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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 January 9, 2019 - Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, January 9, 2019 at 7:00 p.m., at the Westmont Village Hall located at 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Gregg Pill led in the following:

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

In Attendance: Chair Gregg Pill, Commissioners Wallace Van Buren, Craig Thomas, Doug Carmichael, Janis Bartel, Thomas Sharp, Chris Lavoie, Village Attorney John Zemenak, Community Development Director Bruce Sylvester, Interim Village Planner Kon Savoy

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 Minutes of the December 12, 2018 regular meeting**

MOTION to approve December 12, 2018 minutes

Motion by: Van Buren

Second by: Sharp

Voting A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Yes

Bartel: Yes



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Motion Passed

8. Open Forum
9. Review of Public Hearing Procedures
10. Open Hearing

PZ 19-001 Westmont Park District regarding property located at 200 E. Quincy Street, Westmont, Illinois, for the following:

(A) Zoning variation to permit an increase in the height of the fence located in the front yard within the R-5 General Residence District.

Presentation: Bob Fleck, Executive Director of Westmont Park District, presented his request to install a 6' automatic gate on the west side of the building. The Village code only allows for a 4' fence, which is why a variance is being requested.

Staff Comment: Kon Savoy stated that the variance request is consistent with what exists today and is also consistent with the neighboring property at the Public Works facility. There will be screening in front of the fence to eliminate the sight of storage on the Park District site. A landscape plan has been included for the proposed site and substantial improvements are in the process of being completed.

Public Comment: None

Commissioner Comments:

Sharp: Stated that he supports the variance request.

Bartel: Stated that she supports the variance request.

Lavoie: Stated that he supports the variance request.

Thomas: Stated he supports the variance request.

Carmichael: Asked how much communication the Park District has had with the neighbors regarding this request. Fleck responded that he has been in contact with all neighbors and they are supportive. Carmichael stated that he is supportive of the variance request.

Van Buren: Stated that he supports the variance request.



MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning variation to permit an increase in the height of the fence located in the front yard within the R-5 General Residence District.

Motion by: Thomas

Second by: Bartel

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Recuse

Sharp: Yes

Bartel: Yes

PZ 18-023 Ahmed Hussain regarding property located at 16 West Burlington Avenue, Westmont, Illinois, for the following:

(A) Special use permit to allow the first floor of the building to be used for offices in the B-1 General Business District.

(B) Zoning variation to permit an increase in building height.

(C) Site and Landscaping Plan approval.

Presentation: Dr. Ahmad Hussain stated that following the last Planning and Zoning Commission meeting, they have made many changes to the proposed changes at 16 W. Burlington Avenue. They will be installing the hardy board and will raise the height of the roof by 2', making the total height 37'. The height still meets the minimum requirement per Village code.

Staff Comment: Staff stated that the applicant has met all the requests per the last Planning and Zoning meeting. The applicant has provided more details and accents in his architectural plans. A height variance is no longer required for this request. Therefore the applicant is only requesting site / landscaping approval and special use approval to allow for office use on the first floor. Staff indicated that sprinklers will be required in the building and the windows on the third floor will need to allow access out of the building, if necessary. Savoy stated that per the Fire Department, the applicant should secure a sprinkler agreement to add sprinklers within an 18-month period.

Zemenak stated that if the special use permit is approved, occupancy needs to be completed within twelve (12) months. Otherwise the applicant will need to come back to the Village Board to get an extension.



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Public Comment: None

Commissioner Comments:

Thomas: Stated that he is in support of the project.

Sharp: Stated that the architect needs to make sure to indicate where the gutters will be installed. He is supportive of the project.

Bartel: Asked what kind of retail the applicant is considering. Hussain responded that he will likely rent out the space. Bartel stated she had no further questions.

Lavoie: Asked if the hardy board siding is going all the way around the building. Hussain responded that yes it is going all the way around.

Carmichael: Asked if sprinklers will be installed on all three (3) floors. Zemenak responded that the office use may not trigger the requirement of the sprinklers, but that should be confirmed with the Fire Department. Carmichael asked what happens when the applicant sells and loses the off site parking. Zemenak responded that the applicant will have to find additional parking to make up for the off site parking. The applicant responded that he has no intention of selling the property down the road.

Van Buren: Stated that his supportive of the requests.

Pill: Stated that he is supportive the requests.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special use permit to allow the first floor of the building to be used for offices in the B-1 General Business District.

Motion by: Van Buren

Second by: Thomas

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Yes

Bartel: Yes



MOTION B

Motion to recommend to the Village Board of Trustees to approve a Site and Landscaping plan with the condition that the site plan be revised to indicate the parallel parking spaces. This will need to be submitted prior to the Village Board meeting.

Motion by: Van Buren

Second by: Thomas

VOTING B

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Yes

Bartel: Yes

PZ 19-002 Eliou BK, LLC regarding property located at 4 West 63rd Street, Westmont, Illinois, for the following:

(A) Special use permit to operate a fast-food restaurant with drive-thru on the property in the C-1 Commercial Business District.

(B) Zoning variation to permit a reduction in required parking.

(C) Site and Landscaping Plan.

Presentation: Tracy Willie, presented their request for a special use permit, parking variance and site / landscaping plan.

The existing building has an older atrium look to it. The renovated look will include a more modern look, which will include stone and brick. The dining room will stay open but when the drive thru is being worked on, that will close for one (1) to two (2) days. The drive thru will include a digital board, but the circulation will stay the same. A new concrete lane will be installed and will be stained black. The parking will remain the same, but one (1) ADA stall will be removed. The new bioretention that is required has led to the removal of one (1) ADA stall.



Staff Comments: Savoy stated that the new brick will be a huge improvement for the building. Staff is working with the owner to eliminate the non-conforming sign on 63rd Street, but that is still under discussion. The building does meet the setback requirements. Stormwater storage will be required as per the Village code and DuPage County stormwater requirements. Due to this requirement, parking spaces have slightly decreased.

Public Comments: None

Commissioner Comments:

Bartel: Asked if there will be flooding issues at the site. Willie responded that they are regrading the entire site and the developer is doing all they can to prevent flooding. Bartel asked who will maintain the snow removal and the maintenance of the bioretention area. Willie responded that the landscaping company will handle both. Bartel asked when construction will begin. Willie responded the developer is hoping to begin in spring.

Lavoie: Asked if there is a crossover agreement with the neighboring properties. Willie stated there is no easement agreement with the surrounding neighbors. Lavoie asked if a crossover ingress / egress would be required with the neighboring property. Savoy stated that an agreement was likely grandfathered in. Zemenak stated that the parking spaces are pre-existing and it may be worth it for Burger King to contact the neighboring Walgreens to determine if an easement currently exists. Lavoie asked if they can provide improvements on the public right-of-way sidewalks at the entrances. Willie responded that she will have to discuss with their engineer. Lavoie asked if the walkway to the main entrance is ADA compliant. Willie responded that yes it is ADA compliant since it is a double door.

Carmichael: Asked why it is not necessary for them to have an additional ADA parking space. Willie responded that Village code requires one (1) ADA parking space for every twenty-six (26) spaces.

Van Buren: Stated that the left turn out of the east exit onto Cass Avenue can lead to problems since Cass Avenue is normally backed up. When people are trying to make a left to go north on Cass Avenue, it can become a problem. Van Buren suggests that they should make that a right turn only. Willie stated they can make that a right turn only and add signage to incorporate that.

Thomas: Asked if the drive thru portion will be shut down at all during the construction. Willie responded that the drive thru will be closed for a period of one (1) to two (2) days.

Sharp: Stated that he has no issue with the parking variance. Sharp stated that he is concerned with the vehicle overhang since it could hang over the hood of a vehicle. Willie responded that the Village Engineer requested the five (5) foot sidewalk and longer parking stalls. Sharp asked if there will be a vestibule. Willie responded that yes there will be a vestibule included.



Pill: Stated they should consider adding a bike rack on the site. Asked how long the whole remodel will take. Willie responded that it will take roughly two (2) months or more. It could take three (3) months. Pill asked if other Burger King remodels have included the atriums. Willie responded that yes and there has been an increase in dining in with the larger dining rooms, but the restaurants whose strengths are in the drive-thru tend to stay that way.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special Use permit to operate a fast-food restaurant with drive-thru on the property in the C-1 Commercial Business District.

Motion by: Thomas

Second by: Bartel

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Yes

Bartel: Yes

MOTION B

Motion to recommend to the Village Board of Trustees to approve a zoning variation to permit a reduction in required parking.

Motion by: Van Buren

Second by: Carmichael

VOTING B

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Yes

Bartel: Yes



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MOTION C

Motion to recommend to the Village Board of Trustees to approve a Site and Landscaping plan.

Motion by: Bartel

Second by: Sharp

VOTING C

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Yes

Bartel: Yes

MOTION D

Motion to recommend to the Village Board of Trustees to include a condition of the special use request that the pole sign is to be replaced with a monument sign on 63rd Street.

Motion by: Sharp

Second by: Carmichael

VOTING D

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Yes

Bartel: Yes

11. Miscellaneous

12. Adjourn

Motion by: Thomas

Second by: Bartel

Meeting adjourned at 8:48 p.m.