

ANALYSIS

SUBMITTALS

This report is based on those documents filed on with the Department of Community Development on September 10, 2007:

1. Petition for Public Hearing with response to standards and description of request.
2. A.L.T.A. Plat of Survey, prepared by Schlaf-Sedig & Associates, Inc., dated September 30, 2005.
3. Site Plan showing proposed outdoor dining area as prepared by the petitioner, along with a companion parking lot plan prepared by Village staff.
4. Interior layout of banquet hall/restaurant facility, prepared by Harish Virmani, dated October 15, 2006; superimposed with proposed outdoor dining plan, denoted by Village staff.
5. Aerial photograph of the subject property, prepared by Village staff.

DESCRIPTION

The petitioner wishes to seek approval of a conditional use for an outdoor dining area associated with the existing banquet hall/restaurant use located on the subject property. The outdoor dining area is intended to provide an area in which non-banquet hall customers could eat their respective meals in an outdoor setting. The proposed outdoor dining area will be located adjacent to the restaurant dining area and will not be used in conjunction with the banquet hall activity.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The PES Division of Community Development has the following comments of the above captioned petition:

1. The area where the outdoor dining area is to be located is currently improved with an impervious asphalt surface. Therefore the new outdoor dining area will not increase the amount of impervious surface to the property.

2. The outdoor dining area design will need to address stormwater drainage, particularly from the existing downspouts on the building. The petitioner will need to show how the roof drainage will be handled.
3. The layout design of the tables and chairs will need to account for the existing cleanout manhole within the outdoor dining area.
4. Additional comments will be provided upon building permit submittal.

PUBLIC WORKS

The Public Works Department notes that the existing parking lot and the abutting alley are in need of repair. Future actions associated with the adjacent alley should address this issue.

BUILDING AND FIRE

Upon review of the petition, the Fire Department/Bureau of Inspectional Services has the following comments:

- 1) For the outdoor seating/dining area, the area should have direct access to the parking lot.
- 2) The overall building access/egress issues will need to be reviewed as well.
- 3) The outdoor dining area will need to meet the provisions of the Illinois Accessibility Code.
- 4) A building permit will be required for the outdoor dining area improvements. The permit should address any lighting, fencing and any associated building modification.
- 5) A building permit shall be required for any outdoor fencing/screening elements to the rear of the building.

PLANNING

Compliance with the Zoning Ordinance

Outdoor dining and service areas are listed as conditional uses in the B4 District. The subject property's principal land use is a banquet hall facility. The petitioner's business operation is focused on larger sized events, primarily on weekends. During the week, a portion of the facility is open for a sit-down restaurant business. In order to supplement this use and activity, the petitioner's plan is to establish an outdoor seating area for restaurant patrons, should they desire to sit outdoors.

The outdoor seating area is proposed to be 25' x 30' (750 square feet) in area. It is proposed to have a four-foot high iron fence around the perimeter of the dining area. An access gate to the parking lot will also be provided to meet emergency egress issues.

The proposed dining area is similar to those provided for other dining establishments. To ensure that the activity is in compliance with the Zoning Ordinance, staff notes the following:

Parking

The dining area will be located where two parking spaces currently exist. The subject property primarily consists of the building and the asphalt parking lot on the west, east and south sides of the building. An alley exists on the north side. The site currently has 83 parking spaces. The Zoning Ordinance parking requirements for banquet hall facilities is one space per 3 seats plus 1 per employee. Based upon a building capacity of 180 persons and with an average staff of about 8 persons, the existing parking requirement of 68 spaces is satisfied.

The Ordinance requires parking for outdoor dining in a similar manner as indoor areas. With the addition of 750 square feet for outdoor dining and using the restaurant standard of 16 spaces per 1,000 square feet, the outdoor dining element requires an additional 12 spaces. The proposed site plan will provide for the demand and will also be designed in closer compliance with code.

Lighting

The proposed dining area will only have minor decorative lighting for the benefit of dining guests, which will be in compliance with photometric lighting requirements.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Community Commercial at this location. The proposed use complies with the recommendation of the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The North Avenue corridor is a high volume corridor with commercial and industrial sites on the north half of the street and residential sites on the south half of the street with intermittent areas of commercially zoned property. The subject property is located within a corridor of strip commercial uses. The petitioner's proposal will be compatible with the residential properties to the north in the following respects:

1. The petitioner's outdoor seating plan will consist of several tables located immediately adjacent and in front of the building. The building itself will screen the dining area from residential properties.
2. The outdoor dining area is only anticipated to be open during evening dinner hours.
3. While the petitioner is proposing to add some lighting for the area, it is not meant to be more than decorative or accent lighting.

4. The business establishment does not have and is not anticipating to apply for a liquor license.

Given its location, staff believes that the outdoor dining area will not negatively impact adjacent residential properties.

Property Maintenance Issues

Staff notes that the north and east side of the subject property currently have exterior unscreened dumpsters. Staff suggests as a condition of approval that the dumpsters be screened per the provisions of the Zoning Ordinance. This condition will also help soften the impact of the business from adjacent residential properties. The remaining cargo container on the premises shall also be removed.

Alley Vacation

While not a part of this specific request, staff notes that a twenty-foot wide public alley abuts the northern property line. This alley only serves the subject property and the abutting property does not take access from it. The alley serves as a secondary access drive to the site and provides for truck unloading and trash collection efforts. Historically this alley has been functionally absorbed into the subject property even though the Village has its maintenance responsibility.

Community Development and Public Works staffs have been speaking with the petitioner regarding the alley. Staff will bring forward a petition to vacate the alley to the property owner, with the terms of the vacation to be established as part of a separate agreement. Once this agreement has been finalized, it will be brought forward to the Village Board for consideration.

Compliance with the Subdivision and Development Ordinance

The subject property is currently a lot of record. If in the event the alley is vacated to the subject property, it should be consolidated into a single lot of record.

FINDINGS AND RECOMMENDATIONS

Staff believes that the proposed use is compatible with the surrounding zoning and land uses and is appropriate for the site. Additionally, the improvements will enhance the site and bring the property into closer compliance with Code requirements. Based on the above the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission recommend approval to the Corporate Authorities **approval** of PC 07-45 subject to the following conditions:

Plan Commission
Re: PC 07-45
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1. The property shall be developed in substantial compliance with the site plan developed and submitted as part of this petition.
2. The petitioner shall apply for and receive a building permit for any improvements to be constructed on the subject property. The permit shall satisfactorily address any comments included within the Inter-departmental Review Report.
3. The petitioner shall provide for the screening of the on-site dumpsters and removal of the cargo container on-site per the provisions of the Zoning Ordinance.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DAH:WJH

att
c. Petitioner