



# 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 24, 2012

7:00 PM

Village Hall - South Landing

---

#### SPECIAL MEETING

### 1.0 Call to Order and Pledge of Allegiance

Chairperson Breen called the meeting to order at 7:00 p.m.

### 2.0 Roll Call

**Present** 10 - Trustee Peter Breen, Dennis McNicholas, Garrick Nielsen, Jodee Baker, Brenda Gannon, Matthew Pike, Joe Glazier Jr., Matthew Phillips, Jolie-Grace Wareham, 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 Trustee William Ware.*

### 3.0 Public Participation

*There was no public participation.*

### 4.0 Approval of Minutes

A motion was made by Matthew Pike, seconded by Jodee Baker, to approve the minutes of the April 3, 2012 meeting subject to the following amendments:

Page 4, 3rd paragraph, number 2., change the sentence to read: Clarify the 4' separation to be measured from the table rather than the back of the chair.

Page 4, 5th paragraph (the motion), number 2., change the sentence to read: Clarify the 4' separation to be measured from the table rather than the back of

the chair.

The motion passed by an unanimous vote.

## 5.0 Unfinished Business

### 120123

#### **Amendments to Section 119 of the Village Code - Outdoor Cafes and Seating**

Discussion of issues in response to the Village Board's remand relative to outdoor cafes and seating within the public right-of-way. (DISTRICTS #1 and #4)

*Mr. Heniff provided background on the item. He said at the April 19, 2012 Village Board meeting, the Board considered the recommendation from the Economic and Community Development Committee (ECDC) to amend portions of Section 119 of the Village Code, as it pertains to outdoor dining within the public rights of way in Downtown Lombard. As part of their review and in consideration of subsequent review of the matter by Village Counsel as it relates to liquor licensure, the Village Board remanded the item back to the ECDC to add any additional provisions that should be codified into Section 119 for Village Board consideration, in lieu of amending provisions of Chapter 112 (Liquor Licensing). This approach will require that the provisions of Section 119 would need to comprehensively address all matters pertaining to outdoor cafés and outdoor seating within the public right of way within the Downtown Lombard area.*

*Mr. Heniff said that the ECDC is being asked to consider any additional provisions within Section 119 that should be included within its recommendation back to the Village Board. These items may pertain to the applicable liquor classes or establishments which could receive such a permit, confinement elements, visibility/monitoring, occupancy/capacity limitations, seating requirements, time or date constraints, or any other considerations during special events, such as Cruise Nights. Such provisions would be reviewed in the context of the establishments that may consider applying for such permits in the future. To assist the ECDC with these efforts, staff has attached Section 119.20 et. seq. for review, along with suggested modifications to the existing code and rationale for the changes. Staff and ECDC member discussed the following key changes:*

- 1. Make eligible businesses those are subject to the places for eating tax*
- 2. Permit fee to be paid at time of issuance*
- 3. Waiving the permit fee for 2012.*
- 4. Restricting businesses with outdoor seating areas in the public*

- rights of way from using the public waste receptacles.*
5. *Allow the Village the right to require the establishment to remove or modify their outdoor seating on the public rights of way if deemed necessary by the Village at any time. This could accommodate Public Works activities or special events.*
  6. *Limitations on the hours for outside music and entertainment were established. Also limited hours for the use of the outdoor seating areas. The restrictions proposed are consistent with limitations established for Praga/Bon Ton's outdoor seating.*
  7. *Permitted outdoor seating to the buildable area of a lot. There was additional discussion related to encroachment in front of adjacent businesses. It was agreed to amend the provision to restrict the expansion of outdoor seating beyond the front area of the eligible business, unless approved by the affected business or occupant.*
  8. *Smoke Free Illinois Act*
  9. *Require the availability of public restrooms for patrons of the outdoor seating area.*
  10. *Provisions were amended related to measurements and clearance areas.*

*Mr. Heniff then summarized the following key changes to the provisions related to establishments serving liquor outside on the public right of way:*

1. *Ensure that the outdoor seating activity is tied to the liquor license provisions within Section 112.*
2. *Restrict the consumption of alcohol to within the defined outdoor seating area. Karen Stonehouse suggested language that was used in Champaign, IL. All members supported the change.*
3. *Requirement of food available. It was agreed to by all the members to come back to this section.*
4. *Staff suggested that the outdoor tables should be monitored and bussed. Mr. Camacho suggested that full table service should be provided. Chairperson Breen indicated that he did not support the requirement for table service. Members supported the amendment to read, "Outdoor cafes and outdoor seating areas shall be regularly monitored and bussed by an employee or contractor of the establishment".*
5. *Restricted hours of operation to be consistent with other recently approved outdoor seating areas such as Praga/Bon Ton*
6. *Staff suggested that outside seating areas on private property shall be fenced or screened in a manner that prevents patrons from congregating outside of the designated seating areas. Ms.*

*Stonehouse suggested that this be amended to not require seating areas that overlap both the private property and public ROW. This was supported by majority of members.*

7. *Staff suggested limiting the occupancy of outdoor seating areas within public rights of way shall not to exceed the number of seats within the designated outdoor seating areas. At the request of the member, this provision was removed.*
8. *Staff proposed provisions related to enforcement.*

*Chairperson Breen opened back the discussion related to requiring that food be made available with the consumption of alcohol outside on the public ROW.*

*Mr. Pike supported the concept of requiring that food must be made available.*

*Mr. McNicholas suggested that the requirement of food should be removed completely. Most of the members agreed with this change.*

*Trustee William Ware spoke in favor of the proposed changes and commended the ECDC on their efforts.*

**A motion was made by Matthew Pike, seconded by Matthew Phillips, that this matter be recommended to the Board of Trustees for approval based on the changes prepared by staff and as amended by the ECDC members as part of their discussion. Furthermore, the motion included a requirement that staff shall prepare a report for the December, 2012 ECDC meeting identifying any issues as result of the revised provisions.**

**The motion carried by the following vote:**

**Aye:** 7 - Dennis McNicholas, Garrick Nielsen, Jodee Baker, Brenda Gannon, Matthew Pike, Joe Glazier Jr., and Matthew Phillips

**Nay:** 1 - Angel Camacho

## **6.0 New Business**

*There was no new business.*

## **7.0 Other Business**

*There was no other business.*

## **8.0 Information Only**

### *Downtown Lombard Streetscape Improvements*

Mr. Heniff provided a brief summation of a memo in the ECDC packet from Public Works Director Carl Goldsmith related to some recent streetscape improvements. Staff was directed to work with the LTC to

review the matter. It was also suggested that in the future, the ECDC should be involved in reviewing future TIF expenditures related to capital improvements proposed within the downtown.

LTC Report

The LTC provided the Committee with a brief update on their recent activities.

## 9.0 Adjournment

A motion was made by Matthew Pike, seconded by Joe Glazier, Jr., to adjourn the meeting at 9:08 p.m. The motion passed by an unanimous vote.