

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: August 16, 2016 (B of T) Date: August 18, 2016

TITLE: PC 16-16, 837 S. Westmore Meyers Road; WT Cafe

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 155.415(C)(3) of the Zoning Ordinance, to allow for catering services located within the B3PD Community Shopping 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 *for*

**DATE:** August 18, 2016 *WSH*

**SUBJECT:** PC 16-16; WT Café, 837 S. Westmore-Meyers Road

Please find the following items for Village Board consideration as part of the August 18, 2016 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-16; and
3. An Ordinance granting approval of a conditional use pursuant to Section 155.415(C)(3) of the Lombard Zoning Ordinance for catering services.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the August 18, 2016 Board of Trustees agenda with a waiver of first reading.



## VILLAGE OF LOMBARD

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

August 18, 2016

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bob 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 16-16; WT Cafe, 837 S Westmore-Meyers Road**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a conditional use, pursuant to Section 155.415(C) (3) of the Zoning Ordinance, to allow for catering services.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 15, 2016. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development and the petitioners Matt and Mimi Tolkin.

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

Ms. Tolkin said she and her husband own the franchise business and live in Lombard. They have owned the business for two years. WT Café promotes healthy living and serves all natural food to children. All orders are done online. More than 50% of their business is from Lombard. She said they have shared space with a caterer but their business grew and they need more space. She said Eastgate Center will benefit from their business location. The space is large enough for their projected growth. She reviewed the standards for a conditional use.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Ms. Nora Mineo asked

about traffic and hours. Ms. Tolkin said they are open from 6am to 2:30pm Monday to Friday. Ms. Mineo asked where the trucks will come out, on Jackson or Westmore Meyers Road. Ms. Tolkin said one delivery vehicle and one personal use vehicle are used. Deliveries are from the back of the location two to three times per week and takes about 20 minutes. Ms. Tolkin said the deliveries will be from Jackson. Ms. Mineo asked about their current location. Ms. Tolkin said they are currently sharing space with Notable Events.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, Chairperson Ryan asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. WT Café is a Lombard business looking to relocate to 837 S. Westmore-Meyers Road, Eastgate Shopping Center. They are a small business with five employees that make school lunches to several schools in the western suburbs. WT Café is proposed to locate in the space formally occupied by Breadsmith. Breadsmith was open to the public and classified as a bakery. WT Café has a different business model, as a caterer, and therefore Village code requires a conditional use permit. Staff supports the request.

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

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

1. The petitioner shall be required to apply for and receive building permits for any improvements to the site;
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. The relief is only granted to the tenant space at 837 S. Westmore-Meyers Road, Unit #A-2H;
4. All outside trash enclosures shall meet the Village's screen requirements; and
5. Up to three (3) business vehicles for WT Café shall be allowed on site, to be parked in the parking rows abutting the front and back of the tenant space.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

August 15, 2016

**Title**

PC 16-16

**Petitioner**

WT Café of Naperville  
123 E. Morningside Avenue  
Lombard IL 60148

**Property Owner**

Illinois Holdings USA, Inc.  
c/o Greenstone Asset  
Management, LLC  
30 E. Adams Street, Suite 300  
Chicago IL 60603

**Property Location**

837 S. Westmore-Meyers  
Road (Trustee District #6)

**Zoning**

B3PD

**Existing Land Use**

Retail

**Comprehensive Plan**

Community Commercial

**Approval Sought**

Conditional use for a catering  
business

**Prepared By**

Jennifer Ganser  
Assistant Director



**PROJECT DESCRIPTION**

WT Café is a Lombard business looking to relocate to 837 S. Westmore-Meyers Road, Eastgate Shopping Center. They are a small business with five employees that make school lunches to several schools in the western suburbs. They are not open to the general public. The business will be storing, preparing and packaging food.

**APPROVAL(S) REQUIRED**

The petitioner requests that the Village grant a conditional use, pursuant to Section 155.415(C)(3) of the Zoning Ordinance, to allow for catering services located within the B3PD Community Shopping District, Planned Development.

## PROJECT STATS

### Lot & Bulk

Parcel Size: 12.73 acres  
Tenant Area: 1,620 square feet

### Submittals

1. Petition for Public Hearing;
2. Response to Standards for a Conditional Use;
3. Interior floor plan; and
4. Plat of Survey, prepared by Webster, McGrath, and Ahlberg, Ltd., dated, December 30, 1997.

## EXISTING CONDITIONS

The subject property is currently improved with a retail commercial center.

## INTER-DEPARTMENTAL REVIEW

### Building Division:

The Building Division has no comments.

### Fire Department:

The Fire Department has no concerns relative to the business location. Fire protection systems/equipment necessary will be dictated by the business operations.

### Private Engineering Services (PES):

PES has no comments.

### Public Works:

The Department of Public Works has no comments.

### Planning Services Division:

#### 1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B3 and R2	Commercial and single family residential
South	R4PD	Cambria townhomes
East	B3 and R4PD	DuPage County Health Department and Cambria townhomes
West	R2	Single Family residential

The subject property is located on Westmore-Meyers, a minor arterial with a mix of single-family residential, medium-density residential, commercial, and office uses. Staff finds this use compatible with the surrounding land uses.

No exterior site changes are being proposed, only interior tenant improvements. The interior of the tenant space includes an office and prep kitchen. WT Café is proposed to locate in the space formally occupied by Breadsmith. Breadsmith was open to the public and classified as a bakery. WT Café has a different business model, as a caterer, and therefore Village Code requires a conditional use permit.

## 2. Comprehensive Plan Compatibility

A catering business conditional use permit is consistent with the Comprehensive Plan's recommendation of community commercial uses for the site.

## 3. Site Plan: Access & Circulation

Access will be provided from Westmore-Meyers Road. WT Café currently has two (2) business vans, and noted that neither would be parked overnight at Eastgate Shopping Center. Business vehicles are allowed to be parked at commercial properties. Staff notes that a parking location immediately adjacent to the tenant space would minimize impact on the adjacent residential properties.

## SITE HISTORY

Eastgate Shopping Center has been before the Plan Commission numerous times. In 1999, (PC 99-11) the Center was granted various variances and conditional uses and also became a planned development.

## FINDINGS & RECOMMENDATIONS

Staff finds that the catering business is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use and finds that they **complies** 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 16-16.

Based on the submitted petition and the testimony presented, the proposed request for a conditional use 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 16-16, subject to the following conditions:

1. The petitioner shall be required to apply for and receive building permits for any improvements to the site;
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. The relief is only granted to the tenant space at 837 S. Westmore-Meyers Road, Unit #A-2H;
4. All outside trash enclosures shall meet the Village's screen requirements; and
5. Up to three (3) business vehicles for WT Café shall be allowed on site, to be parked in the parking rows abutting the front and back of the tenant space.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development  
c. Petitioner

## VII. STANDARDS FOR CONDITIONAL USES

1. WT Café promotes healthy eating and lifestyle everywhere children live, work and play. With that philosophy, WT Café provides healthy, all natural and well rounded meals to several schools, day care providers and camps in Lombard, as well as neighboring communities. WT Café is committed to not only providing balanced nutrition but giving back to the community by means of Family Meal fundraisers for schools. These provide some much needed to funds to schools in the area, including a few District 44 schools.
2. WT Café's operational location at Eastgate Center will bring some much needed vitality into a shopping center that has been sitting largely vacant for some time. So many WT Café customers are Lombard residents who know our company brand and promise. It is refreshing for customers to see where their child's lunch is made and that it is made and delivered locally. WT Café's operations will not infringe on any other space in the shopping center, nor will it impede any traffic patterns. WT Café is a small, locally owned company.
3. Because WT Café is a small company, its operations will have a minimal footprint on the already established businesses at Eastgate Center as well as any new businesses that move in. Typical weekly activity occurs during weekday business hours and loading and unloading of deliveries take up only a small fraction of time and space (utilization of rear parking lot and loading) for a normal weekday operation. Noise, waste and disruption would be minimal.
4. All utilities, ventilation, drainage and access points are already established and in place. We have provided a detailed floor plan in accordance with and guidance from the DuPage County Health Department and Village of Lombard Building Department.
5. Ingress and egress of existing standards at the location will not be affected by WT Café's business operations. All loading and unloading from vendors, as well as delivery vans, will take place in the rear of the facility. This designated rear parking area currently has a very low volume of traffic or congestion.
6. The proposed conditional use is not contrary to the Village of Lombard's current Comprehensive Plan. By all practical standards, WT Café will operate almost identically to how previous tenants of the space operated, with the exception of our goods will be delivered rather than picked up by customers.
7. The conditional use shall conform to all applicable regulations of the district with the except of delivery vs. retail pick up.



Front Window ← 25 Feet →

Front Door

Across

VILLAGE OF LOMBARD CODES

- 2012 IBC
- 2012 IMC & IFSC
- 2011 NEC
- 2015 IECC
- 2014 ILL. PUB. CODE
- 2010 NFPA-13
- 2010 NFPA-72
- 2012 IFC
- 2009 NFPA-101/LIFE SAFETY
- TITLE XV-VILLAGE CODE AMENDMENTS

**REQUIRED**  
APPROVED PLANS MUST BE AVAILABLE TO INSPECTORS AT ALL TIMES DURING WORK.

Fire Alarm Control Panel and Annunciator



14 Feet

Class K Fire Extinguisher

NSF Approved Prep Cooler  
Wanted  
A 19R 29"

23 Feet

outlet

6 Foot Stainless Prep Table

Avantco Double Induction Burner  
120V outlet

Cold Food and Hot Food Transport  
Wire Shelving on Casters  
Cambro Storage

← 7 feet →

14 inch Hand Sink  
w/ Hand Towels + Soap

All lay-in ceiling fixtures shall be secured to ceiling grid per Article #410.36(B), 2008 N.E.C.

NOTE: Emergency lighting and exit signs shall be battery back-up type. Said equipment shall be spaced and located throughout all occupied spaces to meet applicable codes and are subject to the approval of the Lombard Fire Marshall.

Circuited per 2011 NEC - Sec. 700.12(F)

Avantco Hot Hold Cabinet

6 in Vent to Roof Connected via duct

Vulcan Double Electric Convection Oven  
w/ Stacking Flue + down draft diverter

Electric Housing wires through ceiling

Class K Fire Extinguisher

BUILDING DEPT.

REVIEWED FOR

CODE COMPLIANCE

DATE:

7/26/16

EXIT

Dry Storage or Damage  
Wire Shelving

outlet

Front Area

~ 850 sq ft Total  
~ 600 Food Service Area

9 feet

Back Wall 19 Total Ft.

3 Foot Door

7 Feet





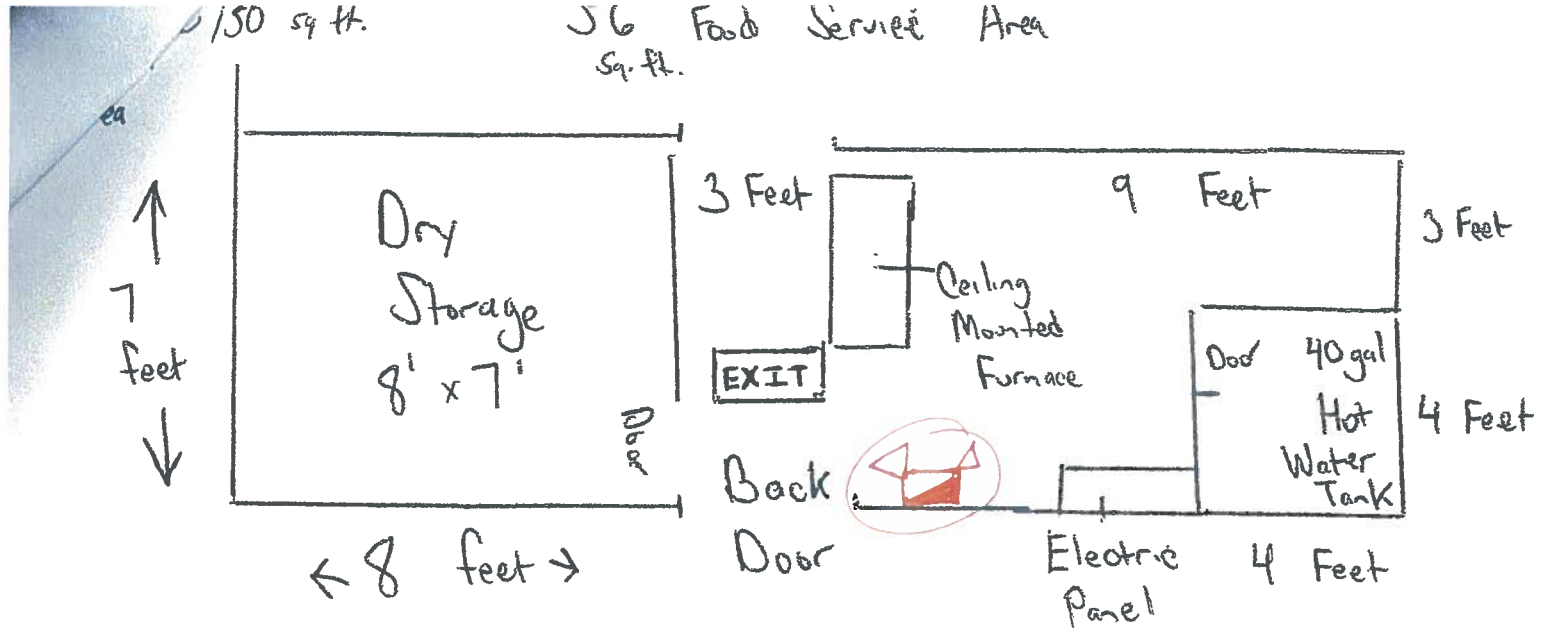
- 3-COMP SINK
- VEG PROP SINK
- FLOOR DRAINS (2)
- MOP SINK

MUST GO TO GREASE TRAP

Middle Area

~ 570 sq ft Total

~ 490 sq ft Food Service Area



Electrical Code Information

- All low-voltage wiring shall be supported from building structure and shall be neatly cabled/bundled together.
- Fire seal all penetrations after removal and/or installation of conduit, devices, boxes, poke-thru's, etc., with approved fire-stop caulk or foam.
- All low-voltage wiring shall be plenum rated if installed in plenum ceiling, or if required by building owner, installed in conduit, including speaker wiring.
- Prior to installation of low-voltage wiring in above ceiling areas, all existing low-voltage wiring (phone, data cables, etc.) must be completely removed.
- Emergency lighting circuit junction boxes shall be so marked and identified with circuit numbers and panel identification.
- All 120v outlets within commercial kitchens shall be GFI protected.
- All lay-in ceiling fixtures shall be secured to ceiling grid by screws, rivets, listed clips or attachment wires.
- Emergency lighting and exit signs shall be battery back-up type and shall be located throughout all occupied spaces per code and subject to approval by the Fire Marshal
- At least one receptacle outlet shall be installed directly above a show window for each 12 linear feet or major fraction thereof.

Plans are subject to Fire Department's fire and life safety review, comments, and approval. Questions or concerns, contact the Bureau of Fire Prevention at 630-620-5750.

Fire Protection System(s): Drawings by certified Fire Suppression and/or Fire Alarm contractor(s) shall be submitted for review, and separate permits are required.

## Nowakowski, Tamara

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**From:** Ganser, Jennifer  
**Sent:** Tuesday, August 16, 2016 9:48 AM  
**To:** Nowakowski, Tamara  
**Subject:** FW: waiver of first

**From:** Matt Tolkin [<mailto:mttolkin@wtcafe.com>]  
**Sent:** Tuesday, August 16, 2016 9:44 AM  
**To:** Ganser, Jennifer  
**Subject:** Re: waiver of first

Good morning. Jennifer. I am requesting a waiver of first. Our lease goes into effect on August 22nd and we would like to take occupancy by that date.

Thank you.

Matt Tolkin  
WT Cafe Naperville  
(630)785-8495

On Aug 16, 2016 8:54 AM, "Ganser, Jennifer" <[GanserJ@villageoflombard.org](mailto:GanserJ@villageoflombard.org)> wrote:

Matt,

Can you email me your request?

	<p><b>Jennifer Ganser</b></p> <p>Assistant Director of Community Development Village of Lombard 255 E Wilson Ave. Lombard, IL 60148</p> <p>Phone: <a href="tel:(630)620-5717">(630) 620-5717</a></p>
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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING APPROVAL OF CONDITIONAL USE PURSUANT TO SECTION 155.415(C)(3) OF THE LOMBARD ZONING ORDINANCE FOR CATERING SERVICES LOCATED IN THE B3PD ZONING DISTRICT**

**PC 16-16: WT Café, 837 S. Westmore-Meyers 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;

WHEREAS, the Subject Property as defined below is zoned B3PD; and,

WHEREAS, an application requests approval for a conditional use for catering services; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 15, 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 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 4 below, pursuant to Title 15, Chapter 155, Section 155.415(C)(3) of the Zoning Ordinance to establish catering services;

SECTION 2: This ordinance is limited and restricted to the property generally located at 837 S. Westmore-Meyers Road, Lombard, Illinois, and legally described as follows:

LOT 1 IN RAYMOND W. MACDONALD COUNTY CLERK'S EASTGATE SHOPPING CENTER ASSESSMENT PLAT IN PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 7, 1976 AS DOCUMENT R76-72686, IN DUPAGE COUNTY, ILLINOIS.

PIN Number: 06-16-117-007

SECTION 3: The approvals set forth in SECTION 1 above shall be granted subject to compliance with the following conditions:

1. The petitioner shall be required to apply for and receive building permits for any improvements to the site;
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. The relief is only granted to the tenant space at 837 S. Westmore-Meyers Road, Unit #A-2H;
4. All outside trash enclosures shall meet the Village's screen requirements; and
5. Up to three (3) business vehicles for WT Café shall be allowed on site, to be parked in the parking rows abutting the front and back of the tenant space.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication 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.

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

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

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

Ordinance No. \_\_\_\_\_  
Re: PC 16-16  
Page 3

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk