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Community Development Department

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Village of Westmont Planning & Zoning Commission August 10, 2022 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **August 10, 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, Jill Peterson, Matt Scales, Village Attorney John Zemenak, Planner I Scott Williams, and Deputy Director of Community Development Joseph Hennerfeind

Absent: Craig Thomas, Chris Lavoie, and Harold Barry III

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 June 08, 2022 regular meeting.**

MOTION to approve the regular meeting minutes on June 08, 2022.

Motion by: Scales

Second by: Peterson

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 061-2022 Request from the Village of Westmont, regarding the following:

- (A) Text amendment to Appendix A, Section 8.13, "Special uses in the office/research district," of the Zoning Ordinance regarding Accessory Uses.

Presentation: Deputy Director of Community Development Joseph Hennerfeind presented a proposed text amendment and provided the background commentary. Hennerfeind explained that some of the buildings in the O/R District are difficult to lease because they were constructed with some non-office spaces and more tuned to research and development/production facilities. Hennerfeind explained that recently users have approached the Village in which a property would be equipped for the use but they are not allowed in the O/R District.



Hennerfeind noted that the proposed text amendment only cracks the door open to more uses and is not intended to change the O/R District into an industrial district. Hennerfeind explained that the amendment is for accessory uses to a permitted use such as an accessory use to an office. Hennerfeind also explained that the proposed amendment would require a special use permit for the accessory use. Hennerfeind emphasized that the office spaces are being preserved and that the proposed amendment is not to allow conversion of existing office spaces to manufacturing spaces. Hennerfeind read allowed and explained the proposed text amendment language.

Staff Comment: See Above.

Hennerfeind: Hennerfeind summarized that there is a clause that limits the floor area for the accessory use to 25%, a limitation on outdoor impacts, limitations on offensive uses and control process, and a limitation on fleet vehicles. Hennerfeind also reminded the commission on the special use standards.

Public Comment: None.

Commissioner Comments:

Scales : Commissioner Scales asked staff how the office's are defined.

Hennerfeind noted that staff does not clearly define offices but usually there are administrative components.

Zemenak clarified with Scales that he is talking about the physical buildout and not the use.

Hennerfeind noted that when a use comes before staff they will need to scrutinize the history of the property as well as the use.

Commissioner Scales noted that he likes the proposed text amendment and asked staff if this text amendment includes the O/R-1 District.

Hennerfeind answered no, it does not include the O/R-1 District and explained that the O/R-1 District is for a specific area on North Cass.

Commissioner Scales then asked staff what types of proposed uses caused the development of this text amendment.

Hennerfeind answered that a proposed user approached staff about a use that was about 98% office and about 2% manufacturing utilizing 3D printers. Hennerfeind also discussed a property on Oakmont Lane that was built for a multi-tenant research facility and the basement became mostly a warehouse. Hennerfeind noted that this text amendment would require a similar space to get a variance for the percentage of floor space being utilized.

Commissioner Scales noted an example of a medical office in the area that is not a traditional office space.

Hennerfeind answered that medical offices are permitted use in the O/R District and the 25% floor space clause would not apply.



Scales wanted clarification from staff on a clause that does not allow for the removal of office spaces.

Hennerfeind explained that staff does not want to lose office space but wants to give difficult to lease spaces a better opportunity. Hennerfeind also clarified that the clause is there to deter the district from becoming primarily manufacturing.

Peterson : Commissioner Peterson questioned if staff knew how many vacancies are in this area.

Hennerfeind answered that Village staff does not have that data but the Westmont Economic Development Partnership may track. He also noted that a few properties have remained vacant and staff receives repeated inquiries.

Van Buren : Commissioner Van Buren had the same question as Commissioner Peterson and that general market trends have been changing. He also noted that he is for the proposed text amendment.

Carmichael : Commissioner Carmichael had no comments.

Thomas : Commissioner Thomas was not present.

Lavoie : Commissioner Lavoie was not present.

Barry : Commissioner Barry was not present.

Zemenak: Village Attorney Zemenak asked Hennerfeind if the intent should be explicitly stated in the text amendment language.

Hennerfeind agreed with Zemenak and asked the Commission that the motion include updating the text amendment language prior to forwarding to the Village Board.

Zemenak gave an example of a proposed use in the O/R District that is largely manufacturing with a small office component would not be able to utilize this text amendment.

Hennerfeind questioned if Zemenak knows when an accessory use becomes classified as a permitted use.

Zemenak noted the code is silent on the definition between accessory and permitted uses but the Village in the past has used 25% of the floor space as the threshold.

Scales gave an example that a business could utilize a built out office space but use the space for processing without changing the space.

Zemenak noted that the user would have to disclose the amount of space used for processing in that case. Zemenak asked staff if the language for the accessory uses should be changed from storing to warehousing.

Hennerfeind has no objection to the change and noted that staff was duplicating the language from the M District and removing any offensive uses.



Zemenak asked staff if the language of fleet parking should be something staff looks to add throughout the Zoning Code for specific districts.

Hennerfeind did not disagree with the recommendation and noted that it would be beneficial for staff to look at in the future.

Hennerfeind asked the commission that the motion include the changes to the language that staff discussed.

Carmichael acknowledged that the motion will include any changes to the text amendment's language.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Text amendment to Appendix A, Section 8.13, "Special uses in the office/research district," of the Zoning Ordinance regarding Accessory Uses.

Motion by: Scales

Second by: Peterson

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Absent

Barry: Absent

Lavoie: Absent

Scales: Yes

Peterson: Yes

Motion Passed

11. Miscellaneous Items -

1) Commissioner Training

Hennerfeind led commissioner training for those present.

Sec. 7.06(A) B-3 Special Development District

Intent and purpose. The B-3 special development district is intended to provide for the combining of hotel and/or motel, office, research and recreational uses in a unified development and to provide for secondary retail, residential and service uses to serve the development. The district is also established in order that the public health, safety and general welfare will be furthered in an area of increasing urbanization and of growing demand for these kinds of land uses and to encourage innovations and variety in type, design and arrangement of such uses. Because of the intensity of development permitted in the special development district, it shall generally be used only when abutting one or more major or secondary arterials with limited access.



Secondary retail business or service establishments, as set forth below, shall be permitted subject to the restrictions set forth in subsection (D)(2). Secondary uses are permitted in order to reduce the dependence of occupants of the special development district upon goods and services outside of the special development district and thereby reduce traffic congestion in such areas of intensive development.

Because the diversified land uses in a special development district may not be predetermined in detail, approval of the preliminary concept plan and each individual final concept plan of a staged development is an absolute necessity to assure a compatible arrangement of the varied land uses which are permitted to be mixed and to determine the impact of such uses in surrounding areas. Emphasis will be based upon the review of pedestrian and vehicular circulation facilities such as sidewalks, parking areas, interior streets, pavement widths and rights-of-way because of the anticipated high volume of pedestrian and vehicular traffic which will be generated.

Zemenak interjected that the B-3 language in the code is currently lacking and may need to be fixed in the future.

Preliminary Concept Plan [(Sec. 7.06(G)(1)(a) thru (g)] - requirements

- Generalized land uses. The approximate location, size, configuration of all proposed land uses within the entire development; to include areas to be designated as open space recreation and service activity areas.
- Distribution of density. The approximate amount of square footage proposed for each land use area, including the approximate number of vehicles to be accommodated.
- Overall circulation system. To include the principal points of access to the site from the surrounding roadways, the major elements of internal circulation proposed, the location of major parking areas, and any special requirements for service or emergency access.
- Phases of development. To indicate the phases or stages by which the entire development is to be accomplished, if applicable, including the approximate size, density and timing of subelements of the building program and all improvements.
- Special features. To include elements such as pedestrian environments, public facilities, energy conservation measures, and similar features.
- Development features. All the development features, including principal buildings and any accessory buildings, open spaces, service roads, driveways and parking areas, are located so as to minimize the possibility of any adverse effects upon adjacent properties and so as to relate properly to traffic safety.
- Access. The preliminary concept plan shall indicate that access is provided only to an arterial or limited access service drive and that a prior relationship exists between the arterial and any proposed service roads, driveways and parking areas in order to encourage pedestrian and vehicular traffic safety.



Zemenak added that planned developments should have aspects that benefit the Village in return for granting variances and such. Zemenak also gave an example of a senior living community that incorporated open space as a large shared feature rather than each individual having a yard.

Article IX. - Planned Development Districts

Sec. 9.01. - Preamble.

In addition to the objectives prescribed in previous sections, the PD district is included in the zoning ordinance in order to achieve the following purposes:

- (A) To encourage more creative design and development of land.
- (B) To promote variety in the physical development pattern of the village.
- (C) To concentrate open space in more useable areas or to preserve natural resources of the site.
- (D) To provide means for *greater creativity and flexibility in environmental design* than is provided under strict application of the requirements of other zoning districts, while at the same time preserving the health, safety, order, convenience, prosperity and general welfare of the Village of Westmont and its residents.
- (E) To allow flexibility in development of land as necessary to meet changes in technology and demand what will be in the best interest of and consistent with the *general intent of the comprehensive guide plan* of the village.
- (F) To provide for the more efficient *allocation and maintenance by private initiative of useable open space* to all residential and commercial areas and to allow the most efficient use of public facilities and land in keeping with the best interests of the village.

Zemenak added that the Village has used the finding of facts standards in planned development language, such as not having adverse effects to the surrounding properties.

Scales asked staff if there is any current zoning district that does not allow a planned development overlay.

Hennerfeind answered that any zoning districts can have a planned development overlay.

Zemenak also noted that this code is poorly written and that other communities have planned developments as a special use rather than an overlay district.

Staff Comments:

A Planned Development:

- Provides flexibility to the underlying zoning through Waivers, which do not have to adhere to the strict standards of a Variance and include:
 - density (limited to residential districts)
 - maximum floor area ratio
 - minimum lot width



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- maximum building height
- minimum interior yards

- Requires Variances to any other bulk requirement listed above such as:
 - density (in business districts)
 - lot coverage
 - other setbacks
 - parking minimums
 - Signs
- Encourages pockets of density (clustering) to preserve open space
- Does not allow any additional uses not permitted in the underlying zoning district
- Is often required for multiple buildings on one lot (residential districts)
- Is a CONTRACT with the Village, which can provide guarantees such as:
 - public and private amenities
 - construction above minimum code requirements (high quality materials for building construction, enhanced landscape, etc.)
 - other relationships (cross-parking, cross-access, shared detention, etc.)
 - blanket entitlements (ex. SUP for drive-thrus at Market Centre)
 - assurances on maintenance and operations

2) General Updates

- a) Next PZC on September 14, 2022
- b) IL American Planning Association - Plan Commissioner Training September 29, 2022 - Old Post Office, Downtown Chicago

12. Adjourn

Motion by: Scales
Second by: Peterson

Meeting adjourned at 8:03pm