

VILLAGE OF BARTLETT

COMMITTEE AGENDA

OCTOBER 19, 2021

COMMUNITY & ECONOMIC DEVELOPMENT, CHAIRMAN GANDSEY

Outdoor Dining Discussion

PLANNING & DEVELOPMENT SERVICES MEMORANDUM
21-97

DATE: October 6, 2021

TO: Paula Schumacher, Village Administrator

FROM: Roberta Grill, Planning & Development Services Director 

RE: **Temporary Use - Outdoor Dining**

Currently, outdoor seating for restaurants and bars requires a special use permit in the Zoning Ordinance. The Village of Bartlett temporarily relaxed the outdoor seating regulations for restaurants and bars and allowed temporary outdoor dining without having to obtain a special use permit for a limited time in an attempt to support businesses during the Governor's Restore Illinois Plan in 2020 and 2021. Temporary outdoor dining permits were required for those restaurants that provided outdoor dining during this time period. If liquor was served, the outdoor area was required to be enclosed and all liquor laws were still applicable. *(Charts of all the restaurants with special use permits for outdoor seating and restaurants with temporary outdoor dining permits are attached.)*

In 2020, a total of 16 businesses obtained temporary outdoor dining permits (7 of which did not have a special use permit for outdoor seating). Ten (10) of these businesses provided outdoor seating within a portion of their parking lot.

In 2021, a total of 18 businesses obtained temporary outdoor dining permits (5 of which did not have a special use permit for outdoor seating). Four (4) of these businesses provided outdoor seating within a portion of their parking lot - Pasta Mia, One Taco Dos Tequila, The Still Bar & Grill and McMae's.

As part of the Village's on-going effort to support businesses, Staff is recommending:

- a text amendment to the Zoning Ordinance to allow restaurants to have outdoor seating/dining on patios and private sidewalks as an accessory use in all commercial districts
- creating a new "Temporary Use" chapter in the Zoning Ordinance to regulate uses that are only on a site for a limited time including, but not limited to:
 - outdoor dining in private parking lots,
 - outdoor dining on public sidewalks (downtown),
 - Christmas tree sales,
 - farmers markets, and
 - drive-up medical testing.
- creating an auxiliary liquor license for restaurants serving liquor in outdoor dining areas

Applicants would apply for a temporary use permit (annually, if needed) which would be reviewed administratively by the Planning Division (and Public Works if in the right-of-way). The Zoning Administrator may impose conditions on the temporary use permit to ensure compliance with ADA, liquor license regulations and to minimize impacts on adjacent tenants and customers. Each temporary use permit would have a fixed expiration date. Additional building permits would be required for tents, trailers, etc.

Staff is requesting the Committee of the Whole discuss the above recommendations prior to the drafting of the proposed recommendations.

| <u>Restaurants with Outdoor Seating Special Use Permit</u> | <u>Outdoor Seating Location</u> |
|---|--|
| 1048-1084 Army Trail Rd (Galleria of Bartlett) | beer garden |
| 114-399 Bartlett Plaza & 270-278 Devon (Streets of Bartlett) | private sidewalk |
| 116 Bartlett Plaza (Pasta Mia) | private sidewalk |
| 110 W Bartlett Ave (TL's) | public sidewalk (4 tables/16 seats) |
| 120 W Bartlett Ave (120 Live) | beer garden |
| 130 W Bartlett Ave (JC's) | public sidewalk (2 tables/3 seats) |
| 778-780 W. Bartlett Rd (Wee-Dees) | courtyard |
| 782 W. Bartlett Rd (Savoury) | courtyard |
| 143-149 E Lake St (Olivia's) | private sidewalk |
| 1175 W Lake St (Moretti's) | patio |
| 201 S Main (2 Toots) | private sidewalk |
| 207 S Main St (Trackside Diner) | private sidewalk |
| 223 S Main (Marco's Pizza) | private sidewalk |
| 225 S Main St (formerly Italian Deli) | private sidewalk |
| 363 S Prospect Ave (Bracht's Place) | beer garden |
| 113 W Railroad (formerly Bartlett Tap) | beer garden |
| 121 W Railroad (More Brewing) | beer garden & rooftop |
| 892 Route 59 (Ambrosia) | private sidewalk |
| 916 Route 59 (Starbucks) | private sidewalk |
| 925 Route 59 (Oberweis) | patio |
| 1681 Route 59 (Starbucks) | private sidewalk |
| 1121 W Stearns (formerly Sonic) | patio |

| Restuarants Granted Temporary Outdoor Dining Permits* | 2020 | 2021 |
|---|-------------|-------------|
| 1085 Army Trail Rd (Flappy's) - in parking lot | Yes | |
| 1087 Army Trail Rd (Pietanza's) - on private sidewalk | Yes | |
| 120 W Bartlett Ave (120 Live) - beer garden* (parking lot in 2020 only)^ | Yes | Yes |
| 116 Bartlett Plaza (Pasta Mia) - expanded into parking lot and tent** | Yes | Yes |
| 122 Bartlett Plaza (Subway) - on private sidewalk | Yes | |
| 124 Bartlett Plaza (D'Licious Crepes & Roti) - on private sidewalk* | Yes | Yes |
| 144 Bartlett Plaza (Cherry on Top) - on private sidewalk* | | Yes |
| 778-780 W. Bartlett Rd (Wee-Dees) - courtyard* | | Yes |
| 782 W. Bartlett Rd (Savoury) - courtyard* | | Yes |
| 274 E Devon Ave (One Taco Dos Tequila) - private sidewalk and tent in parking lot** | Yes | Yes |
| 105 E Lake St (Sir Nick's) - on private sidewalk | | Yes |
| 111 E Lake St (Dairy Queen) - on private sidewalk | | Yes |
| 1175 W Lake St (Moretti's) - patio* | Yes | Yes |
| 201 S Main (2 Toots) - private sidewalk* | Yes | Yes |
| 207 S Main St (O'Hares) - tent in parking lot** | Yes | N/A |
| 223 S Main (Marco's Pizza) - on private sidewalk* | | Yes |
| 326 S. Main St (The Still Bar & Grill) - in parking lot | Yes | Yes |
| 800 W Oneida Ave (Bartlett Hills Golf Club) - tent | Yes | |
| 858 Route 59 (Bannerman's) - tent in parking lot | Yes | |
| 892 Route 59 (Ambrosia) - on private sidewalk* | Yes | Yes |
| 897 Route 59 (AJB Polish Deli) - on private sidewalk | | Yes |
| 913 Route 59 (McMae's) - in parking lot | Yes | Yes |
| 916 Route 59 (Starbucks) - patio* | | Yes |
| 957 Route 59 (Dogfather) - in parking lot | Yes | |
| 1681 Route 59 (Starbucks) - patio* | | Yes |

**Businesses that have Outdoor Seating Special Use Permits were required to obtain temporary outdoor dining permits to ensure the State's regulations for outdoor dining were met*

^Businesses that temporarily expanded their outdoor dining area from their Special Use Permit