

June 4, 2009

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

Subject: PC 09-15; 275 W. Roosevelt Road (Roundheads Pizza)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following action on the subject property:

1. The petitioner requests that the Village grant a conditional use, pursuant to Section 155.417 (G) (2) (a) of the Lombard Zoning Ordinance, to allow outside service areas (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 May 18, 2009.

Jay Nagy, 6771 Bear, Downers Grove, IL, introduced the petition. He said they are a family owned business and have been operating for 14 years in Downers Grove and 1 year in Lombard. He explained that they want to add a new outdoor patio to the northwest corner of the building. He said that he feels that he needs to have this so as to compete with other businesses. He explained that they have a similar patio in Downers Grove and they have not had any complaints.

Chairperson Ryan opened the meeting for public comment.

There were no comments or questions from the public.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director, presented the staff report. Staff drafted the IDRC report to submit to the public record in its entirety. The subject property, Roundheads Pizza, is currently located in an outlot as part of the Sportmart Plaza Shopping Center. The petitioner is proposing to remove seven (7) parking spaces and construct a 1,600 square foot outdoor dining area on the northwest side of the existing building. Pursuant to Section 155.417 (G) (2) (a) of

the Lombard Zoning Ordinance, outside service areas (outdoor dining) require a conditional use in the B4A Roosevelt Road Corridor District.

Zoning History of the Property

In 2007, the existing shopping center, including the subject property, was granted a conditional use for a planned development, by Ordinance 6126 (PC 07-05). Those approvals included plans for a new façade to the existing shopping center, signage relief for the entire center and granted approval for a new Starbucks facility with drive-thru and outdoor dining. Earlier this year, the Village Board approved an amendment to the planned development to allow the existing Starbucks facility to remain. With that approval, the rights previously granted by Ordinance 6126 for the new Starbucks were removed.

Proposed Improvements

The petitioner is proposing to construct a 1,600 square foot outdoor dining area on the northwest side of the existing building. To accommodate the proposed outdoor dining area, the petitioner would remove seven (7) existing parking spaces. The dining area would consist of approximately ten (10) tables with 6-8 chairs per table. Included in the dining area would be a 500 square foot gaming area on the north side, within the fenced area. The petitioner has stated that this area would only be used to play bean bag toss.

The petitioners plans indicate two (2) new entrances on the west side of the building. The first entrance is needed to accommodate the new dining area and it would only be accessed from the dining area. However, a second entrance would be provided outside the dining area to allow access for patrons who park on the west side of the building.

The dining area would be enclosed with a 4' high ornamental metal fence. The height and style of the fence proposed is consistent with other recently approved outdoor dining areas. In addition, a 2' landscape area would be provided between the fence and existing parking lot curb. The dining area would not be covered, however the existing awning on the west side would remain. No new signage is proposed as part of this request.

Existing Easement

As indicated by the Public Works Department, there is an existing 20' utility easement along the west side of the proposed outdoor dining area. The proposed plans would need to be revised to reflect the location of the easement. As a condition of approval, staff will be recommending that the proposed fence be relocated outside the easement area (approximately 1.5' east). In addition, no permanent landscaping shall be installed along the entire western edge of the patio in-between the fence and curb. The petitioner may be allowed to have planter boxes in lieu of permanent landscaping.

Hours

The petitioner has indicated that the hours of operation outside would be consistent with their current hours of operations which are roughly 11AM -1AM. It should be noted that the former Texan BBQ restaurant was granted outdoor dining last year. That petition (PC 08-24) did have a condition that the hours for the outdoor dining be no later than 11PM. This was due to the location of the dining area and the existing residences directly above. However it should be

noted that similar outdoor dining requests were granted for other restaurants along the Roosevelt Road Corridor (Buffalo Wild Wings) and no restrictions were placed on the hours for outdoor dining.

Compatibility with the Zoning Ordinance/Planned Development

Conditional use, pursuant to Section 155.417 (G) (2) (a) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining)

The petitioner is proposing to construct a 1,600 square foot outdoor dining area on the northwest side of the existing building. Similar requests have been granted in the past for properties along Roosevelt Road. As previously noted, the planned development approvals for this shopping center granted approval of a 1,200 square foot outside dining area for the proposed new Starbucks. In addition, Buffalo Wild Wings was approved to have an outdoor dining area in 2007. Staff does not object to this request as it allows for an alternate area for patrons to drink/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 an overall review of the parking requirements for the entire shopping center. Staff also notes that Ordinance 3712, which granted the original approvals for the development, already provided for a 5.5% reduction in the required number spaces for the center. As noted, the proposed outdoor dining area for Roundheads would increase the parking demand by 26 spaces for a total of 523 parking spaces needed for the entire development. The existing center currently has 540 spaces. Since the proposed outdoor dining area would remove seven (7) spaces, 533 spaces would be provided. Staff finds that sufficient parking is being provided.

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.

- Ensuring that compatibility with adjacent residential properties is maintained. The proposed outdoor dining element is proposed on the northwest side of the building and will abut other commercial uses. The outdoor area will be over 400 feet away from the nearest residence. Moreover, the petitioner has indicated that they currently play music on the outside speakers while customers wait for tables outside. That volume level would be maintained. Staff has visited the property while music was playing outside and the noise level was minimal. The petition, if approved, would still be required to adhere to the Village's noise Ordinances.

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

The site is surrounded by other retail commercial uses on all sides. The aerial shows the location of the outdoor dining area in relation to the surrounding properties. As noted, the nearest residences are in excess of 400' away. In many cases, there are substantial grade changes, existing buildings and solid fences buffering the site and the existing residences. 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. Therefore, staff recommends approval subject to the attached conditions.

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

Commissioner Cooper asked about a landscaping buffer on the west side. Mr. Stilling stated that there was a utility easement and if Public Works has to repair the sanitary sewer, they do not want to have to replace any landscaping, other than grass. That is why staff has suggested that the petitioner use removable planter boxes.

Commissioner Copper asked how customers who park on the west side were going to access the building. Mr. Stilling indicated that the petitioner is proposing a new entrance on the west side.

Commissioner Sweetser asked the petitioner to confirm that there would be no smoking outside. Mr. Nagy stated that there would be no smoking.

Commissioner Burke motioned to approve PC 09-15. The motion was seconded by Commissioner Sweetser.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call vote of 6 to 0, recommends to the Corporate Authorities **approval** of the zoning actions associated with PC 09-15 subject to conditions:

1. The subject property shall be developed in substantial compliance with the site plan, floor plan, landscape plan, and west elevation plan (D) prepared by William R Gleason, dated 4/7/09, except as they may be changed to meet Village Codes and the following conditions below.
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.
3. The proposed plans shall be revised to reflect the existing 20' sanitary sewer easement. No structures other than the curb and grass area shall encroach into the easement area. No permanent landscaping shall be installed along the entire western edge of the patio in-between the fence and curb. Plans shall be revised in a manner acceptable to the Director of Community Development.

June 4, 2009
PC 09-15
Page 5

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

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