



**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
SPECIAL MEETING**

**MEETING HELD VIA GOTO MEETING AND AVAILABLE LIVE
AT WWW.LINCOLNWOODIL.ORG/LIVE-CABLE-CHANNEL/**

4:30 PM, MAY 27, 2020

AGENDA

- I. Call to Order**
- II. Pledge to the Flag**
- III. Roll Call**
- IV. Village President's Report**
- V. Consent Agenda (None)**
- VI. Regular Business**
 - 1. Consideration to Adopt a Resolution Authorizing Outdoor Operations by Restaurants during the COVID-19 Pandemic
- VII. Manager's Report**
- VIII. Board, Commission, and Committee Reports**
- IX. Village Clerk's Report**
- X. Trustee Report**
- XI. Public Forum**

Statement Regarding Public Comment

Village residents wishing to respectfully share thoughts about any matter concerning the Village of Lincolnwood Board of Trustees may do so by submitting an email to administration@lwd.org prior to the commencement of the meeting. Emails received will be read aloud during Public Comment. We ask that you keep your emailed response to under 200 words to allow time for others to be heard and for the Board to progress through the public meeting agenda. The Board typically does not immediately respond to public comments or engage in open dialogue, but we are of course actively listening to your comments. Thank you for your understanding of these guidelines.

- XII. Closed Session**
- XIII. Adjournment**

DATE POSTED: May 22, 2020

All Village Board meetings are broadcast live to residents on Comcast Cable Channel 6, AT&T U-VERSE Channel 99, RCN Channel 49, and online at Lincolnwood.tv at 7:30 p.m. Rebroadcasts of Village Board meetings can be viewed one week following the live broadcast at 1:00 p.m. and 7:30 p.m. on cable television or online at lwdtv.org or on the Lincolnwood Mobile App.

Request For Board Action

REFERRED TO BOARD: May 27, 2020

AGENDA ITEM NO: 1

ORIGINATING DEPARTMENT: Community Development

SUBJECT: Consideration to Adopt a Resolution Authorizing Outdoor Operations by Restaurants During the COVID-19 Pandemic

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Village currently permits on-site outdoor seating areas for the patrons of eating and drinking establishments. Such operations are permitted by administrative approval, with adherence to certain basic regulations (enclosure to define seating area, trash cans available, pedestrian circulation being maintained, etc.). With the recent announcement by Governor Pritzker that he will permit outdoor dining at restaurants as the State moves from Phase 2 to Phase 3 of the Restore Illinois Plan on May 29th, it is anticipated that restaurants in the Village will desire to move quickly to institute outdoor seating for dining. However, many restaurants in the Village do not have existing outdoor patios or appropriate areas to install outdoor seating. Other communities throughout the Chicagoland area, as well as in other State's that have re-opened earlier than Illinois, have considered and/or approved outdoor dining areas to utilize part or all of restaurant parking lots and closed streets to allow outdoor dining. The Governor appears to have contemplated such requests when he encouraged communities to "get creative" about outdoor dining. Staff believes that utilizing part of a parking lot for an outdoor dining area could be achieved while maintaining the same ratio of parking that fully-open restaurants enjoy, simply due to the fact that at this time, no indoor dining is permitted. If the outdoor dining area is proportionally scaled to maintain the same ratio of parking to restaurant square footage that the business currently utilizes, the spirit and intent of the Parking Regulations in the Zoning Code would continue to be met.

Given the intense financial pressure that restaurants are under to re-open, even if it is only a partial re-opening, staff has prepared the set of attached regulations that the Village Board could utilize, should you wish to allow outdoor dining areas in parking lots. Staff has discussed these regulations with the Village Attorney, who has them under review for inclusion in the Draft Resolution.

Staff has been informed that some communities have also permitted streets to be blocked in "Main Street" areas to allow restaurant seating to extend into the street. However, this is typically being permitted where there is a larger "downtown" area, in which traffic circulation can be easily rerouted onto an adjacent (sometimes parallel) commercial street. In Lincolnwood, such a "downtown" does not exist. With most commercial streets being arterial roads that are regulated by IDOT, and the side streets leading directly to residential areas, it would be difficult to block any streets to achieve the same outcome as in other differently-designed communities. Therefore, staff is not proposing to allow for the permissibility of outdoor dining in roadways themselves.

**The EDC will also be considering whether or not to recommend outdoor dining in restaurant parking lots at their meeting next Wednesday morning. Their recommendation will be noted at the Special Village Board meeting.*

FINANCIAL IMPACT:

None

VILLAGE ATTORNEY REVIEW:

The Village Attorney has begun review of the draft regulations and is preparing a Draft Resolution for distribution to the Village Board prior to Wednesday's Special Village Board meeting.

DOCUMENTS ATTACHED:

1. Draft Resolution (to be provided prior to May 27th Meeting)
2. Draft Regulations

RECOMMENDED MOTION:

Move to approve a Resolution authorizing outdoor operations by restaurants during the COVID-19 Pandemic.

Draft Regulations for Temporary Outdoor Dining (During State-Required Indoor Dining restrictions)

Drafted on May 22, 2020

- Application, including the following, is required: site plan depicting outdoor seating area, customer queueing area, and traffic pattern for valet services and/or designated pick-up/carry-out spaces (if offered). Application must be signed by property owner and tenant. Application should also include proposed hours of use of the outdoor seating area.
- Must meet requirements of Village Code Section 4.07(6) for Outdoor Seating, including, but not limited to, providing a barrier/enclosure to separate the outdoor dining area from adjacent parking, sidewalks, etc.
- Outdoor seating may be permitted on an existing paved area within a road right-of-way (not the street itself), on a case-by-case basis, with the approval of the Village Manager (Requires a Waiver).
- If seating is allowed within a right-of-way, the hours of operation may not exceed 9 PM on weekdays (Sunday – Thursday evenings) and 10 PM on weekends (Friday and Saturday evenings), if that area is adjacent to, or across a street right-of-way from, residential property.
- Must comply with any directions by the Liquor Commissioner to modify or discontinue the use due to safety concerns.
- Outdoor bar areas are prohibited.
- If a proposed outdoor seating area is immediately adjacent to a residentially-zoned lot, and the seating area is proposed to be within the building setback in that zoning district, the restaurant must obtain written authorization from the neighboring property owner/tenant.
- Parking shall be provided, based upon the following formula: Ratio of existing parking on-site to square footage of the restaurant must be maintained with the proposed remaining parking area to the square footage of the proposed outdoor seating enclosure area. Alternate parking ratios may be permitted on a case-by-case basis.
- Once the Governor permits indoor dining, the outdoor seating area will be required to be reduced in size to allow additional parking area to ensure that the same ratio of parking to restaurant square footage is maintained at all times.
- Once the Governor removes restrictions on the interior capacity of restaurants, the approvals temporarily granted herein will no longer apply and all parking areas must be made available, free and unencumbered by outdoor seating areas.
- Must comply with all protocols and guidelines issued by the Illinois Department of Public Health, Centers for Disease Control or other official authority.
- Must maintain minimum required parking lot drive aisle widths and unencumbered parking circulation.
- Must sign a Waiver form (to be prepared by Village Attorney), accepting all liability for outdoor seating areas in a parking lot.
- Accessible parking space requirements, as dictated by the Illinois Accessibility Code and the Americans with Disabilities Act (ADA), must be met, based on the number of parking spaces provided.

- Provide two means of ingress/egress to outdoor seating enclosures. Ingress/Egress must meet minimum widths for ADA accessibility.
- All required ADA access must be maintained from the parking area to the main door of the restaurant, if carry-out is being provided.
- If location is in a multi-tenant building, access by sidewalk must be maintained to all other businesses in that center.
- No outdoor cooking is permitted.
- ADA-accessible restroom facilities must be provided. Access to the interior of the restaurant for restroom facilities should be limited to meet all required social distancing requirements. Masks must be worn at all times that 6' physical separation cannot be achieved.
- Basic requirements of approval are subject to change by the Village. The Village will provide three "business days" notice of any changes.