would support the idea of the ADU's entrance being setback from the primary dwelling unit's entrance. Walsh added that other communities require the ADU's entrance to be designed to look



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secondary to the primary dwelling unit's entrance.

Zekiri stated that it should be less restrictive to build an ADU, which Lavoie agreed with. Zekiri said that there may not be many lots in the Village suitable for ADUs. Williams asked if Zekiri would support ADUs being a permitted use that have to conform with the zoning district's bulk regulations. Zekiri replied that he is unsure.

Zemenak clarified that the lot coverage maximum is to mitigate flooding and stormwater management issues. Zekiri replied that because of the lot coverage maximum, properties with patios or decks may not have enough space, which means there are not enough lots in the Village to build an ADU on. Williams added that most homeowners know when they are at the maximum lot coverage, and would have to prove a hardship to obtain a lot coverage variance. Williams noted that the lot coverage regulations will not change in the new Zoning Ordinance.

Peterson, Scales, Zekiri, and Lavoie voiced support for ADUs. Zekiri advocated for less restrictive regulations for them. Lavoie agreed, and said that homeowners may want an ADU to house an elderly family member or a relative in need of temporary housing.

Williams asked the Commissioners if they supported approving ADUs through the building permit process. Lavoie answered that internal and attached ADUs should go through permitting, but detached ADUs should obtain a special use, first. Zekiri stated that most ADUs built in the Village will likely be detached.

Scales asked if new single-family homes required fire sprinklers. Williams responded yes, and that additions of a certain size may require them as well. Scales asked if a property owner wants to build an ADU, that they must comply with the proposed regulations or ask for variances, if needed. Williams replied yes.

Zekiri expressed concerns that requiring fire sprinklers may be cost-prohibitive. Williams explained that the Fire Department has a separate list of uses that require fire sprinklers, which is outside of the purview of this Commission.

Zemenak asked if Staff reviewed the Village of Oak Park's ADU regulations. Williams responded that Staff did review their regulations, but pointed out that Oak Park is not a directly comparable community.

Zemenak explained that ADUs could become a short-term rental, which could be an issue. Williams responded that nuisance regulations and code enforcement can mitigate that. Scales asked if there are any restrictions for short-term rentals in the Village. Zemenak replied that the CDC was not in favor of regulating them at this time, but may look into it at a later date.

Zekiri voiced support for ADUs, but expressed concerns about the number of ADUs that will actually be built because of cost concerns and lot size. Lavoie disagreed, stating that he sees ADUs being built as accessory structures to existing primary dwellings to house family members, not necessarily as a means for generating income.



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Williams asked the Commissioners if there should be separate regulations for internal/attached ADUs and for detached ADUs. Lavoie and Carmichael agreed.

Lavoie asked if detached ADUs would have a separate address. Williams answered that they would have to share the address, but there may be a distinction between the primary and accessory dwelling units. He further explained the differences between Village and Postmaster's addressing. There was discussion among the Commissioners about the best way for ADUs to be addressed for mailing and emergency purposes.

Williams thanked the Commissioners for their feedback on all three discussion topics. Zekiri asked when the public hearing will be for the new Zoning Ordinance. Williams responded that it will likely be later this year, as Staff is still reviewing the first full draft.

B) Announcement of the New Planning & Zoning Commission Secretary

Carmichael announced that Commissioner Peterson is no longer the Acting Secretary for the PZC, as she has officially been appointed to be the Secretary by Mayor Gunter. The Commissioners congratulated Secretary Peterson.

C) Next Regular Planning and Zoning Commission Meeting on September 11, 2024 at 6:00 pm.

Carmichael stated the next PZC meeting will be on September 11th. Williams noted that there are no pending cases for the September meeting, but there may be internal cases brought before the Commission.

12. Adjourn

MOTION to adjourn the meeting.

Motion by: Lavoie

Second by: Zekiri

The motion passed on a unanimous voice vote.

Meeting adjourned at 8:05 pm.