

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Lombard Plan Commission	HEARING DATE:	August 16, 2004
FROM:	Department of Community Development	PREPARED BY:	William J. Heniff, AICP Senior Planner

TITLE

PC 04-27; 10-12 S. Park Avenue: The petitioner requests amendments to Ordinance 5289 which granted approval of a conditional use pursuant to Section 155.416 (C) for an outside service area and a variation from the parking requirements (Section 155.602, Table 6.3) for an outdoor dining area, located in the B5 Central Business District.

Petitioner:	James Madden 105 West St. Charles Road Lombard, IL 60148
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Owner:	Tom Williams 10-12 S. Park Avenue Lombard, IL 60148
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GENERAL INFORMATION

Existing Land Use:	Parking lot area for adjacent retail stores
Size of Property:	Approximately 0.25 acres
Comprehensive Plan:	Recommends Central Business District – Mixed Use Area
Existing Zoning:	B5 Central Business District

Surrounding Zoning and Land Use:

North:	B5 Central Business District; Mixed Use: first floor retail (Texan Restaurant) and condominiums
South:	B5 Central Business District; retail establishment (Punky's Bar) and Union Pacific Railroad
East:	B5 Central Business District; Mixed Use: downtown retail establishments
West:	B5 Central Business District; Mixed Use: parking lot for 105 & 123 W. St. Charles Road properties

ANALYSIS

SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on July 29, 2004.

1. Petition for Public Hearing with letter requesting an amendment to the conditions of approval.
2. Plat of Survey, prepared by MBS & Company, dated November 3, 2001.
3. Site Layout Plan, prepared by petitioner, hand stamped March 28, 2003.

DESCRIPTION

In May, 2003, the petitioner applied for and received conditional use approval for outdoor dining associated with the Texan Restaurant and a variation from the parking standards that requires parking for outdoor dining establishments. The request was made so that the Texan Restaurant can provide outdoor dining for his establishment on selected weekend nights during the summer. The location of the outdoor dining area is to the rear of the restaurant site on the abutting property at 10-12 S. Park Avenue.

The petitioner is now seeking amendments to the approved Ordinance as it relates to the days, hours and dates associated with the approval. Ordinance 5289 is attached for your reference.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services

Private Engineering has no comments on the petition.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services offers no comments on the petition.

PLANNING

The petitioner is now proceeding with the outdoor dining approval, which was granted by the Board in 2003. However, he proposes the following changes to the conditions of approval, as follows:

1. The outdoor dining activity shall be limited to Thursdays, Fridays, Saturdays, Sundays, or federal holidays between ~~May 1 and September 30~~ April 1 through October 31.
2. The outdoor dining activity shall not be open past 11:00 p.m. on Fridays and Saturdays and 9:00 p.m. on Thursdays and Sundays.

The intent of the outdoor dining is to take advantage of special events currently occurring in Lombard during the summer (i.e., French Market, Cruise Nights, etc.) by providing additional dining opportunities. The petitioner is requesting modifications to the approved Ordinance to offer additional outdoor dining options throughout the week. They also request an extension in the dates for which they can have the outdoor dining, in the event that weather conditions make it desirable to do so.

Compliance with the Zoning Ordinance

As noted in the original approval, the outdoor dining activity will meet all code requirements during its limited hours of operation. It is expected to provide a positive effect on downtown revitalization as it creates a visual impact of life and vitality. Staff feels that the outdoor dining component is similar to other outdoor dining activities such as Praga (which received conditional use approval for outdoor dining by a previous owner) and the sidewalk decorations' permits. As a practical matter staff does not see a substantial difference from those outdoor activities that are permitted without substantial restrictions in the downtown area and the petitioner's proposal. However, given that the petitioner's plan is immediately adjacent to and below residential units, additional conditions restricting the hours of operation are warranted.

The petitioner's amended hours should not create additional traffic or parking impacts on the downtown area above existing conditions. As the outdoor dining will only operate during limited hours in the summer months, it is not anticipated that there will be any conflicts with Metra parking.

Compliance with the Comprehensive Plan

The Comprehensive Plan denotes this area as Central Business District Mixed Use Area. The outdoor dining concept is clearly appropriate to a Central Business District and is considered as an enhancement to downtown development.

Compatibility with Surrounding Land Uses

The subject property is bounded by commercial/condominium uses on all sides. To ensure compatibility with adjacent residential uses and in keeping with the time periods established for with other downtown events, staff recommends that the hours of operation be limited as proposed by the petitioner. Moreover, staff also offers a condition that all customers must be leave the outdoor dining area no later than thirty minutes after the outdoor dining area is scheduled to close.

FINDINGS AND RECOMMENDATIONS

Staff supports the amendment to the Ordinance. Based on the findings of 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 accept the findings of the Inter-departmental Review Committee as the findings of the Plan Commission and therefore I recommend to the Corporate Authorities **approval** of PC 04-27, subject to the following conditions:

1. The outdoor dining activity shall be limited to Thursdays, Fridays, Saturdays, Sundays, or federal holidays between April 1 through October 31.
2. The outdoor dining activity shall not be open past 11:00 p.m. on Fridays and Saturdays and 9:00 p.m. on Thursdays and Sundays.
3. That all patrons shall leave the outdoor dining area no later than thirty minutes after the time in which the establishment is scheduled to close.
4. Associated with the outdoor dining area, the petitioner shall erect a removable wrought iron fence along the west side of the dining area. Said fence shall be in place during any outdoor dining periods.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

c. Petitioner

Plan Commission
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