

March 6, 2008

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 07-45; 530 E. North Avenue

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of a conditional use for an outdoor service area (outdoor dining) in the B4 Corridor Commercial District.

After due notice was given for the hearing, the Plan Commission held a public hearing on February 18, 2008. Salim Kapadia, property owner and petitioner, presented the petition. He stated that they purchased the property over one year ago. They renovated the inside of the building for their banquet hall/restaurant. They opened for business last summer and they were thinking of providing outdoor seating as well. He stated that outdoor seating existed on the site at one time, but it is not allowed now without zoning approvals. They are still in the process of upgrading the property and it would be better if they had an outdoor patio with a nice flower bed with accent lights. The patio area would be open in the summertime for lunch or dinner seating. The property is in good shape and they have spent over \$500,000 on the inside of the building. They now want to complete work on the outside.

Vice-Chairperson Flint opened the meeting for public comment. There was no one to speak in favor or against the petition.

William Heniff, Senior Planner, presented the staff report, which was submitted to the public record. He stated 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.

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 wrought 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. Final design of the patio will be subject to Fire Department Review.

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. 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. 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.

He noted that 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. 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.

While not a part of this specific request, he noted 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 in the future. Once this agreement has been finalized, it will be brought forward to the Village Board for consideration.

Vice-Chairperson Flint then opened the meeting for comments from the Commissioners.

Commissioner Sweetser questioned if the patio area is for the restaurant or for the banquet hall as well. Mr. Kapadia stated that it would only be for the restaurant dining customers and not the banquet hall.

Commissioner Burke noted that the building is pushed far to the north property line with the alley separating it from residences. If outdoor dining occurs during the evening hours, what consideration is being given for the noise? Mr. Heniff noted that the noise issue will be not significant due to the patio's location being on the south side and abutting the building. The building itself will be the buffer.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities approval of the petition associated with PC 07-45 subject to the following conditions:

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.

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Respectfully,

VILLAGE OF LOMBARD

Stephen Flint, Vice-Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

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