



VILLAGE BOARD PLANNING SERVICES REPORT

To: Village President Bill Jacob
Village Board of Trustees

From: Taylor Wegrzyn, Planning Services

Meeting Date: June 13, 2023

Property: 215-235 Robert Parker Coffin Road

Re: Special Use Permit for Outdoor Dining

Attachments: 1. Petitioner's Application
2. Updated Landscape Plan
3. Chicago Audio Video Design Testimony
4. Compiled Written Public Comments

Staff received an application from New Midwest Capital on March 31, 2023 requesting a Special Use Permit to allow for an expansion of the existing outdoor dining area at Joanie's Pizzeria.

HISTORY

The subject property is a tenant space within the Mill Pond Shoppes. Joanie's Pizzeria has been a tenant for many years. An outdoor dining area on an exterior deck has been in use since approximately 2003. The building structure dates to the 1970's.

In 2003 the Village Board authorized the approval of a Special Use Permit for outdoor dining at 235 Robert Parker Coffin Road. The owners of the property at that time were Sherman and Miriam Gerber.

The 2003 ordinance which approved of the Special Use Permit placed several conditions on the use which are summarized below. This is the ordinance through which the restaurant has been operating under ever since.

- 1) Compliance with the standards applicable to Outdoor Dining Special Use Permits;
- 2) Patio seating limited to 32 seats;
- 3) Limited to full service dining. Receptions and other similar activities prohibited;
- 4) Hours of operation limited to no later than:
 - (a) 9:30 p.m. on Sunday – Thursday
 - (b) 10:30 p.m. Friday and Saturday
- 5) No music or amplified sound;
- 6) An aerator fountain to be installed in the pond;

- 7) The existing dumpster enclosure was to be enclosed;
- 8) Lighting plans to be reviewed by the Village. Lighting to be shielded. Parking lot lights to be on timers so as to shut off one hour after business closes;
- 9) Must comply with all other codes and laws;
- 10) Landscaping plan dated June 18, 2003 to be completed and Architectural Board to consider revised plans for additional landscaping between the parking lot and the pond.

Architectural Commission. In 2022, the owners originally requested an appearance before the Architectural Commission for approval of an expansion to their deck along the north end of the building. At that time it was noted that the Architectural Commission's scope was limited to the physical structure of the deck and that use of the deck as an outdoor dining area would have to go before the Plan Commission and Zoning Board of Appeals at a future meeting. The Architectural Commission ultimately recommended approval of the deck with the following conditions:

- 1) Plans for newel posts with additional detailing and in character with the immediate vicinity are to be submitted for review by staff and the Commission Chair.
- 2) Planters will be placed along 50% of the deck railing.
- 3) Subject to any additional requirements or review by the Plan Commission and Zoning Board of Appeals and Village Board resulting from the proposed use of the deck expansion.

Plan Commission and Zoning Board of Appeals. On May 2, 2023 the Plan Commission and Zoning Board of Appeals opened a public hearing concerning the request for a Special Use Permit. The Zoning Code has standards for outdoor dining both as a Temporary Use Permit and as a Special Use Permit. Because the standards are different between these two categories, it should be noted that the applicants are seeking a Special Use Permit and not a Temporary Use Permit. The Commission heard testimony from the public both in favor and in opposition to the request. After a lengthy deliberation, the Commission voted to continue the hearing to June 6, 2023 with the understanding that the applicant would submit a landscape/screening plan to substantially mitigate the impact of the dining area.

At the June 6, 2023 meeting, the Commission resumed the public hearing and again heard public testimony. The applicants submitted a revised landscaping plan with two additional plantings and provided written testimony from an acoustic professional. After further deliberation, the Commission voted 4-0 to recommend approval of the Special Use Permit request with the following conditions:

- 1) No lighting or amplified sound be used,
- 2) Hours be limited to no later than 9pm each night,
- 3) The (2) proposed plants at the parking lot be installed,
- 4) The recommendations of the AC be incorporated into the final design, and;
- 5) A landscape plan to mitigate the sound and sight of the dinner area be submitted for consideration by the Village Board.

REQUEST

Pursuant to Section 5-4-5(A)(3) of the Long Grove Municipal Code, the Petitioner is requesting a Special Use Permit to allow for an expansion to the existing Outdoor Dining area on the property. The deck expansion has dimensions of 15' by 39' and would match the northern line of the existing deck. The existing deck is approximately 22' by 28' in size.

The proposed deck would have a capacity for 24 additional seats. No lighting or sound systems are proposed. No awning, roof, or other overhead structures are proposed. The proposed deck satisfies the B1 Zoning District setback, bulk, and yard regulations.

CONCLUSIONS

The Village Board should consider the recommendation of the PCZBA and those other factors which it believes are in the best interest of the community. Furthermore, and as reflected in their recommendation, the PCZBA finds that the request satisfies the Zoning Code's standards for Outdoor Dining within the B1 District [Section 5-4-5(A)(3)] and the general standards for granting a Special Use Permit [Section 5-11-17(E)].

RECOMMENDED ACTION

The following motion is recommended:

Motion to approve of an Ordinance granting a Special Use Permit for Outdoor Dining, with condition, at 215-235 Robert Parker Coffin Road.

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