

August 18, 2005

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

Subject: ZBA 05-11; 352 E. Roosevelt Rd.

Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests a variation to reduce the number of required parking spaces to allow for the construction of a banquet and meeting room addition in the B4 Corridor Commercial Shopping District.

The Zoning Board of Appeals conducted a public hearing on July 27, 2005.

Scott Jenkins with Landmark Construction Services presented the petition. He stated the proposed addition will make use of extra space at the northwest corner of the building. He noted that the addition would be used for reserved and scheduled events. He also noted that Maxfield's has a rapid turn-over in customers and the parking lot is generally under-utilized.

Chairperson DeFalco opened the meeting for public comment. No one spoke for or against the petition. Chairperson DeFalco requested the staff report.

Michelle Kulikowski, Associate Planner, presented the staff report. Ms. Kulikowski stated that Maxfield's currently operates on the subject property as a sit-down restaurant. She mentioned that 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. She noted that the parking requirement for restaurants is based on the gross floor area. Ms. Kulikowski stated that while no parking spaces will be removed, the increased floor area will increase the number of parking spaces required. She noted that there is no more room available on site for additional parking.

Ms. Kulikowski stated that Maxfield's Restaurant is currently 5,900 square feet in size with 100 parking spaces provided on site. She noted that 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. She mentioned that 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.

Ms. Kulikowski stated that 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. She noted that 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. She mentioned that the average time spent at these restaurants is often longer and results in longer parking periods for patrons. Ms. Kulikowski noted that 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.

Ms. Kulikowski stated that the purpose of the proposed addition is to serve as a meeting and banquet room. She noted 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. She stated that staff can 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. Ms. Kulikowski also noted that Maxfield's is not the type of restaurant that the 2000 text amendments were meant to address, and that Maxfield's is a family restaurant with peak hours for breakfast and lunch. She mentioned that they do not have a substantial waiting area or bar, and they have a faster customer turn-over.

Ms. Kulikowski noted that there are not any available options for providing additional parking. Referring to their exiting site plan, she pointed out that 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. She explained that bringing the property into conformance with these regulations would require the removal of existing parking spaces.

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

Ms. Kulikowski stated that both the property to the east and west do not have any surplus parking to enter into a shared parking agreement. She noted that 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.

Chairperson DeFalco opened the meeting for discussion among the members.

Mrs. Newman pointed out the location of the trash enclosure on the site plan and asked if any parking spaces would be removed as a result of location of the trash enclosure. Ms. Kulikowski stated that no parking spaces were going to be removed. Mr. Jenkins confirmed her response.

Chairperson DeFalco asked for a clarification of how the number of required parking spaces were calculated. Ms. Kulikowski explained that part B of the formula for restaurants with a gross floor area to over 7,000 square feet was used.

Mr. Young asked if Maxfield's had a liquor license. Gus Zois, owner of Maxfields stated that they had a liquor license at one time, but did not currently have one. Mr. Young asked what prevented Maxfield's from turning into one of the restaurants that the 2000 text amendments were meant to address. Chairperson DeFalco asked how long ago Maxfield's got rid of their liquor license. Mr.

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Zois stated that had a liquor license last year, but they didn't renew the license this year. Mr. DeFalco noted that Maxfield's would have to reapply for a liquor license, at which point the Village could take into consideration the parking issue when reviewing the application for a liquor license.

Chairperson DeFalco asked what the hardship was in this circumstance. Ms. Kulikowski stated that Maxfield's will essentially have two functions. She noted that the existing portion would function as a restaurant while the proposed addition will function as a banquet hall. Ms. Kulikowski mentioned that the parking requirements are less for banquet halls and the total parking requirements would be less if the two functions were conducted within two separate structures and considered individually.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals submits this petition to the Corporate Authorities with a recommendation of approval for the requested variation subject to the following conditions. The roll call vote was 5 to 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.

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.

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.

That the petitioner shall apply for and receive a building permit for the proposed improvements associated with this petition.

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.

Respectfully,

VILLAGE OF LOMBARD

John DeFalco
Chairperson
Zoning Board of Appeals

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