

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


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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: July 12, 2016 (B of T) Date: July 21, 2016

TITLE: PC 16-11; 211 E. Roosevelt Road; Pita Pita

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

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)(a)(v) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining) for the subject property located within the B4APD Roosevelt Road Corridor District and a deviation from Section 153.505(B)(19)(b)(i)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a wall sign from thirty-five (35) square feet to fifty-two (52) square feet in the B4APD Roosevelt Road Corridor District, Planned Development.

The Plan Commission recommended approval of this petition by a vote of 5-0.

The petitioner requests a waiver of first reading of the ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: July 21, 2016

SUBJECT: PC 16-11; 211 E. Roosevelt Road - Pita Pita

Please find the following items for Village Board consideration as part of the July 21, 2016 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-11; and
3. An Ordinance granting approval of a conditional use, pursuant to Section 155.417 (C) of the Village of Lombard Zoning Ordinance, to allow outdoor dining with a variation to the Lombard Sign Ordinance for wall signs in the B4A Roosevelt Road Corridor District.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the July 21, 2016 Board of Trustees agenda with a waiver of first reading, as requested by the petitioner (attached).



VILLAGE OF LOMBARD

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

July 21, 2016

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees

Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"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. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 16-11, 211 E. Roosevelt Road; Pita Pita

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)(a)(v) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining) for the subject property located within the B4APD Roosevelt Road Corridor District and a deviation from Section 153.505(B)(19)(b)(i)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a wall sign from thirty-five (35) square feet to fifty-two (52) square feet in the B4APD Roosevelt Road Corridor District, Planned Development.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 20, 2016. Sworn in to present the petition was William Heniff, Director of Community Development, and the petitioners, Rahil Bandukara and Lucian Lange of Pita Pita.

Acting Chairperson Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine; and, hearing none, he proceeded with the petition.

Mr. Rahil Bandukara stated that they are requesting two variances, one for outdoor dining and the other is for a larger sign. He explained that in the shopping plaza many of the businesses have multiple signs. They will not have a pylon sign on the property monument sign, so the storefront wall sign is the only display available for the business. Based on the sign code for this location, the sign will not be easily readable from the road.

He referenced a graphic design of the proposed signs explaining that they would like a sign with their logo above the entrance and the main sign above the window. In regards to the patio, Mr. Bandukara said they would like to provide customers with the option to enjoy outdoor seating. He referenced a picture of the storefront of where they would like to build a patio. He noted that the Buffalo Wild Wings next door offers outdoor seating and many nights it is full with patrons enjoying their food and the weather.

Acting Chairperson Flint asked if any person would like to speak in favor or against the petition, or for public comment.

Mr. Heniff, Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. Mr. Heniff began by stating that the petitioner requests a conditional use to allow for an outdoor seating area and a sign variance.

Regarding the outdoor seating, the Roosevelt Road corridor is a high volume corridor with numerous commercial uses. The business is located within a commercial strip center which consists of other retail businesses. As previously noted, Buffalo Wild Wings next door has outdoor seating. The proposed outdoor seating patio will be between the building and the street frontage, therefore screening it from the residential neighborhood to the south. Lighting will not be excessive or overpower the other signs.

Concerning the signage relief, two signs are proposed, which total 52 square feet. Mr. Heniff reminded the Plan Commission of a case for CD One Price Cleaners located at 2015 E. Roosevelt Road. The petition was amended to ultimately receive a favorable approval and the sign size was reduced to forty-eight (48) square feet, or 1.5 times the square footage allowed by Code. Pita Pita is requesting something similar and consistent with the previously approved petition at the center.

Staff finds that the conditional use and variance is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, Sign Ordinance, and Zoning Ordinance.

Mr. Heniff concluded by stating that staff recommends approval of PC 16-11 subject to the five (5) conditions in the staff report.

Acting Chairperson Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Olbrysh asked staff that the outdoor seating approved in the past has been attached to a restaurant, however in this case it will be separated by a strip sidewalk. He asked if this poses a problem. Mr. Heniff explained staff reviewed this and said that there are similar conditions and that there is a clear zone for other pedestrians to walk through.

Commissioner Olbrysh asked about the landscaping. Mr. Heniff explained that they did a detailed analysis and it is intended to have supplemental landscaping to help with screening.

Commissioner Sweetser asked about the design of the side by side signs and if they will be reviewed by staff. Mr. Heniff said it would be part of the building permit.

Commissioner Burke asked that once this relief is granted, does it stay with the building or with the business. Mr. Heniff explained the relief would stay with the tenant space. If they left and another restaurant occupies the space, the relief would still be in effect. However, if another business moves in and they cease the outdoor dining function for more than one year, the condition use would automatically lapse.

Commissioner Cooper asked if they would have to revert it back to landscape. Mr. Heniff explained they would no longer have the ability to have outside seating.

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 5-0 that the Village Board approve the petition associated with PC 16-11, subject to the following five (5) conditions.

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from Diversify Designs, LLC and Reitan Architects, LLC, dated 5/13/16;
2. The conditional use permit for outdoor seating/dining is exclusively for the tenant space at 211 E. Roosevelt Road, as depicted on the submitted plans;
3. The outdoor dining activity shall not be operated after 11:00 p.m. on weeknights and 1:00 a.m. on Friday and Saturday nights. Wait staff shall be available for the outdoor dining area and shall monitor operations to ensure that the use is operated properly and legally;
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the outdoor seating is not established by said date, this relief shall be deemed null and void.

Respectfully,

VILLAGE OF LOMBARD

Steve Flint, Acting Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

June 20, 2016

Title

PC 16-11

Petitioner

Mustafa Hammad
1676 Caroline Drive
Elk Grove Village, IL 60007

Property Owner

VLand Lombard Highland LLC
Steve Panko
515 N. State Street #2660
Chicago, IL 60654

Property Location

211 E. Roosevelt Road
PINs: 06-20-110-006
Trustee District #6

Zoning

B4APD

Existing Land Use

Retail center

Comprehensive Plan

Community Commercial

Approval Sought

Approval of outdoor seating and a sign variance

Prepared By

Jennifer Ganser, Assistant
Director



Location Map

PROJECT DESCRIPTION

The petitioner proposes outdoor seating and a sign variance. They will be opening a restaurant which is a permitted use, Pita Pita, in the near future.

APPROVAL(S) REQUIRED

The petitioner requests that the Village grant a conditional use, pursuant to Section 155.417(G)(2)(a)(v) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining) for the subject property located within the B4APD Roosevelt Road Corridor District and a deviation from Section 153.505(B)(19)(b)(i)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a wall sign from thirty-five (35) square feet to fifty-two (52) square feet in the B4APD Roosevelt Road Corridor District, Planned Development.

EXISTING CONDITIONS

The subject property is currently improved with a multi-tenant retail center, built in 2008. They are bordered by commercial uses and residences to the south.

PROJECT STATS

Lot & Bulk

Parcel Size 3.4 acres

Submittals

1. Petition for Public Hearing;
2. Response to Standards;
3. Sign Plan, by Diversify Designs, LLC, dated 5/24/16;
4. Outdoor seating plan, by Reitan Architects, LLC, dated 5/13/16; and
5. Plat of Survey, by JLH Land Surveying Inc., dated 4/2/16.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments.

Fire Department:

The Fire Department has no issues or concerns.

Private Engineering Services (PES):

PES has no comments, and notes that the new impervious coverage will not meet any of the thresholds to require BMPs or additional detention.

Public Works:

The Department of Public Works has no comments.

Planning Services Division (PSD):

The Planning Services Division notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	OPD	National University of Health Sciences
South	R4	DuPage County single family residences
East	B4A	Retail
West	B4A	Retail

In consideration that the B4A Roosevelt Road Corridor District is intended to provide a wide variety of retail sales activity required to meet the demands of the market, staff finds the project is consistent with the zoning and land use of the surrounding properties.

2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends community commercial for the planned development. As a supplement to the Comprehensive Plan, the Roosevelt Road Corridor Plan was adopted in 2007 which also supports the center. The plan ranked numerous land uses and found restaurants among the most desirable for the Corridor.

3. Outdoor Seating

The subject business is located within a commercial strip center which consists of other retail businesses. Restaurants are a permitted use in the B4A zoning district; however, restaurants which include outdoor seating require conditional use approval for the outdoor component.

The Roosevelt Road corridor is a high volume corridor with numerous commercial uses. The subject property is surrounded by other commercial uses. The outdoor seating will be between the building and the street frontage, therefore screening it from the residential neighborhood to the south.

The outdoor seating is proposed in a current landscape island in front of the unit. The patio will be two hundred and fifty (250) square feet. A four (4) foot tall prefinished metal fence will be installed around the perimeter. Landscaping will be added around the perimeter, to help with screening, as depicted in the outdoor seating plan. Four (4) tables with four (4) chairs each will be added. No parking spaces will be removed. The site exceeds Code for parking lot landscaping; therefore removing this landscape island does not create the need for an additional variance.

4. Signage

In 2010 (SPA 10-02ph), CD One Price Cleaners located at 2015 E. Roosevelt Road went before the Plan Commission for a larger sign. Originally they proposed a sign of eighty-eight and four-tenths (88.4) square feet where a maximum of thirty-two and one half (32.5) square feet is permitted by the Sign Ordinance. The petition was amended to ultimately receive a favorable approval and the sign size was reduced to forty-eight (48) square feet, or 1.5 times the square footage allowed by Code.

Pita Pita would be allowed thirty-five (35) square feet of signage, per Code. Similar to CD One Price Cleaners, they have proposed a sign 1.5 times the square footage allowed by Code, or fifty-two (52) square feet. Two signs are proposed, which total 52 square feet. Staff finds this request consistent with the previously approved petition at the center.

SITE HISTORY

The subject property is located at the southwest corner of Highland Avenue and Roosevelt Road and is part of the V-Land Planned Development. The entire development was completed in 2008 and now consists of a standalone bank, known as Chase Bank, a multi-tenant retail building that currently houses a mix of commercial uses including a Buffalo Wild Wings restaurant, T-Mobile store, CD One Price Cleaners, Hair Cuttery, Check n' Go, and Jet's Pizza.

FINDINGS & RECOMMENDATIONS

Staff finds that the conditional use and variance is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, Sign Ordinance, and Zoning Ordinance.

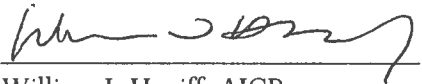
The Inter-Departmental Review Committee has reviewed the standards for the conditional use and variance and finds that they **comply** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Department Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 16-11.

Based on the submitted petition and the testimony presented, the proposed request for a conditional use and variance does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting said request is in the public interest and, therefore, I move that the Plan Commission

accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 16-11, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from Diversify Designs, LLC and Reitan Architects, LLC, dated 5/13/16;
2. The conditional use permit for outdoor seating/dining is exclusively for the tenant space at 211 E. Roosevelt Road, as depicted on the submitted plans;
3. The outdoor dining activity shall not be operated after 11:00 p.m. on weeknights and 1:00 a.m. on Friday and Saturday nights. Wait staff shall be available for the outdoor dining area and shall monitor operations to ensure that the use is operated properly and legally;
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the outdoor seating is not established by said date, this relief shall be deemed null and void.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

STANDARDS FOR VARIATION

BUSINESS: PITA PITA MEDITERRANEAN GRILL

1. Based on the sign code for this location, the total area allowed for a storefront sign is not sufficient due to the fact that the legal business's name is long, and with would display miniscule next to some of the other signs on the property. The location of the storefront is between other businesses including Buffalo Wild Wings, which has multiple signage and awnings which will make the business storefront harder to find. Also, Pita Pita will not have a pylon sign spot on the property monument sign, so the storefront wall sign is the only display available for the business.
2. As previously stated, if the sign is only given the allowed square footage, and based on the nature of the logo, the "Mediterranean Grill" part of the sign will not be easily readable from the road. Based on the current speed limit, patrons will be unable to read the sign easily and could pass the location without realizing what kind of business is there.
3. The purpose of the sign is to have a sign that is legible from the major arterial within the village and to make it easier for patrons to identify the business without hardship of being able to read the sign and disrupting traffic, which could potentially cause stoppage or worse, accidents.
4. The hardship is based on the sign code allowing the same number of square footage for a customer having a short name and not giving any bonuses based on the amount of characters in the business name. In this instance a business with the name CVS with the same amount of footage would be allowed to have the same size signs as Pita Pita Mediterranean Grill and thus would greatly decrease the size of the restaurant sign based on the length of the business name.
5. The sign, if granted, would not be detrimental for the simple fact that a sign is allowed on the property and the larger sign would no more detrimental than the standard size sign that is currently allowed by code.
6. The sign is currently allowed by code and thus would not alter the character of the neighborhood due to the fact that the sign would be allowed at the smaller size so the sheer size will not affect the character. The sign size and design proposed would compliment the surrounding signs on the property.
7. The sign will be mounted to the building facade and will in no way impair the public safety. The mounting the sign will be flat against the brick wall. Lighting will not be excessive and overpower any of the current signs at night.

Standard for Variations for Patio

Pita Pita Mediterranean Grill

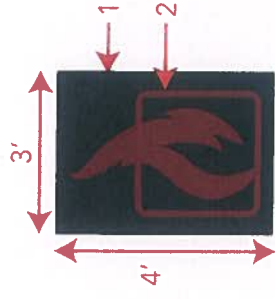
1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.
 - a. Being next to a restaurant that offers outdoor seating, Pita Pita would be at a disadvantage and lose customers that prefer to sit outside on a nice weather day.
2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.
 - a. This variance is asking to remove landscape and add seating for Pita Pita. However, new landscape will be added to surround the new patio. This will grant Pita Pita a patio without leaving the space with landscape.
3. The purpose of the variation is not based primarily upon a desire to increase financial gain.
 - a. A more attractive look to the strip mall. By adding seating and happy faces outside without fully taking out the landscape will add appeal to the strip mall and to the city.
 - b. Many customers will look for outdoor seating to sit outside to enjoy the weather. We would like to give those customers the option to enjoy outdoor seating at Pita Pita in Lombard.
4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.
 - a. This hardship is not created by any person having interest in the property.
5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
 - a. The variation will not be detrimental to the public welfare to any other property. The request of variance to add a patio area will be directly in front of 211 S. Roosevelt Rd and will not impact any other business.
6. The granting of the variation will not alter the essential character of the neighborhood.
 - a. It will not alter the character of the neighborhood and will do the exact opposite adding more of the same character to the village of Lombard.
7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
 - a. The variation will not raise any of these issues.

LED FRONT LIT - LED Illuminated



SIGN 1 DETAILS - 12'6" x 3'2" (40 sqft):

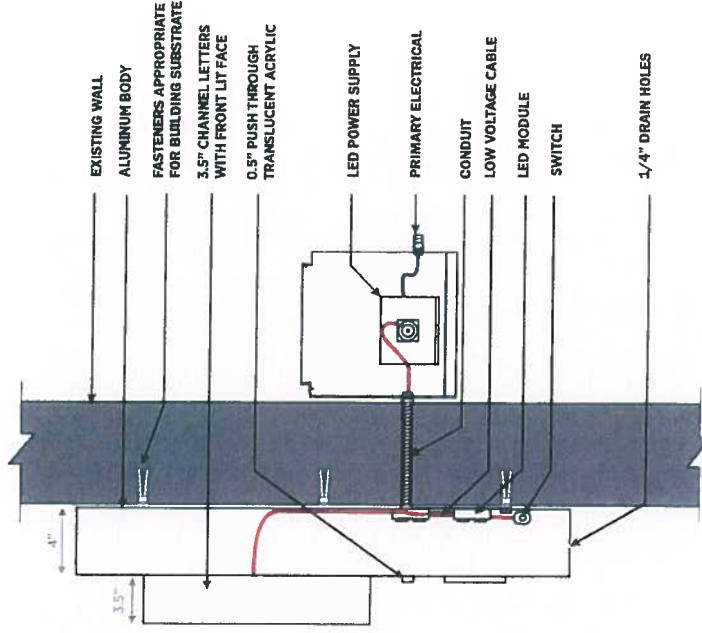
- 1 - Backboard: Box painted black
- 2 - PITA PITA: Front lit, channel letters
- 3 - LINE: Pushed through, clear acrylic w/ red vinyl face
- 4 - MEDITERRANEAN GRILL: Pushed through, clear acrylic w/ white vinyl face
- 5 - EMBLEM: Front lit, channel letter



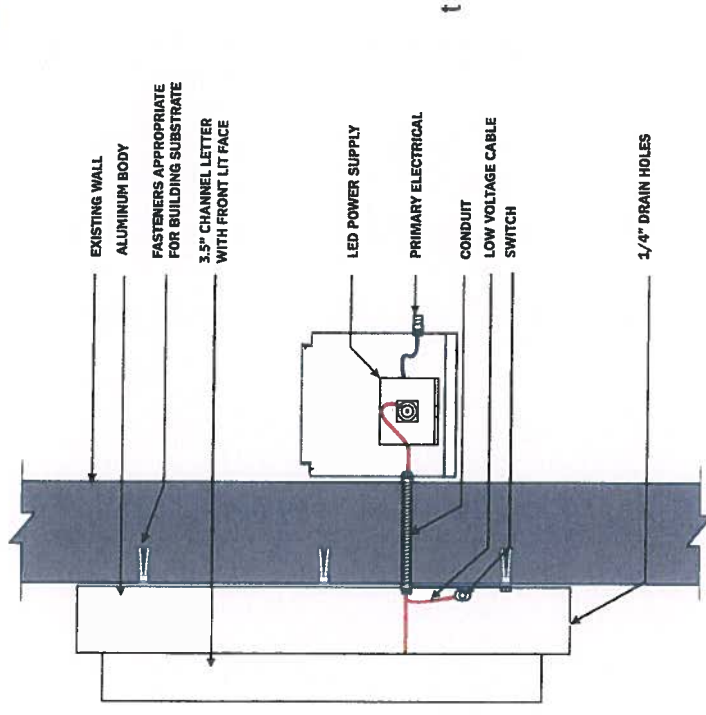
SIGN 2 DETAILS - 3' x 4' (12 sqft):

- 1 - Backboard: Box painted black
- 2 - EMBLEM: Front lit, channel letter




Side View:




SIGN 1



SIGN 2

 info@DIVERSIFYdesigns.com
 (647) 350-9236
 www.DIVERSIFYdesigns.com



351 S Sutton Rd # 123, Streamwood, IL 60107

EXPAND. TRANSFORM. DIVERSIFY.

Customer: **PITA PITA**

Date: **5/24/16**

DRW #-REV: **PPG-02**

Location: **Lombard**

Drawn By: **RR**

Scale: **--**

DISCLAIMER: THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED BY DIVERSIFY DESIGNS, LLC. IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT BEING PLANNED FOR YOU BY DIVERSIFY DESIGNS, LLC. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION. NOR IS IT TO BE USED, REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHION.

SIGN PLAN



Mockup:

DAY



NIGHT



DIVERSIFY
designs, LLC

651 S Sutton Rd # 123, Streamwood, IL 60107

info@DIVERSIFYdesigns.com
 (647) 350-9236
 www.DIVERSIFYdesigns.com

EXPAND. TRANSFORM. DIVERSIFY.

WEBSITES | GRAPHIC DESIGN | PRINTING | SIGNAGE & LIGHTING

Customer:
PITA PITA

Location:
Lombard

Date:
5/24/16

Drawn By:
RR

DRW # - REV:
PPG-02

Scale:
1"

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Nowakowski, Tamara

From: Mustafa Hammad <mustafa@eatpitapita.com>
Sent: Thursday, June 30, 2016 12:38 PM
To: Urish, Tami
Cc: Mohammad Hammad; Nowakowski, Tamara; Rahil Bandukara
Subject: Re: PC 16-11; 211 E Roosevelt, Pita Pita

Urish/Tami,

I would like to request a waiver of first reading.

Mustafa.

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On Thu, Jun 30, 2016 at 12:33 PM -0500, "Urish, Tami" <UrishT@villageoflombard.org> wrote:

Mustafa,

The approved petition from the Plan Commission meeting held on June 20 will be going before the Village Board on July 21. You can request a waiver of first reading, meaning your petition would not go to the Board twice only once and you would have final approval on July 21 instead of August 18th. Please reply to my email as soon as possible requesting a waiver of first reading since you would like to get your addition underway as soon as you can.

Sincerely,

	Tami Urish Planner I Village of Lombard 255 E. Wilson Ave. Lombard, IL 60148
	Phone: (630) 620-5750 Fax: (630) 629-2374 Email: urisht@villageoflombard.org Web: www.villageoflombard.org Follow us:   

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.417(G)(2)(a) OF THE LOMBARD ZONING ORDINANCE
AND CHAPTER 153, SECTION 153.505 (B)(19)(b)(i)(a)
OF THE LOMBARD SIGN ORDINANCE**

(PC 16-11; 211 E. 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 and Chapter 153 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)(a) of the Lombard Village Code to provide for an outside service area for outdoor dining, and a deviation from Section 505(B)(19)(b)(i)(a) of the Lombard Village Code to allow a fifty-two (52) square foot wall sign where thirty-five (35) square feet is the maximum allowed; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 20, 2016 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 and deviation as 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 3 below, pursuant to Title 15, Chapter 155, Section 417(G)(2)(a) of the Lombard Village Code to provide for outside service area for outdoor dining.

SECTION 2: That a deviation is hereby granted from Section 505(B)(19)(b)(i)(a) to allow a fifty-two (52) square foot wall sign where thirty-five (35) square feet is the maximum allowed for the Subject Property, as described in Section 3 below.

SECTION 3: That this Ordinance is limited and restricted to the property and tenant space located at 211 E. Roosevelt Road, Lombard, Illinois and legally described as follows:

LOTS 1 AND 3 IN THE FINAL PLAT OF V-LAND LOMBARD HIGHLAND RESUBDIVISION, BEING A SUBDIVISION OF PART OF WEST ½ OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT R2006-197358 IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-110-006; (the "Subject Property")

SECTION 4: The conditional use and deviation, as provided for in Section 1 and 2 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from Diversify Designs, LLC and Reitan Architects, LLC, dated 5/13/16;
2. The conditional use permit for outdoor seating/dining is exclusively for the tenant space at 211 E. Roosevelt Road, as depicted on the submitted plans;
3. The outdoor dining activity shall not be operated after 11:00 p.m. on weeknights and 1:00 a.m. on Friday and Saturday nights. Wait staff shall be available for the outdoor dining area and shall monitor operations to ensure that the use is operated properly and legally;

Ordinance No. _____

Re: PC 16-11

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4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the outdoor seating is not established by said date, this relief shall be deemed null and void.

SECTION 5: 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 _____, 2016.

First reading waived by action of the Board of Trustees this _____ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2016.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2016.

Ordinance No. _____
Re: PC 16-11
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Sharon Kuderna, Village Clerk