



**Village of Westmont  
Planning & Zoning Commission  
January 12, 2022 - Approved Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **January 12, 2022 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, Matt Scales, Alison Clemens, Chris Lavoie, Village Attorney John Zemenak, and Deputy Director of Community Development - Planning Joseph Hennerfeind

Attended Remotely : Commissioner Thomas Sharp

- 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 December 08, 2021 regular meeting.**

**MOTION to approve the regular meeting minutes on December 08, 2021.**

Motion by: Clemens  
Second by: Scales

The motion passed on a voice vote. All in favor.

- 8. Open Forum - No one spoke during Open Forum.**
- 9. Review of Public Hearing Procedures**
- 10. Open Hearing**

**New Business**

**PZC 163-2021** Request from Barnes Development Company, LLC, regarding the property located at 6490 South Cass Avenue in Westmont, IL 60559 for the following:

- (A) Special Use Permit request to operate a Battery and tire sales and service establishment in the B-2 General Business District.
- (B) Zoning Code Variance request to allow a parking lot to encroach into the side yard adjoining 65th Street in the B-2 General Business District.
- (C) Zoning Code Variance request to allow a flag pole to exceed the maximum height of buildings and structures in the B-2 General Business District.
- (D) Preliminary Plat of Dedication.
- (E) Site and Landscaping Plan approval.



**Presentation:** Consultant Mathew Schumacher with Cage Civil Engineering provided a brief history of family owned business Bell Tire and their business operations. Schumacher described the site plan for the site which is located at the North lot of 65th Street and Cass Avenue. Schumacher commented on exterior lighting, fire suppression, truck traffic, landscaping, and screening as well. The interior of the building and elevations were described as well.

Schumacher spoke on the flag pole variance request, stating that the flagpole is a 60ft tall pole with a 30ftx20ft flag and that it is proportional to the building and would match their other locations.

Schumacher stated that they would be dedicating a portion of the property to the Village for the 65th Street Right-of-Way which is currently a private sidewalk, as well as dedicating a 26ft Right-of-Way on the North side of the property on Pier Drive.

**Staff Comment:** Deputy Director of Community Development Joseph Hennerfeind noted that in addition to the standard special use requirement, there were two additional conditions including :

- (1) Special use may be permitted where the owner satisfactorily establishes that there will be no appreciable traffic congestions or hazard to pedestrian safety and;
- (2) Special use may be permitted provided that there shall be compliance with an approved landscape plan for the screening from view of vehicles awaiting service and customer pickup, and there shall be enclosed storage of all vehicles awaiting service or customer pick up.

Staff described the uniqueness of the site, the fact that there are streets on all four sides, and that screening was not of general concern as vehicle storage outside the building is not anticipated when they're closed.

Hennerfeind elaborated on the request for a flag pole variance, and added that there isn't currently any height restrictions in the Zoning code for flag poles. Staff determined that the height standard for the zoning district is applicable which in this instance, would be a maximum of 45ft tall.

Hennerfeind then explained the history of the parcel and how the property lines came to be, and that the second variance for a 65th Street parking setback is needed due to the fact that the Village owned sidewalk is on private property. Because the applicant is donating that sidewalk back to the Village, the shift in property line is off set.

Hennerfeind concluded by asking the Commission to include, if approved, a condition that the applicant would need to provide a revised landscape plan prior to going before the board since there were outstanding landscape comments. All other staff comments could be addressed during the permitting process.

**Public Comment:** Piers Condominiums resident and member of the Piers Board of Directors Rudy Angelucci, asked where the ingress and egress entrances would be located. Mr. Schumacher replied that the ingress and egress would be from Pier and 65th, and towards the West end of the site towards Willow. Schumacher also commented that DuPage County DOT would not permit access from Cass Avenue. Hennerfeind added that the street will not be modified, but sidewalks and trees will be added on Pier and Willow.



**Commissioner Comments:**

**Lavoie** : Commissioner Lavoie’s only comment was that he would like to see the flag pole lit, and to maybe move the garage doors to the northside. Lavoie was in favor of the requests.

**Carmichael** : Commissioner Carmichael had comments regarding deliveries, signage code compliance, and lighting of the American flag pole.

**Thomas** : Commissioner Thomas had mild concerns regarding the flag pole height but was ultimately in favor of the requests.

**Sharp** : Commissioner Sharp asked Mr. Schumacher for detail on the retaining wall located on the south side of the property. Schumacher replied that he didn’t have the exact number but believed at the tallest it would be 4ft. Sharp also asked staff if they thought it would be an issue that there weren’t zero foot candles at the property line according to the photometric plan. Hennerfeind did not see any issues given that it would be going onto underlit streets, but staff would closely examine during the permitting stage. Sharp also asked the applicant if the doors would remain closed, and Schumacher replied that the doors would only open when vehicles are coming in and out. Sharp didn’t see any issues with the flag pole, but did not think it was necessary at 60ft.

**Scales** : Commissioner Scales asked the applicant for details on the detention, Schumacher replied that it would be released to the northwest into the existing storm sewer.

**Van Buren** : Commissioner Van Buren was complimentary of the applicant working with staff, and was in favor of the requests.

**Clemens** : Commissioner Clemens only concerns were with the sidewalks and flagpoles but her comments had been addressed. Clemens was in favor of the requests.

**MOTION A**

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate a Battery and tire sales and service establishment in the B-2 General Business District.

Motion by: Lavoie made a motion with the inclusion of any conditions and/or changes seen as necessary from staff.

Second by: Scales

**VOTING A**

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Yes

Clemens: Yes

**Motion Passed**



**MOTION B**

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to allow a parking lot to encroach into the side yard adjoining 65th Street in the B-2 General Business District.

Motion by: Lavoie made a motion with the inclusion of any conditions and/or changes seen as necessary from staff.

Second by: Clemens

**VOTING B**

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Yes

Clemens: Yes

**Motion Passed**

**MOTION C**

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to allow a flag pole to exceed the maximum height of buildings and structures in the B-2 General Business District.

Motion by: Thomas

Second by: Scales

**VOTING C**

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Yes

Clemens: Yes

**Motion Passed**

**MOTION D**

Motion to recommend to the Village Board of Trustees to approve a Preliminary Plat of Dedication.

Motion by: Clemens

Second by: Thomas



**VOTING D**

- Van Buren: Yes
- Carmichael: Yes
- Thomas: Yes
- Lavoie: Yes
- Sharp: Yes
- Scales: Yes
- Clemens: Yes

**Motion Passed**

**MOTION E**

Motion to recommend to the Village Board of Trustees to approve a Site and Landscaping Plan approval with a condition that staff recommend the landscape plan be updated prior to going to Village Board.

Motion by: Van Buren  
Second by: Scales

**VOTING E**

- Van Buren: Yes
- Carmichael: Yes
- Thomas: Yes
- Lavoie: Yes
- Sharp: Yes
- Scales: Yes
- Clemens: Yes

**Motion Passed**

**Old Business** (continued from December 8, 2021)

**PZC 162-2021** Request from the Village of Westmont, regarding the following:

- (A) Text amendments to multiple sections of the Zoning Ordinance to define and regulate wireless telecommunication facilities including antennas and towers, and amend current requirements for other types of antennas.

**Presentation:** Deputy Director of Community Development Joseph Hennerfeind provided the Commission with highlights regarding the amendments and details that had taken place since the last hearing regarding wireless telecommunication text amendments.

Some highlights the following :

Flag Poles - Staff added language under the flag pole section that says flagpoles are restricted to the height of the zoning district, not to exceed 60ft. Staff also struck out a section of code that addressed poles and what kind of poles could be constructed as it relates to towers and antennas.



Setback Requirements - Staff added language that included the cell towers needing to be equal to the height, and that it should be 150ft away from any *primary* structures.

**Staff Comment:** See above.

**Public Comment:** None.

**Commissioner Comments:**

**Lavoie :** Commissioner Lavoie asked staff if the amendment would cover modifications given the trend of telecommunication companies switching from 4G to 5G. Zemenak replied that the tower structure itself would be existing non-conforming, but the antennas would still need to be in compliance with the code through the permit review process.

Hennerfeind added that any tower or building that had a special use approval in the past, wouldn't need to apply for another special use approval to add extra antennas. Hennerfeind did not foresee variances coming in for the number of antennas.

Zemenak added that if there had not been a special use permit in the past, the existing towers would be grandfathered in, and the text amendments would cover existing and new towers when swapping out antennas. Zemenak suggested clarifying the section to say that they're a permitted use on new or existing cell towers.

**Carmichael :** Commissioner Carmichael did not have any further comments.

**Thomas :** Commissioner Thomas did not have any further comments.

**Sharp :** Commissioner Sharp did not have any further comments.

**Scales :** Commissioner Scales did not have any further comments.

**Van Buren :** Commissioner Van Buren did not have any further comments.

**Clemens :** Commissioner Clemens did not have any further comments.

**MOTION A**

Motion to recommend to the Village Board of Trustees to approve a Text amendments to multiple sections of the Zoning Ordinance to define and regulate wireless telecommunication facilities including antennas and towers, and amend current requirements for other types of antennas.

Motion by: Clemens

Second by: Thomas



**VOTING A**

Van Buren: Yes  
Carmichael: Yes  
Thomas: Yes  
Lavoie: No  
Sharp: Yes  
Scales: Yes  
Clemens: Yes

**Motion Passed**

**11. Miscellaneous Items**

A) SolSmart Zoning Review and Text Amendment Discussion - Hennerfeind provided the Commission with an overview of the SolSmart group and their solar energy program. Hennerfeind noted that SolSmart is an advocate in the industry for solar panels, and they work with local municipalities to analyze their existing zoning code in order to remove any impediments and make zoning rules clear and easy to understand. In addition to improving zoning rules in municipalities, SolSmart also assists communities with streamlining the solar panel permitting process, making it as easy as possible for homeowners to install solar panels on their homes. Hennerfeind stated that the Village of Westmont is seeking a bronze level certification from SolSmart, and in order to attain this accreditation, the Village is working on 3 specific areas of improvement: our zoning ordinances, our building permitting procedures, and our public communications and public information efforts. The Village has already adopted various policies and procedures to become a solar friendly community, and we are working on adopting more in the coming months and years.

Specifically related to the effort to improve our zoning ordinances, Hennerfeind noted that SolSmart conducted an evaluation of the Village's current zoning regulations for solar energy systems and then provided a document with suggestions and amendments to the zoning code as it relates to solar panels.

Recommendations from SolSmart for areas in the zoning code that could be improved included:

- a) Definitions - Staff agreed with SolSmart's conclusion that better definitions for solar energy systems should be adopted, and will include this goal in a future round of text amendments.
- b) Accessory Structure Use Tables - The Village agreed with SolSmart's conclusion that the rules should be clarified for when solar energy systems might qualify as "permitted accessory uses".
- c) Height - The Village did not fully agree with SolSmart's conclusion that solar panels should be allowed to go higher than the existing height limitations, but staff did think that the Village should still impose height limitations and perhaps screening.
- d) Purpose and Intent - SolSmart suggested adding language in the code to promote solar systems and to state the purpose for solar energy systems. Staff did not feel that it was necessary but would evaluate the recommendation.
- e) Setbacks - SolSmart suggested that set-back requirements for solar systems should be eliminated. Staff noted they have concerns about this recommendation and would evaluate the current setback requirements.



- f) Lot Coverage - SolSmart preferred that if a resident had a solar panel on a pole in their backyard, that it not be counted against impervious surface. Staff did not quite agree with that since the Village is very sensitive to lot coverage, and noted that this particular recommendation from SolSmart will require active discussion before we make revisions to our zoning ordinance.
- g) Historic District Provisions - The Village does not have any historic overlays and so this topic was not part of SolSmart's review and recommendations.

Although the Village is not looking to create text amendments at this time, staff will take these recommendations into consideration. A rewrite of the Village's zoning ordinances is long overdue, and when staffing levels allow for it, many of the recommendations from SolSmart will be incorporated into our ordinances at that time. In addition to these zoning ordinance improvements, the Village has already made improvements to our building permitting procedures, and we are working with the Administration Department to provide improved public education and information available on our website. All of these actions, taken together, should help Westmont achieve the goal of being designated as a solar friendly community.

Staff clarified that the SolSmart recommendations apply to both residential and commercial, excluding stand alone facilities such as solar farms. Commissioner Lavoie did not agree with the recommendation to eliminate setbacks for solar panels due to easement encroachments. Hennerfeind added that when text amendments are drafted for consideration by the Planning and Zoning Commission, staff would perform a thorough analysis and look at and compare surrounding community standards.

- B) Commissioner Training - Hennerfeind stated that per Community Development Director Bruce Sylvester, it is warranted that there be regimented training for the Commissioners. These trainings could take place whenever there is a light agenda, or perhaps a special public meeting could be scheduled. Hennerfeind added that in addition to the notification of upcoming training, he would like for the Commissioners to provide feedback for how they would like to get training and tell him of topics they would like to discuss.

The Commissioners agreed that discussing the topics during their regular planning and zoning meetings would be preferred in the event that it's a lighter agenda.

- C) General Updates
  - a) Next PZC on February 9, 2022
  - b) Carmichael stated that within the next 6 months there will be an opening on the Commission, and encouraged any highly motivated candidates to contact the Village.

## 12. Adjourn

Motion by: Clemens  
Second by: Thomas

**Meeting adjourned at 8:22pm**