

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on June 13, 2005.

1. Petition for Public Hearing.
2. Response to the Standards for Variation.
3. Plat of Survey, prepared by Marchese Surveying, dated February 28, 2000.
4. Site Plan, prepared by N. Batistich Architects and dated June 16, 2005.
5. Architectural rendering prepared by N. Batistich Architects and dated June 10, 2005.

DESCRIPTION

Maxfield's currently operates on the subject property as a sit-down restaurant. They are proposing to construct a 1,615 square foot addition at the northwest corner of the building to serve as a banquet and meeting room. The parking requirement for restaurants is based on the gross floor area. While no parking spaces will be removed, the increased floor area will increase the number of parking spaces required. There is no more room available on site for additional parking. The petitioner is requesting a variance to reduce the number of required parking spaces.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services

Storm water detention is required for the proposed addition per Section 155.55. The volume required for the 1,615 square foot addition is estimated to be 890 cubic feet for the 50% annual recurrence (2-yr) run-off event. The petitioner could request a variation from the Village Board in order to pay a fee in lieu of providing detention on site. That fee would be \$3,300 plus an administrative fee of \$150 for a total of \$3,450.

Public Works Engineering

If detention is provided on site, the out fall shall be connected to the storm sewer at the southeast property corner. An IDOT permit will be required for work with in the Roosevelt Rd. right-of-way in order to make this connection.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no objection to the proposed addition. The addition will be required to meet all the current codes of the Village of Lombard. Specific Comments include:

1. Additional exiting will be needed directly from the addition.
2. Exiting from the west side of the building should be protected from the drive lane.
3. It is preferred that the trash enclosure be located further from the building.
4. The Fire Department Connection on the south wall shall be lowered and a protected island installed in front of the siamese to prevent parking.
5. A fire hydrant installed in the protected island dedicated for water supply to the siamese.
6. All fire alarms, emergency lighting, and related to life safety systems for the existing building will be brought into compliance of current codes.

PLANNING

Maxfield's Restaurant is currently 5,900 square feet in size with 100 parking spaces provided on site. They are proposing to construct a 1,615 square foot addition on the northwest corner of the building. The addition will not be directly visible from Roosevelt Road. The building materials for the addition will match the existing building. The proposed addition will meet all of the bulk requirements for the B4 Corridor Commercial Shopping District. However, the addition will necessitate a parking variation. Appendix A notes the Zoning Ordinance description and parking requirements for various types of restaurants.

The Zoning Ordinance requires 94 spaces for the existing Maxfield's Restaurant, using the formula of sixteen (16) spaces per 1,000 square feet of gross floor area. The petitioner is proposing to construct a 1,615 square foot addition on the northwest corner of the building, which would bring the total gross floor area to approximately 7,500 square feet.

In 2000, the Village Board approved a text amendment changing the formula for calculating the number of required parking spaces for restaurants over 7,000 square feet of gross floor area. The formula is based upon the lesser of two formulas: a) 18.5 spaces per one thousand square feet of gross floor area or b) gross floor area minus 7,000 multiplied by 0.0025 plus 16 = the number of spaces per 1,000 square feet of gross floor area. The rationale for the text amendment was to take into consideration larger restaurants which have sizeable waiting areas and bar areas within the restaurant which increase the overall capacity of the facility and allows the restaurants to accommodate greater numbers of people than their table seating capacity. The average time spent at these restaurants is often longer and results in longer parking periods for patrons.

Because the proposed addition will increase the gross floor area to over 7,000 square feet, the Ordinance would require 129 parking spaces to be provided on the property with the building addition.

The purpose of the proposed addition is to serve as a meeting and banquet room. Staff finds that Maxfield's will essentially have two separate functions. The existing portion will continue to function as a sit-down restaurant, and the proposed addition will function essentially as a banquet hall. Staff can also support the parking variation on the basis that the fewer additional parking spaces would be required if the proposed addition was considered individually as a banquet hall. Staff can support the requesting parking variation because Maxfield's is not the type of restaurant that the 2000 text amendments were meant to address. Maxfield's is a family restaurant with peak hours for breakfast and lunch. They do not have a substantial waiting area or bar, and they have a faster customer turn-over.

Staff would also like to note that there are not any available options for providing additional parking. As shown on their existing site plan, there is no more room on site to create additional parking spaces and the parking lot is already considered legal non-conforming as it relates to the perimeter and interior landscaping areas. Bringing the property into conformance with these regulations would require the removal of existing parking spaces.

Based upon empirical observations of the property, staff has noted that the rear parking lot is usually underutilized during regular business operations. Staff notes that even if additional space was available of the subject property for additional parking spaces, the additional spaces would in most likelihood remain unutilized.

Both the property to the east and west do not have any surplus parking to enter into a shared parking agreement. However, staff believes that in order to promote good traffic flow between retail commercial properties, that the approval of the variation should be conditioned to provide for a cross-access easement between the subject property and the property to the east.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the requested variation:

Based on the submitted petition and the testimony presented, the requested variation **does comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings of the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and therefore recommend to the Corporate Authorities **approval** of ZBA 05-11, subject to the following conditions:

1. That in lieu of providing the requisite 129 parking spaces on the subject property, the property owner shall maintain a minimum of 100 parking spaces on the subject

property. Said parking spaces shall be design and maintained concurrent with the provision of the Zoning Ordinance. Moreover, the accessible parking spaces shall meet the provision of the Illinois Accessibility Code.

2. That the parking variation included with this request shall be for the existing building only. In the event that the existing building is further expanded or redeveloped, the full provisions of the Zoning Ordinance shall apply, unless further varied by the Village Board.
3. That the petitioner shall develop the site in accordance with the plans submitted as part of the petition and dated June 16, 2005, with modifications to the plans incorporating the comments included as part of the Inter-Departmental Review Report.
4. That the petitioner shall apply for and receive a building permit for the proposed improvements associated with this petition.
5. That the petitioner record a cross-access easement to provide for vehicular access to the property east of the subject property. Should the abutting property owner agree to grant a cross-access easement on his/her parcel to connect to the subject property, and upon a request from the Village to do so, the petitioner and/or future subject property owner shall be obligated to install a cross-access driveway at their own expense. Said cross-access driveway shall be constructed per Village of Lombard specifications.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:MK
att-
c: Petitioner

Appendix A: Parking Requirements for Various Types of Dining Establishments

Type of Establishment	Definition	Parking Requirements
Sit-Down Restaurant (less than 7,000 gross square feet)	An establishment whose principal business is the dispensing of edible, prepared food and/or beverages and exhibits a preponderance of the following characteristics:	16 spaces per 1,000 s.f. of gross floor area
Sit-Down Restaurant (7,000 gross square feet or over)	<ul style="list-style-type: none"> a. Food served at tables, booths, or counter with chairs, benches, or stools; b. Reusable containers and dinnerware; c. Food consumption primarily on premises; d. Individual menus; e. Customers pay for food after consuming it; f. Restaurant staff busses tables; and g. Food typically ordered, served, and consumed in 30 minutes or more. 	Based upon the lesser of two formulas: a) 18.5 spaces per 1,000 s.f. of gross floor area b) $\text{space}/1,000 = ((\text{GFA} - 7,000) * 0.0025 + 16)$
Fast Food Restaurant	An establishment whose principal business is the dispensing of edible, prepared food and/or beverages and exhibits a majority of the following characteristics: <ul style="list-style-type: none"> a. Food served at walk-up counter or drive-through window; b. Disposable or edible containers; c. Food consumption on or off premises; d. Permanent menu board; e. Customers pay for food before consuming it; f. Trash receptacles provided for self-service bussing; g. Food typically ordered, served, and consumed in 30 minutes or less; h. Standardized floor plans (if a chain or franchised restaurant); and i. Self-service condiment bar. 	12 spaces per 1,000 s.f. of gross floor area
Banquet Hall	An establishment where the only business is the preparation and dispensing of elaborate and often ceremonial meals to numerous persons on the premises and which is characterized by the following: <ul style="list-style-type: none"> a. does not provide carry-out service to individuals; b. advertises only on an individual establishment basis for group meal services only; c. provides service only by reservation and only to groups (typically twenty (20) or more) for banquets, anniversaries, weddings, business parties and other like uses; and d. as part of the banquet activity, facilities such as dance floors and live entertainment such as disc jockeys or bands may be provided as an accessory use only. 	1 space per 3 seats plus one space per employee