

April 20, 2015

Title

PC 15-08

Petitioner

Wing Bros
Shadab Mumtaz
627 N Columbine
Lombard, IL 60148

Property Owner

Omni Partners
665 W. North Avenue
Lombard, IL 60148

Property Location

Omni Plaza Shopping Center
1300 S. Main Street
(06-19-201-018)

Zoning

B4A – Roosevelt Road
Corridor

Existing Land Use

Multi-Tenant Commercial

Comprehensive Plan

Community Commercial

Approval Sought

Conditional Use to allow for an outside service area (outdoor dining) within the B4A Roosevelt Road Corridor Zoning District.

Prepared By

Tami Urish
Planner I



LOCATION MAP

PROJECT DESCRIPTION

The petitioner currently operates a restaurant (Wing Bros) in the B4A zoning district, which is a permitted use. The petitioner is proposing to construct and operate an outdoor seating/dining area to be located in front of their existing restaurant facility, which requires conditional use approval.

APPROVAL(S) REQUIRED

Per Section 155.417 (G) (2) (a) of the Zoning Ordinance, the use is considered an Outdoor Service Area and thus requires a conditional use permit within the B4A Roosevelt Road Corridor Zoning District.

EXISTING CONDITIONS

The subject property is bounded by commercial uses with the exception of the south abutting properties being residential. The property is accessed by Main Street, and Rebecca Road and Roosevelt Road via cross access with the Hobby Lobby Shopping Center.

The structure, built in approximately 1987, is divided into multiple units occupied with mixed retail and office functions. The tenant space is approximately 1,160 square feet and is a corner unit. There are one hundred and seventy-five (175) parking spaces shared between the tenants at 1300 S. Main Street.

PROJECT STATS

Lot & Bulk

Parcel Size:	3.6 acres
Building Size:	38,660 sq. ft.
Tenant Space:	1,160 sq. ft.

Open Space **13%**

Actual Setbacks

Front (south)	88 feet
Corner Side (east)	21 feet
Side (west)	65 feet
Rear (south)	115 feet

Parking Spaces

Demand	152 spaces (6 ADA)
Supply	175 spaces (4 ADA) - 6 spaces required

Submittals

1. Petition for Public Hearing;
2. Response to Standards for Conditional Use;
3. Plat of Survey, prepared by ALTA/ACSM Land Title Survey dated 06/30/2000; and
4. Site Plan, prepared by petitioner.

INTER-DEPARTMENTAL REVIEW

Building Division:

Wheel stops/parking blocks (6" high) are required at all parking spaces that adjoin the seating area if a fence or barrier is not to be utilized. The proposed layout of the tables and chairs requires 48" accessible paths to ensure egress and accessibility.

Fire Department:

The Fire Department concurs with the Building Division's requirements.

Private Engineering Services:

The Private Engineering Services Division has no comments.

Public Works:

The Department of Public Works has no comments.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning District	Land Use
North	B4A	Community Commercial
South	R2 and R5	Single-family Residential and Multi-family Residential
East	B4A	Oxford Corners Shopping Center
West	B4APD	Hobby Lobby Shopping Center

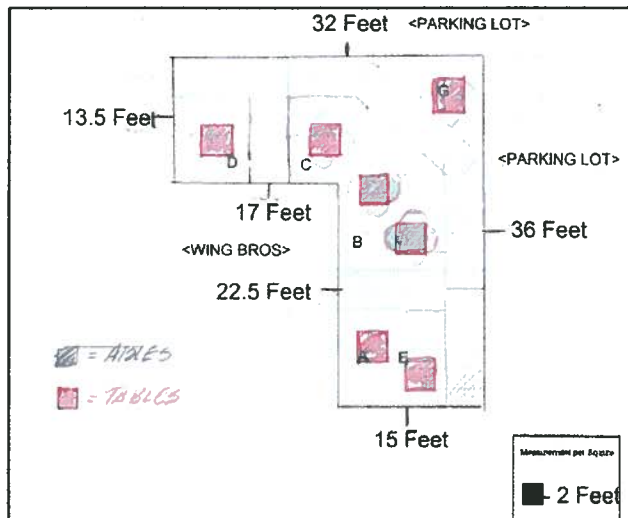
2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends Community Commercial uses at this location. Compatibility with adjacent residential properties was also identified as a primary concern within the recently adopted Roosevelt Road Corridor Report, adopted in 2007 as a supplement to the Comprehensive Plan. The Roosevelt Road Corridor Report ranked 143 different land uses from "highly desirable" to "highly undesirable". The report ranked restaurants among the most desirable uses for the Corridor.

3. Zoning Ordinance Compatibility

The subject business is located within a commercial strip center which consists of miscellaneous retail/office businesses. Restaurants are a permitted use in the B4A zoning district; however, restaurants which include outdoor seating/dining require conditional use approval for the outdoor component.

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 proposed dining area is similar to those provided for other dining establishments.



Per the submitted plans, the outdoor seating area is proposed to be approximately 750 square feet in area for an arrangement of seven (7) tables and associated chairs. The existing area is a wide side walk (15 feet wide to the east and 13.5 wide feet to the north) consisting of paver bricks raised 6" above grade to the east and 2" above grade to the north. This patio area can remain open as long as 6" high wheel stops/parking blocks are installed at all parking spaces that adjoin the seating area. Access to the dining area itself would be open and accessible from the parking lot and front door of the restaurant. A minimum of 48" aisles are required to access the tables.

Parking

The Ordinance requires parking for outdoor dining in a similar manner as indoor areas. With the addition of 750 square feet for outdoor dining, the outdoor dining element requires an additional twelve spaces. With a total of one hundred and seventy-five (175) parking spaces provided on-site and only one fifty two (152) required of the strip center, there is a surplus of twenty-three (23) parking spaces, which will more than accommodate the additional spaces needed for the outdoor dining.

Impact on Neighboring Properties

The Roosevelt Road Avenue corridor is a high volume corridor with commercial sites on both sides. 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 south, as the petitioner's outdoor seating plan will consist of several tables located immediately adjacent to and in front of the building. The building itself will screen the dining area from residential properties.



Standards for Conditional Uses

For a conditional use to be approved, the standards for conditional uses must be met. The petitioner provided an initial response to the standards. Staff has reviewed the petitioner's materials and offers the following additional comments regarding the requisite standards for conditional uses:

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 conditional use process allows staff the opportunity to review each applicable petition in context with the surrounding area in regards to health, safety, and general welfare. The petitioner's siting of the outdoor dining element attempts to ensure that all matters pertaining to the operations of the activity do not negatively impact the subject properties or neighboring properties.

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, not substantially diminish and impair property values within the neighborhood in which it is to be located;

The adjacent commercial uses will not be affected by the proposed conditional use as the petitioner's outside seating will be placed in a location that would not create negative impacts on adjacent properties. It will only be visible from the north and east.

The business is currently open from 11:00 a.m. to 1:00 a.m. Sunday through Wednesday and 11:00 a.m. to 3:00 a.m. on Thursday, Friday and Saturday.

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 subject business is located within an existing commercial retail strip center, which is surrounded by existing single-family residences and existing commercial businesses. The nature of this improvement will not impact redevelopment activity on the subject property or on adjacent properties.

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

All necessary infrastructural improvements are already in existence.

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;

There are two existing drive aisles leading from Main Street into the property at 1300 S. Main Street. No improvements to the existing ingress/egress are required.

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 uses at this location. As previously mentioned, compatibility with adjacent residential properties was also identified as a primary concern within the recently adopted Roosevelt Road Corridor Report. The integration of the outdoor seating further enhances the commercial nature of the corridor and will strengthen the retail nature of the center.

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.

Applicable departments of the Village have reviewed the petition and if it were to be approved, the applicable code issues would be addressed through the IDRC comments listed and conditions of approval.

HISTORY

1300 S. Main has not appeared before the Plan Commission, Zoning Board of Appeals, or Village Board of Trustees. Similar recent petitions on outdoor seating/dining were approved by the Village Board of Trustees.

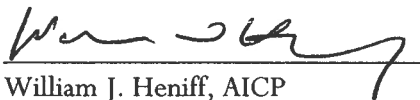
FINDINGS & RECOMMENDATIONS

The Inter-Department Review Committee has reviewed the standards for the requested conditional use permit for outdoor seating/dining and finds that, provided the petitioner can sufficiently address any and all concerns regarding wheel stops and accessibility aisles, the use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 15-08:

Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 15-08, subject to the following conditions:

1. The conditional use permit for outdoor seating/dining is exclusively for the tenant space (Unit A) at 1300 S. Main St.;
2. The property shall be developed in substantial compliance with the site plan developed and submitted as part of this petition;
3. The outdoor dining activity shall not be operated after 11:00 p.m. on weeknights and 1:00 a.m. on Friday and Saturday nights. Wait staff shall be available for the outdoor dining area and shall monitor operations to ensure that the use is operated properly and legally;
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
5. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

RESPONSE TO STANDARDS

Wing Bros, Mealwithus Inc.
1300 S Main St. Unit A
Lombard, IL

VII. STANDARD FOR CONDITIONAL USES

- 1.) The Outdoor Seating use will not determinate to, endanger the public health, Safety, Morals, Comfort, or General Welfare of the maintenance or operation of Wing Bros.

We will follow our code of operation to its fullest extent in maintaining the wellbeing of these noted values. Our Plan is to follow the same guidelines other establishments in Lombard use to preserve the exquisiteness of Lombard. We will make sure the general welfare from maintaining it cleanliness and safety shall be one of our highest priorities.

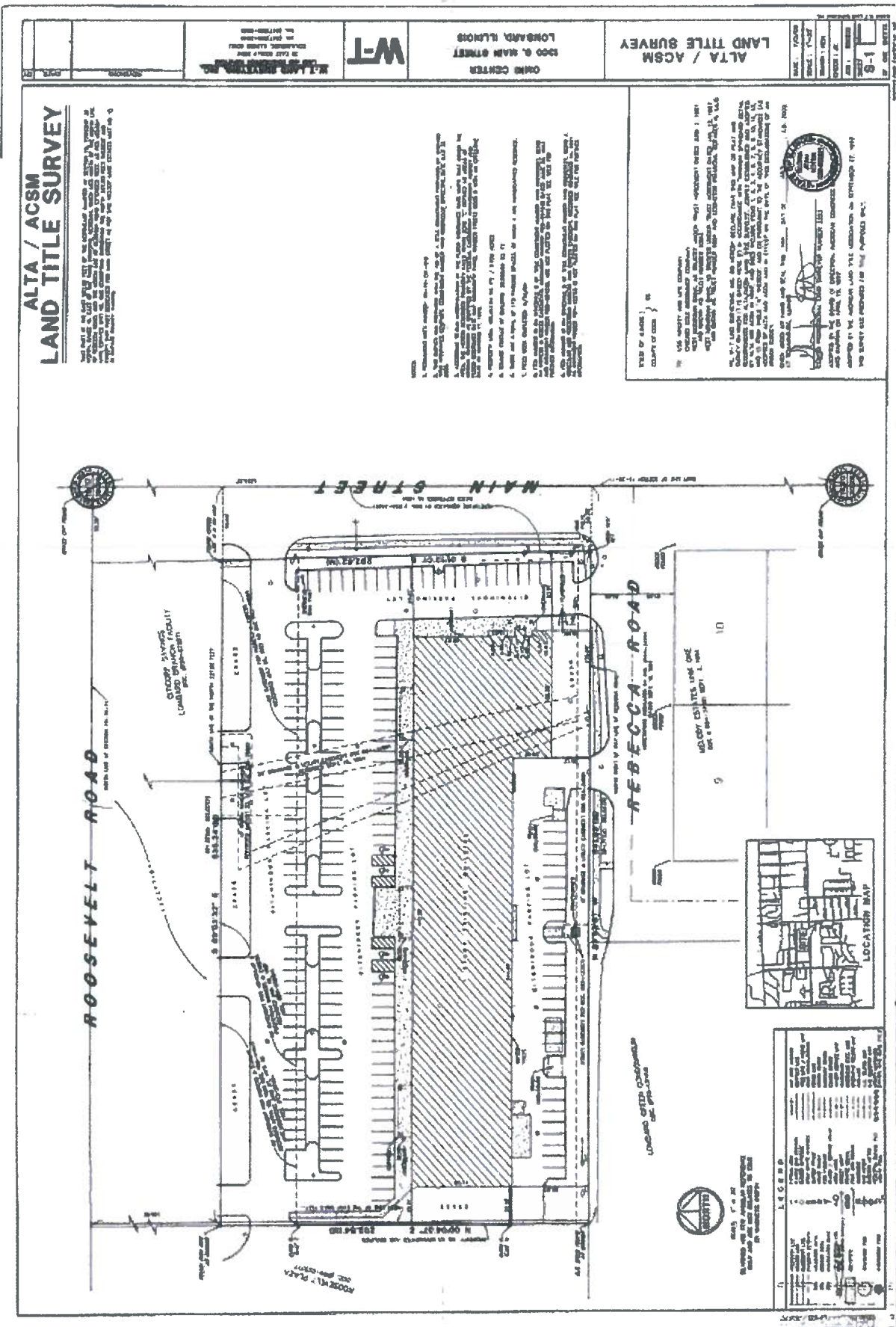
- 2.) The conditional use will not be injurious to anyone. Wing Bros will be using only the designated part of the property that was built in to be used as an outdoor seating when this property was built. We will be providing the fencing noted on the plans commissions guide to insure the safe-being of all patrons.

Due to that, it will not substantially diminish or impair the property values within the neighborhood however we see it as a benefit for the neighborhood by instilling a

beautiful seating that will only benefit the community on those heated summer days.

- 3.) Our Conditional Use will not impede the normal and orderly development and improvement of the surrounding properties. We are located in a property where no construction of any sort will be necessary for our conditional use.
- 4.) The adequate public utilities, access roads, drainage, and all other facilities have already been provided and fulfilled predated to our lease.
- 5.) The adequate measures have been taken to provide ingress and egress so design as to minimize traffic congestion in the public streets. Our area of use is preexisting to be used as an outdoor seating for our establishment and does not violate to increase any sort congestion from both motor vehicles and pedestrians.
- 6.) After carefully reviewing the current 2014 comprehensive Plan for the Village of Lombard, we have determined that our use is not contrary to the objectives of the plan.
- 7.) Lombard is in a mature phase in its physical development and evolution as stated on www.VillageofLombard.org. Our Use will respect, conform to the applicable regulations of the District in which it is located. We see no complication in adopting future modifications pursuant to the recommendations of the Plan Commission.

EXHIBIT A - PLAT OF SURVEY



ALTA / ACSM LAND TITLE SURVEY

THE TITLE IN THIS SURVEY IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE CONSIDERED AS A WARRANTY OF TITLE OR A GUARANTEE OF THE ACCURACY OF THE SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SURVEY. THE SURVEYOR'S OFFICE IS LOCATED AT 1000 S. MAIN STREET, CHICAGO, ILLINOIS.

THIS SURVEY WAS MADE BY THE SURVEYOR AND IS NOT TO BE CONSIDERED AS A WARRANTY OF TITLE OR A GUARANTEE OF THE ACCURACY OF THE SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SURVEY. THE SURVEYOR'S OFFICE IS LOCATED AT 1000 S. MAIN STREET, CHICAGO, ILLINOIS.

THE SURVEYOR HAS BEEN ADVISED THAT THE SURVEYED PROPERTY IS SUBJECT TO A MORTGAGE AND THAT THE SURVEYOR IS NOT TO BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SURVEY. THE SURVEYOR'S OFFICE IS LOCATED AT 1000 S. MAIN STREET, CHICAGO, ILLINOIS.

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DATE	1-8
SCALE	AS SHOWN
BY	ALTA / ACSM
FOR	1000 S. MAIN STREET
CHICAGO, ILLINOIS	

ALTA / ACSM
1000 S. MAIN STREET
CHICAGO, ILLINOIS

CHICAGO CENTER
1000 S. MAIN STREET
CHICAGO, ILLINOIS

ALTA / ACSM
1000 S. MAIN STREET
CHICAGO, ILLINOIS

ALTA / ACSM
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ALTA / ACSM
1000 S. MAIN STREET
CHICAGO, ILLINOIS

EXHIBIT B – SUBMITTED SITE PLAN

SITE PLAN
 WING BRGS
 1300 S MAIN ST
 LOMBARD, IL 60148

