



**Village of Westmont
Planning & Zoning Commission
March 09, 2022 - Approved Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **March 09, 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, Thomas Sharp, Alison Clemens, Chris Lavoie, Village Attorney John Zemenak, and Deputy Director of Community Development - Planning Joseph Hennerfeind

Commissioner Matt Scales joined the meeting at 7:40pm

- 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 February 09, 2022 regular meeting.**

MOTION to approve the regular meeting minutes on February 09, 2022.

Motion by: Clemens

Second by: Thomas

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

- 8. Review of Public Hearing Procedures**
- 9. Open Hearing**

New Business

PZC 004-2022 Request from BHDP Architecture and Fifth Third Bank, NA, regarding the property located at 910 Pasquinelli Drive in Westmont, IL 60559 for the following:

- (A) Zoning Code Variance request to reduce the number of required off-street parking stalls.
- (B) Zoning Code Variance request to permit outdoor lighting in excess of illumination standards.
- (C) Site and Landscaping Plan approval.



Presentation: Attorney Lenny Asaro represented the applicant, Fifth Third Bank, and presented their request to seek favorable recommendation for two variations and a site and landscape plan. Asaro discussed the use of the facility which would not be a customer facing retail bank branch, but rather a space used for internal bank operations and deliveries which would fall under the business and professional office use; permitted in the O/R District. Asaro went over some site details and measurements, including parking spaces.

Asaro stated the zoning code requires 134 parking spaces based on square footage, however the current and existing condition of the lot includes 125 parking spaces on site.

Asaro provided detail on the current site lighting conditions, as well as adjacent properties.

Asaro noted that Fifth Third Bank wishes to construct an addition that would re-configure a portion of the on site parking. He also described a backup generator that would be installed, and noted that because of its temporary routine usage, it would be exempt from the noise standards for that district.

PE Chris Kepner described the site lighting improvement details and photometric plan. Kepner did note that the lighting would be dark skies compliant, but stated that there are some areas where the light spills over the property line which has led to the request for a lighting variance.

Asaro summarized the proposed findings of fact including details about revenue, parking to employee ratio, security lighting for safety, site similarities to adjacent properties, and traffic impacts.

Staff Comment: Deputy Director of Community Development Joseph Hennerfeind provided an overview of the requests noting that they are essentially a business that's permitted in the zoning district and they want to make some modifications to the existing building. Henerfeind noted that in order for them to make the site an operations center, they would need a safe space to pull the truck behind the building which is why they are constructing an addition, and parking reconfiguration would be needed. Hennerfeind added that the applicant had provided screening and landscaping for the parking lot, and some other minor tweaks with the site plan including a security gate and safety lighting since they are a bank facility. Regarding the site lighting, Hennerfeind added that although there is some spillage, it is an improvement from the site lighting that is currently there, and it's important to note that it is not spilling on the closest residential property to the South-west. Hennerfeind also touched on the request for a parking variance and noted that the current number of parking spaces does not meet parking standards and is considered legal non-conforming, but because the petitioner is reducing the number of spaces they need the variance. Based on their operation and the number of employees, there will always be excess parking, and staff noted that the parking spaces were reduced by another two spaces to fulfill a fire department requirement.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie asked staff what would happen if a business with a different use or intensity moved in, Hennerfeind replied that the variances would run with the property, but parking requirements would be reviewed during the business license or permit process if not adequate.

Carmichael : Commissioner Carmichael had no questions or concerns.



Thomas : Commissioner Thomas did not have any objections to the requests.

Sharp : Commissioner Sharp had no questions or comments.

Scales : Commissioner Scales was not present during this case presentation or discussion.

Van Buren : Commissioner Van Buren believed there was more than enough parking for the use, and did not have any concerns with either variance.

Clemens : Commissioner Clemens was supportive of the requests.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to reduce the number of required off-street parking stalls.

Motion by: Lavoie

Second by: Clemens

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Not Present

Clemens: Yes

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to permit outdoor lighting in excess of illumination standards.

Motion by: Van Buren

Second by: Thomas

VOTING B

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Not Present



Clemens: Yes

Motion Passed

MOTION C

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

Motion by: Clemens

Second by: Lavoie

VOTING C

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Not Present

Clemens: Yes

Motion Passed

PZC 184-2021 Request from WCW Landowner, LLC, regarding the property at 3500 Midwest Road, Oak Brook, Illinois, 60523 for the following:

- (A) Comprehensive Plan Amendment to redesignate approximately 52.8 acres from Parks/Open Space to Single Family Attached Residential.
- (B) B-3 Special Development District Amendment to remove approximately 52.8 acres from an approved Preliminary and Final Concept Plan for a future rezoning request.
- (C) Conceptual Preliminary Plat of Subdivision to define said 52.8 acre area.

The chair outlined the request and the scope of the discussion so there was no confusion about what would be presented or discussed in this hearing.

Staff Comment: Deputy Director of Community Development Joseph Hennerfeind provided an overview of the agenda items, and clarified that the items on the agenda are the first step of a multi-step process. Hennerfeind stated that the comprehensive plan is a guiding document for the Village, and is referred to when someone asks for a new development. The request before the Commission is to change the comprehensive plan, and the vote will decide if residential is appropriate for the property. The comprehensive plan currently designates the property as open space, and groups both private and public (parks) recreation space as the same. The property is currently private open space. Hennefeind also explained that the current requests are not to determine the rezoning of the property, street and access points, or any details on the number or types of units. Hennerfeind noted that the purpose of the requests on this agenda are to define an area, and to amend the existing concept plan that was approved for that area in 1984 from open space to single family attached.



Presentation: Steve Ellington with the ownership team discussed the background and the importance of the hotel and how it has contributed to the community. Ellington talked about the struggles with staffing and revenues the business faced due to Covid, but that they are building back up. Ellington stated that the viability of running a 150 acre resort with a golf course has changed and has been difficult. Ellingtons stated his vision and commitment to the partnership is to run the property and make it a great part of the community, but without changes, it would be difficult to do that financially. With the requested changes, Ellington believed they would be able to reposition and reinvest in the property to provide a sustainable and more viable future for the resort.

Attorney Russ Whitaker spoke on behalf of the applicant and land owner, WCW Landowner LLC. Whitaker discussed technical details related to the current concept plan and property lines for the site, and then he discussed proposed conceptual preliminary plat which would subdivide the lot into lot 1 and lot 2. Lot 2 would be set aside for residential development. Whitaker stated that although the plat was in its early stages, they wanted to show that there would be a conservation easement as it was a critical component of the owner plan. Whitaker provided some examples of previous proposals for the site that had focused on residential redevelopment on portions of the golf course and hotel property. Whitaker noted that what they were proposing at this point in time was smaller scale and lower intensity use.

Whitaker touched on the existing and proposed land use map from the comprehensive plan, pointing out that the hotel itself is designated as open space although it is zoned B-3 for Commercial use.

Staff Comment: Deputy Director of Community Development Joseph Hennerfeind touched on specific details including how the comprehensive plan guides the Village's zoning decisions. Hennerfeind explained that the current zoning district for the lot is B-3, however with a special use permit, residential uses are permitted in B-3 district. The applicant is asking to disconnect the 52 acres from the unified development which is zoned B-3, so it can be developed independently and eventually rezoned to residential. Hennerfeind broke down the three different types of residential housing as described in the comprehensive plan being detached, attached, and multi-family however it would not be determined in this step of the process what type of housing would be developed.

Hennerfeind provided an overview of the three requests before the Commission. The first being a conceptual preliminary plan which is to identify what area would be disconnected. Hennerfeind did note that there were some outstanding comments from staff related to the entry drive improvement design that would be sectioned off to the new property that really serves the hotel and remaining development. The petitioner's response to staff comments regarding the access is that they are not trying to move property lines. The second request being a concept plan amendment, which would be to remove the area from their previously approved concept plan. The third request would be amending the comprehensive plan itself from open space to residential single family attached.

Village Attorney John Zemenak reiterated that the comprehensive plan is a guide as to the existing and future land uses within the village; it does not set forth details as to road way layouts, dimensions, utilities, engineering requirements or that level of detail. Zemenak also added that it's important to look at the surrounding area designations when considering a comp plan amendment.

Public Comment: Scott Day represented the owners of the Residences of Oak Brook Hills Condominium Association and expressed their concerns had to do with what would be left of the golf course. Day discussed wetland and stormwater concerns, as well as the Oak Brook Hills and surrounding residents investing in a golf



community. Day stated that they did not think the Village should authorize the separation from the unified plan, but instead encouraged the petitioner and Village to modify the unified plan. If the petitioner decides to sever off part of the golf course, Day stated they would only support that if it's tied directly to an enforceable right to preserve the balance of that golf course in perpetuity, and they suggested that be done in the form of a conservation easement. Day commented that they do support the hotel, and want it to thrive and be the best that it can be, but they had strong concerns regarding the future of the remaining nine holes.

Whitaker replied that they did not think there were any fundamental disagreements with the Residences of Oak Brook Hills, but noted it was too early in the process to draft formal language for the conservation easement. Whitaker stated they were committed to the preservation of the remaining nine holes, although they could not guarantee it would be forever. Whitaker commented that the comprehensive plan amendment would ensure that the remaining piece after the separation would be open space. Zemenak added that with the previous development proposal for an apartment complex on the back nine holes, there were discussions and drafts pertaining to what would happen if the golf course went away and it was still recreational open space, and there would be a buffer around the townhomes of Oak Brook.

Past President of the Indian Trail Townhomes Joan Gagen expressed concerns about the impact on the value of their homes, and stated they would love to keep the area open space. If the project moved forward, Gagen asked that their community be included in discussions and planning with the developer.

President of Saddlebrook Community Association Allen Koren stated they were in favor of open space and expressed how precious it is to preserve, and also added that they support the hotel and would like to see it succeed. Koren wanted to know that the proceeds of the proposed development would be reinvested in the hotel.

Whitaker replied that there have been commitments that there are renovations and investments in the hotel, but did not think it was necessary to discuss everything that has or would be spent. Commissioner Carmichael asked the golf course and club manager to express his opinions on reducing the golf course to nine holes. Randy Bolstad stated that business has been good since people have been able to come out of their houses. Bolstad commented that they extensively researched what a nine holes golf course is, while also looking at surrounding nine hole courses. Bolstad determined that business would be busy as ever, and in speaking with other golf professionals, more and more people are looking to play nine holes than ever before. Bolstad was in favor of the nine hole golf course for the property and believes it will be very successful.

Resident of the area, Bob Ivanson, stated that he preferred eighteen hole golf courses so he would probably bring his business elsewhere, and was not in favor of reducing the open space.

Royal Hills Club resident Kit O'Kelly was not in favor of increased traffic or density, and stated she was opposed to any designation changes from open space.

Jennifer Sweas spoke and noted that she had moved from the city to the area because of the open space. Swabs feared that the traffic would increase so much that a stop light would need to be installed. Swabs was not in favor of reducing the open space, but suggested using the back nine holes versus the nine holes along Cass Avenue since there was already nearby residential and thought it would be a better fit for Westmont.

Fred Leinweber was not in favor of population density, and supported maintaining green space. Leinweber commented that he wanted the Commission to take into consideration the repercussions there could be with the



rezoning if the business was to sell.

Commissioner Comments:

Lavoie : Commissioner Lavoie expressed concerns about the 3 requests from the property owner, and particularly the request to redesignate this part of Westmont from the current Comprehensive Plan designation of 'Open Space' to the proposed 'Attached Single-Family Residential'. Commissioner Lavoie stated that the Village went through an intensive community-based process to create the Comprehensive Plan about a decade ago, and if they are to modify it as requested, they should go through a similarly intensive community-based process to obtain maximum community input. Finally, Commissioner Lavoie commented that the Village should be proactive about modifying our Comprehensive Plan on their own timeline, rather than be reactive to requests from property owners as they are doing at this time.

Village Attorney John Zemenak added that the property is zoned B-3 regardless of what the comprehensive land use plan says and there's a bit of a disconnect between the zoning designation of B-3 versus the comprehensive plan designation of open space. Zemenak stated that perhaps the development should have been studied as a sub-area and broken down into sub parts and envisioned potential future development of the golf course. Zemenak asked the Commission to keep in mind that the zoning dictates what can occur on the property, and with the current B-3 zoning, there are many other commercial uses that can occur, and for them to consider what the highest and best use of the property would be.

Carmichael : Commissioner Carmichael stated he understands and appreciates the open space debate, but also understands the need for change under the circumstances. Carmichael added that the comprehensive plan encourages single family-attached housing to be located near the train tracks and central business district, and also added that traffic and congestion would be a concern if the development were to move forward, but not for tonight's agenda items. Carmichael supported the concept plan amendment and conceptual preliminary plat of subdivision, but noted he would much rather see single family detached versus attached for the comprehensive plan amendment.

Thomas : Commissioner Thomas asked for insight on the economic need to reduce the golf course. Thomas noted he would rather see single family-detached when it came to residential choices.

Sharp : Commissioner Sharp encouraged collaboration between the owner and the Village particularly regarding entry to the development, and indicated he did not appreciate the stiff or firm responses to staff comments. Sharp commented that there has already been a lot of flexibility with the property and the intended comprehensive plan, and understood the situation of the hotel business, therefore Sharp was in favor of dividing the land, but was concerned about the possible density and impacts, although he was not opposed to single-family attached homes.

Sharp asked staff to clarify why a concept plan amendment is needed. Attorney Zemenak replied that the amendment would just be to pull the property that's proposed to be developed out of the original concept plan. Community Development Director Bruce Sylvester added that there is also a provision under the B-3 zoning district that requires a concept plan for any development.

Scales : Commissioner Scales was not opposed to the requests given the property owners trying to get the highest and best use out of the property. Scales asked if there were any binding agreements from the previous development that required open space for the residents. Village Attorney John Zemenak replied that there's not



any sort of covenant or restriction requiring the property to be maintained as open space perpetually. Scales also asked for the history of the Oak Brook Hills property and how that came to fruition.

Van Buren : Commissioner Van Buren stated that understanding the plight of the owner, he would not be opposed to having residential so long as it was single family detached residential on typical R-3 lots with 7800 square feet per lot due to density concerns. He could not support the request for single family detached, but could support single family detached for the comprehensive plan.

Clemens : Commissioner Clemens did not have any objections and thought residential made sense versus commercial uses for the area.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Comprehensive Plan Amendment to redesignate approximately 52.8 acres from Parks/Open Space to Single Family Attached Residential.

Motion by: Scales

Second by: Thomas

VOTING A

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

Motion Failed

MOTION B

Motion to recommend to the Village Board of Trustees to B-3 Special Development District Amendment to remove approximately 52.8 acres from an approved Preliminary and Final Concept Plan for a future rezoning request..

Motion by: Van Buren

Second by: Clemens

VOTING B

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



Scales: Yes
Clemens: Yes

Motion Passed

MOTION C

Motion to recommend to the Village Board of Trustees to approve a Conceptual Preliminary Plat of Subdivision to define said 52.8 acre area.

Motion by: Clemens

Second by: Scales

VOTING C

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

Motion Passed

Hennerfeind stated that the petitioner will have the option to retool and reconsider the negative recommendation and bring revisions back to the Commission, or they move forward to the board with the negative recommendation on that item.

10. Open Forum - No one spoke during Open Forum.

11. Miscellaneous Items

- A) 2022 Zoning District Map will be on the Village Board agenda on March 24, 2022.
- B) Next PZC on April 13, 2022

12. Adjourn

Motion by: Clemens
Second by: Sharp

Meeting adjourned at 9:42pm