

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

\_\_\_\_\_ Resolution or Ordinance (Blue) \_\_\_\_\_ *Waiver of First Requested*  
  X   Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager  
DATE: April 23, 2012 (BOT) Date: May 3, 2012  
TITLE: PC 12-10: 300 W. Roosevelt Rd.  
SUBMITTED BY: Department of Community Development *NW*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that the Village grant a conditional use, pursuant to Section 155.417 (G) (2) of the Lombard Zoning Ordinance, to allow outside service areas for outdoor dining for the subject property located within the B4A Roosevelt Road Corridor District.

The Plan Commission recommended approval of this petition with conditions.

Please place this item on the May 3, 2012 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** David A. Hulseberg, Village Manager

**FROM:** William Heniff, AICP  
Director of Community Development *WH*

**DATE:** May 3, 2012

**SUBJECT:** PC 12-10; 300 W. Roosevelt Road (Wolfy's)

Attached please find the following items for Village Board consideration as part of the May 3, 2012 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 12-10;
3. Completed Standards for Conditional Uses;
4. An ordinance granting a conditional use, pursuant to Section 155.417 (G) (2) of the Lombard Zoning Ordinance, to allow outside service areas for outdoor dining for the subject property located within the B4A Roosevelt Road Corridor District.
5. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition.



## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

May 3, 2012

**Village President**  
William J. Mueller

**Village Clerk**  
Brigitte O'Brien

### Trustees

Greg Alan Gron, Dist. 1  
Keith T. Giagnorio, Dist. 2  
Zachary C. Wilson, Dist. 3  
Peter Breen, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
David A. Hulseberg

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. William J. Mueller,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 12-10; 300 W. Roosevelt Road (Wolfy's)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a conditional use, pursuant to Section 155.417 (G) (2) of the Lombard Zoning Ordinance, to allow outside service areas for outdoor dining for the subject property located within the B4A Roosevelt Road Corridor District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 16, 2012.

Jim Ramos, 1707 Norman, Park Ridge presented the petition. He stated that Wolfy's is looking to put a patio outside of their restaurant, located at 300 W. Roosevelt Rd. He then stated that the outdoor dining area would be approximately 600 square feet with 6-8 tables.

Chairperson Ryan then requested the staff report.

Chris Stilling, Assistant Community Development Director, presented the petition. The petitioner is proposing to construct a 600 square foot outdoor dining area on the south side of the side of the existing building. As a result, the petitioner requests that the Village grant a conditional use, pursuant to Section 155.417 (G) (2) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining) for the subject property located within the B4A Roosevelt Road Corridor District.

The petitioner is proposing to construct a 600 square foot outdoor dining area on the south side of the existing building. While the petitioner's plan does not show seating, the area would consist of approximately 6-8 tables. As part of their building permit submittal, the petitioner will be required to include a seating plan showing how the tables and chairs meet the required spacing per building codes.

Access to the outdoor area would be via existing doors on both the east and west side of the building. The petitioner's plan does identify some type perimeter fencing or wall. Traditionally, staff has requested a minimum of a 4 foot high fence to secure the area. As part of their building permit submittal, the petitioner will be required to show details of their enclosure. As a condition of approval, staff recommends that the enclosure be a minimum of 4 feet high.

The petitioner has indicated that the hours of operation outside would be consistent with their current hours of operations which are roughly 10AM -8 PM.

The petitioner is proposing to construct a 600 square foot outdoor dining area on the south side of the existing building. Similar requests have been granted in the past for properties along Roosevelt Road. Staff does not object to this request as it allows for an alternate area for patrons to eat if desired. As the property is not located near any residences, impacts of the outdoor dining function are minimal. The petitioner has submitted responses to the standards for conditional use and staff finds that the standards have been met.

As part of this petition, staff completed a review of the parking requirements for the business. There are 23 parking spaces onsite and the existing business requires approximately 12 spaces. With the added outdoor seating, an additional 6 spaces are required. Therefore, the petitioner has a surplus of 5 spaces. It should be noted that the existing handicapped space is substandard per IAC and needs to be increased by an additional 8 feet in width. As a result and as a condition of approval, 1 space will be removed to accommodate the handicapped space.

An additional item for consideration pertains to the existing dumpsters on the premises. Right now, there are 2 existing dumpsters located at the northwest corner of the site. Staff recommends that a trash enclosure area be constructed for the petitioner's dumpsters, with said enclosure being designed per Village Code (solid fence of 6 to 8 feet in height).

The Comprehensive Plan identifies the subject property for Community Commercial Uses. The Roosevelt Road Corridor plan, a supplement to the Comprehensive Plan, provides additional recommendations regarding the request. Comments in italics are part of the Corridor Plan. Comments in bold reflect staff's response:

- Restaurants are a preferred land use in the corridor. The existing restaurant use is being maintained and enhanced through this petition.
- Outdoor sales and service areas should be tied to the principal use of the property. The plan meets this goal. The petitioner is providing a fenced/enclosed area which ensures that the dining area does not encroach into the parking spaces.
- Ensuring that compatibility with adjacent residential properties is maintained. The proposed outdoor dining element is proposed on the south side of the building and will abut other commercial uses. The outdoor area will be over 350 feet away from the nearest residence.

Staff finds that this petition is consistent with the Comprehensive Plan and the Roosevelt Road Corridor Plan.

The site is surrounded by other retail on the south, east and west sides. The property to the north is vacant and owned by the Village of Lombard as it is being used as detention. The nearest

residences to the north are in excess of 350' away. In addition, dense shrubs and trees to the north provide additional buffer. The intent of the Roosevelt Road Corridor is to provide commercial retail business; therefore staff finds the proposed outdoor dining is consistent with the surrounding land uses and recommends approval of PC 12-10 subject to the four conditions in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

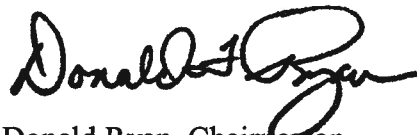
Commissioner Sweetser stated that it seems like a nice addition and the petition is straightforward.

On a motion by Commissioner Sweetser and a second by Commissioner Olbrysh, the Plan Commission voted 5 to 0 that the Village Board **approve** the conditional use associated with PC 12-10, subject to the following conditions:

1. The subject property shall be developed in substantial compliance with the site plan, attached as Exhibit A.
2. The petitioner shall apply for and receive a building permit for the proposed outdoor dining area. Said permit shall satisfactorily address all IDRC comments and provide a minimum 4 foot high fencing around the outdoor dining area. The fencing shall be of a wrought iron or black aluminum design, in a manner acceptable to the Director of Community Development.
3. The dumpster associated with the petitioner's establishment shall be fully enclosed pursuant to Village Code.
4. Prior to the issuance of a building permit, the petitioner shall revise the existing handicapped parking space to meet the minimum required dimensions, striping and signage per the Illinois Accessibility Code.

Respectfully,

**VILLAGE OF LOMBARD**



Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission



- South: B4APD - Roosevelt Road Corridor District; developed as an automobile sales establishment known as "Heritage Cadillac"
- East: B4A - Roosevelt Road Corridor District; developed as standalone restaurant known as "El Famous Burrito".
- West: B4A - Roosevelt Road Corridor District; developed as a commercial retail strip center.

## ANALYSIS

### SUBMITTALS

This report is based on the following documentation:

1. Petition for Public Hearing.
2. Site Plan, prepared by the petitioner and attached as Exhibit A
3. Petitioner's Response to Standards

### DESCRIPTION

The petitioner is proposing to construct a 600 square foot outdoor dining area on the south side of the side of the existing building. As a result, the petitioner requests that the Village grant a conditional use, pursuant to Section 155.417 (G) (2) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining) for the subject property located within the B4A Roosevelt Road Corridor District.

### INTER-DEPARTMENTAL REVIEW COMMENTS

### ENGINEERING

The Private Engineering Services Division of Community Development has the following comments:

- 1) While the new footprint of the seating would require detention, the existing pond has sufficient capacity as long as the following measures are met:
  - a. Expose the inflowing flared end sections in the pond
  - b. Remove the overgrown vegetation
  - c. Install a structure in the berm with an outflowing pipe into a 2" restrictor
  - d. Grade pond to drain out completely and re-seed

Completion of these items will ensure that the existing pond functions properly for the foreseeable future with minimal maintenance required. It should be noted that these are general property maintenance improvements that are required regardless of this petition be approved or denied.

## **PUBLIC WORKS**

Public Works Engineering has no comments

## **BUILDING**

Building Division has the following comments:

1. The proposed patio will need to be level with the concrete sidewalk to allow handicapped access onto the patio.
2. 5% of the seating at the proposed seating will need to be accessible under the Illinois Accessibility Code (IAC).
3. If seating occurs during nighttime hours, general illumination as well as battery back-up emergency lighting shall be required within the patio area.

## **FIRE**

The Fire Department has the following comments:

1. Provisions shall be made for hard surface materials to provide a path for egress from the seating area to the entrance.

## **PLANNING**

### **Proposed Improvements**

The petitioner is proposing to construct a 600 square foot outdoor dining area on the south side of the existing building. While the petitioner's plan does not show seating, the area would consist of approximately 6-8 tables. As part of their building permit submittal, the petitioner will be required to include a seating plan showing how the tables and chairs meet the required spacing per building codes.

Access to the outdoor area would be via existing doors on both the east and west side of the building. The petitioner's plan does identify some type perimeter fencing or wall. Traditionally, staff has requested a minimum of a 4 foot high fence to secure the area. As part of their building permit submittal, the petitioner will be required to show details of their enclosure. As a condition of approval, staff recommends that the enclosure be a minimum of 4 feet high.

### *Hours*

The petitioner has indicated that the hours of operation outside would be consistent with their current hours of operations which are roughly 10AM -8 PM.

### **Compatibility with the Zoning Ordinance/Planned Development**

#### *Conditional use to allow outside service areas (outdoor dining)*

The petitioner is proposing to construct a 600 square foot outdoor dining area on the south side of the existing building. Similar requests have been granted in the past for properties along Roosevelt Road. Staff does not object to this request as it allows for an alternate area for patrons



to eat if desired. As the property is not located near any residences, impacts of the outdoor dining function are minimal. The petitioner has submitted responses to the standards for conditional use and staff finds that the standards have been met.

#### *Parking*

As part of this petition, staff completed a review of the parking requirements for the business. There are 23 parking spaces onsite and the existing business requires approximately 12 spaces. With the added outdoor seating, an additional 6 spaces are required. Therefore, the petitioner has a surplus of 5 spaces. It should be noted that the existing handicapped space is substandard per IAC and needs to be increased by an additional 8 feet in width. As a result and as a condition of approval, 1 space will be removed to accommodate the handicapped space.

#### *Trash Enclosure*

An additional item for consideration pertains to the existing dumpsters on the premises. Right now, there are 2 existing dumpsters located at the northwest corner of the site. Staff recommends that a trash enclosure area be constructed for the petitioner's dumpsters, with said enclosure being designed per Village Code (solid fence of 6 to 8 feet in height).

#### **Compatibility with the Comprehensive Plan/Roosevelt Road Plan**

The Comprehensive Plan identifies the subject property for Community Commercial Uses. The Roosevelt Road Corridor plan, a supplement to the Comprehensive Plan, provides additional recommendations regarding the request. Comments in italics are part of the Corridor Plan. Comments in bold reflect staff's response:

- *Restaurants are a preferred land use in the corridor.* **The existing restaurant use is being maintained and enhanced through this petition.**
- *Outdoor sales and service areas should be tied to the principal use of the property.* **The plan meets this goal. The petitioner is providing a fenced/enclosed area which ensures that the dining area does not encroach into the parking spaces.**
- *Ensuring that compatibility with adjacent residential properties is maintained.* **The proposed outdoor dining element is proposed on the south side of the building and will abut other commercial uses. The outdoor area will be over 350 feet away from the nearest residence.**

Staff finds that this petition is consistent with the Comprehensive Plan and the Roosevelt Road Corridor Plan.

#### **Compatibility with Surrounding Land Uses**

The site is surrounded by other retail on the south, east and west sides. The property to the north is vacant and owned by the Village of Lombard as it is being used as detention. The nearest residences to the north are in excess of 350' away. In addition, dense shrubs and trees to the north provide additional buffer. The intent of the Roosevelt Road Corridor is to provide commercial

retail business; therefore staff finds the proposed outdoor dining is consistent with the surrounding land uses.

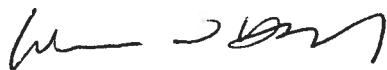
## **FINDINGS AND RECOMMENDATIONS**

The Department of Community Development finds that the information presented **meets** the Standards for conditional use as submitted and made part of this petition and as set forth in the Zoning Ordinance, subject to conditions of approval. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Lombard Zoning Ordinance, and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** of the PC 12-10, subject to the following conditions:

1. The subject property shall be developed in substantial compliance with the site plan, attached as Exhibit A.
2. The petitioner shall apply for and receive a building permit for the proposed outdoor dining area. Said permit shall satisfactorily address all IDRC comments and provide a minimum 4 foot high fencing around the outdoor dining area. The fencing shall be of a wrought iron or black aluminum design, in a manner acceptable to the Director of Community Development.
3. The dumpster associated with the petitioner's establishment shall be fully enclosed pursuant to Village Code.
4. Prior to the issuance of a building permit, the petitioner shall revise the existing handicapped parking space to meet the minimum required dimensions, striping and signage per the Illinois Accessibility Code.

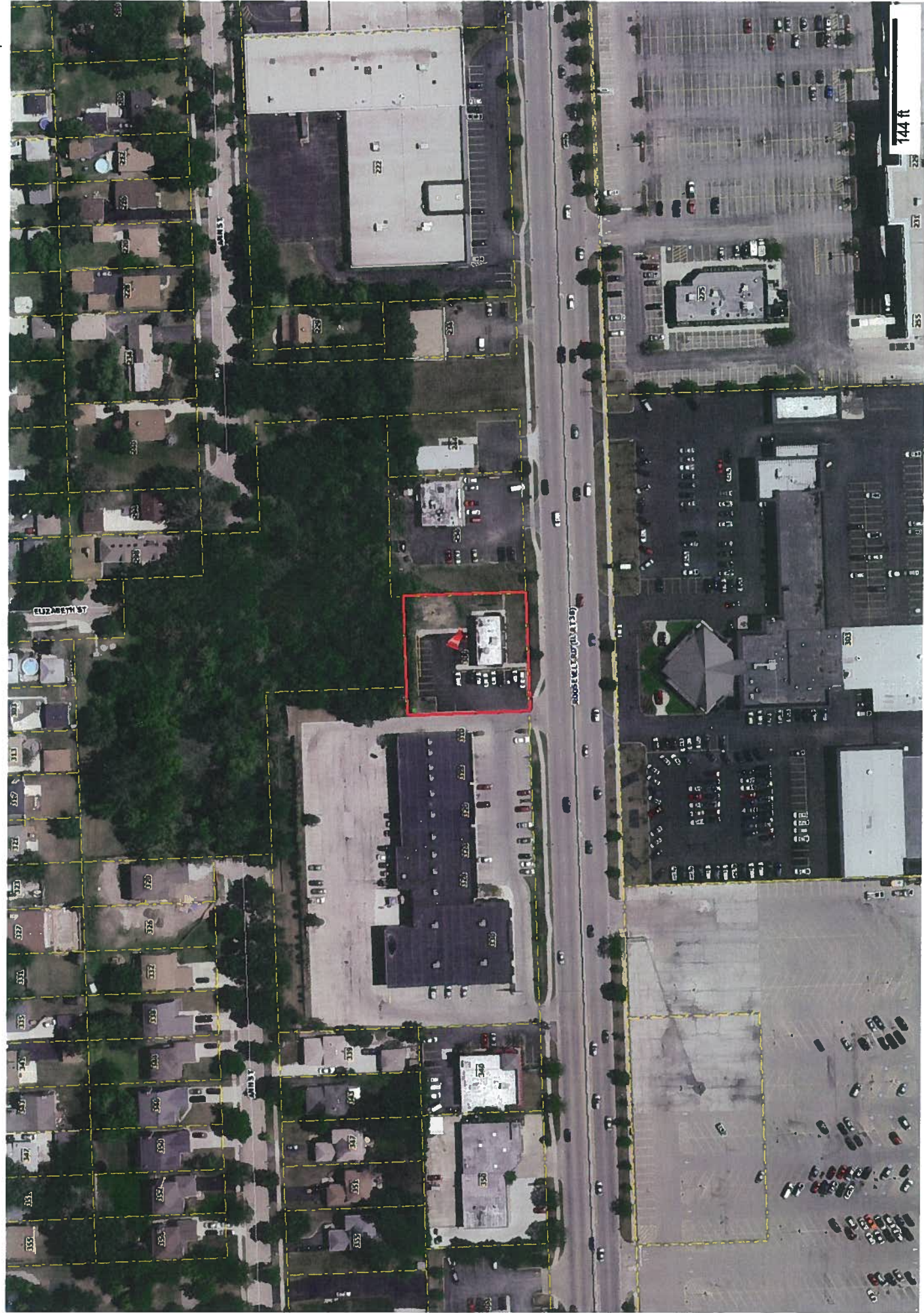
Inter-Departmental Review Group Report Approved By:



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William J. Heniff, AICP  
Director of Community Development

# PC 12-10: 300 W. ROOSEVELT ROAD





**WOLFY'S RESPONSES TO:**

**SECTION VII. STANDARDS FOR CONDITIONAL USES**

**FOR PROPOSED PATIO**

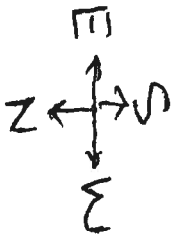
1. The conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare for the following reasons; Patio will be constructed of concrete which is a non-slip surface, does not need regular maintenance and is easily cleaned to keep insects and debris clear and free from the area to make for a pleasurable dining experience. The patio furniture will be constructed of non-rusting, commercial grade materials which will accommodate any and all guests. In order to protect our guests and any small children, there will also be a fence around the patio to keep cars and passers-by at a distance that is safe and keep small children from easily exiting the patio.
2. The conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity nor will it diminish or impair property values because the building is stand alone and not part of a strip mall. Therefore, there will be no interference with shared space.
3. The proposed patio use will not impede the normal and orderly development and improvement of surrounding properties. The design of the patio will be designed as to fit in with the design and layout of the current building. There will be no interference with any permit already established for the business with the addition to the patio.
4. There already is a sidewalk in place to get in and out from the patio and building without any obstacles in the way of the guests. This makes it easy for guests to get their food and use the restroom facilities if needed.
5. There will be no traffic congestion due to the fact the proposed patio will only be accessible once the guests have parked their cars in the parking lot.
6. The proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard. The proposed patio will be an extension of the existing business.
7. The proposed conditional use will conform to the applicable regulations of the district as it is an extension of the existing business.

EAST

KOOSEVAT RD

CURB

SIDEWALK 5 FEET WIDE



GRASS

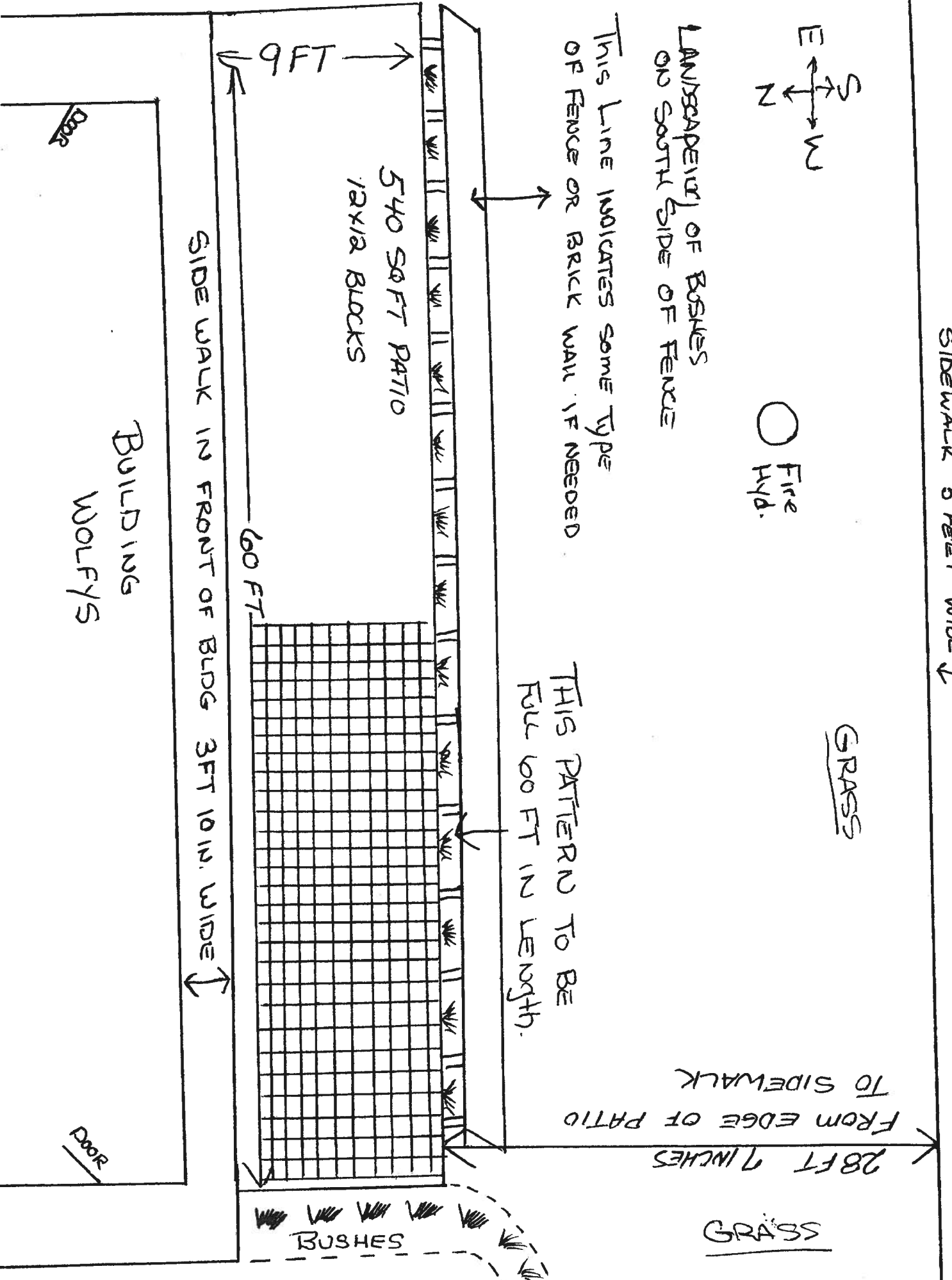
LANDSCAPEING OF BUSHES ON SOUTH SIDE OF FENCE

THIS LINE INDICATES SOME TYPE OF FENCE OR BRICK WALL IF NEEDED

THIS PATTERN TO BE FULL 60 FT IN LENGTH.

28 FT 7 INCHES FROM EDGE OF PATIO TO SIDEWALK

GRASS



540 SQ FT PATIO  
12x12 BLOCKS

60 FT  
SIDE WALK IN FRONT OF BLDG 3 FT 10 IN. WIDE

BUILDING  
WOLFY'S

BUSHES

DOOR

DOOR

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A CONDITIONAL USE  
PURSUANT TO TITLE 15, CHAPTER 155, SECTION  
155.417(G)(2) OF THE LOMBARD ZONING ORDINANCE**

(PC 12-10; 300 W. Roosevelt Road)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B4A - Roosevelt Road Corridor District ; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 417(G)(2) of the Lombard Village Code to provide for an outside service area for outdoor dining; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on April 16, 2012 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a conditional use is hereby granted for the Subject Property, as described in Section 2 below, pursuant to Title 15, Chapter 155, Section 417(G)(2) of the Lombard Village Code to provide for outside service area for outdoor dining.

**SECTION 2:** That this Ordinance is limited and restricted to the property located at 300 W. Roosevelt Road, Lombard, Illinois and legally described as follows:

LOT 1 IN BUSH'S SUBDIVISION OF PART OF THE SOUTHEAST ¼ OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED OCTOBER 19, 1979 AS DOCUMENT R79-95390, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-18-419-048; (the "Subject Property").

**SECTION 3:** The conditional use, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The subject property shall be developed in substantial compliance with the site plan, attached as Exhibit A.
2. The petitioner shall apply for and receive a building permit for the proposed outdoor dining area. Said permit shall satisfactorily address all IDRC comments and provide a minimum 4 foot high fencing around the outdoor dining area. The fencing shall be of a wrought iron or black aluminum design, in a manner acceptable to the Director of Community Development.
3. The dumpster associated with the petitioner's establishment shall be fully enclosed pursuant to Village Code.
4. Prior to the issuance of a building permit, the petitioner shall revise the existing handicapped parking space to meet the minimum required dimensions, striping and signage per the Illinois Accessibility Code.

**SECTION 4:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Ordinance No. \_\_\_\_\_

Re: PC 12-10

Page 3

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2012, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk