



Village of Fox River Grove

MINUTES OF THE PLANNING & ZONING COMMISSION MEETING WEDNESDAY, MAY 22, 2019

CALL TO ORDER

Chairman Celske called the meeting to order at 7:06 p.m.

ROLL CALL

Present were Chairman Dan Celske and members Cramer, Hartshorn, McLaughlin, and O'Meara. Also present were Village President Nunamaker, Village Administrator Soderholm and Assistant to the Village Administrator Bechler. Members Drage and Riley were absent.

ZONING CASE 2019-04: 700 NORTHWEST HIGHWAY, SPECIAL USE & VARIANCE

Chairman Celske opened the public hearing for zoning case 2019-04 and accepted the proof of mailing certificates as well as a picture of the required posting. Lisa Bolgioni of Sticks Pub and Grub spoke on behalf of the Petitioner, Paul Kondraros. Ms. Bolgioni explained that the business is seeking a special use permit to allow outdoor dining and a variance to allow an aluminum fence in a front yard.

Chairman Celske presented a list of proposed conditions in line with those that had been imposed on other bar / restaurant establishments in Fox River Grove in recent years and asked if Sticks would be willing to accept all of the conditions on the special use permit. Ms. Bolgioni responded that Sticks would be acceptable to all conditions.

Member O'Meara asked if a three foot (3') fence was planned, or simply proposed as a minimum height.

Member McLaughlin indicated that he felt it unnecessary to regulate the number of gates.

The Commission came to a consensus that smoking would be acceptable in the outdoor seating area once food service ceased.

A MOTION was made by Member Cramer and seconded by Hartshorn to approve the request for a special use permit and variance to permit the installation of an outdoor seating area with a metal fence around the perimeter as requested at 700 Northwest Highway with the following conditions:

- The licensee shall comply with all applicable federal, state, and local health and sanitation laws and regulations.
- Operation of the outdoor seating will not be permitted if the Village determines that such operation will be detrimental to the health, safety, or welfare of persons residing or working in the vicinity.
- The restaurant outdoor seating area shall be constructed and operated in general compliance with the drawing submitted to the Planning & Zoning Commission, with the exception that the gate from the outdoor seating area to the sidewalk on Northwest Highway will not be required.
- No food or beverages may be stored, cooked, or otherwise prepared in the outdoor seating area.
- No open keeping or storage of used dishes, utensils, or food scraps shall be permitted within the outdoor seating area.

- Serving of food and alcoholic beverages in the outdoor seating area shall be permitted only at such times as the indoor restaurant is open, and in no event before 7:00 a.m. or after 10:00 p.m.
- Doors from the main restaurant to the outdoor seating area shall be self-closing.
- The outdoor seating area shall be accessible to the disabled, and the licensee shall at all times comply with all applicable federal, state, and Village laws, ordinances, and regulations concerning accessibility and non-discrimination in the providing of services.
- The outdoor seating area shall not obstruct any fire exit, fire escape, or other required ingress or egress.
- The outdoor seating area will be included when figuring the restaurant's maximum occupancy to determine compliance with the State Plumbing Code public toilet facility requirements for those restaurants where outdoor seating is available for more than 180 days.
- Music/noise level in outdoor seating area must be in compliance with Village Code.
- Must possess a Class A Liquor License if serving alcohol.
- The outdoor seating area, the outdoor seating area shall be enclosed by a border that is at least 3 feet in height, and primary ingress and egress to the outdoor seating area shall be from the main indoor restaurant area.
- The outdoor seating area shall be supervised at all times by an employee of the restaurant that is at least 21 years old.
- No alcohol shall be removed from the outdoor seating area, except to the interior of the restaurant.
- Table umbrellas shall have no advertising on them.
- No smoking is allowed in the outdoor seating area during food service.
- The outdoor seating special use permit shall be assigned to the current business, and not the property. Should the business cease to operate the special use permit for outdoor seating shall terminate.

The findings of fact, as well as factual assertions as presented are adopted into this motion. A voice vote was taken. Cramer—yes, Celske—yes, Hartshorn—yes, McLaughlin—yes, O'Meara—yes. Motion Passed.

The public hearing for zoning case 2019-04 was closed at 7:35 p.m.

OTHER BUSINESS

Village President Nunamaker directed to the Commission to consider reviewing the Comprehensive Plan in the near future.

ADJOURNMENT

A motion was made by McLaughlin and seconded by O'Meara to adjourn the meeting. All were in favor. The meeting adjourned at 7:44 p.m.