

# 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](http://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@villageoflombard.org](mailto:HeniffW@villageoflombard.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.

DATE \_\_\_\_\_



Floor Plan

