

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda


 Resolution or Ordinance (Blue) X Waiver of First Requested
 X Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : June 6, 2022 **(BOT) Date:** June 16, 2022

SUBJECT: PC 22-10: 266 E. Roosevelt Road, Osano Hookah Lounge

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Osano Hookah Lounge, requests a conditional use pursuant to Section 155.417(G)(2)(b)(xii) of the Lombard Village Code to allow for a smoking establishment (in conformance with the Illinois Smoke Free Act, 410 ILCS 82/1 et seq.) to operate on the subject property located within the B4A Roosevelt Road Corridor District.

The Plan Commission recommended approval of this petition by a vote of 5-2. Please place this petition on the June 16, 2022 Board of Trustees agenda with a waiver of first.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WH*

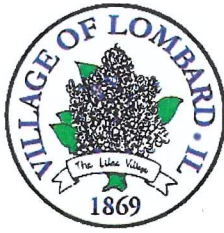
MEETING DATE: June 16, 2022

SUBJECT: PC 22-10, 266 E. Roosevelt, Osano Hookah Lounge

Please find the following items for Village Board consideration as part of the June 16, 2022 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 22-10; and
3. An Ordinance granting approval of the conditional use.

The Plan Commission recommended approval of this petition by a vote of 5-2. Please place this petition on the June 16, 2022 Board of Trustees agenda with a waiver of first.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

June 16, 2022

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees

Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, Dist. 6

Village Manager
Scott R. Niehaus

*"Our shared **Vision** for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The **Mission** of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 22-10; 266 E. Roosevelt, Osano Hookah Lounge

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Osano Hookah Lounge, requests a conditional use pursuant to Section 155.417(G)(2)(b)(xii) of the Lombard Village Code to allow for a smoking establishment (in conformance with the Illinois Smoke Free Act, 410 ILCS 82/1 et seq.) to operate on the subject property located within the B4A Roosevelt Road Corridor District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 6, 2022. Sworn in to present the petition was Jennifer Ganser, Assistant Director and the petitioners Marshall Subach and Kenji Robinson.

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

Mr. Subach said he represents the petitioner. He said the petitioner is seeking a conditional use permit for a hookah lounge. He said the building is a single tenant building. All traffic will enter off Stewart Avenue. There are 10 parking spaces. The hookah area will be 824 square feet. This would be a gathering space for those 21 and older. He said there is no cannabis and no alcohol. He said this is similar to a cigar bar or coffee shop. Currently there is a Covid-19 testing business. He referenced the standards for a conditional use.

He noted that this business is allowed as a conditional use. He said this business is also regulated by the Illinois Smoke Free Act. He discussed traffic and said they open at 8pm when traffic is lighter. He said 10 parking spaces is more than adequate for the business. He said this is in line with the Comprehensive Plan designation. He said the petitioner is ok with the conditions listed in the staff report.

Acting Chairperson Sweetser asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner requests a conditional use to a hookah lounge on the subject property. The property is currently an office for testing and was formerly the site of a payday loan business. The petitioner does not plan any major interior or exterior alterations.

The building is configured as a single tenant structure and is non-conforming to the area and width standards of the zoning district however in the past retail and office uses have been accommodated in the existing building. A smoking establishment use will be similar in operation to other types of permitted uses such as a coffee shop or restaurant.

The seating area is limited to 824 square foot. The size of the seating area is based on the 10 ten parking spaces available on the subject property per the zoning code. The non-conforming size of the lot directly impacts functionality of the building. The remaining space in the building is approximately 1,500 square feet that will be available for storage, building mechanicals and office use for the smoking establishment only. No expansion of the seating area or subleasing of this space is allowed.

Staff has reviewed the petition and finds it meets the standards for the conditional use and recommend approval of the petition subject to the conditions in the staff report.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

Commissioner Giuliano asked how many tables and chairs the 824 square feet would have. Mr. Robinson said there would be eight tables. Commissioner Giuliano said there are 2 spaces in front. Mr. Robinson said there are 5 in front. Mr. Subach said there are another 5 along Stewart for a total of 10. Commissioner Giuliano said it's a small amount of parking. Mr. Robinson said there are only two employees, himself and his wife. Commissioner Giuliano said she is concerned about the ally way potholes. Ms. Ganser said the alley is owned by the property to the west. Commissioner Giuliano asked if the petitioner is concerned that you can't go east on Roosevelt from Stewart and Mr. Subach said no.

Commissioner Johnston said he is concerned about parking. He asked if there is parking on Stewart and Ms. Ganser said no. Commissioner Johnston asked if the building owner to the west could share parking and said the loan company had parking issues.

Commissioner Giuliano said the property isn't graded the same and she would be concerned about safety. Mr. Subach said customers could park to the north and there is a sidewalk leading to the 266 building.

Mr. Subach said that Mr. Robinson is a Lombard resident so it's a unique situation. He wants to be part of the business community. Commissioner Johnston said he wants a successful business and hopes that for everyone.

On a motion by Commissioner Giuliano, and a second by Commissioner Spreenbourg, the Plan Commission voted 5-2 to recommend that the Village Board approve the petition associated with PC 22-10 subject to the following conditions in the staff report:

1. The seating area is limited to 824 square feet;
2. The building is required to remain a single-tenant occupancy. No other tenants, sublease agreements, private rooms or other enterprises are permitted to operate in the space beyond the seating area;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11) and
5. That the petitioner shall keep the frontage along Roosevelt Road available for customer parking.

Respectfully,

VILLAGE OF LOMBARD

Ruth Sweetser, Acting Chairperson
Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

266 E. Roosevelt Road, Smoking Establishment

June 6, 2022

Title

PC 22-10

Petitioner

Osano Hookah Lounge
1025 S Edson Ave
Lombard, IL 60148

Property Owner

Aafiyah Property, LLC
18W511 Roosevelt Road
Lombard, IL 60148

Property Location

266 E. Roosevelt Road
06-17-312-023

Zoning

B4A Community Commercial

Existing Land Use

Office/testing site

Comprehensive Plan

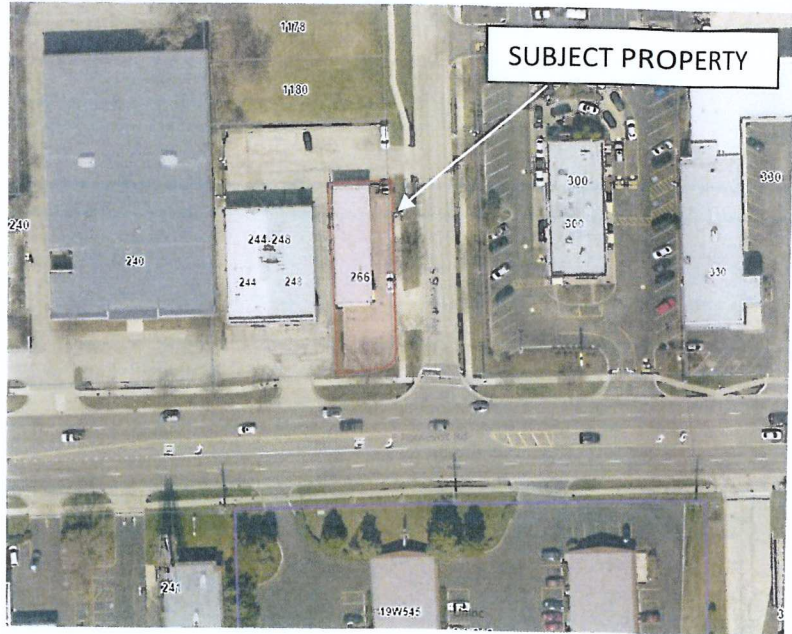
Community Commercial

Approval Sought

Conditional use for smoking establishment

Prepared By

Tami Urish
Planner I

**PROJECT DESCRIPTION**

The petitioner proposes to open a hookah lounge. The lounge proposes to operate in the front portion of the building (824 square feet) with ancillary retail. The remaining back of the building will be utilized for storage and office space only and will not be used for additional seating nor leased to another business. Some interior improvements are planned. Exterior improvements would include new signage (not asking for zoning relief at this time).

APPROVAL(S) REQUIRED

The petitioner requests a conditional use pursuant to Section 155.417(G)(2)(b)(xii) of the Lombard Village Code to allow for a smoking establishment (in conformance with the Illinois Smoke Free Act, 410 ILCS 82/1 et seq.) to operate on the subject property located within the B4A Roosevelt Road Corridor District.

EXISTING CONDITIONS

The subject property is a legal non-conforming size as the lot area is approximately 7,163 square feet and the lot width is approximately 47 feet. Section 155.417 stipulates the minimum lots area is 40,000 square feet and the minimum lot width is 150 feet. The subject property is less than a quarter of the required size per minimum standards.

The building was built in 1970. The subject property has a parking supply of ten (10) parking spaces.

PROJECT STATS

Lot & Bulk

Parcel Size:	0.16 acres
Building Size:	~2,375 SF

Parking Spaces

Demand:	10 (1 ADA)
Supply:	10 (1 ADA)

Submittals

1. Petition for a public hearing;
2. Response to Standards for a Conditional Use, prepared by the petitioner, dated May 26, 2022;
3. Plat of Survey, prepared by United Survey Service, LLC, dated December 21, 2021;
4. Floor Plan, prepared by the petitioner, dated May 15, 2022.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division requires a ventilation system that meets the International Mechanical Code to be installed. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department requires proper ventilation and working carbon monoxide detection. Should the petition be approved, additional comments may be forthcoming during permit review.

Private Engineering Services:

Private Engineering Services has no comments. If approved, additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has no comments.

Planning Services Division:

The Planning Services Division (PSD) notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B4A	Retail
South	Unincorporated DuPage County	Motel
East	B4A	Restaurant
West	B4A	Retail

The subject property is located in an established commercial corridor that contains a mixture of businesses. The proposed smoking establishment/hookah lounge is compatible with surrounding uses. The property is on a corner and abuts commercial properties on Roosevelt Road. There is one other smoking establishment, Lux Chateau, in the Roosevelt Road Corridor located at 1221 S. Main and has been operating since 2009.

The petitioner's use is primarily a gathering place for people at least 21 years of age to enjoy the hookah experience. Based upon the review of the proposed operation and floor plan, the business consists of several tables and chairs arranged in a manner similar to a coffee house or restaurant. Hookah pipes are placed in the center of the table. According to the proprietor, individuals may visit with other patrons, watch television, listen to music or other like activities. The use will be operated completely within the confines of the existing single tenant building. Staff notes that the use will be similar in function to other types of gathering uses.

2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends Community Commercial. The proposed smoking establishment use is consistent with this designation.

3. Zoning Compatibility

The petitioner is proposing to use the front 824 square feet for the hookah lounge area. As smoking establishments are a conditional use in the B4A district, zoning relief is being sought.

The building is configured as a single tenant structure and is not a multi-tenant strip center by design. Also, the site is non-conforming to the standards of the zoning district it inhabits however in the past retail and office uses have been accommodated in the existing building. A smoking establishment use will be similar in operation to other types of permitted uses such as a coffee shop or restaurant.

4. Site Plan: Access & Circulation

The site is accessed by Roosevelt Road and Stewart Avenue. There is no traffic signal at the intersection. Parking is not allowed on either street.

Per Code, a smoking establishment is comparable to a fast food restaurant in use. With the proposed 824 square foot seating area, 10 parking spaces will be needed. The size of the seating area is based on the number of parking spaces available on the subject property. The non-conforming size of the lot directly impacts functionality of the building. The remaining space in the building is approximately 1,500 square feet that will be available for storage, building mechanicals and office use for the smoking establishment only. No expansion of the seating area or subleasing of this space is allowed.

5. Signage

No zoning relief is requested for signage. The petitioner will install new signage and a permit will be required.

6. Lighting

No changes to the lighting are occurring at this time. Should the business change the lighting in the future they will need to apply for a permit and submit a photometric plan.

7. History

1970

Permit 18496 for a new structure (site plan shows existing building). It is noted the lot is "irregular" on the application. A letter requests a variance from a forty five foot setback for an overhead door with no other documents. No evidence found for zoning relief of any kind during this time. Certificate of Occupancy issued for the building on June 22, 1970 for commercial use. A stereo store is noted on the permit card.

1996

ZBA 96-16 Mioda Computer Store, Parking Lot Reconstruction. Variations granted for:

- (1) Reduce the perimeter lot landscaping from five (5) feet to zero (0) feet along the north and east property lines;
- (2) Eliminate the required foundation landscaping area;
- (3) Reduce the required parking spaces from eleven (11) to eight (8); and
- (4) Reduce the drive aisle width from twenty-four (24) feet to ten (10) feet along the east side of the building in conjunction with the reconstruction of an existing parking lot.

FINDINGS & RECOMMENDATIONS

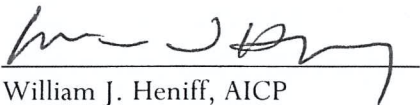
Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use in the B4A District and finds that the proposed 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 22-10:

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 Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 22-10, subject to the following conditions:

1. The seating area is limited to 824 square feet;
2. The building is required to remain a single-tenant occupancy. No other tenants, sublease agreements, private rooms or other enterprises are permitted to operate in the space beyond the seating area;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11) and
5. That the petitioner shall keep the frontage along Roosevelt Road available for customer parking.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

Hunt Subach Ltd.

ATTORNEYS AT LAW

THOMAS CASEY HUNT
MARSHALL J. SUBACH
STEPHEN SPIEGEL
SPENCER C. HUNT

1035 S. York Road
Bensenville, IL 60106
Phone 630-860-7800
Fax 630-860-8283
www.7800Law.com

Of Counsel

Daniel J. Kaiser
Mariam L. Hafezi
Brad S. Telander
Philip D. Blomberg

May 26, 2022

William J. Heniff
Director of Community Development
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148
Via email to HeniffW@villagecoblombard.org

RE: Osano Hookah Lounge LLC
Property Address: 266 E. Roosevelt Road, Lombard, IL 60148
File No.: 22-0392

Dear Mr. Heniff,

Please be advised my office represents Osano Hookah Lounge LLC with respect to its Petition for a Conditional Use Permit to operate a smoking establishment in conformity with the Illinois Smoke Act at the property commonly known as 266 E. Roosevelt Road, Lombard, IL 60148.

The Petitioner is seeking to establish a Hookah Lounge at the property that will allow for the recreational use of hookah and retail sales of hookah as part of the business operations. Hookah is a water pipe used to smoke tobacco including sweetened and flavored tobacco. It does not involve the smoking of cannabis and there are no sale of alcohol on the premises. You must be 21 years old to enter a hookah lounge and 21 years old to purchase hookah products.

The Osano Hookah Lounge LLC is owned and operated by Kenji Robinson, who is a resident of Lombard. Mr. Robinson is married with children living in Lombard and wants to open his business in Lombard.

The property at 266 E. Roosevelt Road, Lombard, IL 60148 (the "Subject Property") is a free standing, single tenant building located at the corner of Roosevelt Road and Stewart Avenue. The building is approximately 3,000 square feet and has ten (10) parking spaces including one (1) handicap parking space. The proposed hours of operations will be from 8:00 p.m. until 2:00 a.m.

The space will be divided between approximately 824 square feet for amusement/recreational space, 216 square feet of retail space and the balance of the space will be for offices and storage. Currently the space is occupied temporarily with a Covid 19 testing tenant.

In response to Section 155.103(F)(8) of the Lombard Zoning Ordinance, on behalf of the Petitioner, I provide the following amended and updated responses to the standards for a Conditional Use:

1. The granting of the Conditional Use to the Osano Hookah Lounge will not be detrimental to or in danger of the public health, safety, morals, comfort, or general welfare of the Village of Lombard. A smoking establishment is a permitted use with a Conditional Use Permit in the B-4(A) District. The business is regulated by the Illinois Smoke Act and will follow all applicable Lombard Ordinances with respect to operations. All customers must be twenty-one (21) years old or over. All of the use of the hookah will be used indoors.
2. The granting of the Conditional Use will not be injurious to the uses and enjoyment of the other properties in the immediate vicinity. The Petitioner's hours of operation will be from 8:00pm until 2:00am and the Petitioner will be the only tenant in the building and all smoking will take place inside. The Petitioner will meet all ventilation and applicable air discharge standards.
3. The granting of the Conditional Use will not impede the normal and orderly development of the improvement of the surrounding properties. In fact, the granting of the Conditional Use will allow a new business to be established within the Village of Lombard and hopefully establish growing sales in order to generate additional sales tax needed for the Village of Lombard.
4. The Subject Property has adequate public utilities, access roads, and drainage that are already established. The Petitioner's use will not require any additional public services and will not be a strain on existing public improvements and services.
5. There will be no adverse effect to traffic congestion on the public streets with the granting of the Conditional Use. The Subject Property's only means of ingress and egress is from Stewart Avenue. The hours of operation will be from 8:00 p.m. until 2:00 a.m. Based on the hours of operations and the size of the business, there will be no increase in traffic on Roosevelt Road. The business will typically have one employee on staff during operations and there is adequate parking onsite for customers.
6. Vision 7 of the Lombard Comprehensive Plan is to continue to develop a diverse, prosperous, and strong economic base. The Comprehensive Plan calls on the Village to work proactively to identify and support business expansion. The granting of the Conditional Use will support Vision 7 of the Comprehensive Plan and will be helping a Lombard resident start a new business in the Village of Lombard.

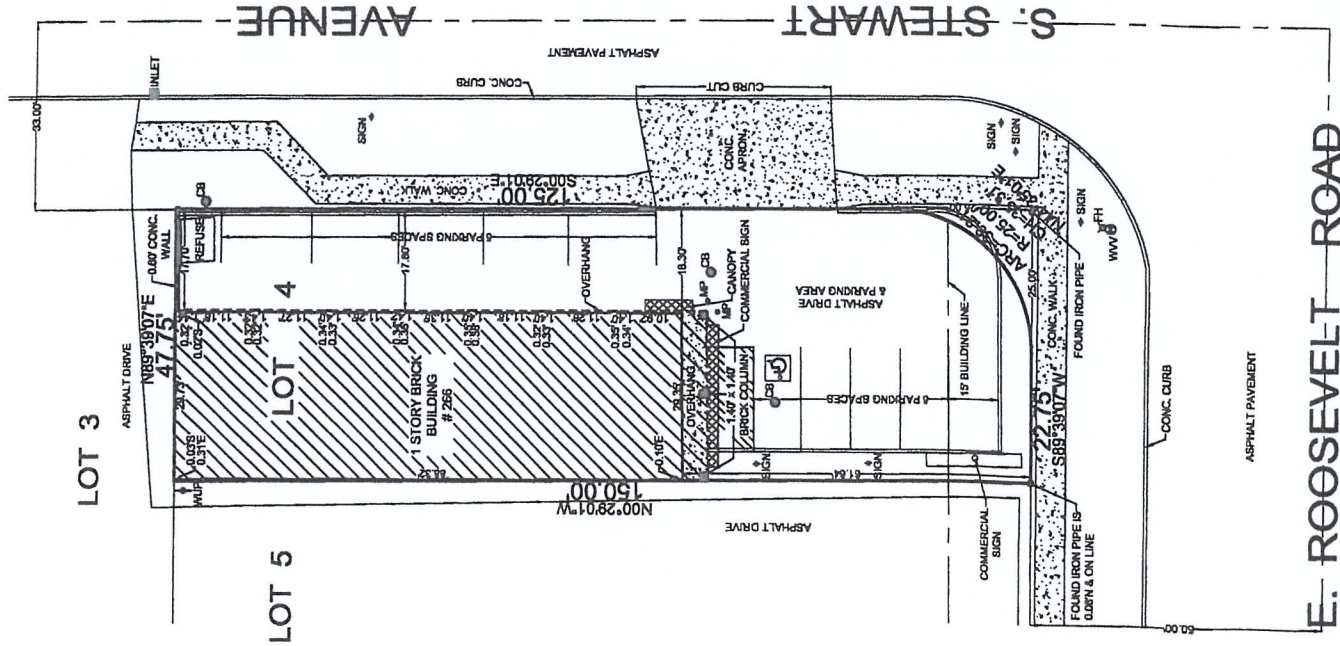
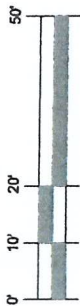
7. The Osano Hookah Lounge will comply with all other applicable State laws and Village Ordinances is willing to consider and other conditions required by the Plan Commission for the granting of the Conditional Use.

Please contact my office with any additional required information. Thank you for your consideration.

Respectfully Submitted,



Marshall J. Subach
Attorney for Petitioner
Hunt & Subach, Ltd.



AS FOR PUBLIC STREET PURPOSES

UNITED SURVEY SERVICE, LLC
CONSTRUCTION AND LAND SURVEYORS
7710 CENTRAL AVENUE, RIVER FOREST, IL 60305
TEL.: (847) 299-1010 FAX: (847) 299-5887
E-MAIL: USURVEY@USANDCS.COM

PLAT OF SURVEY

LOT 4 IN BLOCK 10 LOMBARD PARK TERRACE, BEING A SUBDIVISION IN THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 8, 1925 AS DOCUMENT 186807 IN DUPAGE COUNTY, ILLINOIS.

KNOWN AS: 266 E. ROOSEVELT ROAD, LOMBARD, ILLINOIS
PERMANENT INDEX NUMBER: 06 - 17 - 312 - 023 - 0000

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE CORRECTED TO A TEMPERATURE OF 68° FAHRENHEIT.

COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

RIVER FOREST, ILLINOIS, DECEMBER 21, A.D. 2021.

BY: *Roy G. Lawniczak*

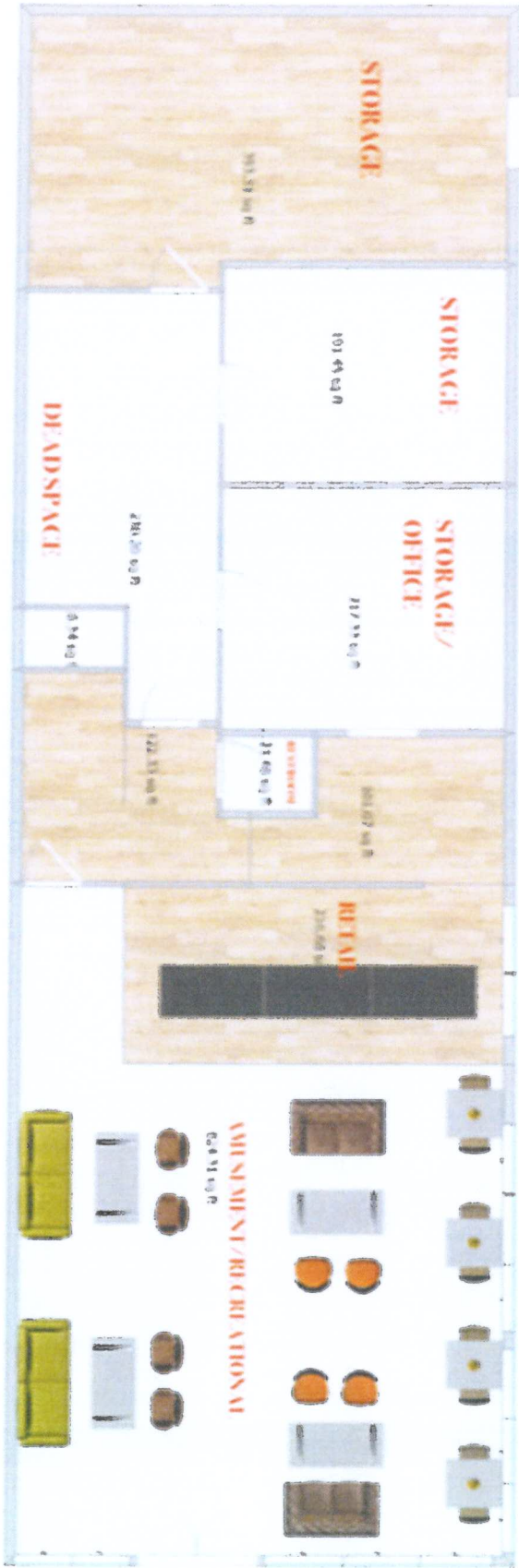
ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2280
LICENSE EXPIRES: NOVEMBER 30, 2022
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576
LICENSE EXPIRES: APRIL 30, 2023



LEGEND	ABBREVIATIONS
CB	CATCH BASIN
BI INLET	BI INLET
WV	WATER VALVE VAULT
WTH	FIRE HYDRANT
WUP	WOOD UTILITY POLE
SGN	SIGN
HS	HANDICAPPED PARKING SPACE

ORDERED BY: TABRIZ KHANLODHI	DATE	REVISION
SCALE: 1" = 15'		
DATE: DECEMBER 21, 2021		
FILE NO.: 2021 - 29709		

Floor Plan



ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A
SMOKING ESTABLISHMENT (IN CONFORMANCE WITH
THE ILLINOIS SMOKE FREE ACT, 410 ILCS 82/1 ET SEQ.)
PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.417(G)(2)(b)(xii) OF THE LOMBARD ZONING ORDINANCE**

PC 22-10; 266 E. Roosevelt Road, Osano Hookah Lounge

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B4A Roosevelt Road Corridor District; and,

WHEREAS, an application has been filed requesting approval for a conditional use pursuant to Section 155.417(G)(2)(b)(xii) of the Lombard Zoning Ordinance to allow a smoking establishment (in conformance with the Illinois Smoke Free Act, 410 ILCS 82/1 et seq.) to operate on the subject property; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 6, 2022, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional use, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the following conditional use for a smoking establishment (in conformance with the Illinois Smoke Free Act, 410 ILCS 82/1 et seq.) is hereby granted for the Subject Property legally described in Section 2 and subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property located at 266 E. Roosevelt Road , Lombard, Illinois and legally described as follows:

LOT 4 IN BLOCK 10 LOMBARD PARK TERRACE BEING A SUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 8, 1925 AS DOCUMENT 195807, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-312-023; (the "Subject Property").

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The seating area is limited to 824 square feet;
2. The building is required to remain a single-tenant occupancy. No other tenants, sublease agreements, private rooms or other enterprises are permitted to operate in the space beyond the seating area;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11) and
5. That the petitioner shall keep the frontage along Roosevelt Road available for customer parking.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this ____ day of _____, 2022.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this ____ day of _____, 2022.

Ordinance No. _____
Re: PC 22-10
Page 3

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2022.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2022.

Elizabeth Brezinski, Village Clerk