

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) Waiver of First Requested
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

X

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *John*

DATE: February 23, 2009 (BOT) Date: March 5, 2009

TITLE: PC 09-01: 201-285 W. Roosevelt Road (Starbucks)

SUBMITTED BY: Department of Community Development *WA*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petitions requests that the Village approve an amendment to Ordinance 6126, which granted approval of conditional uses for a planned development with deviations, outdoor dining and for a drive-through facility for the subject property located within the B4A Roosevelt Road Corridor District. (DISTRICT #2)

The Plan Commission recommended approval of this petition with amended conditions.

Please place this item on the March 5, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>[Signature]</i>	Date	<i>2/24/09</i>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development *WHD*

DATE: March 5, 2009

SUBJECT: PC 09-01; 201-285 W. Roosevelt Road (Starbucks)

Attached please find the following items for Village Board consideration as part of the March 5, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 09-01;
3. An Ordinance granting approval of an amendment to Ordinance 6126, which granted approval of conditional uses for a planned development with deviations, outdoor dining and for a drive-through facility for the subject property located within the B4A Roosevelt Road Corridor District.
4. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition.

VILLAGE OF LOMBARD
255 E. Wilson Ave.
Lombard, Illinois 60148-3931
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org



Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 09-01; 201-285 W. Roosevelt Road (Starbucks)

Dear President and Trustees:

Trustees
Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
Rick Soderstrom, Dist. 6

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village approve an amendment to Ordinance 6126, which granted approval of conditional uses for a planned development with deviations, outdoor dining and for a drive-through facility for the subject property located within the B4A Roosevelt Road Corridor District.

Village Manager
David A. Hulseberg

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 16, 2009.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

Michael Achim, 550 W. Washington Blvd., Suite 200, Chicago, IL, presented the petition. Mr. Achim stated that he is a project manager for Starbucks based in Chicago and their national headquarters is located in Seattle. Mr. Achim stated that on behalf of his company, he is requesting an amendment to an existing PUD ordinance from May of 2007 where they requested approval for a new freestanding facility. He added that at some time after that point, that project was deemed not to go forward and they continued to operate under the current condition. He then stated that there were certain conditions with lease arrangements and conditions within the existing facility that need to be updated. Mr. Achim stated that while they don't wish to move forward with the new facility, they do plan to make some minor improvements and/or additions to the existing structure to achieve the goals of updating the inside and outside of the facility.

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Mr. Achim stated that they plan to construct a small addition to the west end of the existing building, which is contiguous to the main operation of the building. He added that it will allow them to relocate equipment that was located in a room that required employees to have to go outside of the building to get to. Mr. Achim stated that if they plan to renew their lease, there are certain improvements that need to be made for the public and for employees. He added that the goal is to create a larger space in the "engine area" and relocate certain equipment into the

larger area, such as the ice machine. Mr. Achim stated that these improvements will help management better facilitate their needs and satisfy the needs of the County Health Department relative to adding certain equipment and cleaning up the facility. He added that they will also be adding a grease trap to bring the facility up to Code. Mr. Achim stated that the addition is approximately twelve-by-twelve and there will be no changes to the existing traffic and parking configurations, which will remain the same as they are today. He added that the proposed addition will fall in line with where the footprint of the building is now and take up space being used as sidewalk and asphalt.

Mr. Achim stated that the outside would be addressed across the entire structure and the entire facility would be brought up-to-date in terms of its appearance to the street. Mr. Achim stated that the facility is currently white with green accents and today's brand is more in earth tones, which is more in line with the nice new development that sits behind the facility. He added that the landlord was in favor of the improvements as they are complementing the improvement that they have done. Mr. Achim stated that in order to try and do this in such a fashion, they've proposed to make the addition the same height as the east end and try to color it in a like-manner, use the same materials and paint the entire building. He added that they plan to remove the awnings that serve as a screen for the rooftop units and add some parapets to create one roofline, which will screen the units and clean up the presentation to the street. Mr. Achim stated that they will place the proper awnings over the drive through windows where there is currently no protection for the customers. He added that they will remove the awnings that have sign letters on them. Mr. Achim then stated that the current logo sign on the building will be moved to the new addition elevation where there is a larger space where it will look more appropriate. Lastly, Mr. Achim stated that the only other signage change would be on the west elevation with channel letters where there is currently an awning with signage. Mr. Achim added that their goals are dressing up interior issues, achieve the addition and overall exterior work as an improvement to the presentation of the building.

In reference to the Standards for Conditional Uses, Mr. Achim made the following statements:

- (1) The traffic flow is not changed and the impact on the surrounding environment is minimal.
- (2) They are not there for a conditional use, but rather just amending the original conditional use, which established the planned development. They are essentially just "cleaning up the books".
- (3) The use is permitted with the B4A zoning district and is in harmony with the majority of the marketplace in that area.
- (4) They are maintaining the height of what is out there and there are no changes to the parking facilities.
- (5) All public utilities already exist and they will only be adding a grease trap.
- (6) They are not changing location of the menu boards; therefore, they are not changing the traffic patterns.
- (7) The development is conducive to the Comprehensive Plan.

Chairperson Ryan opened the meeting for public comment. There was no one present to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Staff drafted the IDRC report to submit to the public record in its entirety. The petitioner is proposing to construct a 132 square foot building addition to the western portion of the existing Starbucks drive through facility on the subject property. The addition will not serve as customer seating area, but rather an area dedicated to the spatial needs of the employees. Certain facade enhancements are also being proposed, but do not require any relief. The existing signage will also be reorganized on the building elevations; however, the proposed signage does not alter or expand upon any previously approved signage plans. Therefore, relief is not needed.

Pertaining to Starbucks presence on the subject property, amendments were made (as part of PC 07-05) to the previously established conditional uses for a drive-through facility and for outdoor dining. These amendments were established to allow Starbucks to construct a new facility directly to the west of the existing facility. Due to economic conditions, Starbucks no longer plans to execute the previously approved plans to construct the new facility.

As part of the overall plan, Starbucks was to demolish the existing facility and construct a new 1,750 square foot facility 135 feet to the west of the current location. Condition #4 of Ordinance 6126 specifically stated "the petitioner shall commence demolition of the existing Starbucks building and construct the associated parking lot improvement at its current location no later than thirty days after the proposed Starbucks building is opened. This time period may be extended by the Village if weather conditions preclude the improvements from being completed within this timeframe."

As Starbucks no longer plans to execute the approved plans associated with Ordinance 6126 and construct a new facility, a major change in an approved planned development has occurred.

The proposed addition will increase the amount of primary service space for employees and allow the ice machine to be located in the primary service portion of the building, whereas now, employees have to exit that portion of the building to gather ice for their products.

Due to the size and location of the proposed addition, it will not affect any existing traffic patterns or parking issues. As part of this petition, the color of the existing building is proposed to be updated from white to neutral tan colors. The existing awning is to be removed and new awning is to be installed over the existing drive through windows to provide shelter from the elements. Unlike the existing awning, the new awning will contain no signage, which actually brings the signage into closer compliance with the Sign Ordinance. The building addition of the facility will remain the same in regards to the provided signage information; however, there will no longer be a canopy. Instead, the new elevation will be a flat building elevation with channel letter signage as opposed to the canopy signage currently being used. Staff believes that the proposed facade improvements to the existing Starbucks facility will be a visual enhancement to the subject property, as well as to the overall planned development.

The Comprehensive Plan suggests several policies that should be used to guide improvement to commercial developments. One of those policies is ensuring the highest quality of design, including signage and graphics. As the intent of this petition is to improve the building façade and institute better signage placement, this development will meet the recommendations of the Comprehensive Plan.

Furthermore staff is recommending approval of PC 09-01, subject to the conditions outlined.

In reference to the conditions of approval, Mr. Toth stated that staff would like condition 3(1) to read, *The petitioner shall develop the site in accordance with the site, sign and development plans prepared by Arcline Associates, dated November 14, 2007 and made a part of the petition (with the exception of the construction of the Starbucks ~~location~~ building) as approved in Ordinance 6126).*

Chairperson Ryan then opened the meeting for comments among the Commissioners.

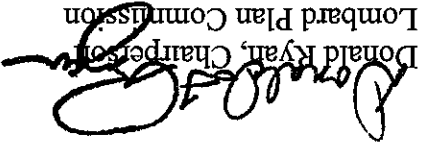
Commissioner Sweetser stated that this is a change and addition to the community.

Commissioner Sweetser motioned to approve PC 09-01. The motion was seconded by Commissioner Burke.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed al **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call vote of 4 to 0, recommends to the Corporate Authorities **approval** of the zoning actions associated with PC 09-01.

Respectfully,

VILLAGE OF LOMBARD


Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission
HEARING DATE: February 16, 2009

FROM: Department of Community Development
PREPARED BY: Michael S. Toth
Planner I

TITLE

PC 09-01; 201-285 W. Roosevelt Road (Starbucks): The petitioner requests that the Village approve an amendment to Ordinance 6126, which granted approval of conditional uses for a planned development with deviations, outdoor dining and for a drive-through facility for the subject property located within the B4A Roosevelt Road Corridor District.

GENERAL INFORMATION

Petitioner: Starbucks Coffee Company
550 W. Washington Blvd
Suite 200
Chicago, IL 60661

Property Owner: Roosevelt Associates L/P
c/o Next Property Management, Inc
400 Skokie Blvd, Suite 800
Northbrook, IL 60062

Status of Petitioner: Tenant

PROPERTY INFORMATION

Existing Land Use: Retail Shopping Center

Size of Property: 10 acres

Comprehensive Plan: Recommends Community Commercial land uses

Existing Zoning: B4A - Roosevelt Road Corridor District

Zoning and Land Use Surrounding the Planned Development:

North:	B4A - Roosevelt Road Corridor District; developed as a commercial retail strip center, carwash, and furniture store.
South:	R2 Single-family Residence District; developed as single-family residences R5 General Residence District; developed as high-density residential
East:	B4A - Roosevelt Road Corridor District; stand alone financial institution and commercial retail strip center.
West:	B4A - Roosevelt Road Corridor District; developed as an automobile sales establishment known as Heritage Cadillac

ANALYSIS

SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on January 13, 2009:

1. Petition for Public Hearing.
2. Plat of Survey, prepared by Timothy J. Murphy, Inc., February 28, 1991.
3. Starbucks elevation, site and signage package, prepared by Starbucks Coffee Company, dated January 7, 2009.
4. Letter of Intent, prepared by Starbucks Coffee Company, dated January 12, 2009.

DESCRIPTION

The petitioner is proposing to construct a 132 square foot building addition to the western portion of the existing Starbucks drive through facility on the subject property. The addition will not serve as customer seating area, but rather an area dedicated to the spatial needs of the employees. Certain facade enhancements are also being proposed, but do not require any relief. The existing signage will also be reorganized on the building elevations; however, the proposed signage does not alter or expand upon any previously approved signage plans. Therefore, relief is not needed.

Pertaining to Starbucks presence on the subject property, amendments were made (as part of PC 07-05) to the previously established conditional uses for a drive-through facility and for outdoor dining. These amendments were established to allow Starbucks to construct a new facility directly to the west of the existing facility. Due to economic conditions, Starbucks no longer plans to execute the previously approved plans to construct the new facility; therefore, a major change in plan has occurred in reference to the overall planned development. The major change to the planned development requires Board approval.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The PES Division of Community Development has the following comments:

- 1) There is a drainage issue at the existing eastern entry off Roosevelt. This shall be corrected if any asphalt or concrete work is planned.
- 2) All site work shall be in accordance with Village of Lombard Code, Specifications and Details.
- 3) Free standing signs are not permitted within utility easements and shall be located 15' from any water main or sewer.

PUBLIC WORKS

Public Works Engineering has no comments at this time.

FIRE AND BUILDING

The Department/Bureau of Inspectional Services has no comments at this time.

PLANNING

Compatibility with the Zoning Ordinance/Planned Development

Ordinance 6126 granted conditional use approval to establish the subject property as a planned development and also granted conditional use approval for a new drive-through facility on the subject property. As part of the overall plan, Starbucks was to demolish the existing facility and construct a new 1,750 square foot facility 135 feet to the west of the current location. Condition #4 of Ordinance 6126 specifically stated "the petitioner shall commence demolition of the existing Starbucks building and construct the associated parking lot improvement at its current location no later than thirty days after the proposed Starbucks building is opened. This time period may be extended by the Village if weather conditions preclude the improvements from being completed within this timeframe."

As Starbucks no longer plans to execute the approved plans associated with Ordinance 6126 and construct a new facility, a major change in an approved planned development has occurred. By not constructing the approved facility, the proposed plans A) change the location of any buildings by ten feet, and; B) change the final governing agreements of the planned development.

The proposed building addition will not serve as customer seating area, but rather an area dedicated to the spatial needs of the employees. Starbucks has been working with the DuPage County Department of Health to address certain County code issues related to the operational function of the facility (i.e. ice machine location and grease trap) that are unrelated to any zoning issues. The proposed addition will increase the amount of primary service space for employees

and allow the ice machine to be located in the primary service portion of the building, whereas now, employees have to exit that portion of the building to gather ice for their products.

Access

Due to the size and location of the proposed addition, it will not affect any existing traffic patterns or parking issues. However, in light of the 2007 approval, the proposed design of the new Starbucks facility was more desirable than the existing configuration as traffic spilling out into the main access driveway and Roosevelt Road has been an issue. The plan for the new facility showed eight stacking spaces, which met the requirements of code. Also, the new plan kept stacking tight to the building, which prevented spillover into driveways. The new plan also provided an escape lane.

Architectural Elements/Signage

A facade enhancement was conducted in 2008 for the entire Sportmart Plaza commercial strip center. The Starbucks approved as part of PC 07-05 was to be a completely masonry structure, whereas, the existing facility was prefabricated. As part of this petition, the color of the existing building is proposed to be updated from white to neutral tan colors. The existing awning is to be removed and new awning is to be installed over the existing drive through windows to provide shelter from the elements. Unlike the existing awning, the new awning will contain no signage, which actually brings the signage into closer compliance with the Sign Ordinance. The building addition (or new west elevation) of the facility will remain the same in regards to the provided signage information; however, there will no longer be a canopy. Instead, the new elevation will be a flat building elevation with channel letter signage as opposed to the canopy signage currently being used. Staff believes that the proposed facade improvements to the existing Starbucks facility will be a visual enhancement to the subject property, as well as to the overall planned development.

With the exception of the major change for an approved planned development, there will be no other modifications to any other previously approved items. Ordinance 6126, which previously approved the new Starbucks location, will be amended to reflect the change to the planned development. Furthermore, should this petition be approved, all rights afforded to the construction of the new Starbucks facility will become null and void.

Compatibility with the Comprehensive Plan/Roosevelt Road Plan

The Comprehensive Plan recommends commercial uses at this location. The Comprehensive Plan suggests several policies that should be used to guide improvement to commercial developments. One of those policies is ensuring the highest quality of design, including signage and graphics. As the intent of this petition is to improve the building facade and institute better signage placement, this development will meet the recommendations of the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The site is surrounded by other retail commercial uses to the north, east, and west. The property shares boundaries with residential properties to the south. The intent of the Roosevelt Road Corridor is to provide commercial retail business; therefore staff believes the proposed land use is consistent with the surrounding land uses.

FINDINGS AND RECOMMENDATIONS

Staff believes that the proposed uses and requested relief is compatible with the surrounding area, the previously approved planned development, the Comprehensive Plan and the Zoning Ordinance and is appropriate for the site. Based on the above, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition, subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposed ordinance amendment does comply with the standards required by the Lombard Zoning Ordinance and that the planned development amendment enhances the development and is in the public interest; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** of the PC 09-01, subject to the following conditions:

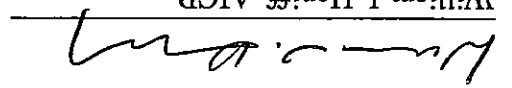
1. The petitioner shall develop the site in accordance with the Starbucks elevation, site and signage package, prepared by Starbucks Coffee Company, dated January 7, 2009.
2. That the petitioner shall satisfactorily address the comments included within the IDRC report.
3. That Section 4, Ordinance 6126 adopted December 10, 2007 shall be amended to read in its entirety as follows:

1. The petitioner shall develop the site in accordance with the site, sign and development plans prepared by Arcline Associates, dated November 14, 2007 and made a part of the petition (with the exception of the construction of the Starbucks location as approved in Ordinance 6126).

2. ~~The south elevation of the proposed Starbucks building shall be amended to include a second brick color, with the final design subject to the Director of Community Development.~~

3. The freestanding shopping center sign shall be modified to not exceed thirty-five feet (35') in height. Furthermore, the overall square footage of the existing shopping center sign shall not exceed 450 square feet in size.
4. ~~The petitioner shall commence demolition of the existing Starbuck's building and construct the associated parking lot improvement at its current location no later than thirty days after the proposed Starbuck's building is opened. This time period may be extended by the Village if weather conditions preclude the improvements from being completed within this timeframe.~~
5. Upon a request by the Village, the petitioner/property owner shall provide a vehicular cross-access easement for the property at 303 W. Roosevelt Road. The final location of the cross-access easement shall be reviewed and approved by the Village.
6. As part of the approval, the petitioner shall also address the comments included within the IDR/C Report, including:
 - i. Stormwater detention shall be provided consistent with Village Code for all the aggregate disturbed area.
 - ii. There is a drainage issue at the existing eastern entry off of Roosevelt Road. This shall be corrected as part of this planned development.
 - iii. A water main easement shall be established along the easterly twenty (20) feet of the property where the water main would be free of any structures).
 - iv. All site work shall be in accordance with Village of Lombard Code, Specifications and Details.
 - v. Free standing signs are not permitted within utility easements and shall not be located closer than 15' from any publicly dedicated water main or sewer.
 - vi. Parking spaces shall be signed and striped per Village Code.
7. ~~The petitioner shall fence the perimeter of the dining area four foot metal fence, with the design of the fence subject to the approval of the Director of Community Development.~~
8. The petitioner shall provide additional green space/landscape islands and associated plant materials within the existing shopping center parking lot.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP

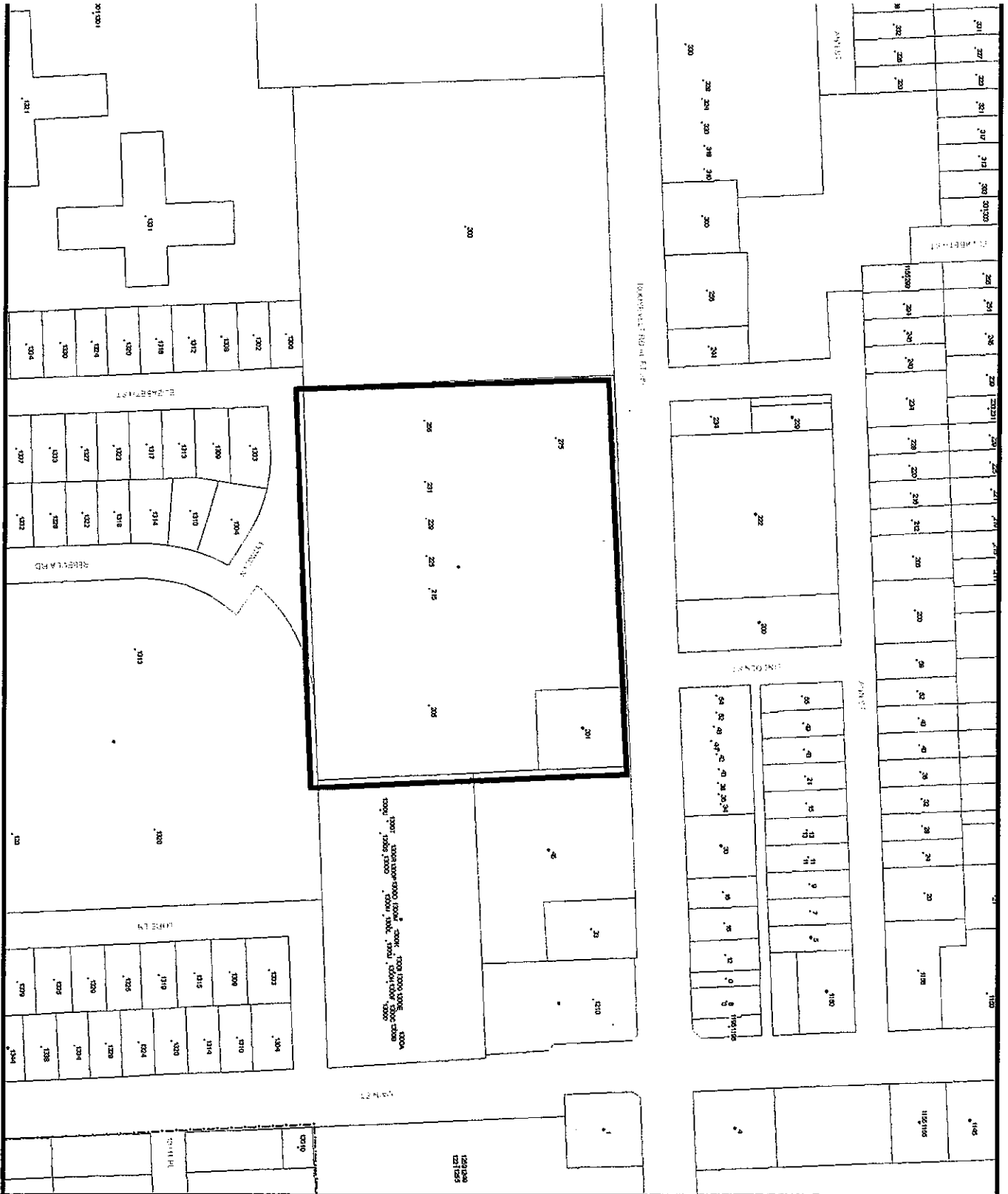
Director of Community Development

att

c: Petitioner

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PC 09-01: 201-285 W. Roosevelt Rd.



Addresses

Centerline

JURIS

----- RIVER

---+ P&R

— TOLLWAY

TRAIL

Parcels

limits-poly

• Active Cases

--- Boundary Agreement

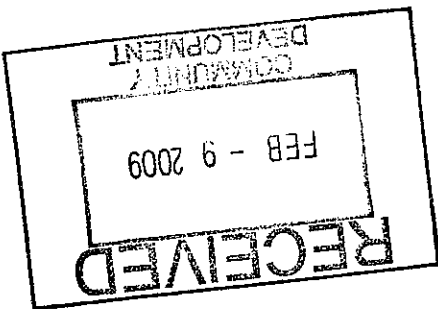
266 ft



Starbucks Coffee Company
Midwest Regional Office
550 West Washington Blvd.
Suite 200
Chicago, IL 60661



February 9, 2009



Mr. Michael Toth
Dept. of Community Development
Village of Lombard
255 E. Wilson Ave.
Lombard, IL 60148

Re: Standards for Planned Developments

Dear Michael,

We have reviewed the Standards for Planned Developments and maintain the proposed project satisfies same as follows:

1. The D/T Retail beverage facility in question is an approved use per the District.

2. Community Sanitary and Potable water is provided.

3. The dominant use in the current PUD is retail which is consistent with our facility.

4. This intent here is to amend the current PUD to allow the existing SBUX D/T facility to remain in lieu of the previous approved amendment to allow for a newly constructed facility.

5. The current site plan for lane configurations and parking and corresponding traffic flows will remain the same for the proposed building remodel. There will be no traffic congestion or excessive burdens to any public roadways or facilities serving the development as a result of the proposed improvements to the building.

We appreciate your consideration of our request and will be happy to provide further details should they be required.

Sincerely,

Michael J. Achim

Project Manager - Starbucks Coffee Company Midwest / Mid-America Regions

Starbucks Coffee Company
Midwest Regional Office
550 West Washington Blvd.
Suite 200
Chicago, IL 60661



January 12, 2009

Mr. Mike Toth
Village of Lombard
255 E. Wilson Ave.
Lombard, IL 60148

Re: Starbucks Coffee Company located at 201 W. Roosevelt Rd.

Dear Mike,

We hereby request Village consideration of our proposed improvements to our existing store at the referenced location.

The goals of the project are to expand the critical working space, upgrade the interior mechanical systems / conditions to current standards and bring the exterior presentation up to current corporate brand expectations. This includes a substantial reduction in overall building mounted signage from what currently exists today.

There are no proposed changes to existing parking, drive lanes or drive thru operations.

We appreciate your prompt action and support to date on this project and look forward to further cooperation with the Village in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Achim".

Michael J. Achim
Project Manager
Starbucks Coffee Company
Midwest / Mid-America Regions

**AN ORDINANCE AMENDING ORDINANCE 6126 WHICH
GRANTED APPROVAL OF CONDITIONAL USES FOR A
PLANNED DEVELOPMENT WITH DEVIATIONS, OUTDOOR
DINING AND FOR A DRIVE-THROUGH FACILITY**

(PC 09-01; 201-285 W. Roosevelt Road)

(See also Ordinance _____)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B4A Roosevelt Road Corridor District; and,

WHEREAS, on December 6, 2007 the Board of Trustees approved Ordinance 4595, which granted conditional use approval for a planned development with deviations, outdoor dining and for a drive-through facility; and,

WHEREAS, an application has been filed requesting approval for an amendment to Ordinance 6126, amending the approval for a new outdoor dining and drive-through facility; and

WHEREAS, a public hearing on the foregoing application was conducted by the Village of Lombard Plan Commission on February 16, 2009 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of amending Ordinance 6126 as described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That an amendment to Ordinance 6126, is hereby granted for the Property, as described in Section 2 below and subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 201-285 W. Roosevelt Road, Lombard, Illinois and legally described as follows:

LOT 1 IN ROOSEVELT PLAZA, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1666 AS DOCUMENT R66-25777, IN DUPAGE COUNTY, ILLINOIS, (EXCEPTING THEREFROM THE PROPERTY DESCRIBED IN A DEDICATION AND PLAT FAVOR OF THE VILLAGE OF LOMBARD, ILLINOIS DATED APRIL 11, 1973 AND RECORDED JUNE 11, 1973 AS DOCUMENT R73-33871 AND CERTIFICATE OF CORRECTION RECORDED AS DOCUMENT R78-14380).

Parcel Number: 06-19-201-021 and -022

SECTION 3: The amendment to Ordinance 6126, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the Starbucks elevation, site and signage package, prepared by Starbucks Coffee Company, dated January 7, 2009.

2. That the petitioner shall satisfactorily address the comments included within the IDRC report.

3. That Section 4, Ordinance 6126 adopted December 10, 2007 shall be amended to read in its entirety as follows:

1. The petitioner shall develop the site in accordance with the site, sign and development plans prepared by Arcline Associates, dated November 14,

2007 and made a part of the petition (with the exception of the construction of the Starbucks ~~feet~~ (building) as approved in Ordinance 6126).

~~2. The south elevation of the proposed Starbucks building shall be amended to include a second brick color, with the final design subject to the Director of Community Development.~~

3. The freestanding shopping center sign shall be modified to not exceed thirty-five feet (35') in height. Furthermore, the overall square footage of the existing shopping center sign shall not exceed 450 square feet in size.

~~4. The petitioner shall commence demolition of the existing Starbucks building and construct the associated parking lot improvement at its current location no later than thirty days after the proposed Starbucks building is opened. This time period may be extended by the Village if weather conditions preclude the improvements from being completed within this timeframe.~~

5. Upon a request by the Village, the petitioner/property owner shall provide a vehicular cross-access easement for the property at 303 W. Roosevelt Road. The final location of the cross-access easement shall be reviewed and approved by the Village.

6. As part of the approval, the petitioner shall also address the comments included within the HDRC Report, including:

- i. Stormwater detention shall be provided consistent with Village Code for all the aggregate disturbed area.
- ii. There is a drainage issue at the existing eastern entry off of Roosevelt Road. This shall be corrected as part of this planned development.
- iii. A water main easement shall be established along the easterly twenty (20) feet of the property where the water main would be tree of any structures).
- iv. All site work shall be in accordance with Village of Lombard Code, Specifications and Details.
- v. Free standing signs are not permitted within utility easements and shall not be located closer than 15' from any publicly dedicated water main or sewer.

ATTEST:

William J. Mueller, Village President

Approved by me this _____ day of _____, 2009.

Absent:

Nays:

Ayes:

Passed on second reading this _____ day of _____, 2009, pursuant to a roll call vote as follows:

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

Passed on first reading this _____ day of _____, 2009.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

8. The petitioner shall provide additional green space/landscape islands and associated plant materials within the existing shopping center parking lot.

~~7. The petitioner shall fence the perimeter of the dining area four foot metal fence, with the design of the fence subject to the approval of the Director of Community Development.~~

vi. Parking spaces shall be signed and striped per Village Code.

Brigitte O'Brien, Village Clerk

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Brigitte O'Brien, Village Clerk