



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Plan Commission

Donald F. Ryan, Chairperson
Commissioners: Ronald Olbrysh, Martin Burke,
Ruth Sweetser, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: William Heniff

Monday, November 17, 2014

7:30 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance.

Roll Call of Members

Present 6 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, and Stephen Flint
Absent 1 - John Mrofcza

Also present: Jennifer Ganser, Assistant Director of Community Development; Matt Panfil, AICP, Senior Planner, and Jason Guisinger, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Ms. Ganser read the Rules of Procedures as written in the Plan Commission By-Laws.

Public Hearings

[140442](#)

PC 14-36: 14 W. St. Charles Road, Balkan Bakery and Coffee Shop

Requests that the Village grant approval of a conditional use, pursuant to Section 155.418 (C) of the Village of Lombard Zoning Ordinance, to allow for outside display and sales of products the sale of which is a permitted or conditional use in this district within the B5 Central Business District. (DISTRICT #1)

Sworn in to present the petition was Jennifer Ganser, Assistant

Director of Community Development, the petitioner's, Dragica Mitic and Giana Commiso, of 14 W. St. Charles Rd, and George Garifalis.

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

Ms. Commiso began by stating that they are very excited about presenting their bakery and their request for outdoor seating. She said they chose Lombard because the downtown had a great feel. They liked the surrounding businesses, traffic flow and the nearby train station. They also selected Lombard because of the Village events, car shows, and the support of Village staff. Their bakery is new and refreshing and will feature European pastries as well as American favorites. It will also have custom cakes and specialty drinks. Their hours of operation are seven days a week from 6am to 6pm. The hours of operation could fluctuate depending on the seasons. Ms. Commiso said their request today is for outside seating. It will provide a fun atmosphere and give the bakery a welcome feel. It will also provide the bakery more room and capacity. The outdoor seating will appeal to walkers, joggers, and to those who enjoy the outdoors. There will be Wi-Fi for those who want to stay connected and for business workers on lunch. In addition, the outside seating option will be welcoming to families. This will allow parents and children to relax. Ms. Commiso concluded that by with fixing up the open area, it will make their business well thought out and complete.

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

Mr. George Garifalis said he owned the unit next door and that he had some questions relative to the petition. He said he is concerned with the deck because there are residences and offices next door. He questioned if the noise has been taken into consideration and the impact it will have on the surrounding area specifically the noise at 6am on a Sunday and 9pm on Friday. He said the idea of families is great but is concerned with the noise. Next, he questioned the egress in the back and how the deck is going to be built. He said there have been issues with people crossing over from the lot next door and doesn't want it to become a problem for those parking in the back. Mr. Garifalis said he is also concerned with the hours of operation.

Chairperson Ryan asked if any other person would like to speak in favor or against this petition, or for public comment. He asked Ms. Commiso to respond to the three questions.

In response to the questions, Ms. Commiso said the 6am opening

wouldn't be a noise disturbance. It is a bakery and there won't be loud music. She said that because there will be children it will be a family friendly area, but that doesn't mean they will be outside causing a disturbance. It will be a place of business, and keeping this in mind, they will look out for noise disturbances. Next, she said they have their own parking spaces and can enter from the front or the back. Lastly, Ms. Commiso clarified the deck can only be accessed from the restaurant.

Chairperson Ryan asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. She began by stating the petition is for a conditional use request for outdoor seating. The petitioners propose to build a deck on the vacant property to the east of the building. The deck is proposed to hold seven tables with four chairs each. A new sliding glass door will be constructed to connect the deck to the restaurant. The subject property is currently improved with a two story building. The first floor is commercial and currently vacant while the second floor is residential.

Ms. Ganser said the Inter-Departmental Review committee had a couple of concerns from the Fire Department. Comments were forwarded to the petitioner, building owners, and architect for review.

Ms. Ganser said that in regard to the question concerning the egress issue, the access to the deck will be through the restaurant from the new sliding glass door. The plans for the deck are currently under review with the Building Department. They will ensure the deck is built according to code should the petition be approved.

The Comprehensive Plan recommends Community Commercial (commercial areas which provide services extending beyond daily living needs and includes comparison shopping goods) and the subject property is consistent with the Comprehensive Plan's recommendation of community commercial uses for the site.

Ms. Ganser said staff would like to note many restaurants in downtown Lombard have outdoor seating. Praga/Bonton received conditional use approval for outdoor dining with PC 10-06. Numerous other restaurants receive a permit for outdoor seating in the Village's right-of-way each year.

The Lombard Downtown Revitalization Project Guidebook also supports outdoor seating and this petition. The Lombard Downtown Revitalization Project Guidebook speaks to projects that staff wanted to happen in the future. This project is consistent with the Guidebook

and will help in downtown revitalization efforts.

Staff also would like to address Mr. Garifalis's question regarding the hours of operation as noted in the conditions. The hours of operation in condition number six are later than those previously mentioned by the petitioner, to be consistent with Capone's and Praga hours which both received a conditional use for outdoor seating. It also gives the petitioner some flexibility during the summer months, for example on cruise nights, to be open a little later.

Ms. Ganser concluded that staff recommends approval of this petition.

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

Commissioner Sweetser referred to the plan for downtown indicating there are two proposed glass enclosed outdoor dining areas. She thought the seating area was not glass enclosed but an outdoor deck. Ms. Ganser explained it is just a deck that it is similar to the guidebook but not an exact match.

Commissioner Olbrysh said he had no problem with outdoor seating but was concerned about the noise. He asked the petitioner if there was going to be music. Ms. Commiso responded there wasn't going to be any music. Commissioner Olbrysh asked about the indoor seating capacity. Ms. Commiso said there are eight (8) seats inside the bakery.

A motion was made by Commissioner Sweetser, seconded by Commissioner Olbrysh, to recommend to the Corporate Authorities approval of this petition subject to the conditions.

- 1. That this relief is limited to the outside display and sales of products, the sale of which is a permitted or conditional use in the B5 Central Business District only (which consists exclusively as an outdoor dining area), and any physical site improvements or alterations require approval through the Village;**
- 2. That the petitioner shall be required to apply for and receive a building permit for any improvements;**
- 3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 4. That the petitioner shall develop the site in accordance with plans and submitted as part of this request;**
- 5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the outside dining activity, is not established by said date, this relief shall be deemed null and void;**

6. The outdoor dining activity shall not be open past 11:00 p.m. on Friday and Saturdays and 9:00 p.m. Sunday through Thursday;

7. That all patrons shall leave the outdoor dining area no later than thirty minutes after the time in which the outdoor seating area is scheduled to close; and

8. All tables, chairs and umbrellas shall be removed from the outdoor seating area during the cold weather months (generally the end of October to March).

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, and Stephen Flint

Absent: 1 - John Mrofcza

[140443](#)

PC 14-37: 105 - 129 E. Roosevelt Road and 1210 - 1220 S. Garfield Street, Famous Liquors Shopping Center

Requests that the Village approve a conditional use for a planned development for the subject properties located within the B4A Roosevelt Road Corridor District, with a deviation from the Lombard Sign Ordinance, Section 153.505(B)(19)(b)(ii)(a) to allow for more than one wall sign for a tenant space. (DISTRICT #6)

Sworn in to present the petition was Matt Panfil, Sr. Planner, and the petitioner, Jeff Sukowski on behalf of Famous Liquors Store at 105 E. Roosevelt Rd.

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

Mr. Sukowski began by stating that they are petitioning for a variance to have two signs placed on their building. The signs are within the square footage of the ordinance. They feel the signs are necessary to appeal to the presence of the business. They also want the signs to appeal to the consumer population and be very visual to street traffic.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Mr. Panfil presented the staff report, which was submitted to the public record in its entirety. He began by stating the petition has two elements. The first element is to establish a planned development for the shopping center. In the future, this will allow other tenants to make a similar request for two signs as long as they meet the square footage requirements based on the length of the storefront. The petitioner is proposing to install two wall signs that total ninety four (94) square feet. The tenant has ninety four (94) lineal front feet of storefront. He explained that since this is a planned development,

future cases could go through the site plan approval process instead of a Plan Commission and Village Board of Trustees review. The second element of this petition is the specific request for the ninety four (94) square feet of signage separated by two signs.

Mr. Panfil said the Inter Departmental Review Committee had no issues or concerns regarding the project at this time.

Mr. Panfil concluded that staff can support the requested relief due to the consideration that the requested deviation is simply an appeal to aesthetic positioning of the signage since the maximum square footage total is to be maintained and past precedence along Roosevelt Road.

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

A motion was made by Commissioner Burke, seconded by Commissioner Flint, to recommend to the Corporate Authorities approval of this petition subject to the conditions.

- 1. Any future signs, including this sign, involving the subject property shall apply for and receive a building permit; and**
- 2. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements, including but not limited to (a.) five (5) sixteen foot (16') wide parking spaces in total with either an eight foot (8') or five foot (5') wide diagonally striped access aisle; (b.) accessible parking on level pavement on the shortest route possible to an accessible entrance; and (c.) a U.S. Department of Transportation R7-8 (Reserved Parking) and an R7-1101 (\$250 Fine) sign must be permanently mounted in the center of the sixteen foot (16') wide accessible parking space and the signs shall be no more than five feet (5') from the front of the parking space and at minimum, the bottom of the R7-8 sign must be five feet (5') from the pavement.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, and Stephen Flint

Absent: 1 - John Mrofcza

Business Meeting

The business meeting convened at 7:58 p.m.

Approval of Minutes

On a motion by Commissioner Flint, and seconded by Commissioner Olbrysh, the minutes of the October 20, 2014 meeting were approved. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, and Stephen Flint

Absent: 1 - John Mrofcza

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

Ms. Ganser stated there was a memo included in the packet regarding the January 19, 2015 Plan Commission meeting. Since that is a holiday staff proposes changing the date to January 26, 2015 as the Plan Commission has done in the past. Chairperson Ryan asked for comment, and hearing none, stated the meeting date will be changed to January 26, 2015.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

There were no site plan approvals.

Workshops

There were no workshops.

Adjournment

A motion was made by Commissioner Sweetser, seconded by Commissioner Burke, to adjourn the meeting at 8:00 p.m. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, and Stephen Flint

Absent: 1 - John Mrofcza

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*William J. Heniff, Secretary
Lombard Plan Commission*