



Village of Westmont COMMUNITY DEVELOPMENT

31 West Quincy Street, Westmont, Illinois 60559

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westmont.illinois.gov | 630-981-6200

Village of Westmont Planning & Zoning Commission December 11, 2024 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **December 11, 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: 7 - Chair Doug Carmichael, Secretary Jill Peterson, Commissioners Chris Lavoie, Michael Lynn, Matt Scales, Craig Thomas, Boyar Zekiri

Absent: 0

Staff: Joseph Hennerfeind, Community Development Director, Scott Williams, Senior Planner, Adam Walsh, Planner, John Zemenak, Village Attorney

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 13, 2024 regular meeting.**

MOTION to approve the regular meeting minutes on November 13, 2024.

Motion by: Zekiri

Second by: Scales

The motion carried on a unanimous voice vote.

Motion Passed

8. **Review of Public Hearing Procedures**
9. **Old Business**
None.

10. New Business

PZC 032-2024

Request from the Village of Westmont regarding the lots/parcels at: 1 North Cass Avenue, Illinois, 60559 (PIN: 09-10-120-001); 13-19 East Burlington Avenue, Westmont, Illinois, 60559 (PIN: 09-10-120-034); 21 East Burlington Avenue, Westmont, Illinois, 60559 (PIN: 09-10-120-003); Unaddressed Parcel (PIN: 09-10-120-033); Unaddressed Parcel (PIN: 09-10-120-036); and Portions of the Public Right of Way; for



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the following:

- 1) Preliminary Plan of Subdivision to consolidate six (6) lots/parcels into one (1) lot.
- 2) Westmont Land Development Ordinance Variance request to delay both the installation and cash-in-lieu contribution of required land improvements until development of the newly-created lot.

Presentation:

Village Manager Steve May, the petitioner, presented the case. May explained that after a previous development on these parcels had their approvals rescinded, the Village collected the parcels proposed to be consolidated. He added that the utilities and a public rights-of-way will be relocated around the new lot. May explained that the Land Development Ordinance variance is requested to delay both the installation and cash-in-lieu contribution to a later date once development occurs.

Staff Comment:

Scott Williams, Senior Planner, presented the staff report. Williams clarified that a subdivision for a previous development on the subject properties was rescinded, which is why the parcels were not consolidated. He added that no development is being proposed along with the consolidation, and that the request is to create one lot and realign the right-of-way. Williams that the new lot would be zoned to the B-1 Limited Business District, as most of the parcels are already zoned to that district.

Commissioner Comments:

Lavoie: Commissioner Lavoie asked for clarification on the property lines of the proposed lot. Williams replied that the DuPage County Parcel Viewer does not allow for the dotted lines from past parcels to be removed from view. May answered that the northwest corner of the lot is setback to accommodate an existing water line and that a portion of the alley is being kept to allow the property to north to keep their emergency exit onto public property. May also explained that the lot western lot line for Lot 15 is being moved to align the new right-of-way with Linden Avenue.

Lavoie questioned if a parking easement should be placed on the property to allow for public parking. May responded that the Village will own the property until it is sold in the future, and that the public parking lot on North Lincoln Street was constructed to mitigate the loss when a development is built. John Zemenak, Village Attorney, explained that it is not necessary to have an easement for parking when the Village owns the property and allows for the public to park on the property. May added that this is the case for other parking lots owned by the Village. Williams noted that the use of a parking lot can continue on the new lot. Zemenak added that a parking easement would not be preserved after the property is sold. A temporary easement could be put in place after the property is sold and before construction begins.

Lavoie raised concerns about the variance to the cash-in-lieu contribution. Zemenak explained that the fee would be postponed until future development. May responded that there would not be fees because the Village will construct the infrastructure and that the fees are not applicable. Williams noted that a developer instead of constructing improvements, can pay cash-in-lieu of it. A variance to improvements can only be done to the cash-in-lieu, not the construction itself.

Zekiri: Commissioner Zekiri had no questions.



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Thomas: Commissioner Thomas had no questions.

Peterson: Secretary Peterson had no questions.

Lynn: Commissioner Lynn asked what the width of the right-of-way of Burlington Avenue is, if any on-street parking would be provided, and the location of utilities. May replied that the width of the right-of-way is 66 feet. Williams answered that the design of the right-of-way would not be considered at this meeting, but could be when a development comes in for site and landscaping plan approval. May explained that the water main will be severed and reconfigured with the new right-of-way design, as will the ComEd transmission line and sewer line. The reconfigurations are Village projects and remove the complexity from future development.

Scales: Commissioner Scales questioned if the PACE bus stop will need an easement. May responded that the bus stop is fully in the Cass Avenue right-of-way, and should not be impacted by the proposed consolidation.

Carmichael: Chair Carmichael asked about the timeline for moving the transmission line with ComEd. May answered that the design has been completed, and the construction plans are close to being finalized.

MOTION 1

Motion to recommend to the Village Board of Trustees to approve a request by the Village of Westmont regarding the lots/parcels at: 1 North Cass Avenue, Illinois, 60559 (PIN: 09-10-120-001); 13-19 East Burlington Avenue, Westmont, Illinois, 60559 (PIN: 09-10-120-034); 21 East Burlington Avenue, Westmont, Illinois, 60559 (PIN: 09-10-120-003); Unaddressed Parcel (PIN: 09-10-120-033); Unaddressed Parcel (PIN: 09-10-120-036); and Portions of the Public Right of Way for a **Preliminary Plan of Subdivision to consolidate six (6) lots/parcels into one (1) lot.**

Motion by: Scales

Second by: Zekiri

Lavoie clarified that the motion was for a preliminary plan, but the document before the Commission said "final plat". Williams explained that due to the variance request, the preliminary plan is the same as the final plat. The Commission does not review final plats, so the motion is only for the preliminary plan. Zemenak further clarified that the item will go before the Village Board as approval of the preliminary and final plat of subdivision.

VOTING 1

Yes: 7 - Carmichael, Peterson, Lavoie, Lynn, Scales, Thomas, Zekiri

No: 0

Motion Passed



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MOTION 2

Motion to recommend to the Village Board of Trustees to approve a request by the Village of Westmont regarding the lots/parcels at: 1 North Cass Avenue, Illinois, 60559 (PIN: 09-10-120-001); 13-19 East Burlington Avenue, Westmont, Illinois, 60559 (PIN: 09-10-120-034); 21 East Burlington Avenue, Westmont, Illinois, 60559 (PIN: 09-10-120-003); Unaddressed Parcel (PIN: 09-10-120-033); Unaddressed Parcel (PIN: 09-10-120-036); and Portions of the Public Right of Way for a ***Westmont Land Development Ordinance Variance request to delay both the installation and cash-in-lieu contribution of required land improvements until development of the newly-created lot.***

Motion by: Scales
Second by: Zekiri

VOTING 2

Yes: 7 - Carmichael, Peterson, Lavoie, Lynn, Scales, Thomas, Zekiri
No: 0

Motion Passed

PZC 026-2024

Request from WY Investments, LLC, d/b/a Westmont Yard, for the property at 233 West 63rd Street, Westmont, Illinois, 60559, for the following:

- 1) Amended and Restated Planned Development Agreement to allow ancillary outdoor uses associated with a Daycare Center in the (C-1) Commercial District.
- 2) Amended Site Plan and Amended Landscaping Plan in the (C-1) Commercial District.

Presentation:

Bill Gust, the petitioner, presented the case. Gust explained the Westmont Yard business model, and that they are before the Commission to accommodate outdoor uses related to the daycare. Gust further explained the amended site and landscaping plans, and the plan for parking buses.

Staff Comment:

Scott Williams, Senior Planner, presented the staff report. He provided an overview of the previously approved requests, clarifying that the original planned development agreement did not explicitly state that outdoor uses were allowed. Amending and restating the agreement provides clearer language for both staff and the property owner.

Public Comment:

None.

Commissioner Comments:

Zekiri: Zekiri asked for clarification on the site and landscaping plans. Gust replied that the trees on the southeast side of the property have been removed, clarified the location of the fences, that the site of the southern playground would be graded for a proposed playground, and that the western playground would



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remain as grass.

Thomas: Thomas voiced support for the requests.

Peterson: Peterson asked how many buses there are and if they only pick up children from Westmont schools. Gust responded that they have about 14 buses that go to around 15 schools across neighboring municipalities, but most children are from Westmont.

Peterson asked what would happen if DuPage County's regulations conflict with the project, if the Village approves it as presented. Williams answered that if substantial changes are required, the petitioner would have to come back before the Commission.

Lynn: Lynn expressed support for the project.

Scales: Scales asked if there was an issue with the property being adjacent to a wetland. Williams replied that it is a County requirement that certain changes may need permits from the County. The Village's engineer noted that there is a wetland nearby and that it is the property owner's responsibility to ensure they meet the County's regulations. Williams added that the wetland was likely constructed to serve as detention for the neighboring condominium development.

Zemenak mentioned that the draft agreement limits the number of buses to 16, and asked for clarification if buses and vans will be parked on the property. Gust responded that the buses and vans are shared among the facilities. Zemenak also mentioned that the draft agreement states that the buses must be labeled "Westmont Yard" or with the name of the active childcare service. Gust answered that though some buses are labeled "Naperville Yard", they all say "Active Childcare". Gust explained that all uses on the subject property are under WY Investments, LLC.

Zemenak explained to the Commission that the State of Illinois requires daycare centers to have outdoor spaces, which is why it was built without being in the original planned development agreement because it was inherently implied that it is allowed.

Lavoie: Lavoie asked if the petitioner has access to the driveways by the cell towers, which Gust replied they do. Lavoie asked how many doors serve the southern and western playgrounds. Gust answered that only one door serves each playground and that no children are in the spaces after dark.

Lavoie questioned how emergency services are able to access the playgrounds in the event of an emergency. Gust explained that emergency services can access the space through a fence to the playground or enter through the building to the playground.

Lavoie asked if the petitioner uses park district land for outdoor activities. Gust explained that they rent the detention basin from the Westmont Park District for their summer programs.

Carmichael: Carmichael had no questions.



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MOTION 1

Motion to recommend to the Village Board of Trustees to approve a request by WY Investments, LLC, d/b/a Westmont Yard, for the property at 233 West 63rd Street, Westmont, Illinois, 60559 for an ***Amended and Restated Planned Development Agreement to allow ancillary outdoor uses associated with a Daycare Center in the (C-1) Commercial District.***

Motion by: Scales
Second by: Thomas

VOTING 1

Yes: 7 - Carmichael, Peterson, Lavoie, Lynn, Scales, Thomas, Zekiri
No: 0

Motion Passed

MOTION 2

Motion to recommend to the Village Board of Trustees to approve a request by WY Investments, LLC, d/b/a Westmont Yard, for the property at 233 West 63rd Street, Westmont, Illinois, 60559 for an ***Amended Site Plan and Amended Landscape Plan in the (C-1) Commercial District.***

Motion by: Scales
Second by: Thomas

VOTING 2

Yes: 7 - Carmichael, Peterson, Lavoie, Lynn, Scales, Thomas, Zekiri
No: 0

Motion Passed

PZC 027-2024

Request from Bugwilder Studio, LTD, d/b/a PostNet, for the property at 36 North Cass Avenue, Westmont, Illinois, 60559, for the following:

- 1) Special Use Permit to operate a retail copy shop in the B-1 Limited Business District.

Presentation:

Joe Jovanovich, petitioner, presented the case. He explained the PostNet business model and the anticipated parking and delivery vehicle plan. Jovanovich mentioned future improvements to the gravel lot behind the building are being considered, but no improvements are planned at the moment.

Staff Comment:

Adam Walsh, Planner, presented the staff report. He explained that the Zoning Ordinance does not neatly classify a business like PostNet, but conversations among staff determined that the best classification is a retail copy shop. Williams added that the improvements to the facade or gravel lot



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would likely need site and landscaping plan approval, but no improvements of that nature have been formally proposed.

Public Comment:

None.

Commissioner Comments:

Thomas: Thomas questioned what the mailboxes will be used for. Jovanovich explained that they are like P.O. boxes at a Post Office.

Peterson: Peterson had no questions or comments.

Carmichael: Carmichael voiced support for offering customer access from the rear of the building in addition to the front.

Lynn: Lynn voiced support for the request.

Scales: Scales asked about any planned facade changes. Jovanovich explained that plans are still in the works, and is looking at removing the awning, updating the front, and installing a wall sign. Scales asked staff why a retail copy shop is a special use. Williams answered that it is likely due to the copy shops in the past using chemicals. Joseph Hennerfeind, Community Development Director, further explained that staff inherited a Zoning Ordinance that scrutinizes service uses in the B-1 Limited Business District.

Lavoie: Lavoie asked how many dwelling units are on the upper story and if they will remain. Jovanovich explained that he resides in the only dwelling unit. Lavoie questioned if PostNet does any deliveries. Jovanovich said that they do not do any deliveries themselves, but may if demand warrants it. Lavoie asked how delivery vehicles can be prevented from parking on the street to load and unload materials. Jovanovich answered that once the business is established as an account, drivers would fall into a routine of using the loading space behind the building.

Zekiri: Zekiri had no questions.

MOTION 1

Motion to recommend to the Village Board of Trustees to approve a request by Bugwilder Studios, LTD, d/b/a PostNe, for the property at 36 North Cass Avenue, Westmont, Illinois, 60559 for a ***Special Use Permit to operate a retail copy shop in the B-1 Limited Business District.***

Motion by: Scales

Second by: Zekiri

VOTING 1

Yes: 6 - Carmichael, Lavoie, Lynn, Scales, Thomas, Zekiri

No: 1 - Peterson

Motion Passed



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PZC 028-2024

Request from Illiknives, LLC, d/b/a Amalgam Martial Academy (Petitioner) and Bassam Shaheen (Owner) for the property at 27 East Chicago Avenue, Westmont, Illinois, 60559, for the following:

- 1) Special Use Permit to operate a commercial school in the B-2 General Business District.

Presentation:

Frank Delo Jr., petitioner, presented the case. Delo gave an overview of the Amalgam Martial Academy business model and the anticipated traffic congestion and parking demand.

Staff Comment:

Adam Walsh, Planner, presented the staff report. He highlighted that though there is not a parking requirement for the subject property, enough is provided to satisfy what would typically be required for a commercial school.

Public Comment:

None.

Commissioner Comments:

Scales: Scales had no questions.

Lavoie: Lavoie voiced support for the request.

Zekiri: Zekiri had no questions.

Thomas: Thomas expressed support for the request.

Peterson: Peterson had no questions, and voiced support for the request.

Lynn: Lynn gave support for the request.

Carmichael: Carmichael expressed support for the request.

MOTION 1

Motion to recommend to the Village Board of Trustees to approve a request by Illiknives, LLC, d/b/a Amalgam Martial Academy (Petitioner), and Bassam Shaheen (Owner), for the property at 27 East Chicago Avenue, Westmont, Illinois, 60559 for a ***Special Use Permit to operate a commercial school in the B-2 General Business District.***

Motion by: Thomas

Second by: Scales



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VOTING 1

Yes: 7 - Carmichael, Peterson, Lavoie, Lynn, Scales, Thomas, Zekiri

No: 0

Motion Passed

PZC 030-2024

Request from the Village of Westmont, for the following:

- 1) Text amendment to Appendix A, Section 6.04(A)(4), "Bulk and development standards in residence districts", of the Zoning Ordinance regarding minimum lot area for multiple-family dwellings.

Presentation and Staff Comment:

Scott Williams, Senior Planner, presented the request. Staff was directed to prepare a text amendment to the minimum lot area for multiple-family dwellings following the November 14, 2024 Community Development Committee (CDC) meeting. Staff was asked to lower the minimum lot area for multiple-family dwellings in the R-5 only, but staff proposed a decrease to the R-4 to give the Village Board of Trustees options.

Williams compared the density of the R-4 and R-5 districts to neighboring communities, gave an overview of the 1986 text amendment that increased the minimum lot area of the R-4 and R-5 districts, and compared them to the previously allowed regulations.

Joseph Hennerfeind, Community Development Director, explained that density had not been discussed as a part of the Zoning Ordinance update process because density requires an in-depth discussion, and was not planned to be a part of the update. Hennerfeind noted that neighboring communities allow different densities between their mid- and high-density residential districts, but the Village does not differentiate between the two. He gave a history of the 1986 text amendment that lowered the density of multiple-family dwellings by increasing the minimum lot area per dwelling unit. Hennerfeind provided an example of a development that required a density variance, noting that the approved project was closer to compliance under the pre-1986 rules. Decreasing the minimum lot area per dwelling unit, would allow for higher densities, and does not make density variance requests seem very unreasonable.

Zemenak asked if the Comprehensive Plan addresses higher density developments. Hennerfeind replied that the Comprehensive Plan addressed the Downtown, but was vague when it came to the areas surrounding the Downtown.

Public Comment:

None.

Commissioner Comments:

Zekiri: Zekiri asked if the properties zoned R-5 along the train tracks would be rezoned to a new district after the Zoning Ordinance update. Williams replied that they would likely be rezoned to a Downtown Residential district, but the proposed text amendment would affect those properties until they are rezoned, if at all.



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Zekiri asked how staff determined that the pre-1986 density regulations were appropriate. Williams answered that the previous text amendment was a reaction to development instead of a comprehensive look at the effects on multiple districts.

Zekiri questioned if what was proposed was enough of an increase. Hennerfeind responded that a more in-depth look at density can be discussed during the Comprehensive Plan update, which allows staff more time to address the issue. Hennerfeind further explained that density is calculated by bedroom count instead of dwelling units per acre, which is going to be addressed in the Zoning Ordinance update. Lavoie voiced support for the change in calculation.

Zekiri asked why the CDC did not direct staff to address density in the R-4. Hennerfeind responded that it is possible that they believed that since R-4 is more spread out through the Village and that the text amendment will be processed quickly, that it is easier to address R-5, in which less properties are zoned. Staff addressed the R-4 because there are more vacant properties awaiting development than properties zoned R-5.

Scales: Scales asked if the text amendment was proposed to address nonconforming properties in the R-4. Hennerfeind answered that it would remedy some nonconforming properties, but not all. He also noted that the density calculation does not allow for unusable land like detention areas to be excluded from it.

Scales questioned what the timeline was for the Zoning Ordinance and Comprehensive Plan. Hennerfeind said the Zoning Ordinance is anticipated to be adopted in the first quarter of 2025, and then will begin the Comprehensive Plan process, which should take 12-18 months.

Williams noted that even if the text amendment is approved, variances can still be requested. Hennerfeind added that an increase in density would make variances sound less extreme.

Lavoie: Lavoie questioned how the text amendment and Zoning Ordinance update would affect properties that may be rezoned. Zekiri and Hennerfeind said that the properties along the track may not see a huge increase.

Carmichael: Carmichael questioned the drawbacks to approving the text amendment. Zemenak responded that there could be fears about large dense developments being built, but most of the properties in the R-4 are built out.

Lavoie questioned if the Zoning Ordinance update would address contiguity of zoning districts. Zemenak said that a maxim of law is that spot zoning should not be done.

Lynn: Lynn asked if the 1986 text amendment also addressed bulk regulations. Williams responded that no, only minimum lot area was considered.

Zekiri voiced support for increasing the density in both the R-4 and R-5 districts.



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Lynn asked if the Downtown Residential district will have higher densities if adopted as a part of the Zoning Ordinance update. Hennerfeind replied yes.

Lavoie asked how a rezoning under the new Zoning Ordinance would affect the Willow Crest Golf Course. Hennerfeind explained that a residential development on that property would have to follow the regulations for the R-4 district. Williams explained any project on a property zoned B-3 Special Development District would have to be processed as a Planned Unit Development, which would have more descriptions on what can and cannot be counted towards minimum lot area. Lavoie questioned if what is counted in the density calculation should be a part of the proposed text amendment, to which Hennerfeind replied that it could be, but had not been discussed with the CDC yet.

Lynn questioned if there are other properties where large detention areas could skew the density. Hennerfeind replied that there probably are not many left.

MOTION 1

Motion to recommend to the Village Board of Trustees to approve a request from the Village of Westmont for a ***Text Amendment to Appendix A, Section 6.04(A)(4), "Bulk and development standards in residence districts", of the Zoning Ordinance regarding minimum lot area for multiple-family dwellings.***

Motion by: Zekiri

Second by: Scales

VOTING 1

Yes: 7 - Carmichael, Peterson, Lavoie, Lynn, Scales, Thomas, Zekiri
No: 0

Motion Passed

11. Open Forum

Nobody spoke during the Open Forum.

12. Miscellaneous Items

- A) Next regular Planning & Zoning Commission meeting is on January 8, 2025.
- B) Chair Carmichael announced Commissioner Scales has been appointed to the Village Board, and thanked him for his service on the Commission

13. Adjourn

Motion by: Thomas

Second by: Zekiri

The motion carried on a unanimous voice vote.

Meeting adjourned at 8:55 p.m.