

June 19, 2023

Title

PC 23-15

Petitioner

Wajih Alkayed
11313 Brook Crossing Drive
Orland Park, IL 60467

Property Owner

Mahmood Lakha
530 E. North Avenue
Lombard, IL 60148

Property Location

530 E. North Ave.
03-32-416-027, 03-32-416-028

Zoning

B4

Existing Land Use

Commercial

Comprehensive Plan

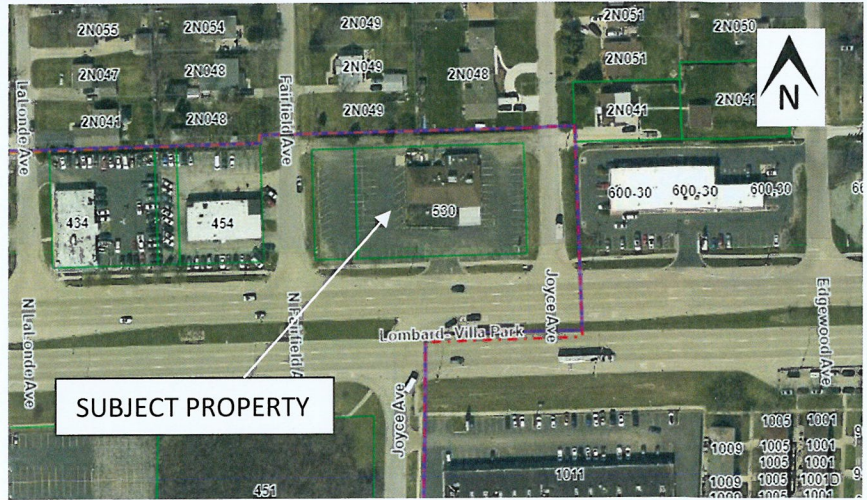
Community Commercial

Approval Sought

Variations for an expansion of the existing banquet hall

Prepared By

Tami Urish
Planner I



LOCATION MAP

PROJECT DESCRIPTION

Shahi Banquets is proposing a building expansion with three separate additions and increasing the overall height of the building:

Addition #1 is the porte-cochere entrance for the main entrance to be moved from the front to the east side of the building.

Addition #2 is for an office, display room to demonstrate the variety of table settings and storage on the west side of the building.

Addition #3 is to incorporate the existing outdoor dining on the south side of the building.

The first two proposed additions require zoning relief due to nonconformities created when the building was originally constructed.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following actions on the subject property located within the B4 Corridor Commercial Zoning District:

1. A variance for the east corner side yard setback pursuant to Section 155.416(F)(2) of Village Code to 14 feet, where 30 feet is required for the proposed porte-cochere entrance addition.
2. A variance for a rear yard setback pursuant to Section 155.416(F)(4) of Village Code to 18 feet, where 30 feet is required for the west storeroom/office addition and increased height of the building.

Upon further review of the zoning code, the following advertised variances were determined that they did not apply to the request:

3. A variance for the transitional building setback pursuant to 155.416(I) of Village Code to 18 feet, where 40 feet is required.

Upon further review of the zoning

4. A variance to eliminate the transitional landscape yard pursuant to 155.416(J) & 155.707 of Village Code where 30 feet is required.

PROJECT STATS

Lot & Bulk

Parcel Size: 37,520 SF
 Building Size: 6,636 SF

Parking Spaces

Proposed: 72 (3 ADA)
 Existing: 82 (1 ADA)

Submittals

1. Petition for Public Hearing;
2. Response to Standards;
3. Plat of Survey prepared by Pyramid Land Surveyors, dated 11/10/14;
4. Architecture and Site Plans, prepared by Omat Construction, dated 4/17/23, revised 5/20/23.

EXISTING CONDITIONS

The subject property is an operating business, Shahi Banquets. The property to the north is an alley owned by the Village. The building was constructed in 1972 as “The Rustic Hearth Inn” according to permit #20500.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Private Engineering Services:

The Private Engineering Services Division will require the following:
The 21’-5” drive aisle west of the building has been narrowed to 15.5’ due to the pedestrian ramp. This should be marked with striping and signs as a one-way aisle.
 Should the petition be approved, additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works will require the following:
The building additions will total greater than 20% of the existing building area, thus constituting a Minor Development per Village Code Section 154.703. Section 154.305 requires specified public improvements in the three abutting public rights-of-way. As such, payment should be collected at time of permit issuance for the Department of Public Works to install the requisite parkway trees on all three sides on their behalf. The Department does not intend to install sidewalks on the short portions of Fairfield Avenue and Joyce Avenue that lie within the Village’s municipal boundary, so we intend that typical requirement to be considered waived.
 Should the petition be approved, additional comments may be forthcoming during permit review.

Planning Services Division:

1. *Surrounding Zoning & Land Use Compatibility*

	Zoning District	Land Use
North	Unincorporated	Single Family Residential
South	B4	Vacant Lot and Retail Center
East	Unincorporated	Motor Vehicle Sales/Repair
West	B4	Motor Vehicle Sales

The property is currently being used as a banquet hall which is compatible with the existing zoning and land uses in the Corridor Commercial District.

2. Comprehensive Plan Compatibility

The site and expansion is compatible with the Comprehensive Plan of Community Commercial. The use is consistent with the Comprehensive Plan’s recommendation of community commercial uses “providing services extending beyond daily living needs.”

3. Zoning Ordinance Compatibility

Staff offers the following comments on the requested relief.

1. Pursuant to Section 155.416(F)(2) approve a variation for a corner side yard setback of 14’ where 30’ is required. The petitioner proposes to construct a porte-cochere entrance (permanent canopy structure) over the east drive aisle for guests to exit vehicles covered from the weather. See Figure 1 below.

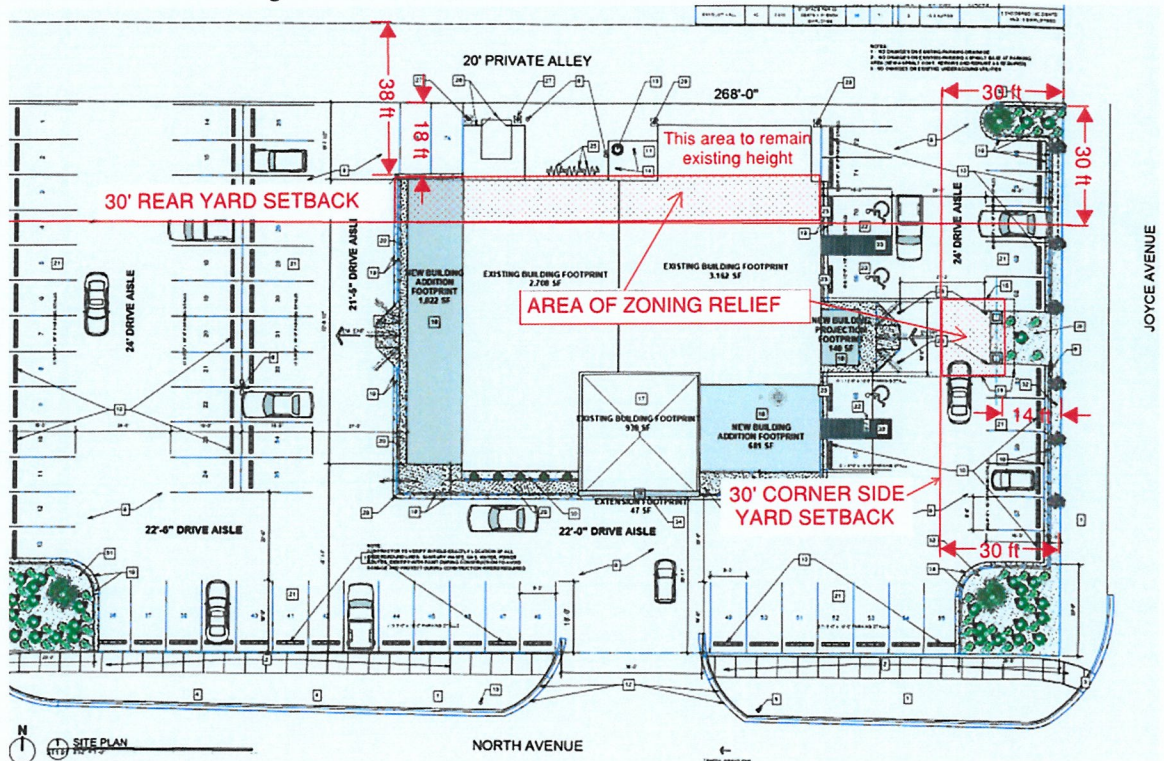


Figure 1 AREA OF ZONING RELIEF

Staff supports this request since the proposed removal of two parking spaces required for the supports of the structure does not fall below the required per the zoning code of 72 parking spaces and provides the opportunity for additional landscaping island for the parking lot. Furthermore, the proposed porte-cochere would be seen from Joyce Avenue to the east and a residence to the north located at 2N048 Joyce Avenue that is approximately 70’ from the proposed porte-cochere entrance. This house is approximately 43’ from an existing addition to the existing building constructed in 1974 (permit #22858 for a storeroom, no plans were found with the permit). This existing addition is approximately 5’ from the subject’s rear property line and 25’ from the 2N048 Joyce Avenue property line.

2. Pursuant to Section 155.416(F)(4) approve a variation for a rear yard setback of 18' where 30' is required.

The petitioner proposes to construct an addition on the west side of the existing building for additional storage and an office. No further additional banquet seating is proposed in this addition. See Figure 1. This addition and increasing the height of the building overall requires the variance.

The property is restricted to the north by an existing alley. However, the alley serves the subject property exclusively as incorporated into the parking lot as a drive aisle. Therefore, a variance to the rear yard setback is needed for the proposed building addition on the west side holding the rear line on that side of the existing building. The alley not being part of the property but functioning as an integrated part of the parking lot circulation, is creating the hardship. If the alley were consolidated with the subject property, the building would be 38' from the property line, and relief would not be required. However, the existing building is setback at eighteen feet (18') and the addition will match and align with the existing western half of the building line.

Staff supports the request noting that it appears that the property was intentionally developed with the existing alley providing direct access to the parking lot as evidenced by the approved plans for permit #20500 (see Figure 2). The proposed addition will require the removal of seven of the 82 existing parking spaces but will not fall below the required per the zoning code of 72 parking spaces. The variance request would not alter the neighborhood character since whether the alley is privately owned or not, does not change its appearance.

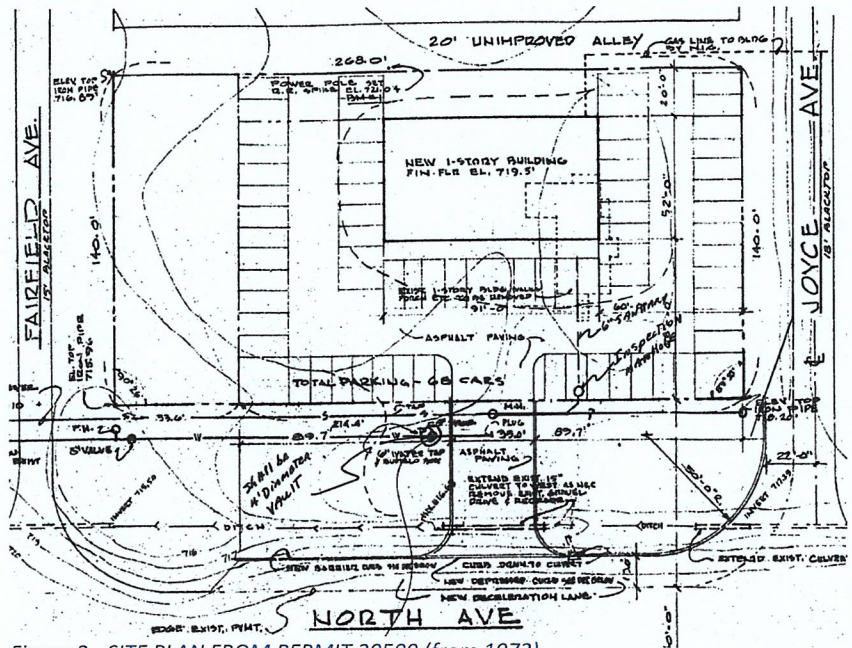


Figure 2 - SITE PLAN FROM PERMIT 20500 (from 1972)

4. Site Plan: Access & Circulation

Staff finds that the placement of the single tenant building and design of the parking lot surrounding the building depends on the use of the alley for access to both Fairfield Avenue and Joyce Avenue. No other properties take access from the alley and has served as a drive aisle for the subject property. Without the alley, the only access point would be North Avenue.

The proposed addition to the east will remove two parking spaces and the proposed addition to the west will remove seven existing parking spaces for a total of nine parking spaces being removed from the existing parking number of parking spaces of the banquet hall where three seats per parking space are required. It has been determined that the zoning code requirements for the banquet hall use on the

subject property is 72 parking spaces. The proposed parking lot reconfiguration brings the site into accessibility compliance by providing two additional accessible parking spaces where there is currently only one.

The property owner is interested in acquiring the Village owned right-of-way (alley) to the north, which is subject to Village Board approval, for the parking lot. In the meantime, variances are required as the Village owned right-of-way is an alley that is twenty feet wide.

5. *Design*

The new building will be a total of 8,652 square feet. A parapet wall will be added along with increasing the height of the building. As the elevations show, the center of the building is proposed to be 35' in height compared to the existing ten feet in height. The other parts of the building will be raised to 26' in height. The building design will be masonry and glass which will improve and complement the North Avenue corridor.

SITE HISTORY

The subject property has appeared before the Plan Commission in the past:

- Annexation and rezoning from R-1 to B-3 Service Business District: Ordinance 1691 and 1692, dated 6/19/1972.
- Permit 20500: New construction of a building and parking lot.
- Permit 22858: Addition to the rear of the building.
- PC 07-45: Ordinance 6158 approved conditional use for outdoor dining.
The third addition is proposed to replace the outdoor dining area and does not require variance approval.

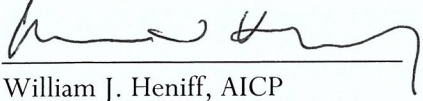
FINDINGS & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards for variations, as established by the Lombard Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposed variances **comply** with the standards required by the Village of Lombard Zoning Ordinance and that granting the variances is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 23-15, subject to the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report: Architecture and Site Plans, prepared by Omat Construction.
3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Inter-Departmental Review Committee Report approved by:

A handwritten signature in black ink, appearing to read "William J. Heniff", written over a horizontal line.

William J. Heniff, AICP
Director of Community Development

c. Petitioner

Project description Shahi Banquets
530 E. North Ave., Lombard, IL 60148
Index Number 03-32-416-027, 03-32-416-028
The total proposed building area is 8699 SF.
Existing building occupancy, Banquet Hall

Proposed work

1. Enhance interior space quality.

All existing interior spaces have low ceilings, old wall finishes and incoherent wall treatments, especially the main party room on the West side of the building. We are proposing replacing the old, pitched roof with a flat roof that would create a higher and more attractive space from inside.

2. Add more storage space.

Currently, there are two small rooms dedicated for storage, which makes running the banquet hall so difficult and chaotic. We are proposing building an addition on the West side for storage.

3. Improve space efficiency.

The main entrance is currently on the South side, next to existing restrooms, and leads to a small foyer with a very low ceiling. It is so small that guests must wait in line to get inside. We are proposing relocating the main entrance to the East side of the building. We are also proposing enclosing the existing outdoor patio to enlarge the reception area and make the space more attractive.

Requested Variations

We are seeking the following variations due to existing hardship and site limitations that would impede enhancing the function and image of the existing building.

1. We are proposing to construct a new canopy (Porte Cochere) above the main entrance and extend over the diving alley to 14ft from the East property line. Per sec. 155.416 (F), we request approval to have the set back of side yard 14 feet from the property line where 30 feet is required.
2. Rear yard setback of 18 feet for an addition to the principal structure where 30 feet is required, per sec. 155.416 (F)
3. Transitional building setback of 18 feet for an addition to the principal structure where 40 feet is required, per sec. 155.416 (I)
4. Transitional landscape yard for an addition to the principal structure where none exists. Per sec. 155.416 (J)

Thank you in advance for your consideration.

Applicant/
Wajih Alkayed/ Manager
OMAT CONSTRUCTION
Construction & Management Group
P. (708) 928-3976
F. (708) 694-2090
omatconstruction@comcast.net

Owner/
Mahmood Lakha
530 E. North Ave., Lombard
773-716-9874
mahmood@lakhaenterprises.com

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Lombard zoning ordinance standards for variations

Meeting Lombard Standards for Variations with regards to transitional building setback.

1. The hardship that we are facing is that the existing building is a non-conforming building, it was constructed close to the public alley on the North side which makes it difficult to comply with current code regulations. The North setback required per code is 40 feet, but the existing building North setback is at 25.30ft. Because of this non-conforming existing condition, we cannot provide the setback per sec. 155.416 (l)
2. The public alley on the North of Shahi Banquets property is uniquely configured to service Shahi banquet only. It is used for services, entrances, and exits from the property. If we were to provide setbacks per current zoning regulations from the alley, we would lose 10 parking spaces and would not comply with parking requirements.
3. We are proposing additional storage on the West side to provide much-needed storage space for the banquet, without that, the banquet will not function properly. There are currently two small rooms that are dedicated for storage, 7'-0"X8'-0" and 10'-0"X13'-0". These two rooms can store decorations but not furniture. Furniture is currently stored in the office, reception, and party room. The additional storage structure proposed will be built on the West side of the existing building, which would eliminate some parking spaces, those will be replaced by re-arranging the site layout.
4. This hardship was created solely by the existence of the alley on the North side, and the way the building was constructed in the past.
5. None of the proposed changes will be detrimental to the public welfare or injurious to other property because Shahi Banquets will operate the same way it does now. The banquet will host the same number of guests that it currently does. The site traffic, number of parking spaces, drainage, and driveways will all remain the same. The neighborhood character will not be affected by any of the proposed changes.
6. The character of the neighborhood will remain the same with all the intended changes to the building because neither the function nor the load would change, the building would still host up to 200 guests and function as a banquet hall.
7. Because we are not increasing the number of guests at Shahi Banquets, traffic would remain the same. We are proposing upgrading the outside walls of the building and creating new facades by installing new stone and brick finishes that would enhance the image of the building. The parking lighting would be the same and therefore would not negatively affect surrounding properties. We are proposing more landscape to improve the overall image of the site.

Meeting Lombard Standards for Variations with regards to transitional landscape yard setback.

1. The hardship that we are facing is because the existing building is a non-conforming structure, it was constructed close to the public alley on the North side which makes it difficult to comply with current code regulations. Because of this non-conforming condition, we cannot provide the landscape buffer of 30ft per sec. 155.416 (J)
2. The public alley on the North of Shahi Banquets property is uniquely configured to service Shahi banquet only. It is used for services, entrances, and exits from the property. If we were to provide a 30ft landscape buffer per current zoning regulations from the alley, we would lose 10 parking spaces and would not comply with parking requirements.
3. We are requesting your approval to waive the required transitional landscape because providing that would create another hardship by decreasing the number of parking spaces.
4. This hardship was created solely by the existence of the alley on the North side, and the way the building was constructed in the past.
5. None of the proposed changes will be detrimental to the public welfare or injurious to other property because Shahi Banquets will operate the same way it does now. The banquet will host the same number of guests that it currently does. The site traffic, number of parking spaces, drainage, and driveways will all remain the same. The neighborhood character will not be affected by any of the proposed changes.
6. The character of the neighborhood will remain the same with all the intended changes to the building because neither the function nor the load would change, the building would still host up to 200 guests and function as a banquet hall.
7. Because we are not increasing the number of guests at Shahi Banquets, traffic would remain the same. We are proposing upgrading the outside walls of the building and creating new facades by installing new stone and brick finishes that would enhance the image of the building. The parking lighting would be the same and therefore would not negatively affect surrounding properties. We are proposing more landscape to improve the overall image of the site.

Meeting Lombard Standards for Variations with regards to rear yard setback.

1. The hardship that we are facing is that the existing building is a non-conforming building, it was constructed close to the public alley on the North side which makes it difficult to comply with current code regulations. The North setback required per code is 30 feet, but the existing building North setback is at 5.30ft. Because of this non-conforming existing condition, we cannot provide the setback per sec. 155.416 (F)
2. The public alley on the North of Shahi Banquets property is uniquely configured to service Shahi banquet only. It is used for services, entrances, and exits from the property. If we were to provide setbacks per current zoning regulations from the alley, we would lose 18 parking spaces and would not comply with parking requirements.
3. We are proposing additional storage on the West side to provide much-needed storage space for the banquet, without that, the banquet will not function properly. There are currently two small rooms that are dedicated for storage, 7'-0"X8'-0" and 10'-0"X13'-0". These two rooms can store decorations but not furniture. Furniture is currently stored in the office, reception, and party room. The additional storage structure proposed will be built on the West side of the existing building, which would eliminate some parking spaces, those will be replaced by re-arranging the site layout.
4. This hardship was created solely by the existence of the alley on the North side, and the way the building was constructed in the past.
5. None of the proposed changes will be detrimental to the public welfare or injurious to other property because Shahi Banquets will operate the same way it does now. The banquet will host the same number of guests that it currently does. The site traffic, number of parking spaces, drainage, and driveways will all remain the same. The neighborhood character will not be affected by any of the proposed changes.
6. The character of the neighborhood will remain the same with all the intended changes to the building because neither the function nor the load would change, the building would still host up to 200 guests and function as a banquet hall.
7. Because we are not increasing the number of guests at Shahi Banquets, traffic would remain the same. We are proposing upgrading the outside walls of the building and creating new facades by installing new stone and brick finishes that would enhance the image of the building. The parking lighting would be the same and therefore would not negatively affect surrounding properties. We are proposing more landscape to improve the overall image of the site.

Meeting Lombard Standards for Variations with regards to 2 corner yard setback

1. The owners of Shahi Banquets face another type of hardship that was created because of the way the existing building was designed and built. The structure is larger than current regulations allow for, and it is close to the main site entry from North Avenue on the South side. Shahi Banquets guests frequently complain about circulation and functionality. The main entry to the Banquet Hall is very close to the main driveway from North Avenue, which makes traffic difficult when there is a full event, and a guest is being dropped off at the main entry. Guests mostly use Joyce Avenue and Fairfield Avenue as alternatives. Also, the main lobby of the Banquet Hall is very small with a low ceiling and is located next to the existing restrooms. We are proposing moving the main entry to the East side away from the restrooms. This would make the circulation inside the building more functional and would ease traffic in and out of the site. We want to provide enough space for the main entry and a covered drop-off and pick-up to make the guests' experience more pleasant, but without losing any parking spaces since we barely have enough for current occupancy. The proposed canopy would span over the main driveway from the existing building to the East side. There will be two parking spaces lost for the two columns supporting the canopy on the East side, those two spaces will be replaced by re-arranging the parking layout. The space between the canopy and East property line will have dense landscape to create a nice buffer from Joyce Avenue.
2. The main entrance of the building is located on the South side opposite the driveway from North Avenue. This creates congestion every time the banquet is hosting a big event, and because the entrance is so close to the driveway, the owners couldn't build a canopy above the entrance like most banquet halls. Entrance canopies at banquet halls are considered an essential part of the service.
3. Adding the canopy will not increase the number of occupants or change the type of service, it would just make the entrance more pleasant.
4. This hardship was created solely because of the way the building was constructed in the past.
5. Adding the canopy will be detrimental to the public welfare or injurious to other property because Shahi Banquets will operate the same way it does now. The banquet will host the same number of guests that it currently does. The site traffic, number of parking spaces, drainage, and driveways will all remain the same. The neighborhood character will not be affected by any of the proposed changes.
6. The character of the neighborhood will remain the same with the proposed canopy because neither the banquet function nor the occupants load would change, the building would still host up to 200 guests and function as a banquet hall.
7. Because we are not increasing the number of guests at Shahi Banquets, traffic would remain the same. We are proposing upgrading the outside walls of the building and creating new facades by installing new stone and brick finishes that would enhance the image of the building. The parking lighting would be the same and therefore would not negatively affect surrounding properties. We are proposing more landscape to improve the overall image of the site.