



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: August 1, 2023

RE: **ZONING-23-000028 Catie's Place, LLC. (York/District 2)**

DuPage County Board: August 8, 2023: *(If the County Board seeks to approve the zoning relief it will require a 3/4 majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Board of Appeals)*

Development Committee: August 1, 2023: The Motion to Approve Failed relative to the following zoning relief:

Variation to reduce the required parking spaces for a Class A Restaurant from 19 parking spaces to 10 parking spaces.

Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent

Zoning Board of Appeals Meeting: July 13, 2023: The Zoning Board of Appeals recommended to deny following zoning relief:

Variation to reduce the required parking spaces for a Class A Restaurant from 19 parking spaces to 10 parking spaces.

ZBA VOTE (to Deny): 4 Ayes, 2 Nays, 1 Absent

DISSENTING OPINION: That the two (2) dissenting Zoning Board of Appeals members find that petitioner presented sufficient evidence to support a Variation to reduce the required parking spaces for a Class A Restaurant from 19 parking spaces to 10 parking spaces.

FINDINGS OF FACT:

1. That petitioner testified that he seeks the subject zoning relief to reduce the required parking spaces for a Class A Restaurant from 19 parking spaces to 10 parking spaces in the subject shopping center.
2. That petitioner testified that a Class A Restaurant requires 15 parking spaces per 1,000 square feet and that for the subject 1,200 sq. ft. unit/use, the required parking spaces would be 18.75.
 - a. That petitioner testified that the subject property includes 43 existing parking spaces and that the subject property with all units included, would require approximately 51.75 parking spaces.
3. That petitioner testified that the proposed use will not be a full restaurant with sit-down menu/reservations and that the proposed use would be considered a tavern (light food and alcoholic/non-alcoholic beverages) with a video gaming parlor.
 - a. That petitioner testified that in order to allow for video gaming, a liquor license is required by the State of Illinois, and that under the DuPage County Zoning Ordinance, the proposed use would fall under a Class A Restaurant.
 - b. That petitioner testified that the requirements for a Class A Restaurant are not applicable and are excessive when applied to the specific subject business use as a tavern with video gaming.
4. That petitioner testified that the proposed use will be operated by a one-person staff and at full capacity at other locations, there is seldomly more than seven people in the establishment.
5. That petitioner testified the existing uses in the shopping center include a beauty salon, State Farm insurance agency, a dentist office, and an ATI Physical Therapy office.
 - a. Furthermore, that petitioner testified that all of the businesses are closed by 6:00 PM with some closed by 5:00 PM.
6. That petitioner testified that the applicant, Catie’s Place, will have uncontested use of the existing 43 parking spaces in the subject shopping center on Saturday and Sunday.
 - a. That petitioner testified that the busiest hours (hour-by-hour volume per day) is between 5:00 PM – 8:00 PM, and three businesses in the shopping center are closed during this time, further showing uncontested use of the existing 43 parking spaces.
7. That the Zoning Board of Appeals finds that petitioner has not demonstrated a practical difficulty, particular hardship, or unique circumstance in relation to the Variation to reduce the required parking spaces for a Class A Restaurant from 19 parking spaces to 10 parking spaces.

STANDARDS FOR VARIATIONS:

1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be

injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.

2. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** or presented sufficient evidence that the proposed reduction in parking spaces for a Class A Restaurant would not impact an adequate supply of light and air to the adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** or presented sufficient evidence that the proposed reduction in parking spaces for a Class A Restaurant would not increase the hazard from fire or other dangers to said property.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or presented sufficient evidence that the proposed reduction in parking spaces for a Class A Restaurant would not diminish the value of land and buildings throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** or presented sufficient evidence that the proposed reduction in parking spaces for a Class A Restaurant would not unduly increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** or presented sufficient evidence that the proposed reduction in parking spaces for a Class A Restaurant would not increase the potential for flood damages to adjacent properties.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** or presented sufficient evidence that the proposed reduction in parking spaces for a Class A Restaurant would not incur additional public expense for flood protection, rescue, or relief.
 - g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** or presented sufficient evidence that the proposed reduction in parking spaces for a Class A Restaurant would not impair the public health, safety, comfort, morals, or general welfare of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER	ZONING-23-000028 Catie's Place, LLC.	
ZONING REQUEST	Variation to reduce the required parking spaces for a Class A Restaurant from 19 parking spaces to 10 parking spaces.	
OWNER	ROOSEVELT & ADDISON, LLC. / ROSSI REAL ESTATE CORP., 1015 BUTTERFIELD ROAD, DOWNERS GROVE, IL 60515/ AGENT: JESSICA LOWE AND RYAN KOYNAGI, 8313 GRAND AVENUE, RIVER GROVE, IL 60171	
ADDRESS/LOCATION	18W411(18W435) ROOSEVELT ROAD, LOMBARD, IL 60148	
PIN	06-21-106-014	
TWSP./CTY. BD. DIST.	YORK	DISTRICT 2
ZONING/LUP	B-1 LOCAL BUSINESS	LOCAL COMMERCIAL
AREA	0.75 ACRES (32,670 SQ. FT.)	
UTILITIES	WATER/SEWER	
PUBLICATION DATE	Daily Herald: JUNE 14, 2023	
PUBLIC HEARING	THURSDAY, JUNE 29, 2023	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objections.	
DUDOT:	<i>No Comments Received.</i>	
Health:	Objects. (See attached documentation)	
Stormwater:	No Objections.	
Public Works:	Our office has no jurisdiction in this matter.	
<u>EXTERNAL:</u>		
Village of Villa Park:	<i>No Comments Received.</i>	
Village of Lombard:	"Given that the site has more parking than required by Lombard Village Code for a strip retail center, the Village has no comments on the petition."	
Village of Oak Brook:	<i>No Comments Received.</i>	
City of Oakbrook Terrace	<i>No Comments Received.</i>	
York Township:	<i>No Comments Received.</i>	
Township Highway:	No Objections.	
York Fire Dist.:	No Objections with the concept of the petition. Additional information may be required at time of permit application. "Must comply with current 2021 IFC and Fire District codes."	
Sch. Dist. 45:	<i>No Comments Received.</i>	

Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you.”
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LAND USE

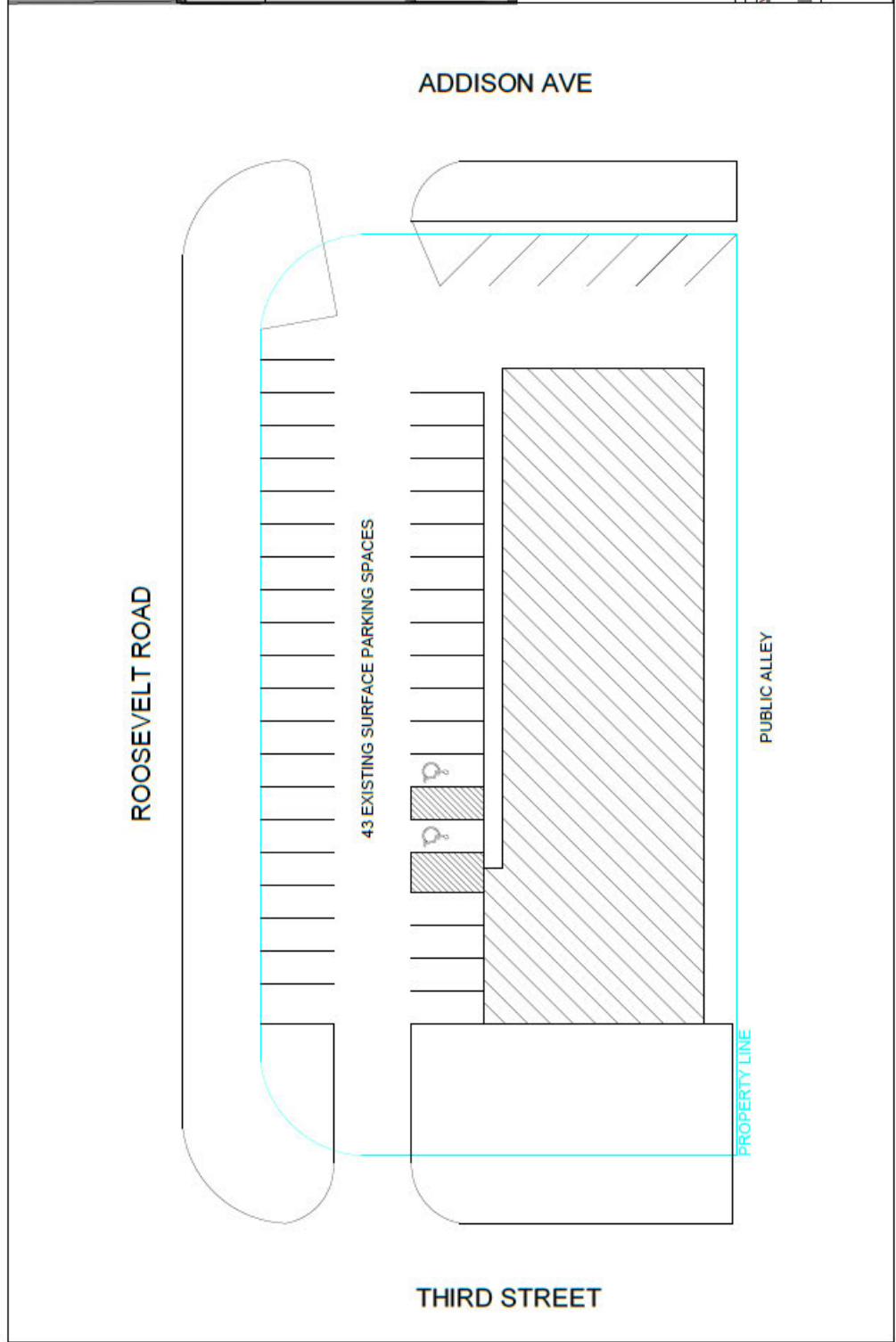
Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL BUSINESS	COMMERCIAL	LOCAL COMMERCIAL
North	ROOSEVELT ROAD AND BEYOND B-1 LOCAL BUSINESS	COMMERCIAL	LOCAL COMMERCIAL
South	R-4 SF RES	HOUSE	0-5 DU AC
East	ADDISON AVENUE AND BEYOND B-1 LOCAL BUSINESS	COMMERCIAL	LOCAL COMMERCIAL
West	THIRD STREET AND BEYOND B-1 LOCAL BUSINESS	COMMERCIAL	LOCAL COMMERCIAL

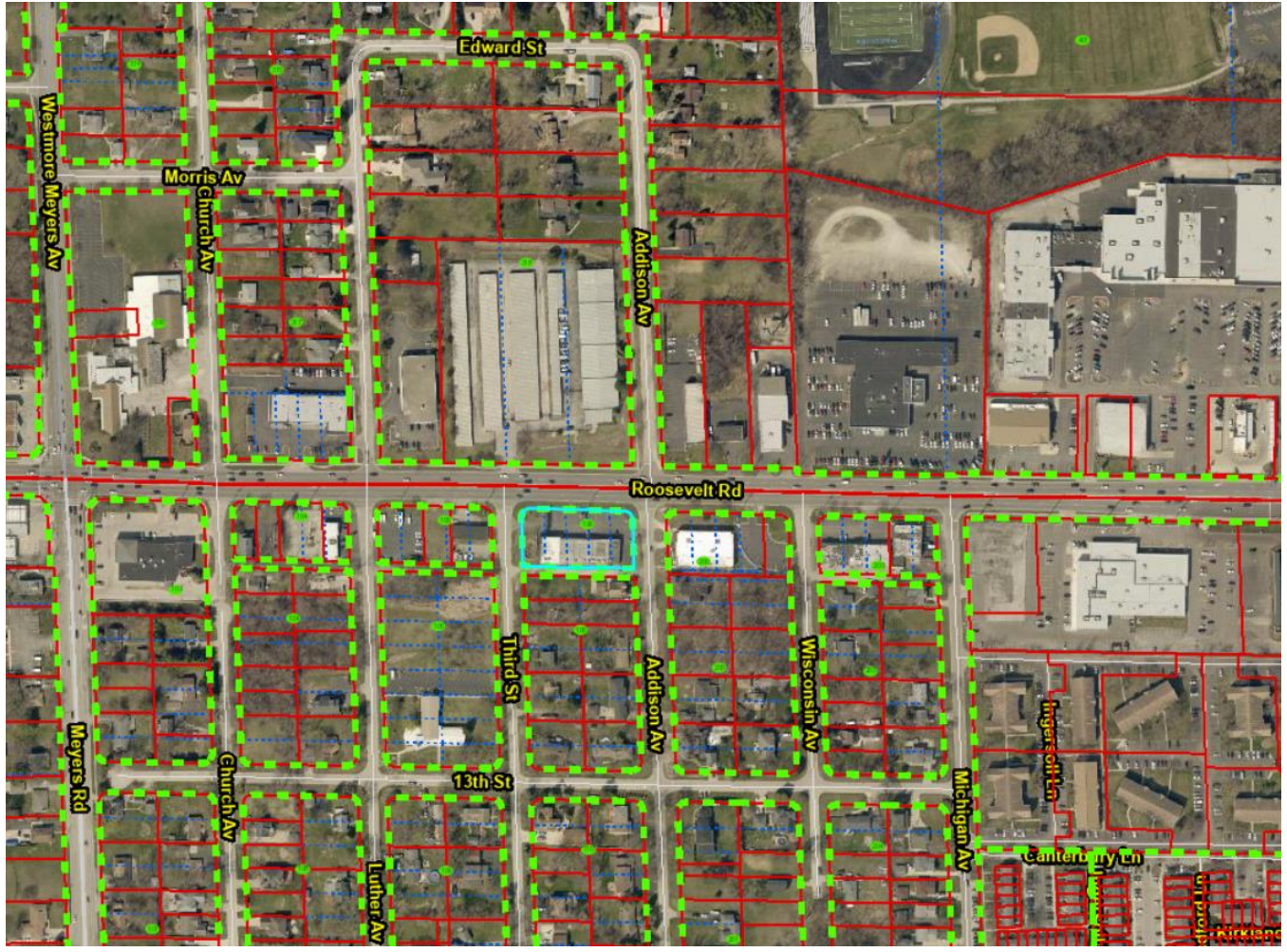
SITE PLAN

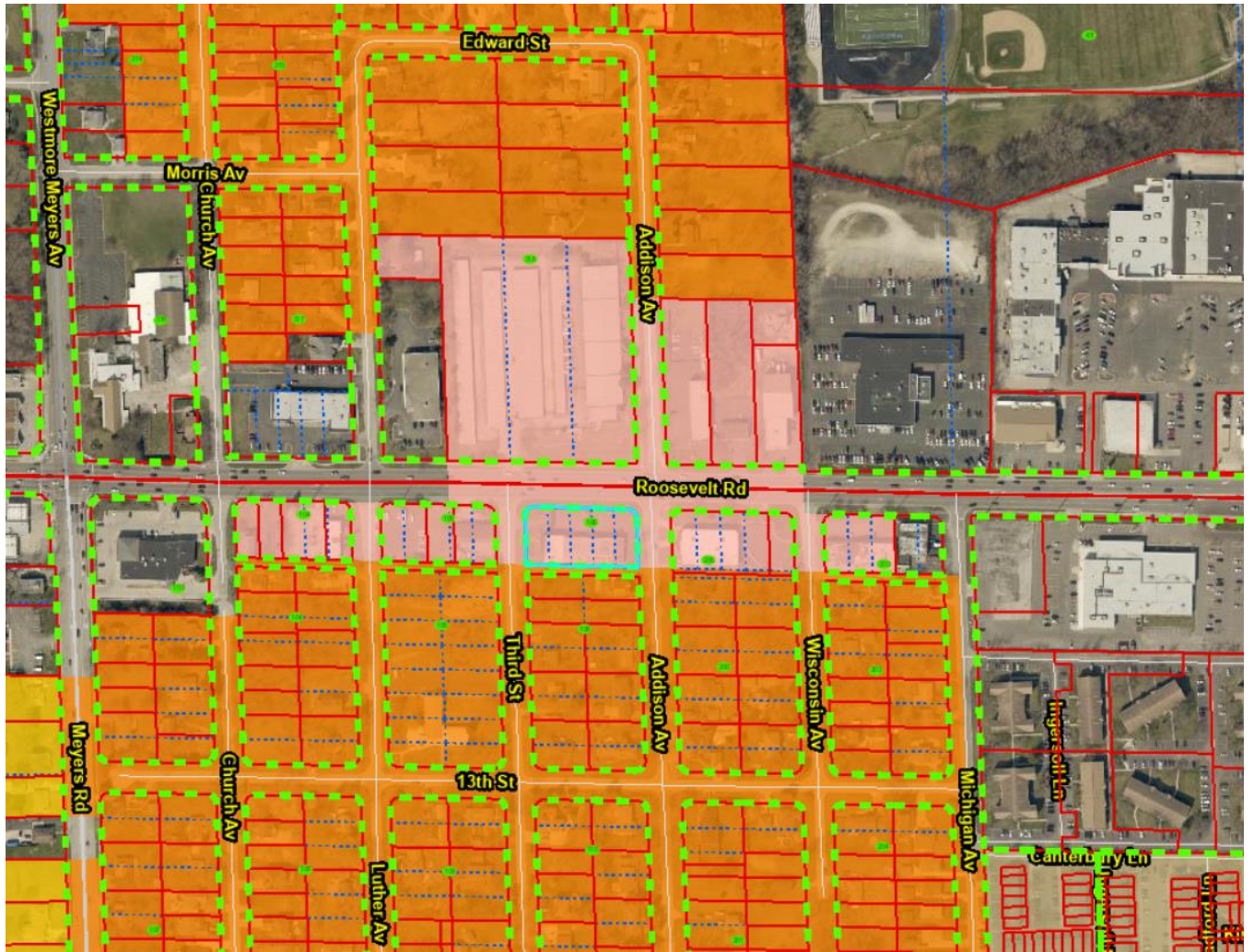
181411 ROOSEVELT ROAD
LOMBARD, IL 60148
PARKING PLAN

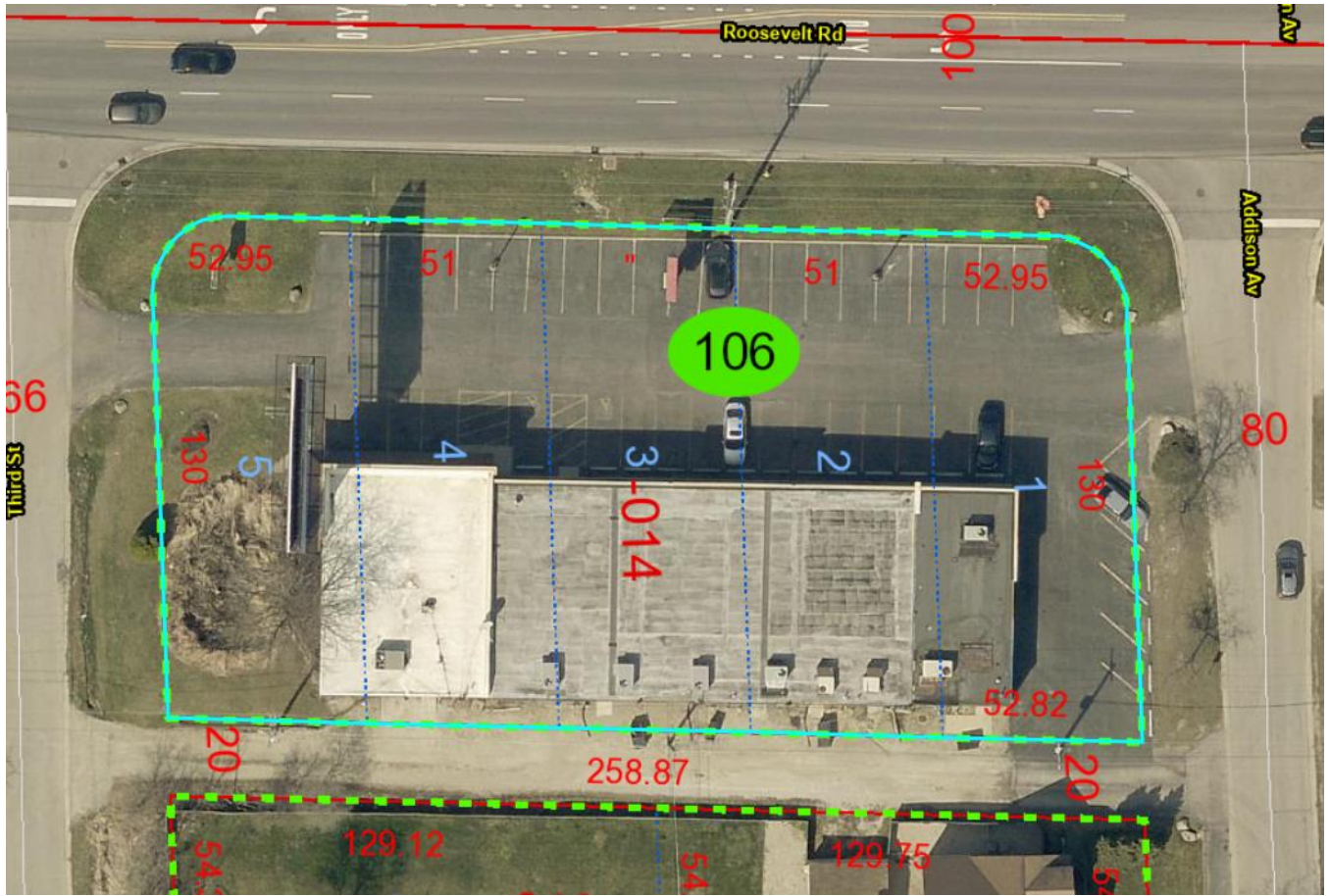
DATE: 4.14.2023

1.0









NO.	DESCRIPTION	DATE

FLOOR PLAN
1:00 SCALE PER TYP.

CATIE'S LOMBARD
18W411 ROOSEVELT ROAD
LOMBARD, IL 60148

1.0



SYMBOL LEGEND

	DUPLEX RECEPTACLE		LIGHT SWITCH
	DUPLEX RECEPTACLE W. GROUND FAULT PROTECTION		EXIT SIGN / EMERGENCY LIGHT COMBO W. EMERGENCY BATTERY BACKUP
	QUADPLEX RECEPTACLE		2x4' LED LIGHT PANEL
	FIRE ALARM		SMOKE DETECTOR
	SURFENCED TRACK LIGHTING		ALARM PULL SWITCH
	DUPLEX RJ45 DATA		COMBO DATA/PHONE JACK
	EXISTING COMPONENT		
	WALL MOUNTED LIGHT		HOME RUN TO PANEL
	HOME RUN TO PANEL		CEILING MOUNTED SECURITY CAMERA
	FIRE EXTINGUISHER		FIRE EXTINGUISHER
	SURFENCED RJ45 DATA		

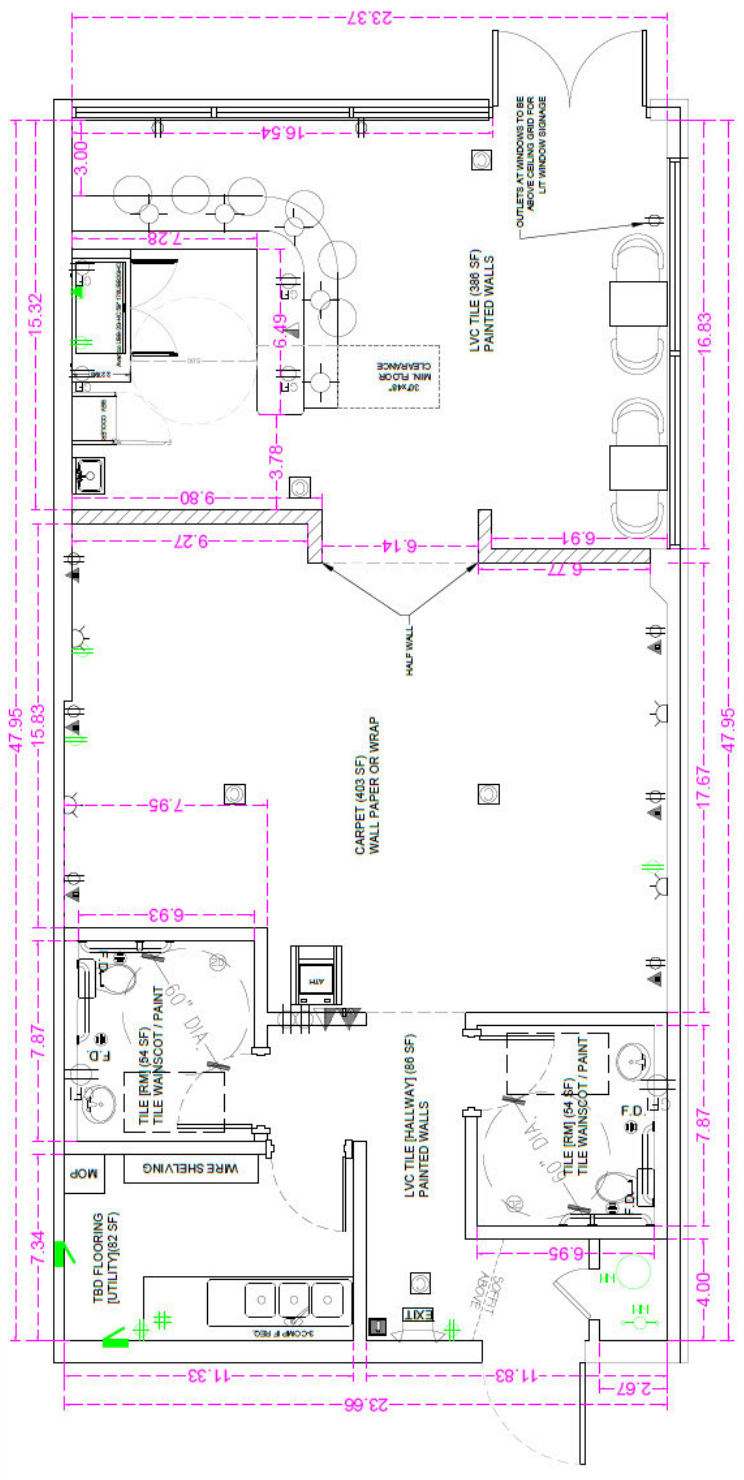


EXHIBIT A-1.0

Applicant Response to Comments from ZBA Hearing 6/29/2023
Catie's Place LLC Series Lombard
18w411 Roosevelt Road, Lombard IL

Jessica, (Infelise)

We were hoping to speak more in response to a comment made by the zoning committee during the hearing last week. It was brought up about the possibility of a future tenant using the space for a restaurant and our approved variance causing a conflict with the existing parking.

As stated by a nearby business owner who spoke in support of our request relief, the space the Applicant is looking to occupy is quite small. It wouldn't be likely that a tenant with a full-fledged restaurant use with high in-store seating requirements would be looking to move into a 1,250 square foot space. As you can see from the attached floor plan, after adding the required ADA restrooms and a space for utility/storage/hvac...ect..there is barely 800 square feet for a kitchen and customer dining areas.

Additionally, if someone were to seek a Class A or B Restaurant license in any of the larger units, such as the existing dentist office, state farm, or physical therapy unit, their parking requirements would be in excess of what our requested relief would allow. Below shows what the parking requirements would be for the different classes of Restaurant license in the larger units. Class A/B = 15 spaces per 1,000 SF & Class C = 20 spaces per 1,000 SF.

This shows that a Class A or B license attempting to go into the 3 larger spaces would bring the total required parking spaces for the strip center well above what our requested relief would allow.

SHOPPING PLAZA ROOSEVELT ROAD, LOMBARD IL					
TENANT	UNIT SIZE (SF)	CLASS A/B	CLASS C	REQ. SPACES (CLASS A/B)	REQ. SPACES (CLASS C)
Applicant	1,250	15	20	18.75	25.00
Delicacy Beauty Salon	750	15	20	11.25	15.00
ATI Physical Therapy	3,200	15	20	48.00	64.00
State Farm	1,600	15	20	24.00	32.00
Dentist Office	2,480	15	20	37.20	49.60

We hope this further illustrates that approval of the request relief would not be injurious to the community now or in the future.

Thank you, and we look forward to meeting again on the 13th.



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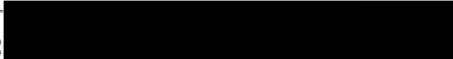
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DU PAGE COUNTY ZONING BOARD OF APPEALS Zoning Petition ZONING-23-000028 *Catie's Place, LLC.*

Please review the information herein and return with your comments to:
Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupageco.org or via facsimile at 630-407-6702 by **JUNE 28, 2023.**

COMMENT SECTION:	
<input type="checkbox"/> : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE PETITION	
<input checked="" type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
<input type="checkbox"/> : I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS: Objection if the facility is on a septic system as indicated in the petition because the County Septic Code will not allow any new food facilities on a septic system. If this facility is on sewer, then no objection and the petitioner will need to work with the Plan Review section of the Health Department to obtain construction and operating permits.	
SIGNATURE	 E: 6-27-23
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: <i>Health</i>	
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