



**Village of Westmont
Planning & Zoning Commission
July 11, 2018 - Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, July 11, 2018 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, Secretary Wallace Van Buren, Commissioners Craig Thomas, Doug Carmichael, Janis Bartel, Thomas Sharp, Chris Lavoie, Village Attorney John Zemenak, Village Planner Joseph Hennerfeind, Village Engineer Noriel Noriega

- 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 June 13, 2018 regular meeting**

MOTION to approve June 13, 2018 minutes.

Motion by: Sharp
Second by: Thomas

Voting A

Van Buren: Yes
Carmichael: Yes
Thomas: Yes
Bartel: Yes
Sharp: Yes
Lavoie: Yes
Pill: Yes

Motion Passed

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



New Business

PZ 18-010 Westmont Park District regarding the property located at 660 Blackhawk Drive, Westmont, IL 60559 for the following:

(A) Site and Landscaping Plan approval to allow for the new construction of a natatorium in the M Manufacturing District.

Pill stated that he would be recusing himself from PZ 18-010 since he is an employee of the Park District. He turned the meeting over to Van Buren.

PRESENTATION: Maryann Kaufman, Athletico, provided a brief background on the Natatorium project. She stated that moving the project to Ty Warner Park will be beneficial for the public and for residents. Bob Fleck, Executive Director of Westmont Park District, stated that the Park District has partnered up with FMC Aquatics and Maryann Kaufman to complete this project. A ground lease was signed on July 5, 2018, which means they are ready to move forward. Kaufman presented architectural renderings of the proposed building, which will be across the street from the main park. The facility will consist of a large pool for competition and a practice pool behind it.

Zemenak asked the presenters to provide the site plan in order to show how the building sits on the lot. Kaufman stated that the road veers at an angle, so the building will be constructed parallel to it. The building will consist of numerous windows, allowing the west side to have a nice view of the park. Kaufman stated that the proposed building will be located where the old Everpure building once stood. The parking lot on the east side and two (2) of the entry drives will remain the same.

Anthony Martini, Mackie Consultants, LLC, showed a comparison of the site from when the Everpure building existed to what the empty site looks like now. There is a large detention area for the park and the adjacent Audi and Mercedes developments. The site plan provides 295 parking stalls, so it does exceed zoning requirements. A large detention vault will be located under the west side parking lot. There will also be a detention vault located under the east side parking lot. There is a one way drive on the north side of the building intended for bus drop offs. The access drive to the east has been lined up to the north parking lot for easier traffic flow. The parking lot will also contain large islands for landscaping.

STAFF COMMENT: Hennerfeind stated that this project will be in the M Manufacturing District. It is an allowable use since it is a recreational facility and they are pairing up with the Park District. The applicant meets all minimum standards so there are no variances or special uses being requested. Hennerfeind stated that the preliminary engineering was complicated due to the detention storage that accommodates multiple sites. The latest engineering review from the consultant and internal staff indicates that any outstanding items can be addressed during the permit stage. Parking requirements have been met for the site. Hennerfeind stated that a traffic study was conducted and the larger events that will occur at the Natatorium will be similar in volume to the large events that have previously occurred at Ty Warner Park.

Zemenak asked the applicant to discuss the overflow parking in more detail. Kaufman responded that



there is existing parking across the street from the proposed development and also around the park. She stated that they will likely not need to use the additional parking, except for peak events. They intend on meeting with the Village at least 45 days in advance of peak events in order to establish a well thought out parking plan. Zemenak stated that with their previous plan, the applicant had agreed on a Planned Development Agreement. However, with the proposed new location, only a site and landscaping plan are needed for approval so an agreement is not required. Zemenak suggested putting certain requirements in the site and landscaping ordinance that would discuss regulations for event parking. Kaufman responded that she is supportive of having that language written in the ordinance.

PUBLIC COMMENT: None

COMMISSIONER COMMENT:

Sharp: Stated that he agrees this location makes much more sense and he is supportive. He asked if the landscape plan meets the Village's ordinances. Hennerfeind responded that yes it does. Sharp stated that a majority of the building does not have foundation plantings and suggested incorporating a 3' planting at the front facade to soften the appearance. Sharp stated that the mechanical units looked like they were 15' tall and suggested that they be screened. Hennerfeind responded that in regards to the foundation plantings, the code states that at any location where the sidewalk does not abut the foundation, plantings would be required.

Bartel: Asked the applicant what the intended timeline is for the project. Wes Rehwoldt, FMC Aquatics, responded that they would like to break ground in August in order to open the facility by September / October 2019. Bartel stated that she is supportive of the project.

Lavoie: Asked where the dumpster enclosure will be located. Martini responded that the trash enclosure will be located in the center rear of the building. Adjacent to the east of the enclosure will be a landscaping island that will house a transformer for the facility to the south. There is an additional transformer north to that, which will be removed. Lavoie asked which door people would come out of to take the garbage from the building to the enclosure. Martini responded that the back door closest to the west side of the building would most likely be used. Lavoie asked if there is a grade transition there. Martini responded that the site is fairly flat overall. The site gently slopes along the east and west side. There is a grade transition along the northeast corner of the site where it comes down towards Blackhawk Drive and Plaza Drive. Lavoie asked if there is any way to consolidate the stormwater detention with the Park District to minimize the cost impact for the developer. Martini responded that they did review previous stormwater management reports for the property in order to try and get the stormwater from Ty Warner Park to the proposed Natatorium site. However, the detention has to be maintained for the adjacent properties. An agreement was established in 2006 with the Park District and the adjacent properties to maintain the stormwater detention. There is additional storage on Ty Warner Park but it is inaccessible to the Natatorium site. There are a lot of utilities that run along Plaza Drive, which makes it even more challenging to run the stormwater from Ty Warner Park. Fleck stated that to try and run the stormwater from Ty Warner would have been feasible and would have caused a lot of disturbance to the park. Lavoie asked if the corner is going to be maintained where the park signage is located. Fleck responded that it is stated in their agreement with FMC Aquatics that the corner will be maintained. Lavoie asked if the northbound turn lane on Blackhawk Drive will create vehicle stacking.



Martini responded that moving the entrance to the site further south could lead to stacking but will not create a left-turn conflict onto Blackhawk Drive. Lavoie stated that he is concerned about the three (3) entrances that are close to each other with such a long left-hand turn lane. Martini responded that along the east side of the building, there are numerous windows so they were trying to achieve a traffic flow that would minimize the sight of headlights into the building. Lavoie asked if anything has changed operationally with the Park District and if residents will be allowed to use the facility. Fleck responded that Maryann Kaufman will be responsible for running and managing the Natatorium. All programming will run through the Park District and will offer residential and non-residential rates. However all overhead and costs will be the responsibility of Kaufman and not the Park District. Lavoie asked if there will be any programs with the school district. Kaufman responded that the school district currently has a swimming pool, but they will have the opportunity to use the Natatorium facility if they decide to get rid of it. Lavoie responded that they should look into working with an organization called DiveHeart, which works with veterans who have lost limbs.

Carmichael: Stated that his only concern is the increase of traffic on Blackhawk Drive, but he believes any issues have been addressed. He asked if the facility is going to be open seven days a week. Kaufman responded that it will be open everyday of the week. Traffic will likely be light on Sundays since there are usually no swim meets scheduled on those days. Carmichael responded that he is supportive of the project.

Thomas: Stated that he is supportive of the project.

Van Buren: Stated that he has no questions.

Lavoie: Asked Village Engineer, Noriel Noriega, how he feels about the entry access being moved to the south of the site. Noriega responded that he does not have concerns with the access and likes how the traffic flows in and around the site. The business across the street is periodically busy but he does not expect there to be any problems with the traffic flow.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Site and Landscaping Plan to allow for the new construction of a natatorium in the M Manufacturing District.

Motion by: Bartel

Second by: Sharp

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Bartel: Yes

Sharp: Yes

Lavoie: Yes



Pill: Recuse

Motion Passed

PZ 18-011 Brian and Michelle Walsh regarding the property located at 206 South Warwick Avenue, Westmont, IL 60559 for the following:

(A) Zoning Code Variance request to allow for construction of a home addition within a required front yard setback in the R-3 Single Family Detached Residence District.

PRESENTATION: Benson Sennstrom provided an architectural drawing of the house at 206 South Warwick without a porch and stated that the appearance is very plain. They are proposing to add a front porch to the house, along with an addition that complies with code. With the addition of the porch, the house would sit at 21.96' setback, which would be a 3.0' encroachment. The existing foundation currently encroaches at 1.12'. The applicant has approached the surrounding neighbors to inform them of the potential porch. There is one home on the block that has a 16' setback and another home that is 19.4'. The homeowner completed a petition, which all residents on the block have signed, except for 222 South Warwick as they were unavailable.

STAFF COMMENT: Hennerfeind stated that the applicant is seeking a front yard setback variance. The homeowners of the cape cod style home are looking to complete some renovations to the backside of the house, which meet all of the code requirements. The homeowners believe that the front porch would add to the quality of the home and the facade. In order to add a 6' deep front porch, a variance is required for a 3.1' setback encroachment. A front porch with this depth is necessary in order to make it usable.

Zemenak asked Sennstrom to provide the commissioners with the petition list signed by the neighbors.

PUBLIC COMMENT: None

COMMISSIONERS' COMMENTS AND QUESTIONS:

Bartel: Stated that she is impressed that the applicant approached the neighbors for their approval. She has no issues and is supportive of the project.

Lavoie: Stated that he is supportive of the request and has no questions.

Carmichael: Stated that it is a reasonable request and the porch has similar character to the surrounding homes. He is supportive of the request.

Van Buren: Stated that he is supportive of the request.

Thomas: Stated that he is supportive of the request.



Sharp: Stated that he is in favor of the request.

Pill: Stated that he is supportive of the request.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to allow for construction of a home addition within a required front yard setback in the R-3 Single Family Detached Residence District.

Motion by: Carmichael

Second by: Thomas

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Bartel: Yes

Pill: Yes

Sharp: Yes

Lavoie: Yes

Motion Passed

PZ 18-012 McDonald's USA LLC regarding the property located at 31 East 63rd Street, Westmont, IL 60559 for the following:

- (A) Special Use Permit request to operate a restaurant with an associated drive-in (drive-thru) in the C-1 Commercial Business District.
- (B) Zoning Code Variance request to allow parking in the front yard setback in the C-1 Commercial Business District.
- (C) Zoning Code Variance request to increase the maximum number of menu boards permitted in the C-1 Commercial Business District.
- (D) Zoning Code Variance request to increase the maximum size of a trash enclosure permitted in the side and rear yard setbacks in the C-1 Commercial Business District.
- (E) Site and Landscaping Plan approval.

PRESENTATION: Kenneth Sack, Watermark Engineering, stated that the applicant is requesting approval for a special use permit to allow for a side-by-side drive thru system. This would be beneficial for McDonalds as it would allow for a more efficient service. Variances are also being requested to allow for parking within a setback along 63rd Street, an increase of menu boards from two (2) to four (4), and an increase in size of the trash corral from 100 SF to 470 SF within the rear and side setbacks. In regards to the signage, the square footage will actually be reduced. Sack stated that the access points will not be changed on the site. There will be no building modifications on the restaurant. There are currently 44 parking stalls and that number will remain the same. The vehicular circulation will also remain the same.



New concrete ADA stalls are being proposed. The proposed trash corral will be constructed in brick that is similar to the existing restaurant and will be screened. The drive thru is currently one lane and consists of two (2) menu boards. The proposed upgrade will have a preview menu and menu board for each lane. This will increase efficiency, reduce stacking, and eliminate any traffic build up going onto 63rd Street. The side-by-side drive thru system will accommodate 11 cars. In regards to landscaping, Village requirements are being met. Additional landscaping is being added along 63rd Street to enhance the area.

STAFF COMMENTS: Hennerfeind stated that the construction of the McDonald's building pre-dates the requirement of the special use permit for the drive thru. Since the applicant is making a modification to their site, staff is able to look at the special use requirements to make sure that traffic congestion and pedestrian safety is addressed. In order for the applicant to keep their legal non-conforming parking, staff asked for a parking study to be conducted. To add the additional two (2) parking spaces, a variance is needed since they would be placed in the front yard setback. Outdated landscaping will be removed and replaced with new screening landscape that meets Village code. In regards to the dumpster, the applicant is moving multiple dumpsters into one (1) larger trash enclosure. Village code states that an enclosure cannot exceed 100 SF, which is why a variance is being requested for this. For drive thru signs, code states that one (1) sign is allowed at 50 SF. This McDonald's received a variance for all of their current signage back in 2011. The second menu board was approved for a variance at that time. Since the code does not discuss double drive thrus, a variance is needed in order to add the additional signage. The purpose of the additional drive thru is to prevent vehicle stacking out to 63rd Street, which tends to happen during peak hours. Site and landscaping approval is also being requested for the site.

PUBLIC COMMENTS: None

COMMISSIONERS' COMMENTS AND QUESTIONS:

Lavoie: Asked if cars are having to back out of the parking lot while also dealing with the stacked vehicles in the drive thru. Sack responded that yes that is occurring. Lavoie stated that he would prefer to not even add the additional parking spaces in order to avoid having cars potentially back into other vehicles. Lavoie stated that he is not supportive of the parking configuration due to safety reasons. Asked if the curb return placed at the left hand side of the drive thru is meant to prevent drivers from coming off of Cass Avenue and sneaking right into the drive thru. Sack responded that it is designed to keep the cars moving in a clockwise circulation. They do not anticipate that drivers would come in that way off of Cass Avenue, as they will have to go all the way around in order to get into the drive thru lane. Lavoie asked if the exit behind the restaurant is wide enough to fit two (2) cars. Sack responded that it was not designed to fit two (2) cars. He stated that they could incorporate "Do Not Enter" signage at the exit to avoid people coming in from Cass Avenue. Lavoie suggested that they look into reducing the width of the exit aisle in order to accommodate more parking. Al Daniels, McDonald's, responded that the only issue with that suggestion is that their delivery trucks use that opening. Lavoie asked if the truck would be able to go back out to Cass Avenue and why would narrowing the lane make it more difficult for truck deliveries. Daniels responded that trucks and trailers do not maneuver the same way as regular vehicles. Lavoie asked if the parking spaces to the south were rotated 90 degrees, would that allow for additional parking spaces. Sack responded that typically when parking spaces are rotated by 90 degrees, that would usually allow for an increase in parking. There are currently easements in that location, so they



would need to make sure that would not have any effect on them. Sack stated that in the easement area, there are nineteen (19) additional parking stalls.

Carmichael: Asked if the dual drive thru causes a conflict with the inner / outer traffic as they enter the delivery lane. Since there are two lanes coming together, how do they deal with that. Sack responded that once an individual places their order in the drive thru, it is pretty intuitive to simply merge. There will be merge point striping to indicate for drivers that merging is necessary. He stated that many people are used to the double lanes in drive thrus these days. Carmichael stated that is supportive of the request.

Van Buren: Stated that he was supportive of the request and was relieved to see that the parking study indicated parking was not an issue at this location, even at peak times.

Thomas: Stated that he has never seen parking maxed out at this location. He stated that he is supportive of the request.

Sharp: Stated that he cannot support the new variance for the parking encroachment, considering the number of spaces is not changing. Zemenak responded that the parking is legal non-conforming and will remain that way unless the size of the building is increased or decreased. In order to accommodate for the additional drive thru, the applicant had to add the two (2) parking spaces in the encroachment. Sharp stated that he does not think this meets the requirement of a variance. He stated that he supports the site and landscaping approval, but does not support the variance request. Sack responded that they are increasing the pervious area by 1400 SF. This gives them the opportunity to increase the landscaping throughout the site. Sharp suggested that they move the two (2) parking spaces somewhere else to avoid putting them in the encroachment.

Bartel: Asked if only one (1) cashier will be working and will that really increase efficiency. Daniels responded that part of the element of the drive thru is the geometry. It is designed so that customers naturally choose the lane that is moving faster. One cashier can handle the increase of customers, as they are only handling the cash transaction one at a time, even though two (2) orders are being placed at a time. Bartel stated that she is supportive of the ADA stalls. She asked if all of the current trash locations are being moved to one location. Sack responded that it will all be moved to the southeast corner and will be screened. Bartel asked what their planned timeline will be. Sack responded that the applicant would like to get started as soon as possible. Bartel asked if the restaurant will remain open during construction. Sack responded that it will remain open.

Pill: Asked what is prompting the drive thru change. Daniels responded that they are experiencing an increase in business. Pill asked if they are only completing exterior changes at this time. Daniels responded that there will be no interior remodeling occurring. They recently remodeled the inside about a year ago. Pill stated that the plans list the address for the Oak Brook McDonald's headquarters. He asked if in the future they will list the Chicago address. Daniels responded no they will not. He stated that he works for the Chicago region and the regional office is located in Oak Brook. Pill stated that he is supportive of the double menu. He also does not have an issue with the larger trash enclosure. Pill stated that at peak times, the parking lot can be a challenge and suggests that the applicant looks at



their options for eliminating the congestion. Sack responded that the stalls at the rear east and west of the lot will mostly be used by employees. Pill stated that he is in support of the project.

Lavoie stated that he is not in favor of the project and thinks the applicant should consider redesigning the parking lot in order to avoid traffic conflicts.

Sharp asked if there is a legal way to count the shared access spaces towards their legal non-conforming count. Zemenak responded that the parking regulations allow for offsite parking, as long as they are within 500' of the property and there is a cross parking easement recorded against the title. Hennerfeind responded that whether the records show the easement or not, there is a loss of two (2) parking spaces. He stated that typically staff would allow the extra spaces, but in this particular case, there will still be a parking deficiency. The original approved plan for this property had 90 degree spaces and they were not angled. There was a loss of two spaces when they decided to angle the stalls and restripe many years ago. Since the property is owned by the bank, the applicant technically cannot make changes to the angled stalls. Hennerfeind stated that he would be concerned if parking spaces were placed to abut the property line, since it would need to be screened, but there may not be enough space for that. These discussions were previously held with the applicant. Zemenak responded that if they lose the two (2) parking spaces, but gain the offsite parking spaces, it should be a wash. Sack responded that McDonald's does not own the property and there are easements throughout the site. Zemenak asked if the easement controls whether the parking stalls are diagonal or straight. Sack responded that he does not know offhand.

Zemenak stated their options are to make a vote on the requests or make a motion to postpone until next month so the applicant can review their options and make necessary changes to the parking lot design.

Lavoie stated that the requests are not ready to be voted on.

Van Buren stated that he supports moving forward with the vote and suggests the applicant review their options for the parking lot design prior to the board meeting.

Thomas stated that he agrees to vote on the request rather than postponing it. Bartel and Pill agreed as well.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate a restaurant with an associated drive-in (drive-thru) in the C-1 Commercial Business District.

Motion by: Van Buren
Second by: Carmichael

VOTING A

Van Buren: Yes
Carmichael: Yes



Thomas: Yes
Bartel: Yes
Pill: Yes
Sharp: No
Lavoie: No

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to allow parking in the front yard setback in the C-1 Commercial Business District.

Motion by: Sharp
Second by: Bartel

VOTING B

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

Motion Passed

MOTION C

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to increase the maximum number of menu boards permitted in the C-1 Commercial Business District.

Motion by: Van Buren
Second by: Bartel

VOTING C

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

Motion Passed



MOTION D

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to increase the maximum size of a trash enclosure permitted in the side and rear yard setbacks in the C-1 Commercial Business District.

Motion by: Bartel

Second by: Van Buren

VOTING D

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Bartel: Yes

Pill: Yes

Sharp: No

Lavoie: No

Motion Passed

MOTION E

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

Motion by: Carmichael

Second by: Thomas

VOTING E

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Bartel: Yes

Pill: Yes

Sharp: No

Lavoie: No

Motion Passed

PZ 18-013 ATG Trust #96-311 regarding the property located at 41 North Cass Avenue, Westmont, IL 60559 for the following:

- (A) Special Use Permit request to operate a craft brewery tavern in the B-1 Limited Business District.
- (B) Zoning Code Variance request to permit a craft brewery tavern within the required 1,000 feet separation from a school (approximately 800 feet of separation shown where Code requires 1,000 feet of separation as a special condition for a Special Use Permit).
- (C) Zoning Code Variance request to reduce the total required number of parking spaces for a craft



brewery tavern in the B-1 Limited Business District.

PRESENTATION: Dan Burr, owner of Scallywags, presented his request to open a craft brewery and a coffee roasting business at 41 North Cass Avenue. The proposed layout includes a production area in the rear of the building. The production area is self-contained and the only venting area is mostly steam, which does not consist of contaminants. The entrance for the tavern will be located off of Cass Avenue. Parking will be available along Irving Street and in front of the business. Burr stated that craft breweries tend to improve the area, as it brings in disposable income. With the proposed business being close to the train, patrons will be walking by other downtown businesses which could help increase revenue being brought in. Burr stated the business is not the typical tavern, since customers will not be consuming alcohol for a long period of time. Craft breweries are for appreciation for customers to try something new and explore different flavors. The proposed business is located within 1,000' of a school, so a 200' variance is being requested. All alcohol production will take place at the back of the building. There are two (2) egress doors in the back that are only accessible from the inside of the building. Burr stated that starting at 12:00 PM, customers under the age of 18 are not allowed in the business, unless they are accompanied by a responsible adult. Burr stated that him and his team members are all BASSET certified, so they are trained to serve responsibly. He also stated that they will likely not begin serving alcohol until 3:30 - 4:00 PM, with the exception of Fridays in the summer months. The hours of alcohol serving do not coincide with school hours. Burr stated that there have been variances granted in the past for businesses serving alcohol within 1,000' of schools. In regards to parking, the previous business was required to have four (4) parking spaces. The proposed business will require one (1) parking space for every three (3) seats. The current seating capacity is 38 seats, which will require 13 total spaces. Since there are four (4) spaces grandfathered in, a variance for nine (9) spaces is being requested.

STAFF COMMENTS: Hennerfeind stated that the B-2 District allows microbreweries and brewpubs. Microbreweries require a certain component of manufacturing that is sent off site and brewpubs offer a food component. Since the proposed business is serving alcohol without food, it is classified as a tavern. The liquor license for the business will allow for only beer to be served. The proposed tavern is located within 800' of Manning School. The 1,000' distance also takes into consideration when a customer consumes a drink and then heads towards the school. For the parking variance, a credit is given for when the building was built and its intended use. This particular building is intended for general business, which requires only four (4) parking spaces. The four (4) spaces are grandfathered in and then the proposed business is evaluated based on its intensity. In this case, nine (9) additional spaces are required. There is on street parking directly in front of the building, along the side of the building, and also Village owned parking which is close by. Hennerfeind stated that the Comprehensive Plan discusses over development in the downtown area and singles out this particular property. This is a fully developed lot with no landscaping and it directly abuts a residence. Therefore it could have an effect on the nearby residences.

Zemenak stated that the state liquor code requires a 100' distance separation from a liquor establishment and a school. The 1,000' distance requirement is a zoning ordinance requirement. The liquor license itself for a tavern is something that was recently established by the Village Board for this particular business. The restrictions with this license is that only beer that is brewed on the property can be served and consumed. Zemenak stated that an article published in Outside Magazine recently



indicated that brewpubs contribute to the success in small towns, as they attract numerous types of customers.

PUBLIC COMMENTS: Cynthia Abts, resident, asked if there will be any type of aroma that will come from the brewery, since her residence is nearby. She also asked what the hours will be for the business. Burr responded that the walls are six (6") inches thick and there will not be a lot of noise generated from the brewery. The business will be open from 7:00 AM to 10:00 PM. The brewing process will take place during business hours and normally lasts around three (3) to six (6) hours. Burr stated there will be smells generated from the brewing process. The smell is similar to a bread smell since they are boiling grains. However, the smells will dissipate rather quickly. The venting will go straight up into the air and over the roof. Pill asked if this will occur during the day when the brewing is occurring. Burr responded yes. Pill asked if they brew seven days a week. Burr responded that when they fill a fermenter, it then has to sit for at least a week up to eight weeks. At the beginning, they will likely brew around six (6) times, but then they will wait a week until the fermenters are empty and the cycle will begin again. The noise and aromas will mostly occur during regular business hours. Abts stated that she is still concerned about how long the smells will linger. Burr responded that they will dissipate after half an hour. Abts asked if there is any other way to filter the smells. Burr responded that unfortunately there is not.

COMMISSIONER'S COMMENTS AND QUESTIONS:

Carmichael: Stated that the timeline in his business plan looks very optimistic. His only concern is with the letter provided by the Fire Department which lists numerous outstanding items. Carmichael asked if they will be sprinklering the building. Burr responded that it is difficult to have a fire sprinkler contractor provide them with a quote unless they guarantee the work. The building will eventually be sprinklered and they will be speaking with the Fire Department to explore their options. Carmichael asked if they plan on opening the business prior to having sprinklers installed. Burr responded that they will complete whatever is required of them. If they have to install sprinklers prior to opening the doors, then they will have them installed. Hennerfeind stated that an email was provided to the commissioners from Larry Kaufman that stated he had met with the applicant and acknowledged that he is working towards completing all of the Fire Department's requests. Carmichael asked if there will be two (2) separate points of egress. Burr responded that an emergency redraw was completed to accommodate this request. Carmichael asked if it is standard in breweries to have fire extinguishers in place. Burr responded yes. There are currently four (4) throughout the space. Carmichael asked what pedestrians will see in the window off of Irving Street. Burr responded that they will see the employees working but there will possibly be blinds put up at that window.

Van Buren: Stated that he is concerned about the Fire Department comments. He has no issues with the special use request or the variance request being close to the school. Van Buren stated that this will be a nice fit with the residential complex that will potentially be developed in the downtown.

Thomas: Stated that he is supportive of the request.

Sharp: Asked if there will be food served at the tavern. Burr responded that food will not be served. Sharp asked what that limits the business to do in the future with this type of license. Burr responded



that the liquor license has no requirement so if they decided to install a kitchen in the future they could. They are possibly going to work with neighboring restaurants to create a system that will encourage customers to order food from the restaurants nearby. Burr stated that there will be snacks available in house. Sharp stated that the parking variance is justified. He stated that he is concerned about the Fire Department's list. Burr responded that the only item on the list that has not been addressed is the sprinkler system. Sharp stated that he is supportive of the proposed business.

Bartel: Asked if they have started any internal construction. Burr responded they are currently using the space for storage. Bartel stated that she is supportive of the requests.

Lavoie: Asked what the plan is for the basement. Burr responded that nothing will be occurring in the basement, except for storage. Lavoie asked if there is going to be any equipment running when the building is unoccupied. Burr responded that no equipment will be running, but the fermentation will be occurring. However, that is an organic process and not mechanical. Lavoie asked if there are any electrical upgrades in the building. Burr responded that they are unsure yet. There is currently a 200 amp meter and they may be upgrading it to a 400 amp meter, but it is not critical. Lavoie asked what the deadline is for having to install the sprinkler system. Burr responded that the Fire Department stated there is the possibility of a compliance variance, which could last up to three (3) years and is at the sole discretion of the Fire Marshall. The deadline will either be before opening day or someday within the three (3) year variance period. Burr stated that it could be costly depending on whether they have to auger into the street, however there may be a watermain that their site could tap into which would allow them to avoid augering into the street. Burr stated that they will be installing extra fire detection throughout the building. Lavoie asked about the structural evaluation for the floor. Burr responded that the structural engineer did not have any issues with it and will be part of the stamped plans. Lavoie asked if Burr would commit to an earlier time frame for the sprinkler system. Burr responded he cannot commit until he receives a quote. Lavoie asked if staff has spoken with the Fire Department regarding this project. Hennerfeind responded that he has spoken with Larry Kaufman, who has indicated that the applicant is working towards finding a solution. Fire sprinklers will be required, but it is up to the Fire Department to determine how soon they have to be installed.

Pill: Asked staff if they are aware of how many liquor licenses are within the 1,000' area. Hennerfeind responded that he does not have that information. The only two taverns within downtown are Potbelly and Uptown. There are many restaurants that serve alcohol but they do not have the 1,000' requirement. Pill stated that the Fire Marshall will have the last say on the fire sprinkler issue. Zemenak responded that the project is still subject to the liquor license approval as well. Pill stated that he is in support of the project.

Sharp stated that the fire issue is a real concern and this should be deferred to the engineers since they are the experts.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate a craft brewery tavern in the B-1 Limited Business District.



Motion by: Thomas
Second by: Van Buren

VOTING A

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

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to permit a craft brewery tavern within the required 1,000 feet separation from a school (approximately 800 feet of separation shown where Code requires 1,000 feet of separation as a special condition for a Special Use Permit).

Motion by: Bartel
Second by: Sharp

VOTING B

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

Motion Passed

MOTION C

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to reduce the total required number of parking spaces for a craft brewery tavern in the B-1 Limited Business District.

Motion by: Van Buren
Second by: Carmichael

VOTING C

Van Buren: Yes



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Community Development Department

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Carmichael: Yes

Thomas: Yes

Bartel: Yes

Pill: Yes

Sharp: Yes

Lavoie: No

Motion Passed

11. Miscellaneous Items

The next meeting will be scheduled for August 8, 2018. Two (2) commissioners will not be in attendance at that meeting.

12. Motion to Adjourn

Motion by: Van Buren

Second by: Thomas

Meeting adjourned at 9:51 PM.