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Community Development Department

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6250 Fax: 630-968-8610

Village of Westmont Planning & Zoning Commission August 11, 2021 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, **August 11, 2021 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, Chris Lavoie, Alison Clemens, Village Attorney John Zemenak, and Village Planner Nalini Johnson

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 July 14, 2021 regular meeting.**

MOTION to approve the regular meeting minutes on July 14, 2021.

Motion by: Clemens

Second by: Thomas

The motion passed on a voice vote. All in favor other than Commissioner Lavoie who abstained due to being absent at the previous meeting.

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

New Business

PZC 052-2021 Request from James and MaryGrace Smits; and David Smits and Emily Laconte for properties at 531 64th St. for the following:

- A) Preliminary Plat of Subdivision to establish two buildable residential lots.
- B) Final Plat of Subdivision to establish two buildable residential lots.

Presentation: Dave Bradley with Bradley Properties represented the Smits family regarding the property located at 531 64th Street. The request was to reaffirm approval for the preliminary plat, and for approval of the final plat for subdivision. The preliminary plat had previously been approved in 2008, however the applicant was not ready to develop the land at that time.



Staff Comment: Village Planner Nalini Johnson reiterated that the request for the preliminary plat was for reaffirmation. Johnson also noted that once the final plat is recorded, a letter of credit would be required for public improvements, and it will be at that point that development permits can be applied for.

Village Attorney John Zemenak suggested eliminating the building line setback on the plat to avoid bound restrictions, especially since it's not a requirement from the Village.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie had no questions or comments.

Carmichael : Commissioner Carmichael had no comments.

Thomas : Commissioner Thomas had no comments.

Sharp : Commissioner Sharp had no additional comments.

Scales : Absent

Van Buren : Commissioner Van Buren had no comments.

Clemens : **Commissioner Clemens was supportive of the request.**

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Preliminary Plat of Subdivision to establish two buildable residential lots.

Motion by: Lavoie

Second by: Sharp

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Absent

Clemens: Yes

Motion Passed



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MOTION B

Motion to recommend to the Village Board of Trustees to approve a Final Plat of Subdivision to establish two buildable residential lots.

Motion by: Clemens

Second by: Lavoie

VOTING B

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Yes

Scales: Absent

Clemens: Yes

Motion Passed

PZC 103-2021 Request from the Community Development Department, regarding the following:

- A) Zoning Ordinance text amendments to the Village of Westmont Code to create definitions and regulations for beauty salons, barber shops and related businesses.

Presentation: Village Planner Nalini Johnson proposed a text amendment to modify the use tables related to beauty parlors and barber shops due to proliferation of beauty salons in the Village, specifically the downtown. The proposal included eliminating the special use permit requirement, while adding separation distances between salons of the same type. The proposed separation distance would be 1,000 square feet.

Staff Comment: Village Attorney John Zemenak asked staff for clarification on how the Village Board asked staff to address this particular concern. Johnson replied that the Village Board had asked staff to create a separation distance during a Community Development Committee meeting.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie commented that he was not in favor of over regulation. Lavoie asked Village Attorney Zemenak if this could be discriminatory if only focused on one type of business. Zemenak replied that it's a proper exercise of the zoning power to regulate uses.

Carmichael : Commissioner Carmichael mentioned that rather than having a separation distance requirement, that maybe having a cap for each license type in the downtown would be an alternative.



Thomas : Commissioner Thomas asked if existing businesses fall within the new distance limits, would they be affected. Johnson replied that due to the existing businesses having a special use permit, the permit follows the property, therefore if a beauty salon moved, another salon can replace it so long as it's within 12 months.

Sharp : Commissioner Sharp did believe that there are parts of town with various types of business that seem to glut or cluster to an unhealthy extent. Sharp asked for clarification that if the special use requirement was eliminated, and a salon moved, as long as another salon moves in within 12 months, they would be permitted to do so. Zemenek added that if an existing salon did not have a special use permit and they wanted to leave, and the owner wants to get another salon to fill the vacancy, and they don't meet the distance separation rule, they would be a legal non conforming use and if the use was discontinued for 90 days or more, they would lose their legal non-conforming status.

Van Buren : Commissioner Van Buren commented that there seems to be a lot of service businesses in the downtown area, but with two new apartment buildings being developed, and the downtown population increasing, Van Buren believed retail businesses could have a better chance with this new amendment.

Clemens : Commissioner Clemens wanted to know if there were other types of businesses that had separation distance requirements. Johnson replied that the purpose of this amendment is to allow for diversity of uses, and to avoid glut of one type. Clemens did not think it was a good precedent to pull out a particular category for separation.

Scales : Absent

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Ordinance text amendments to the Village of Westmont Code to create definitions and regulations for beauty salons, barber shops and related businesses.

Motion by: Sharp

Second by: Van Buren

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: No

Lavoie: No

Sharp: Yes

Scales: Absent

Clemens: No

Motion resulted in 3 votes in favor of the request, and 3 votes against the request. The results will be forwarded to the Village Board.



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Old Business

11. Miscellaneous Items - None

12. Adjourn

Motion by: Clemens

Second by: Thomas

Meeting adjourned at 8:12pm