



Village of Westmont COMMUNITY DEVELOPMENT

31 West Quincy Street, Westmont, Illinois 60559

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Village of Westmont Planning & Zoning Commission May 7, 2025 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held a special meeting on Wednesday, **May 7, 2025 at 6:00 p.m.**, at the Westmont Village Hall located at 31 W. Quincy Street, Westmont, Illinois 60559.

1. Call to Order

Chair Doug Carmichael called the meeting to order at **6:00 PM**.

2. Roll Call

Present: 7 - Chair Doug Carmichael, Secretary Jill Peterson, Commissioners Conor Donoghue, Michael Lynn, Thomas Sharp, John F. Simpson IV, Craig Thomas

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

A QUORUM WAS PRESENT TO TRANSACT BUSINESS

3. Pledge of Allegiance

Chair Carmichael swore in staff and members of the public.

4. Reminder to silence all electronic devices

5. Reminder to sign-in for any public testimony

6. Approval of the Minutes of the April 23, 2025 special meeting.

MOTION by **Simpson** to approve the regular meeting minutes from April 23, 2025.

Seconded by **Sharp**.

VOTING:

Ayes: 7 - Carmichael, Peterson, Donoghue, Lynn, Sharp, Simpson, Thomas

Nays: 0

Motion Passed

7. Review of Public Hearing Procedures

8. Old Business

PUBLIC HEARING PZC 001-2025

Requests from the Village of Westmont regarding Zoning Ordinance text amendments as follows:



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- 1) Zoning Ordinance text amendments to repeal Appendix A – Zoning, of the Westmont Code of Ordinances and to establish new Chapter 95 – Zoning, of the Westmont Code of Ordinance, with comprehensive updates to the entire Zoning Ordinance, including amendments to the zoning districts, development standards, planning processes, and other zoning regulations.

Staff Comment:

Since this was a continued public hearing, Scott Williams, Senior Planner, presented a recap of what was discussed at the previous public hearing instead of a formal presentation. Williams explained that no changes to the draft language have been made since it was posted to the public on April 8, 2025.

Public Comment:

Kyle Dispensa, resident, raised concerns about increased building height in the proposed B-1(A) district and requiring less parking for these buildings. Dispensa also questioned if who can live in accessory dwelling units (ADUs) can be regulated and how they can be built over detached garages.

David Meek, attorney for Westmont businesses, advocated for relaxing the proposed regulations for outdoor operations, specifically for the outdoor parking of vehicles in the Manufacturing (M) and Limited Manufacturing (M-1) districts. Meek recommended that outdoor storage be allowed as a permitted use with screening regulations.

Commissioner Comment:

Chair Carmichael explained that the commissioners will discuss the proposed changes article-by-article.

Article I: Introductory Provisions

Williams explained the background on the changes, and recapped the concerns raised at the previous meeting related to Article I.

Commissioner Sharp asked for clarification of Section 1.13(A)(2). Williams answered that an application goes into review when they have fully submitted documents and paid the required fees. This section allows for applications submitted before the updated zoning ordinance is adopted to elect to be reviewed under the updated language. Sharp recommended the provision be clearer on what stage an application should be in to make the switch.

Sharp questioned Section 1.13(A)(3). Williams explained that building permits approved and issued under the regulations of the current zoning ordinance can be constructed, even if it does not fully comply with the updated zoning ordinance. Sharp and Carmichael recommended clarifying this provision.

Secretary Peterson asked if the current zoning ordinance has any regulations on split-zoned lots. Williams and Community Development Director Joseph Hennerfeind responded that they do not believe there are currently regulations for split-zoned lots.

John Zemenak, Village Attorney, asked to respond to a public comment about ADUs before moving on. Williams answered that as a non-home rule community, the Village of Westmont cannot regulate who lives in ADUs. The proposed language on ADUs regulates the type and size of the buildings. Nuisance



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provisions of the Municipal Code (not in the zoning ordinance) may be able to mitigate potential negative impacts.

Williams added that ADUs could be built over a detached garage, but retrofitting an existing one may be difficult. Zemenak noted that there are multiple code and utility requirements that must be met before an ADU could be occupied. Williams explained that if ADUs are allowed in the zoning ordinance, there will be growing pains as other departments refine their processes.

Hennerfeind said that the anticipated residents of an ADU in a suburban environment are extended family or people aging in place, but the Village cannot restrict who occupies one. He reiterated that the zoning ordinance allows property owners the option to build an ADU, but other codes administered by the Building Division, Fire Department, and Public Works Department would have to be met.

Carmichael invited Kyle Dispensa back to the podium. Dispensa asked how short-term rentals will be regulated, as ADUs may be built to be a short-term rental.

Commissioner Simpson asked if Section 1.12 on the zoning map meant that if the update is approved, that a new zoning map will be published. Williams replied that no rezonings are being proposed tonight, only the creation of new districts for future rezonings, which would follow all noticing requirements. A new zoning map would not be published if the updated language is approved by the Village Board of Trustees.

Article II: Residential Districts

Williams explained the proposed changes to the lot and bulk regulations to residential districts.

Commissioner Lynn advocated for separating lot coverage and building coverage. Lynn compared a home he designed in the Village versus a home in the City of Elmhurst. He explained that the home in Elmhurst was on a smaller lot, but their bulk regulations allowed for a larger home than the one he designed in Westmont. Lynn added that separating the coverages would mean that a driveway would not force a home to be smaller. Lynn added that the required street side setbacks and the lot coverage maximum greatly restrict the buildable area of a corner lot.

Williams explained how lot coverage is currently calculated. Williams and Hennerfeind explained that changes to lot coverage are not being proposed as a part of the update because it is intertwined with stormwater calculations, and would require a large engineering study to ensure that changing the percentage would not cause negative impacts.

Williams said that the Village had conversations with single-family builders to understand impediments to building new homes. As a result of the discussion, staff proposed adjusting footnote 5 in Section 2.05. The change would reduce the street side back from 25 feet to 15 feet to increase the buildable width from 30 feet to 40 feet.

Lynn questioned if this footnote applies to contextual setbacks. Adam Walsh, Planner, responded that this is separate from the contextual setbacks, as the footnote does not have language that applies to front yard setbacks. Lynn asked if front yard setbacks are staying at 35 feet. Walsh answered that front



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yard setbacks can be reduced by taking advantage of the contextual setbacks. Hennerfeind provided a history on the contextual setback regulations. He added that the footnote would apply to narrow corner lots, as wider corner lots have the width to meet the setbacks and maintain a wide buildable area. Lynn mentioned that requiring large setbacks means driveways will be longer, which can negatively affect drainage. Williams replied that as alleyways are improved, the thought is that new homes would take garage access off the alley.

The commission expressed support for amending the street side yard footnote.

Sharp asked which structures can be used when measuring contextual setbacks. Williams explained that the two adjacent structures on either side of the subject property are used, regardless of when they were constructed.

Lynn asked how the contextual setbacks are verified. Williams answered that aerial images can give a rough estimate and that staff can look through the Village's records for documentation. Alternatively, staff can request documents from the applicant to confirm the adjacent setbacks.

Simpson asked how permeability influences lot coverage. Williams and Hennerfeind explained that the current definition does not take it into account.

Lynn asked if the zoning ordinance will require new garages to have lighting directed to the alleyway. Williams responded that the proposed outdoor lighting changes would not apply in that situation, as Homeowners' Associations could require it. Hennerfeind noted that it may be a more appropriate discussion for the Public Works Committee.

Article III: Business and Employment Districts

Williams explained which districts are regulated by this Article, as well as changes to the bulk requirements. Hennerfeind explained the supplemental setbacks, stating that they often cause confusion with developers.

Peterson asked why the floor area ratio (FAR) was removed. Consultant to the Village, Kirk Bishop of Duncan Associates, responded that they did not feel that FAR was serving the Village's needs nor was it in line with modern planning practices. Bishop said the setbacks and building heights did a better job of defining the building envelope.

Carmichael asked how ADUs would be affected by FAR. Williams answered that currently, accessory buildings are not counted towards FAR. ADUs have a maximum footprint, so removing FAR should not negatively impact them.

Simpson asked if a building put a berm around their ground floor to create a walk-out basement to circumvent the height requirements. Bishop answered that he has not seen that in his experience with suburban communities. Williams and Hennerfeind added that commercial properties rarely exceed the FAR maximum in the current ordinance.



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Article IV: Downtown Districts

Williams explained that two new districts will be created, the B-1(A) and R-7, but rezonings of specific properties will not be discussed at this meeting. He stated that the changes were influenced by the Comprehensive Plan's goal to create a compact, walkable environment. Williams also explained the types of buildings allowed in the downtown districts.

Peterson asked if all the properties will be rezoned. Williams answered that a Village-initiated rezoning will occur in the future. All required noticing will be completed and a public hearing will take place at a future Planning & Zoning Commission meeting.

Hennerfeind explained that the proposed changes come from the Comprehensive Plan. The maximum height of five stories in the B-1(A) district would establish what is appropriate for the properties near the train station. He explained the allowed building types, saying that the design requirement section is intended to create destination architecture, as recommended by the Comprehensive Plan.

Lynn recommended adjusting the build-to-zone to allow for the sidewalks to feel wider, although it would be on private property. Williams replied that the build-to-zones get further from the front property lines as the zoning districts and building types become less intense. Hennerfeind explained that the Public Works Department is starting the process of creating a downtown plan, which may expand the right-of-way. Adjusting the build-to-zone may not create a public benefit.

Lynn added that adjusting the build-to-zone would allow for awnings and bay windows to nicely articulate the streetwall while remaining on private property. Williams noted that the Article does have requirements for articulation.

Lynn questioned if the vacant properties bordering the existing B-1 district would be appropriate for a rezoning to the downtown districts. Williams and Hennerfeind clarified that the maps provided show generally where it may be appropriate to rezone, but it is not definitive. Discussing which properties should be rezoned should be saved for a future meeting.

Sharp asked who classifies the building type, especially if a proposed development does not neatly fit into the storefront, general, or row building bulk regulations. Williams explained that the zoning administrator can make the decision, and can be decided through the site plan process. He also added that the zoning district and allowed uses can influence the building type.

Sharp asked if it is common to separate building typology by downtown district. Williams replied that it is common to split a downtown into separate districts, which can affect the style of development.

Sharp recommended that the maximum height for upper stories could be increased to 15 feet and decreasing the minimum distance between vertical division lines. Sharp asked if it would make sense to decrease the interior side setback for row buildings in the R-7 district when the R-4 has a smaller minimum setback. He also recommended that the maximum height of stories in row buildings could be increased for office users. Williams responded that offices may not be able to occupy a row building in the R-7, which could be clarified.



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Sharp asked what “not visible from the street” means in the context of side and rear facades. Williams replied that it should be edited to be clearer.

Sharp said that curtain walls are a type of glazing assembly, and should be taken out of Table IV-4 or add other types of glass that meet the intended function. Sharp also recommended that instead of “transmittance factor”, “visible light transmittance”, “visible light reflectance”, or “exterior visible light reflectance” should be used.

Carmichael paused commissioner comments to allow members of the public who arrived late to give comments.

Brian Schuering, resident, was sworn in. Schuering recommended having parking recommendations, lowering minimum lot area in residential districts, allowing ADUs in a simple permitting process, and increasing the height maximum for ADUs. Williams responded that the minimum lot area is proposed to stay the same so buildable area is not reduced. The minimum lot widths and depths do not equal the minimum area because it allows for flexibility in subdivisions.

Article V: Special Purpose Zoning

Carmichael returned to commissioner comment on Article V. Williams explained that this Article addresses zoning districts and uses that do not fit neatly into other Articles, and gave an overview of the proposed changes.

Peterson asked if institutions would be required to rezone to the Public/Institutional (P/I) district. Williams said that they would not force rezonings. However, if an institution requested other zoning approvals, staff may recommend that they rezone to this district if it could help the project. Hennerfeind added that rezoning could reduce the number of approvals an institution would need. Walsh noted that the P/I district is not the only zoning district where institutions are allowed. Depending on the type of use, it can be allowed in residential or business and employment districts in addition to the P/I district.

Simpson asked if any of the uses allowed in the districts in Article V have been changed. Williams responded that the classification of special versus permitted uses did not change substantially.

Peterson asked if P/I districts are common in other municipalities. Williams replied that it is becoming more common, especially in communities that have large campus institutions. Hennerfeind explained that P/I districts do not absolve institutions from zoning regulations, rather it amends them to be geared towards institutional uses.

Article VI: Principal Uses

Williams provided an overview of the changes to the Article, highlighting that the uses are grouped into categories and subcategories, sometimes with supplemental regulations, that do not substantially change the current use permissions.

Lynn asked if ADUs should be shown in the use table. Williams and Bishop explained that since it is an accessory use, it is a better fit in the accessory use article instead of the principal use article. Lynn asked where ADUs are allowed. Bishop replied that ADUs are proposed to be allowed on lots occupied by a



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detached house.

Williams responded to concerns raised by speakers at previous meetings about how uses are classified by staff, explaining that this Article gives staff direction. If a potential user disagrees, there is an appeals process they can enter, as described in Article XIV.

Williams also replied to comments about outdoor storage yards as a principal use. Williams noted that the proposed changes largely carry over existing permissions, and outdoor storage yards are not currently an allowed principal use.

Simpson asked if this Article would address short-term rentals. Williams answered that this was discussed before the Community Development Committee (CDC), who directed staff to not address them with these text amendments. Hennerfeind further explained that the CDC did not want to expressly permit or prohibit them at this time. Zemenak clarified that there is not an express permission or prohibition on short-term rentals in the current zoning ordinance.

Zemenak and Williams informed the commission that changes to how uses are classified may be made. If changes are made to any section of the proposed language, it would be brought back to the commission and public for their review.

Article VII: Accessory and Temporary Uses

Williams gave a general overview of the proposed changes, and how they relate to residential and nonresidential properties. Hennerfeind stated that the Manufacturing (M) district does not allow for outdoor activities, but the Limited Manufacturing (M-1) district does through special use approval. Allowing outdoor storage in the M district through special use approval is a change intentionally done due to M-zoned properties often bordering residential districts.

Carmichael asked staff to clarify outdoor storage versus fleet vehicles. Williams and Hennerfeind explained that fleet vehicles are light-duty vehicles like sprinter vans, not tractor trailers or semi-trucks.

Williams explained that outdoor storage is for goods and merchandise. Section 7.20(D) is a catch-all for accessory outdoor uses not specifically listed, which would require special use approval. Accessory outdoor storage of trucks could be requested through this section. Sharp confirmed that principal outdoor storage is not being changed, to which Hennerfeind replied that it will remain not allowed.

Simpson explained that fleet in the trucking industry typically means semi-trailers and trucks, and suggested that defining what the Village sees as fleet could avoid confusion. Zemenak explained that staff will work to clarify this with the help of existing definitions in the Municipal Code.

Simpson asked if there are plans to allow more intense uses outside of the area surrounding Ty Warner Park. Hennerfeind replied that the Comprehensive Plan identifies the future land use as light industrial, as many of the existing M and M-1 properties do not serve intense uses very well. However, the upcoming Comprehensive Plan update is an opportunity to investigate his question.

Simpson asked for clarification on firewood stacks in the encroachment table. Williams explained that the



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table allows it in the required side and rear setbacks, but not street setbacks. It does not require a specific distance from side and rear property lines.

Williams explained the permission for covered porches to encroach up to 8 feet into the required street setback. Lynn expressed support for the change and asked how the rule would change if the porch was uncovered. Williams replied that if it was uncovered, it would either be seen as a deck or raised landing, depending on the size.

Lynn asked how porches affect the contextual setbacks. Williams explained that porches are now seen as an accessory structure instead of as being a part of the home, so they are excluded from the calculation. Bishop added that this could be clarified in the language.

Lynn asked what would happen if a homeowner wants to enclose the porch. Williams responded that the draft language says the porch must be open on at least three sides to take advantage of the encroachment, so enclosing it would not be compliant with the regulations.

Simpson asked if requiring a fence around a hot tub makes sense if they are covered. Williams replied that this provision was written to be compatible with building codes, but could look into revising this.

Lynn asked for clarification on the fencing requirement for outdoor dining. Hennerfeind replied that the draft language was intended for new construction restaurants to ensure a pleasant dining environment. For existing properties, there are options for variances for the fence and alternative compliance for landscaping. He added that regulations for enclosing outdoor dining spaces are meant to also protect patrons from parking lot traffic. Zemenak recommended having flexible enclosure requirements that can be determined by the zoning administrator, which Sharp agreed with.

Commissioner Thomas thanked staff and the consultant for their hard work on the proposed changes.

The commission expressed support in adjusting the floor heights for buildings in the downtown districts.

The commission discussed continuing the public hearing to continue the discussion on Article VII and the remaining Articles.

MOTION 1

Motion by **Simpson** to continue the public hearing to the regular meeting on June 11, 2025 at 6:00 p.m.

Seconded by **Thomas**.

VOTE RESULTS

Ayes: 7 - Carmichael, Peterson, Donoghue, Lynn, Sharp, Simpson, Thomas

Nays: 0

Motion Passed



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9. New Business

None.

10. Open Forum

Nobody spoke during the Open Forum.

11. Miscellaneous Items

- a. Next regular PZC meeting on May 14, 2025.

Williams noted that there are three cases on the agenda for this meeting, and confirmed that the continued public hearing for the zoning ordinance will not be discussed at the May 14, 2025 meeting.

12. Adjourn

Motion by **Simpson** to adjourn the meeting.

Second by **Sharp**.

The motion passed on a unanimous vote.

Meeting adjourned at 9:19 p.m.