



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Economic & Community Development Committee

Trustee Peter Breen, Chairperson
Trustee Keith Giagnorio, Alternate Chairperson
Dennis McNicholas, Matthew Phillips, Garrick Nielsen,
Jodee Baker, Matthew Pike, Joe Glazier, Jr.,
Brenda Gannon and Angel Camacho
Student Member Jolie-Grace Wareham
Staff Liaison: William Heniff

Tuesday, April 3, 2012

7:00 PM

Village Hall - Community Room

1.0 Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Breen at 7:00 p.m.

Chairperson Breen led the Pledge of Allegiance.

2.0 Roll Call

Present 7 - Trustee Peter Breen, Garrick Nielsen, Brenda Gannon, Matthew Pike, Joe Glazier Jr., Matthew Phillips, and Jolie-Grace Wareham
Absent 3 - Dennis McNicholas, Jodee Baker, and Angel Camacho

Also in attendance: William Heniff, AICP, Director of Community Development; Christopher Stilling, AICP, Assistant Director of Community Development; Karen Stonehouse, AICP, Executive Director of the Lombard Town Centre; Walter Smith of the Lombard Town Centre Board and Tom Masterson.

3.0 Public Participation

Tom Masterson, downtown property owner and business owner spoke about the need for better communication regarding downtown improvements. Mr. Masterson handed out a letter to the committee expressing concern about some of the recent public works improvements related to new garbage cans, pavers and concrete pads. Mr. Masterson stated that the Village recently adopted the downtown plan and feels the improvements are not consistent with the standards approved. He questioned why the Village installed concrete pads for the new benches and garbage cans. He said that the LTC

was not consulted on the matter and that they were only provided an email showing the location of the replacement benches and cans. Mr. Masterson said that when he made improvements to his property, he removed existing concrete and replaced it with pavers to match what was used throughout the downtown.

Trustee Breen asked staff to provide a report as to the condition of the garbage cans and any future repairs before works begins.

4.0 Approval of Minutes

A motion was made by Brenda Gannon, seconded by Joe Glazier, Jr., to approve the minutes from the March 6, 2012 meeting as amended. The motion passed by an unanimous vote.

5.0 Unfinished Business

[120123](#)

Downtown Lombard Policies, Codes and Regulations

Discussion of sidewalk right-of-way use relative to outdoor seating and dining activities. (DISTRICTS #1 and #4)

Mr. Heniff provided background on the item. He said at the March 6, 2012 Economic and Community Development (ECDC) meeting, Village staff introduced a review of pertinent codes, policies and regulations pertaining to outdoor seating and outdoor dining elements, particularly as they relate to Downtown Lombard. The discussion among the ECDC members stated conceptual support for additional outdoor seating and dining activities and was intended to provide direction to staff relative to such activities.

Mr. Heniff stated that for outdoor seating within the public right-of-way, the Village sidewalk decoration provisions with Section 119.20 apply (Attachment A). Staff notes that reviewing available areas for seating within the public right-of-way does require careful consideration, as there are a number of independent variables associated with such activities. Since the last ECDC meeting and per their direction, staff reviewed each of the locations within the downtown that are currently operating as a restaurant or are currently vacant and could be operated as a restaurant in the future. Reviewing key variables identified last month associated with such seating, a field analysis was undertaken by Village staff to quantify options available to advance outdoor seating. Mr. Heniff highlighted the following key points for discussion:

- *Accessibility*

- *Other Public Structures*
- *Function*
- *Smoke Free Illinois Act*
- *Liquor Licensure*

Mr. Heniff stated that given all of these parameters, staff reviewed the specific locations within the downtown area and has identified possible locations, diagrams and analysis of areas in which public outdoor seating could be reasonably undertaken and will be shared with the ECDC and the specific business tenants. Staff has already met with some businesses to advance the concept, with mixed response to date. In summary, Mr. Heniff stated that all locations staff looked at could provide some level of outdoor seating.

Chairperson Breen asked staff for clarification on how the 4' separation is measured. Mr. Heniff stated that it is measured from table/chair to the nearest obstruction. Mr. Breen asked for staff to provide some background on the "pop up" concept.

Mr. Heniff stated that at the March meeting, the LTC also suggested the possibilities for increased sidewalk areas, which is doable but subject to engineering and funding constraints. Staff also notes that given the limitations within the downtown rights of way, such expansion may come at the expense of existing on-street parking spaces, which are also deemed to be at a premium. To respond, pop-up seating areas were also suggested as one alternative.

Mr. Heniff also stated that in further review of these concepts, staff notes the emerging concept of woonerfs, (Dutch term for "street for living") which is common space shared by pedestrians, bicyclists, and low-speed motor vehicles. They are usually streets raised to the same grade as curbs and sidewalks. Vehicles are slowed by placing trees, planters, parking areas, and other obstacles in the street.

Staff notes that the cost to retrofit and create a traditional woonerf may be quite high. However, utilizing the concept, but not the full capital improvements, could be undertaken through the use of pop-up structures. Staff also recognizes the possibilities for South Park Avenue, but recognizes that such elements are not without significant limitations, including consideration of the existing nature of businesses along South Park such as Park Avenue Cleaners and Shannon's, which desire the need for immediate daily parking in front of their respective establishments, commuter drop off and pick up activities, business deliveries, impacts on existing limited parking. Most importantly, staff also notes that South Park will be a construction zone for much of 2012, which suggests that future recommendation

considerations should be given for the 2013 season.

Ms. Gannon asked staff what businesses are interested in having outdoor seating. Mr. Heniff stated that while staff was doing its research, they talked to several businesses and found that the new "Corner House" is interested and Punky's are interested. He said Lom Ling was not interested in having outdoor seating.

Mr. Glazier asked for clarification about Punky's and outside liquor consumption. Mr. Heniff stated that as currently required, outside alcohol consumption can only occur if with a lunch or dinner entrée. Mr. Heniff also stated that staff has researched other communities and have found that all have some type of food or table service requirement.

Chairperson Breen suggested the following amendments:

- 1. Waive the application fees for 2012 as an incentive for the business to make the capital investment to buy the tables and chairs.*
- 2. Clarify the 4' separation to be measured from the table rather than the back of the chair.*
- 3. Allow for the consumption of alcohol outside, provided that food is available.*

Chairperson Breen asked for the committees thoughts. Mr. Glazier stated that he agrees with waiving the fees as an incentive for 2012. Ms. Stonehouse suggested that a restriction be added that prevents restaurants with outdoor seating from using public garbage cans and also limit the location of the alcohol consumption to the defined outdoor seating area.

A motion was made by Mr. Phillips to recommend to the Village to amend Section 119 of the Village Code for the following:

- 1. Waive the application fees for 2012.*
- 2. Clarify the 4' separation to be measured from the table rather than the back of the chair.*
- 3. Allow for the consumption of alcohol outside, provided that food is available.*
- 4. Do not allow restaurants with outdoor seating to use the public garbage cans for refuse.*
- 5. Limit the location of the alcohol consumption to the defined outdoor seating area.*

A motion was made by Matthew Phillips, seconded by Matthew Pike, that this matter be recommended to the Board of Trustees for approval. The motion

carried by the following vote:

Aye: 5 - Garrick Nielsen, Brenda Gannon, Matthew Pike, Joe Glazier Jr., Matthew Phillips, and Jolie-Grace Wareham

Absent: 3 - Dennis McNicholas, Jodee Baker, and Angel Camacho

6.0 New Business

[120167](#)

Amending the Life of the Downtown Lombard TIF District

Discussion relative to a First Amendment to the Intergovernmental Agreement (IGA) relative to the life extension of the Downtown Lombard TIF District. (DISTRICTS #1 and #4)

Mr. Heniff provided background stating that attached is a report provided to the Village Board relative to a proposed amendment to the previously executed inter-governmental agreement by and between the Village and the affected taxing bodies relative to the life extension of the Downtown Lombard TIF District. The 2006 (current) agreement provides for all future generated increment from the equalized assessed valuations (EAV) to be declared surplus and redistributed back to the taxing bodies, with the exception of any EAV generated from the 101 S. Main Street (former DuPage Theatre site) or any additional EAV created after the re-baselining occurs next year. The purpose of the amendment is to recognize that in an era of declining EAV in the community, the existing agreement would not work and would result in virtually no revenue to fund the TIF after 2013 (2012 tax year). The proposed amendment would provide for ten percent of the previously identified funds as surplus funds for redistribution to remain within the TIF, in furtherance of the TIF District redevelopment plan and project activities.

Staff has been in dialogue with the affected taxing bodies and staff will ultimately be bringing this to the Village Board upon final consideration by the entities. Staff is introducing this item to the ECDC. Ultimately, the Village Board, as TIF administrating entity as well as a taxing body in its own right, would need to execute the amended agreement accordingly.

7.0 Other Business

There was no other business.

8.0 Information Only

Taxicabs and Liveries

Chairperson Breen stated that he asked staff to prepare their memo to explain how Village Code differentiates between taxicabs and liveries.

He said that he raised this issue because of a growing Lombard business called "Flat Rate Cab" has had some issues recently. He said that they operate as livery service because they have negotiated rates rather than meters, however, they have not been allowed to operate in certain places, like the Westin. He said he would like staff to explore this matter further to see if Village Code can be changed to clarify the definition as he sees this as a growing trend.

LTC Report

The LTC provided the committee with an update on their recent activities. Ms. Stonehouse provided the committee with an update on their "Hidden Gems" event.

9.0 Adjournment

A motion was made by Matthew Pike, seconded by Matthew Phillips, to adjourn the meeting at 8:25 p.m. The motion passed by an unanimous vote.