



**Surrounding Zoning and Land Use:**

- North: Property within the Village of Addison zoned M4 Planned Office Research Industrial; developed as industrial and commercial development
- South: OPD – Heron Point Office Planned Development; improved as a hotel and office building; and R1 Single-Family Residence District – unimproved property
- East: R1 Single-Family Residence District – developed as a mix of single-family residences, contractor’s and storage yards and an automotive repair use
- West: B3 Community Shopping District – Interstate 355

**ANALYSIS**

**SUBMITTALS**

This report is based on the following documentation, which was filed with the Department of Community Development:

1. Petition for Public Hearing
2. Site Plan showing 8 tables with a total of 24 chairs, prepared by Kevin Lane Architects, dated February 28, 2011
3. Petitioner’s Response to Standards

**DESCRIPTION**

The petitioner, Brauer House Restaurant, is currently located in the Lombard Landings (formerly Northgate) Shopping Center. The petitioner is proposing to construct a 700 square foot outdoor dining area on the east side of the existing tenant space. Pursuant to Section 155.415 (C) (20) of the Lombard Zoning Ordinance, outside service areas (outdoor dining) require a conditional use in the B3PD Community Commercial Planned Development District.

**INTER-DEPARTMENTAL REVIEW COMMENTS**

**ENGINEERING**

The Private Engineering Services Division of Community Development has no comments.

**PUBLIC WORKS**

Public Works Engineering has no comments.

**FIRE DEPARTMENT**

The Fire Department has the following comments:

1. The 4'-0" wide path of egress from the building through the outdoor seating area must be maintained at all times in both areas identified on the site plan.
2. The full "solid" partition indicated on the site plan to define the north boundary of the outdoor seating area shall be of non-combustible construction.
3. Approved Fire Lane Signage shall be installed on the structural columns at the outermost boundaries of the outdoor seating area. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Final approval shall be subject to review by the Fire Marshal.
4. The following materials and activities shall be prohibited within the outdoor seating area:
  - All smoking and smoking materials
  - Candles and open flames
  - Temporary wiring
  - Decorative or festive lighting with electrical extension cords
  - Cooking and heating appliances

#### **BUILDING DIVISION**

The Building Division has the following comments:

1. What is noted as "full solid partition" is to be constructed of non-combustible material.
2. What is noted as "w/self closing gates" are required to have hardware that both meet the Illinois Accessibility Code as well as the means of egress chapter (chapter 10) of the International Building Code. This would typically be designed without any locking or latching hardware. If they desire locking or latching hardware, panic hardware would be required.
3. Emergency lighting is required at this seating and exiting area. This should be included in a permit submittal.
4. A 36" wide clear path is required between the tables and columns.
5. What is shown currently at the entrance of the outer gates does not meet the Illinois Accessibility Code. 60 inches would be the minimum where the 3'6" space is shown between the railing and curb to allow a code compliant turn at the gates and approach to the opening gate.

## **PLANNING**

### **Zoning History of the Property**

The subject property was annexed into the Village in 1990 associated with the approval of the Northgate Shopping Center development. Since the 1990 approval and construction of the site with a shopping center, the subject property has been sold on two separate occasions. In the late 1990s, the Northgate Theatres ceased operations. In 2003, an anchor tenant of the shopping center, Menard's, closed their operations within the center. Since then, the Menard's space has remained vacant. The theatre site received conditional use approvals for a teen club and a religious institution, but both closed in 2006. The planned development was established in 2006 (PC 06-18) in order to accommodate signage and landscaping modifications. The property is currently occupied by the anchor tenants of Harlem Furniture and Restaurant Depot, as well as smaller tenants, including the Brauer House Restaurant, occupying space at the southern end of the center.

### **Proposed Improvements**

The petitioner is proposing to construct a 700 square foot outdoor dining area on the east side of the existing tenant space. The dining area would consist of approximately eight (8) tables with four (4) chairs per table, for a total of twenty-four (24) seats. The dining area would be enclosed with a 4' high ornamental metal fence. The height and style of the fence proposed is consistent with other recently approved outdoor dining areas. The dining area would be covered by the existing canopy running along the east side of the tenant space.

There is an existing daycare facility in the tenant space directly north of the outdoor dining area. That facility did receive text amendment and conditional use approval to allow its operation until midnight (PC 03-35 and 03-36). The entrance is over 30' away from the outdoor dining area. The petitioner has agreed to install a privacy wall on the north side of the outdoor dining area, blocking the view to the daycare facility.

As noted in the comments by the Building Division, if the petition is approved, the plans will have to be revised to meet the Illinois Accessibility Code. Based on the dimensions shown, it appears that sufficient space is available to accommodate the required spacing.

### *Hours*

The petitioner has indicated that the hours of operation outside would be consistent with their current hours of operations which are roughly 11AM -11PM, seven (7) days a week.

### **Compatibility with the Zoning Ordinance**

#### *Conditional use*

The petitioner is proposing to construct a 700 square foot outdoor dining area on the east side of the existing building. A similar request was granted to the existing Banquet Facility at 530 E

North Avenue (PC 07-45). As the property is not located near any residences, impacts of the outdoor dining function are minimal. Staff finds that the standards have been met and supports the conditional use.

#### *Parking*

The addition of the outdoor dining area would require an additional 11 parking spaces. The existing site has 1,322 parking spaces and is required to have 1,280 parking spaces. Staff finds that the site has sufficient parking to accommodate the proposed outdoor dining area.

#### **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 large shopping center with other commercial uses. Given its location, staff believes that the outdoor dining area will not negatively impact any residential properties and finds that the use is compatible with surrounding land uses.

### **FINDINGS AND RECOMMENDATIONS**

The Department of Community Development finds that the information presented **meets** the Standards for a Conditional Use as set forth in the Zoning Ordinance. Based on the above considerations, 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 **complies** with the standards required by the Lombard Zoning Ordinance and is consistent with the Lombard Landings Planned Development; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of PC 11-10, subject to the following conditions::

1. The petitioner shall develop the space in substantial conformance with the Site Plan showing 8 tables with a total of 24 chairs, prepared by Kevin Lane Architects, dated February 28, 2011 and attached as Exhibit A, except as may be changed to conform to Village Codes.

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2. The petitioner shall apply for and receive a building permit for the proposed outdoor dining area. Said permit shall satisfactorily address all IDRC comments.

Inter-Departmental Review Group Report Approved By:

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William J. Heniff, AICP  
Director of Community Development

Staff's Response to Standards for Conditional Use

In addition to the response to standards for at conditional uses that were submitted as part of the petition, staff offers the following additional findings to be considered for PC 11-10.

1. *That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;*

The proposed use of the outdoor dining area will not have an impact or endanger the public health, safety, morals, comfort, or general welfare. The restaurant is an already existing establishment and the use is consistent with other uses along the corridor. Adequate provisions are provided ensuring the outdoor activity is confined to a specific location.

2. *That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.*

The subject property is located within a large shopping center with other commercial uses. Given its location, staff believes that the outdoor dining area will not negatively impact other properties in the immediate area.

3. *That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

The proposed use will not impact overall redevelopment activity along the North Avenue corridor. Staff finds that the expanded restaurant use could be considered an asset to the corridor.

4. *That adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;*

The use does have adequate public utilities. The restaurant already exists and the proposed improvements will be required to meet current codes.

5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*

Staff finds that the proposed use and off site parking has suitable access. The proposed improvements are a small expansion from what already exists.

6. *That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and*

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

7. *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.*

Staff finds that the use will be consistent with Village Codes.