



# Village of Lombard

Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org

## Minutes

### Plan Commission

*Donald F. Ryan, Chairperson*  
*Commissioners: Ronald Olbrysh, Martin Burke,*  
*Ruth Sweetser, Andrea Cooper, Stephen Flint and*  
*John Mrofcza*  
*Staff Liaison: Jennifer Ganser*

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Monday, April 20, 2015

7:30 PM

Village Hall - Board Room

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### Call to Order

*Chairperson Ryan called the meeting to order at 7:31 p.m.*

### Pledge of Allegiance

*Chairperson Ryan led the Pledge of Allegiance.*

### Roll Call of Members

**Present** 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

*Also present: William Heniff, AICP, Director of Community Development; Jennifer Ganser, Assistant Director of Community Development; Matt Panfil, AICP, Senior Planner, and Jason Guisinger, legal counsel to the Plan Commission.*

*Chairperson Ryan called the order of the agenda.*

*Ms. Ganser read the Rules of Procedures as written in the Plan Commission By-Laws.*

### Public Hearings

[150175](#)

**PC 15-10: 1120 N. DuPage Avenue, MV Transportation, Inc.  
(Request to withdraw petition)**

Requests that the Village grant a conditional use, pursuant to Section 155.420(C)(40) of the Zoning Ordinance, to allow for a combination of motor vehicle service and outside storage of motor vehicles within the Limited Industrial District.

Said conditional use is intended to be of the same general character as "other conditional uses" within the I District. (DISTRICT # 1)

**A motion was made by Commissioner Sweetser, seconded by Commissioner Flint, to withdraw this petition. The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[150171](#)

**PC 15-07: 1-378 Yorktown Center**

Pursuant to Section 155.504(A)(9) of the Lombard Zoning Ordinance, the petitioner requests approval of a major change to the approved Yorktown Center Planned Development, located within the B3 Community Shopping District. The petition seeks approval of an amended roadway configuration for the perimeter ring road and the Fairfield Avenue entrance. (DISTRICT #3)

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.*

*Sworn in to present the petition was William Heniff, Director of Community Development and the petitioners Todd Hiepler and Steve Corcoran.*

*Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.*

*Mr. Hiepler thanked the Plan Commission for their time and introduced the petition. He noted that all interior renovations are complete and that the reconfigured roadway petition will better serve Yorktown customers. The Butterflied Road entrance is the most widely used entrance into the Mall, but it can cause confusion, delays, and occasionally accidents.*

*Mr. Corcoran noted the proposed improvements will address safety, driver expectation, and the customer experience. The entry road and ring road will be improved; landscape islands and lighting will be added; the inbound free flow will be maintained; and there will be direct entry and exit into the parking lot. An extra lane will be added to help when customers enter the mall from the traffic light.*

*Mr. Corcoran said all the traffic counts were from the Holiday period (December 2013) to test the time when traffic was at the heaviest. Currently there are delays, long queuing, and blocked parking aisles. He showed examples of the modeling program that was used to show current and proposed traffic flow. Over time, police presence for traffic control could be reduced due to the new configuration. Future growth was also taken into account and there is capacity for additional traffic.*

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.*

*Hearing none, Chairperson Ryan asked for the staff report.*

*Mr. Heniff presented the staff report, which was submitted to the public record in its entirety. Mr. Heniff said this is considered a major change to a Planned Development due to the amended roadway configuration. There were a few minor comments in the IDRC staff review. Staff worked with petitioner and concurs with their representations. Staff reviewed Lombard Police Department traffic reports for the area and notes that side swipes, associated with lane changes, were a high cause of accidents. The roadway improvements project has been in discussion since 2003, when the Westin was approved. Staff had KLOA review the petitioners request and they are also in support of the project. Mr. Heniff noted if sidewalks are added along Butterfield Road, in the future, it may be better to review the route a pedestrian would take. A more linear route could be along the cemetery. Staff feels the amendment meets the standards and recommends approval of the petition subject to the two conditions in the staff report.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

*Commissioner Sweetser asked about bike paths. Mr. Heniff said a future pedestrian link could be utilized by bicyclists as well. The Village has engaged a consultant contract for a community wide bicycle analysis.*

*Commissioner Olbrysh said it's about time this project is being proposed. He noted he is impressed with the landscaping, traffic flow, and entire project.*

**A motion was made by Commissioner Olbrysh, seconded by Commissioner Sweetser, to recommend to the Corporate Authorities approval of this petition subject to the conditions.**

- 1. That the petitioner shall develop the site in accordance with plans prepared by Eriksson Engineering Associates and submitted as part of this request;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**

**The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[150172](#)**PC 15-06: 7, 11-21 and 115 E. St. Charles Road - Parking Lot Expansion**

Requests the following action be taken for the subject property located within the B5 Central Business District:

1. Pursuant to Section 155.504 (A) of the Lombard Zoning Ordinance, amend the conditional use approval for the Hammerschmidt Planned Development, as established by Ordinance No. 5447, to allow for the properties at 7 and 11-21 E. St. Charles Road to be included within the geographical extent of the planned development, with the following deviations:

- a. Approval of a deviation from Section 155.602 (C) to allow for a fifteen foot (15') wide parking aisle where an eighteen foot (18') parking aisle width is required for sixty degree (60°) parking space angles;
- b. Approval of a further deviation from Section 155.602 (B) to reduce the required number of accessible parking spaces from seven (7) to zero (0); and
- c. Approval of further deviations from Section 155.706 to reduce the required amount of parking lot landscaping (as established by Ordinance No. 5447).

2. Grant approval of a conditional use per Section 155.410 (C) to allow for a parking lot expansion on the 7 and 11-21 E. St. Charles Road properties. (DISTRICT #4)

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.*

*Sworn in to present the petition was William J. Heniff, AICP, Director of Community Development and Matt Panfil, AICP, Senior Planner. Also sworn in was Erin Heniff, student at Glenbard East High School.*

*Mr. Heniff presented the petition on behalf of the property owner, the Village of Lombard. The petition is for an expansion to the existing Hammerschmidt Parking Lot. The Plan Commission is being asked to recommend approval of several items, including: a conditional use for parking as a principal use; an amendment to the geographic boundaries of the existing planned development that was approved in 2005; and deviations for parking aisle width, landscaping, and accessible parking.*

*By referencing an aerial photograph, Mr. Heniff identified the location of the existing parking lot as well as the location of the proposed expansion to the west. The proposed expansion will provide up to one-hundred (100) additional commuter parking spaces. Mr. Heniff mentioned that over time there have been several different discussions regarding the subject properties, including a case in 2000 that proposed a mixed-use development concept. However, none of*

*the previous proposals came to fruition. The Village identified the expansion area as key properties within Downtown Lombard and acquired the property at 11-21 E. St. Charles Road in 2008 and the property at 7 E. St. Charles Road in 2014.*

*Mr. Heniff added that the expansion project has been included within the Village's Capital Improvement Program.*

*Referencing an image of the site plan, Mr. Heniff described the proposal. The parking spaces will be used primarily for commuter parking spaces during the daytime hours and on evening and weekends the spaces can be used for general parking purposes. Its proximity to the core of the downtown may provide the additional benefit of ancillary parking in the downtown. The intention is for the parking lot to be resident-only with a daily-fee pay plan. At the far northwest corner of the site is a concrete pad where the payment system will be located.*

*Eighty-three (83) of the one-hundred (100) parking spaces will be located along a two-way, twenty-four foot (24') wide drive aisle at the south of the property, while the remaining seventeen (17) parking spaces will be angled at sixty-degrees (60°) along a one-way, fifteen foot (15') wide drive aisle at the north of the property. A bioswale is proposed between the two drive aisles. A bioswale is a recessed area with plant materials that is used to address best management practices required by Village Code.*

*The Village is also trying to provide for consistency in some of matters as were included with the original Hammerschmidt Parking Lot approval. For example, the lighting systems will be designed to match what is already in use.*

*Mr. Heniff stated that the Village will also be using a number of sustainability measures, including permeable pavers to allow for additional stormwater accommodation and as a demonstration project to businesses. Also, the lighting systems will feature LED lighting.*

*The access point at the northwest of the site has been designed as a right-in right-out because of its proximity to the intersection of Main Street and St. Charles Road, especially to avoid excessive stacking in the left turn lane on St. Charles Road heading west.*

*In regards to the drive aisle width deviation, Mr. Heniff expressed that he initially had a concern regarding the request for a fifteen foot (15') wide drive aisle where eighteen feet (18') is required by Code. Mr. Heniff stated that he undertook additional analysis to determine the feasibility of the proposal. First, while Village Code, based on the*

*Institute of Transportation Engineers (ITE) requires an eighteen foot (18') wide drive aisle, the Urban Land Institute (ULI) has found that in certain situations a drive aisle as narrow as thirteen feet (13') is acceptable. For a better idea of how a fifteen foot (15') wide drive aisle will function, Mr. Heniff stated that he conducted a field test with a larger passenger vehicle, a minivan, and an inexperienced driver, Erin Heniff. Mr. Heniff referenced two (2) pictures depicting the drive aisle configuration used for the test and then played a video of Ms. Heniff successfully maneuvering the vehicle from the parking space without encroaching past the fifteen foot (15') wide drive aisle. Mr. Heniff stated that because the proposed deviation provides adequate space for vehicle movements, and that there is a landscape overhang to the rear, he can support the request for a deviation.*

*Referencing an exhibit depicting the locations of the train station, existing accessible parking, existing accessible ramps, and the Hammerschmidt Parking Lot, Mr. Heniff stated the need for the accessible parking deviation is based on the Village's desire to provide accessible parking closest to the train station itself. In the original Hammerschmidt Parking Lot Planned Development approval, the State of Illinois agreed that providing the required amount of accessible parking spaces off-site satisfied the state's accessible parking requirements. Staff has requested a similar interpretation from the state for the proposed expansion. Two (2) additional parking spaces will be provided either along Michael McGuire Drive or along Parkside Avenue.*

*In regards to the landscape deviation, Mr. Heniff stated that the unique shape of the property being so narrow makes it difficult to provide all the landscaping that is required by Code. In the case of the expansion, there are two (2) small areas that do not meet the minimum island or perimeter parking width. These items are similar to the deviations granted in the original approval.*

*The Response to Standards for a planned developments and conditional use were included within the IDRC Report. Based on those standards and the proposed plan, staff recommends approval of the petition subject to the conditions within the IDRC Report.*

*Mr. Heniff concluded by stating that if approved, construction will occur in 2015.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

*Commissioner Sweetser stated that she did not have any objections to the requested deviations, but did have a question regarding the*

*potential for charging stations for electric vehicles. Mr. Heniff responded that there currently are not any plans to include charging stations, but they are on staff's radar. One of the challenges associated with those type of spaces is the question as to whether or not those because designated for electric vehicles only and if so, how to enforce the regulation.*

*Commission Olbrysh asked how many parking spaces are located in the 101 S. Main Street parking lot to which Mr. Heniff replied approximately ninety (90) spaces. If the 101 S. Main Street lot were to be redeveloped, this expansion could accommodate those individuals affected.*

*Commissioner Burke asked where the stormwater detention for the project is located. Mr. Heniff responded that the bioswales and the permeable pavers address the stormwater requirements. Also, the downtown area itself has additional capacity within the Crescent Lot.*

*Commissioner Cooper stated that she was excited to see the use of permeable pavers in the project and feels it will be a great demonstration project and suggested that educational signage should be considered. Commissioner Cooper then asked if there will be parkway trees installed as part of the project. Mr. Heniff replied that there are existing tree vaults and staff will supplement the landscape just as they did to the east on the existing parking lot. No deviation for parkway trees is required.*

*Mr. Paul Rogas was then sworn in so that he could comment on the petition. Mr. Rogas stated that he has been driving to the train station for over forty (40) years. He expressed his concern about the lack of parking if the 101 S. Main Street site were to redevelop. He stated that the parking lot is already full or close to full by the time he arrives at 7:30 AM. He believes that the 101 S. Main Street should be maintained as a parking lot.*

**A motion was made by Commissioner Sweetser, seconded by Commissioner Cooper, to recommend to the Corporate Authorities approval of this petition subject to the conditions.**

- 1. That this relief is limited to the operation of a parking lot and any physical site improvements or alterations require approval through the Village;**
- 2. This relief shall be valid for a period of one (1) year from the date of approval of the ordinance. If the parking lot is not established by said date, this relief shall be deemed null and void;**
- 3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**

4. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
5. That associated with the proposed parking lot improvements, the Village shall prepare a final landscape plan for the subject properties to be approved by the Director of Community Development;
6. That associated with the proposed parking lot improvements, the Village shall prepare a Photometric Plan for the subject properties to be approved by the Director of Community Development; and
7. The petitioner shall be required to apply for and receive a building permit for any improvements to the site.

The motion carried by the following vote:

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[150173](#)

**PC 15-09: 800 E. Roosevelt Road (Noon Whistle Brewing Co.)**

Requests that the Village grant a conditional use, pursuant to Section 155.417 (G)(2)(a) of the Lombard Zoning Ordinance, to allow an outside service area (outdoor seating) for the subject property located within the B4A Roosevelt Road Corridor District. (DISTRICT #6)

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.*

*Sworn in to present the petition was William J. Heniff, AICP, and Director of Community Development, Matt Panfil, AICP, Senior Planner, and the petitioner, Paul Kreiner of Noon Whistle Brewing Co. Also sworn in were Lombard residents Nestor Acosta, Pete Cismesia, Julie Tameing, Sam Vella, and Kimberly Wegrzyn.*

*Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.*

*Mr. Kreiner presented the petition regarding outdoor seating for the tasting room that is associated with the Noon Whistle microbrewery. Mr. Kreiner stated that the outdoor seating area would be located on the sidewalk along the storefront and will be blocked off from the adjacent parking lot. The proposal is for five (5) tables that have three (3) seats at each table. The outdoor seating area will close one (1) hour prior to the close of business.*

*Mr. Kreiner continued by stating that Noon Whistle does not have the traditional hours associated with a bar. Wednesday and Thursday night the business closes at 10:00 PM. Friday and Saturday the business closes at 11:00 PM. Finally, on Sunday the business closes at 5:00 PM. The opening time is 12:00 PM Wednesday through*



*Sunday.*

*An employee will monitor the outdoor seating area. Mr. Kreiner stated that the peak customer traffic hours for the tasting room are Fridays and Saturdays between 3:00 PM and 8:00 PM. Mr. Kreiner said that Noon Whistle did not at first intend on having an outdoor seating area, but many customers have asked for outdoor seating.*

*Chairperson Ryan asked if anyone was present to speak in favor or against the petition.*

*Ms. Kimberly Wegrzyn stated that she lives at 1158 S. Michelle Lane, which is just three (3) houses from the back of the structure at 800 E. Roosevelt Road. Ms. Wegrzyn then asked why Mr. Kreiner stated that Noon Whistle has limited hours when the staff report listed later hours. Mr. Kreiner replied that he had no intention of changing the hours.*

*Ms. Wegrzyn asked if smoking will be allowed in the outdoor seating area to which Mr. Kreiner replied in the negative.*

*Ms. Wegrzyn concluded by stating that her block is a quiet dead-end street, but there is already a significant amount of traffic that goes through a fence that is not in good condition. Ms. Wegrzyn also stated that she frequently picks up garbage that is left in the area and that she already hears a lot of noise from the Whirlyball and other establishments within the shopping center. Ms. Wegrzyn reiterated her opposition to the petition because it is not family friendly.*

*Mr. Pete Cismesia stated that he lives at 1160 S. Michelle Lane, which is the second house from the back of the structure at 800 E. Roosevelt Road. Mr. Cismesia opposes the petition because of the excess noise that would be created.*

*Mr. Sam Vella stated that he lives at 1154 S. Michelle Lane, which is the fourth house from the back of the structure at 800 E. Roosevelt Road. Mr. Vella opposes the petition because he and his neighbors already hear a lot of noise from the Whirlyball establishment and the proposed outdoor seating area will increase the noise. Also, the park across the street is very dark and that a lot of activities occur in the dark in the park. Mr. Vella expressed concern that customers of Noon Whistle will urinate in front of his house.*

*Ms. Julie Tameling stated that just moved into the home at 1150 S. Michelle Lane, which is the fifth house from the back of the structure at 800 E. Roosevelt Road. Ms. Tameling opposes the petition because what attracted her to her new home was that it was on a quiet and kid-friendly dead-end street. Ms. Tameling continued that*

*she also hears noise from the Whirlyball establishment and she is concerned about more noise at night when she is trying to put her children to bed. Ms. Tameling also expressed concern about the language that her children might hear from customers.*

*Mr. Nestor Acosta stated that he lives at 1162 S. Michelle Lane, which is the house closest to the back of the structure at 800 E. Roosevelt Road. Mr. Acosta stated that he heard a lot of noise during the construction of Noon Whistle. Mr. Acosta added that the existing fence is low, only three feet (3') to four feet (4') tall and he can see the back of the property. He is concerned about his children because there are often strange people and cars that he has never seen before in the area. Mr. Acosta concluded he opposes the petition because it will attract more traffic and people to the back of the property.*

*In response to the questions, Mr. Kreiner stated that he acknowledges those who expressed their concerns as his neighbors and he wants to be a good neighbor. Mr. Kreiner stated that the tasting room is not a bar and Noon Whistle does not serve hard liquor or any brand of beer but their own produced on site. Customers generally have one (1) or two (2) drinks and then leave. Mr. Kreiner stated that Noon Whistle produces beers that are five-percent (5%) or less alcohol by volume and that the name Noon Whistle reflects the idea of being able to drink a mid-day beer with lower alcohol content.*

*Mr. Kreiner continued by stating that the only person he is aware of parking in the back is himself. There has been one instance when Mr. Kreiner saw someone smoking in the back of the building and he addressed the situation right away. The back door of the business is always kept shut. There is a garage door at the front of the building that is sometimes left open, but the noise would have to go carry over a fifteen foot (15') tall wall and the rest of the building. Mr. Kreiner emphasized that he is willing to work with the neighbors in any way he can and said that residents can contact him directly when they have concerns.*

*Chairperson Ryan asked for the staff report.*

*Matt Panfil, Senior Planner, presented the staff report, which was submitted to the public record in its entirety. Mr. Panfil began by addressing some of the public comments. First, Mr. Panfil stated that regardless of the recommendation vote for this case, residents with concerns regarding the existing fence on the subject property or noise complaints can contact him directly and he will forward the information on to the relevant parties.*

*Second, should the conditional use be approved, Mr. Panfil clarified that the petitioner is not proposing to extend his hours of operation,*

*but it is staff that wrote the condition in the IDRC report that allows for the outdoor seating area to be open later than the current hours of operation. This was done to be consistent with the hours of operation approved for other outside service areas granted in the past and also to allow Noon Whistle greater flexibility should they wish to extend their hours in the future.*

*In regards to a comment about restrooms, Noon Whistle does meet the minimum Code requirements and the proposed outdoor seating area does not change this requirement.*

*Moving on to the IDRC report, Mr. Panfil reminded the Plan Commission of PC 14-08, which granted Noon Whistle a conditional use for a microbrewery with an ancillary tasting room. The current proposal is for an outdoor seating area with five (5) tables with three (3) chairs per table and requires its own conditional use as an outside service area.*

*There were a few comments from the IDRC, including the Building Division's request that the entrance/exit doors for Noon Whistle should line up directly with the opening between the planters in order to avoid having tables and/or chairs in the required pathway for exiting. Also, because the exit path from the front doors to the parking lot and the parking lot in front of the tables is required to be clear for use as an accessible path, paint markings are required on the parking lot to indicate no parking is allowed. The required striped paint markings are to be forty-eight inches (48") in width and run parallel to the seating area.*

*Private Engineering Services noted that the existing drive aisle width is less than that required by Code. The Planning Services Division measured the current drive aisle width to be twenty-one feet (21'). While that is less than the required twenty-four feet (24'), the petitioner is not seeking to increase the degree of nonconformity of the width of the drive aisle and is not required to correct the existing nonconformity. In fact, the Planning Services Division believes the nonconforming drive aisle serves as justification for a barrier between the drive aisle and sidewalk.*

*Mr. Panfil stated that the B4A Roosevelt Road Corridor District is intended to provide a wide variety of retail sales activities and other uses to meet the demands of a developing local market. Staff finds that the proposal is consistent with the zoning and land use of surrounding properties. Mr. Panfil noted that there are other outdoor seating areas throughout the B4A District. The request for a conditional use for an outside service area is also consistent with the Village's Comprehensive Plan Community Commercial land use*

designation.

*The additional seating will not negatively impact parking as there is currently a surplus of fifty-seven parking spaces on-site. There is no additional signage proposed with the request.*

*Mr. Panfil concluded that provided the petitioner can sufficiently address any and all concerns brought forward by the Building Division, the use does comply with the standards established by the Lombard Zoning Ordinance and staff recommends approval of the petition.*

*Chairperson Ryan asked if there were any questions of the staff report.*

*Ms. Wegrzyn stated that after meeting Mr. Kreiner and hearing his responses she would not want to impede upon his petition, but she wanted to know what would happen should Mr. Kreiner sell his business, in particular to a restaurant or bar.*

*Mr. Panfil replied that the existing conditional use is specific to a microbrewery with ancillary tasting room. If Mr. Kreiner sold it to another microbrewery, the conditional use would transfer. A different use would require a new zoning review, and a new conditional use, if necessary.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

*Commissioner Olbrysh questioned who was responsible for maintaining the fence. Mr. Panfil said that staff will have to find out additional information as to the exact fence the residents were referring to, but it is the property owner that is responsible. Mr. Heniff added that regardless of the outcome of the petition, staff will follow up on the item and open a property maintenance case, if necessary.*

*Commissioner Burke asked Mr. Heniff if the fence was required by the Zoning Ordinance. Mr. Heniff stated that a fence is not required and that this is a nonconforming situation as a landscape yard would be required. In this instance, the focus is on getting the fence compliant with Code.*

*Commissioner Flint asked if a screen fence could be required. Mr. Heniff responded that staff will reach out to the property owner and express the concerns.*

**A motion was made by Commissioner Burke, seconded by Commissioner Cooper, to recommend to the Corporate Authorities approval of this petition**

subject to the conditions.

1. The conditional use permit for an outside service area (outdoor seating) is exclusively for the tenant space (Unit C) at 800 E. Roosevelt Road;
2. The property shall be developed in substantial compliance with the floor plans developed and submitted as part of this petition;
3. The outdoor seating area shall not be operated or occupied after 11:00 PM on weeknights and 1:00 AM on Friday and Saturday nights. The petitioner shall monitor operations to ensure that the use is operated properly and legally;

While the petitioner currently has limited hours of operation (Closed Monday-Wednesday, 12:00 PM – 10:00 PM on Thursday, 12:00 PM – 11:00 PM on Friday and Saturday, and 12:00 PM – 5:00 PM on Sundays), planning staff recommends granting hours of operation consistent with other conditional use permits for outdoor service areas in order to allow for greater flexibility for the petitioner as their business grows.

4. This relief shall be valid for a period of one (1) year from the date of approval of the ordinance. If the outdoor service area is not established by said date, this relief shall be deemed null and void; and
5. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.

The motion carried by the following vote:

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[150174](#)

**PC 15-08: 1300 S. Main Street**

Requests that the Village grant a conditional use, pursuant to Section 155.417 (G) (2) (a) (5) of the Lombard Zoning Ordinance, to allow outside service areas (outdoor dining) for the subject property located within the B4A Roosevelt Road Corridor District. (DISTRICT #2)

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.*

*Sworn in to present the petition was William J. Heniff, AICP, and Director of Community Development, Jennifer Ganser, Assistant Director of Community Development, and the petitioner Shadab Mumtaz.*

*Shadab Mumtaz stated that he is a resident of Lombard and has been for over ten years. The restaurant has been open for about a year and is operated by his family. The business model of the restaurant is based on a collegiate school project. Last summer, some outdoor furniture was placed on the patio without the knowledge of a conditional use requirement. Therefore, Mr. Mumtaz submitted his petition for outdoor seating for the restaurant patrons' use.*

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.*

*Jack Thompson came forward with the request that the area be kept quiet and clean.*

*Paul Rougus came forward with concerns to be addressed such as the cleanliness of the patio to prevent attracting animals; the cleanliness of the paver bricks; the prevention of wind-blown litter; what recourse is there for non-compliance; does the restaurant have a liquor license; and is there an exterior P.A. or sound system.*

*Mr. Mumtaz responded that the property owner is responsible for the overall maintenance of the center however a large garbage receptacle will be placed on the patio for patrons' garbage to be placed in, as well as the restaurant staff to utilize when cleaning the area. The garbage in the can will be removed every night just as it is inside the restaurant. Any customers that are behaving in an unruly manner are asked to leave and there have been no noise complaints since the restaurant has been open. The restaurant is a quick service, family restaurant with no liquor license and no plans to obtain a liquor license. There are no plans to install speakers outside for a P.A. or music. The property maintenance staff power washes the outside of the building on a regular basis which would include the paver bricks.*

*Chairperson Ryan indicated that staff will address the non-compliance question and he requested the staff report.*

*Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. Non-compliance issues are handled by the Community Development Department, specifically the Code Enforcement Division, which has procedures in place to remedy problems or complaints. The existing restaurant is requesting outdoor seating which is a conditional use. The property is bounded by other commercial uses with the exception of residential to the south. The building was built in 1987 as a multi-tenant shopping center. The existing restaurant occupies the corner unit of the building with approximately 1,100 square feet. The Building Division noted in the report that wheel stops or parking blocks of six inches are required at all parking spaces that are adjacent to the eating area since there is no fence. The Comprehensive Plan recommends community commercial for the site and a restaurant use is considered community commercial. The Roosevelt Road Corridor Plan ranked restaurants as one of the most desirable uses for the corridor. Per the plans the outdoor seating area is approximately 750 square feet in area with seven tables and associated chairs. There is*

*a minimum of forty-eight inches to be maintained as aisles for access to the tables. Staff finds that the standards are met for the request for the conditional use, as long as the petitioner can meet the conditions of the staff report, which includes wheel stops and access aisles; therefore staff can support the request for the conditional use of outdoor seating.*

**A motion was made by Commissioner Burke, seconded by Commissioner Flint, to recommend to the Corporate Authorities approval of this petition subject to the 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.**

**The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

## **Business Meeting**

*The business meeting convened at 9:16 p.m.*

## **Approval of Minutes**

**On a motion by Commissioner Burke, and seconded by Commissioner Flint, the minutes of the March 16, 2015 meeting were approved.**

**The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

## **Public Participation**

*There was no public participation.*

## DuPage County Hearings

*There were no DuPage County hearings.*

## Chairperson's Report

*The Chairperson deferred to the Assistant Director of Community Development.*

## Planner's Report

*Ms. Ganser reminded everyone there is a meeting next Monday, April 27, 2015. This is a special meeting of the Plan Commission for three workshops and there will be no public hearings.*

## Unfinished Business

*There was no unfinished business.*

## New Business

*There was no new business.*

## Subdivision Reports

[150176](#)

### **SUB 15-01: 25 N. West Rd.**

Proposed two lot single family resubdivision. (DISTRICT #1)

*Syed Alyi was present for the petitioner Arshad Husain. He said the petitioner wants to split the property to build two single family homes on the land*

*Chairperson Ryan asked if any person had any questions. Hearing none, he asked for the staff report.*

*Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. She stated the land at 25 N. West Road is a large piece of property that can be subdivided by a Plat of Subdivision into two lots of record. Lot 1 would be approximately 31,004 square feet or 0.71 acres. Lot 2 would be approximately 41,360 square feet or 0.95 acres.*

*This division is considered a major plat of subdivision as it is greater than one acre in size. Therefore the project must be reviewed and*



*approved by the Plan Commission and Village Board of Trustees.*

*The subject property is bounded by residential uses on all four sides. For the proposed subdivision, both lots meet or exceed the underlying R2 District's code requirements.*

*She concluded that staff finds that the proposed Plat of Subdivision meets the requirements of the Subdivision and Development Ordinance and the Zoning Ordinance and therefore supports the petition.*

*Chairperson Ryan asked if there were any comments, questions or recommendations.*

*Commissioner Sweetser asked how the land would be divided. Ms. Ganser explained the dividing line would be east and west. Lot 1 will be to the north of lot 2. She noted included in the packet there is a proposed Plat of Subdivision and that the lots would exceed the width requirements in the R2 Zoning District.*

**A motion was made by Commissioner Sweetser, seconded by Commissioner Olbrysh, to recommend to the Corporate Authorities approval of this petition. The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

## **Site Plan Approvals**

*There were no site plan approvals.*

## **Workshops**

*There were no workshops.*

## **Adjournment**

*Chairperson Ryan reminded everyone there is a meeting next Monday, April 27, 2015.*

**A motion was made by Commissioner Flint , seconded by Commissioner Cooper, to adjourn the meeting at 9:22 p.m. The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

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*Donald F. Ryan, Chairperson  
Lombard Plan Commission*

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*Jennifer Ganser, Secretary  
Lombard Plan Commission*