

Zoning and Land Use Surrounding the Planned Development:

- North: B4A - Roosevelt Road Corridor District; developed as a commercial retail strip center, carwash, and furniture store.
- South: R2 Single-family Residence District; developed as single-family residences
R5 General Residence District; developed as high-density residential
- East: B4A - Roosevelt Road Corridor District; stand alone financial institution and commercial retail strip center.
- West: B4A - Roosevelt Road Corridor District; developed as an automobile sales establishment known as Heritage Cadillac

ANALYSIS

SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on April 15, 2009:

1. Petition for Public Hearing.
2. Tenant Lease Plan, prepared by Arcline Associates, Inc., last revised 11/29/06.
3. West Elevation Plan (D) received 4/15/09
4. Floor Plan, prepared by William R Gleason, dated 4/7/09
5. Site Plan, prepared by William R Gleason, dated 4/7/09
6. Landscape Plan, prepared by William R Gleason, dated 4/7/09
7. Existing Site Plan, prepared by Northwestern Engineering
8. Petitioner's Response to Standards

DESCRIPTION

The subject property, Roundheads Pizza, is currently located in an outlot as part of the Sportmart Plaza Shopping Center. The petitioner is proposing to remove seven (7) parking spaces and construct a 1,600 square foot outdoor dining area on the northwest side of the existing building. Pursuant to Section 155.417 (G) (2) (a) of the Lombard Zoning Ordinance, outside service areas (outdoor dining) require a conditional use in the B4A Roosevelt Road Corridor District.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division of Community Development has the following comment on the above petition:

- 1) Ensure that the proposed work does not impact any existing private utilities (sanitary and storm are shown near the area of work).

PUBLIC WORKS

Public Works Engineering has the following comments:

1. There is an existing 20' sanitary sewer easement along the western edge of the outdoor dining area. Please do not allow any permanent structures, fences, specialty landscaping, etc. within the existing easement.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has the following comments:

1. In addition to the 4' high fence around the perimeter of the dining area, there will also need to be at least 2 gates, minimum 36" wide for handicapped egress and with lever type hardware on the gates. Depending on the location of the gates when the construction plans are submitted for review, there may be a need to eliminate an additional parking stall for handicapped exiting.
2. Any new doors that are to be installed from the interior of the building to the new dining area will also need to be handicapped accessible in terms of width, opening and closing pressures and accessible hardware. The new doors to the exterior dining area may not be required to be considered as means of egress as long as the other existing means of egress are still valid for exiting purposes.

PLANNING

Zoning History of the Property

In 2007, the existing shopping center, including the subject property, was granted a conditional use for a planned development, by Ordinance 6126 (PC 07-05). Those approvals included plans for a new façade to the existing shopping center, signage relief for the entire center and granted approval for a new Starbucks facility with drive-thru and outdoor dining. Earlier this year, the Village Board approved an amendment to the planned development to allow the existing Starbucks facility to remain. With that approval, the rights previously granted by Ordinance 6126 for the new Starbucks were removed.

Proposed Improvements

The petitioner is proposing to construct a 1,600 square foot outdoor dining area on the northwest side of the existing building. To accommodate the proposed outdoor dining area, the petitioner would remove seven (7) existing parking spaces. The dining area would consist of approximately ten (10) tables with 6-8 chairs per table. Included in the dining area would be a 500 square foot gaming area on the north side, within the fenced area. The petitioner has stated that this area would only be used to play bean bag toss.

The petitioners plans indicate two (2) new entrances on the west side of the building. The first entrance is needed to accommodate the new dining area and it would only be accessed from the dining area. However, a second entrance would be provided outside the dining area to allow access for patrons who park on the west side of the building.

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. In addition, a 2' landscape area would be provided between the fence and existing parking lot curb. The dining area would not be covered, however the existing awning on the west side would remain. No new signage is proposed as part of this request.

Existing Easement

As indicated by the Public Works Department, there is an existing 20' utility easement along the west side of the proposed outdoor dining area. The proposed plans would need to be revised to reflect the location of the easement. As a condition of approval, staff will be recommending that the proposed fence be relocated outside the easement area (approximately 1.5' east). In addition, no permanent landscaping shall be installed along the entire western edge of the patio in-between the fence and curb. The petitioner may be allowed to have planter boxes in lieu of permanent landscaping.

Hours

The petitioner has indicated that the hours of operation outside would be consistent with their current hours of operations which are roughly 11AM -1AM. It should be noted that the former Texan BBQ restaurant was granted outdoor dining last year. That petition (PC 08-24) did have a condition that the hours for the outdoor dining be no later than 11PM. This was due to the location of the dining area and the existing residences directly above. However it should be noted that similar outdoor dining requests were granted for other restaurants along the Roosevelt Road Corridor (Buffalo Wild Wings) and no restrictions were placed on the hours for outdoor dining.

Compatibility with the Zoning Ordinance/Planned Development

Conditional use, pursuant to Section 155.417 (G) (2) (a) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining)

The petitioner is proposing to construct a 1,600 square foot outdoor dining area on the northwest side of the existing building. Similar requests have been granted in the past for properties along Roosevelt Road. As previously noted, the planned development approvals for this shopping center granted approval of a 1,200 square foot outside dining area for the proposed new Starbucks. In addition, Buffalo Wild Wings was approved to have an outdoor dining area in 2007. Staff does not object to this request as it allows for an alternate area for patrons to drink/eat if desired. As the property is not located near any residences, impacts of the outdoor dining

function are minimal. The petitioner has submitted responses to the standards for conditional use and staff finds that the standards have been met.

Parking

As part of this petition, staff completed an overall review of the parking requirements for the entire shopping center. Staff also notes that Ordinance 3712, which granted the original approvals for the development, already provided for a 5.5% reduction in the required number spaces for the center. The following is a summary of the required parking:

Existing Parking Requirements

Retail Center:	433 spaces
Starbucks:	4 spaces
Roundheads:	90 spaces
Sub-total:	<u>527 spaces</u>
TOTAL parking required (less 5%):	498 spaces

Proposed Parking Requirements

Retail Center:	433 spaces
Starbucks:	4 spaces
Roundheads (with outdoor dining):	116 spaces
Sub-total:	<u>553 spaces</u>
TOTAL parking required (less 5%):	523 spaces

As noted, the proposed outdoor dining area for Roundheads would increase the parking demand by 26 spaces for a total of 523 parking spaces needed for the entire development. The existing center currently has 540 spaces. Since the proposed outdoor dining area would remove seven (7) spaces, 533 spaces would be provided. Staff finds that sufficient parking is being provided.

Compatibility with the Comprehensive Plan/Roosevelt Road Plan

The Comprehensive Plan identifies the subject property for Community Commercial Uses. The Roosevelt Road Corridor plan, a supplement to the Comprehensive Plan, provides additional recommendations regarding the request. Comments in italics are part of the Corridor Plan. Comments in bold reflect staff's response:

- *Restaurants are a preferred land use in the corridor.* **The existing restaurant use is being maintained.**
- *Outdoor sales and service areas should be tied to the principal use of the property.* **The plan meets this goal. The petitioner is providing a fenced area which ensures that the dining area does not encroach into the sidewalk/parking spaces.**
- *Ensuring that compatibility with adjacent residential properties is maintained.* **The proposed outdoor dining element is proposed on the northwest side of the building and will abut other commercial uses. The outdoor area will be over 400 feet away**

from the nearest residence. Moreover, the petitioner has indicated that they currently play music on the outside speakers while customers wait for tables outside. That volume level would be maintained. Staff has visited the property while music was playing outside and the noise level was minimal. The petition, if approved, would still be required to adhere to the Village's noise Ordinances.

Staff finds that this petition is consistent with the Comprehensive Plan and the Roosevelt Road Corridor Plan.

Compatibility with Surrounding Land Uses



The site is surrounded by other retail commercial uses on all sides. The aerial shows the location of the outdoor dining area in relation to the surrounding properties. As noted, the nearest residences are in excess of 400' away. In many cases, there are substantial grade changes, existing buildings and solid fences buffering the site and the existing residences. The intent of the Roosevelt Road Corridor is to provide commercial retail business; therefore staff finds the proposed outdoor dining is consistent with the surrounding land uses.

FINDINGS AND RECOMMENDATIONS

Staff believes that the proposed conditional use is compatible with the surrounding area and is appropriate for the site. Staff has also reviewed the standards for conditional use and finds that the development does meet those provisions as well. 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 requested conditional use **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 09-15; subject to the following conditions:

1. The subject property shall be developed in substantial compliance with the site plan, floor plan, landscape plan, and west elevation plan (D) prepared by William R

Gleason, dated 4/7/09, except as they may be changed to meet Village Codes and the following conditions below.

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.
3. The proposed plans shall be revised to reflect the existing 20' sanitary sewer easement. No structures other than the curb and grass area shall encroach into the easement area. No permanent landscaping shall be installed along the entire western edge of the patio in-between the fence and curb. Plans shall be revised in a manner acceptable to the Director of Community Development.

Inter-Departmental Review Group Report Approved By:

William J. Heniff, AICP
Director of Community Development

att

c: Petitioner