

A G E N D A

REGULAR MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK
TO BE HELD ON WEDNESDAY, JANUARY 7, 2015 AT 7:00 P.M. AT THE VILLAGE
HALL, 7760 QUINCY STREET, IN THE VILLAGE OF WILLOWBROOK, DUPAGE
COUNTY, ILLINOIS

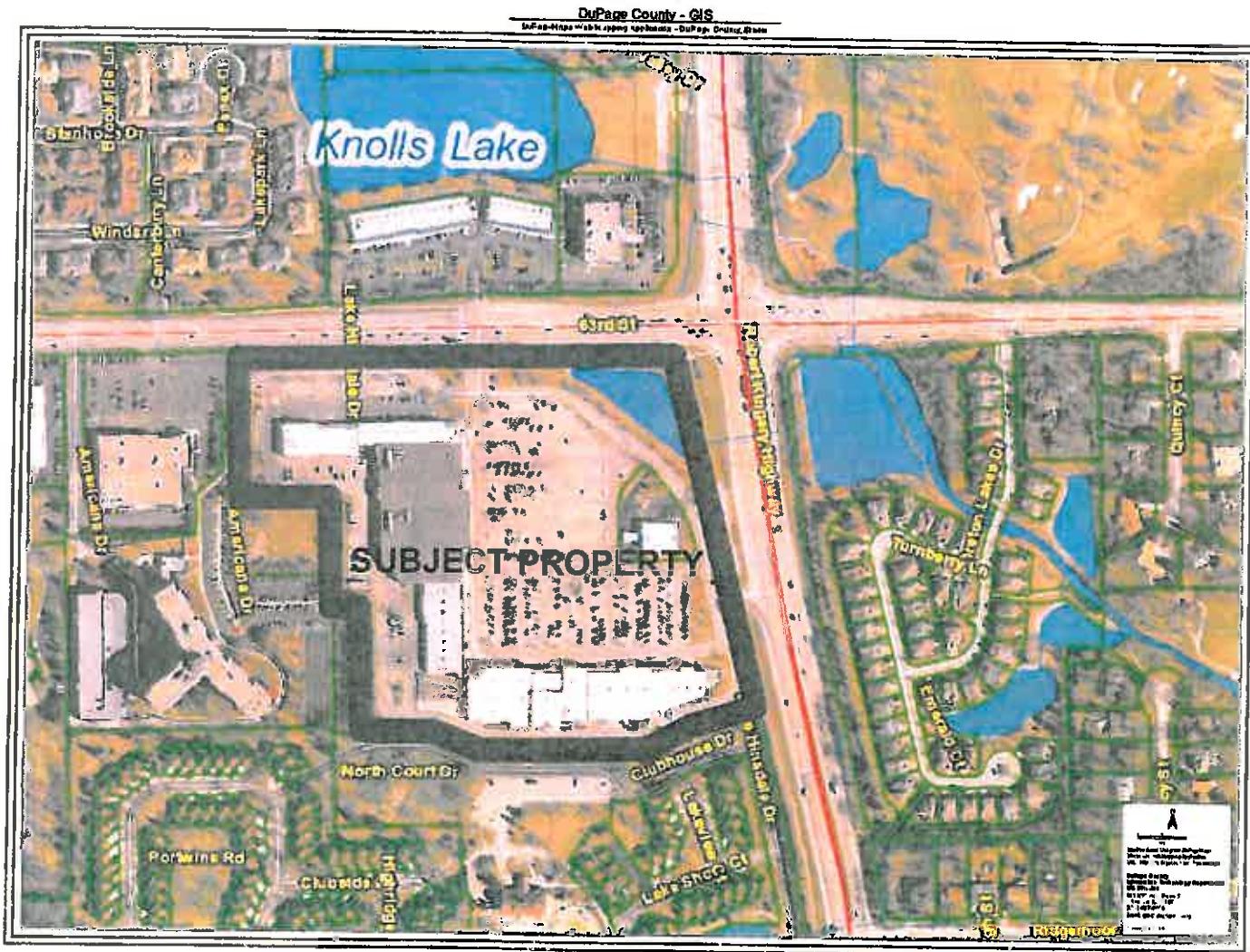
1. CALL TO ORDER
2. ROLL CALL
3. OMNIBUS VOTE AGENDA
 - A. Waive Reading of Minutes (APPROVE)
 - B. Minutes - Regular Meeting November 5, 2014 (APPROVE)
 - C. Minutes - Village Board Meeting October 27, 2014, November 10, 2014, November 24, 2014
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 15-01: Petition for an amendment to a special use permit for a planned unit development and other relief to permit the operation of a special use "food store" and certain exterior and site modifications associated with the food store.
 - A. PUBLIC HEARING
 - B. DISCUSSION
5. VISITOR'S BUSINESS
6. COMMUNICATIONS
7. ADJOURNMENT

VILLAGE OF WILLOWBROOK
STAFF REPORT TO THE PLAN COMMISSION

Meeting Date:	January 7, 2015																
Prepared By:	Jo Ellen Charlton, Planning Consultant																
Case Number:	15-01																
Case Title:	Hinsdale Lake Commons Special Use Amendment																
Petitioner:	Whole Foods, 640 N. LaSalle, Chicago, Illinois 60654, with permission from Regency Centers, 1211 W. 22nd Street, Suite 300, Oak Brook, Illinois, 60523																
Action Requested by Applicant:	Consideration and Recommendation of an Amended Special Use Permit for a Planned Unit Development (PUD)																
Location:	6300 S. Kingery Highway (Southwest corner of Route 83 and 63 rd Street)																
PINs:	09-23-101-025 and 09-23-101-026																
Purpose:	To amend the previously approved special use permit for a PUD to allow the operation and site improvements associated with a Retail Food Store (Whole Foods)																
Existing Zoning:	B-2 with a Special Use Permit for a PUD																
Existing Land Use:	Mixed Use Retail, Restaurant and an Outlot for a Bank																
Property Size:	20.96 acres																
Surrounding Land Use:	<table><thead><tr><th></th><th><i>Use</i></th><th><i>Zoning</i></th></tr></thead><tbody><tr><td><i>North</i></td><td>Willowbrook Square Shopping Ctr.</td><td>B-2/Special Use</td></tr><tr><td><i>South</i></td><td>Lake Hinsdale Village</td><td>R-4/Special Use</td></tr><tr><td><i>East</i></td><td>Single-Family Residential</td><td>R-4 and R-1</td></tr><tr><td><i>West</i></td><td>Multi-Family Residential and Whole Foods</td><td>R-5 and B-2</td></tr></tbody></table>		<i>Use</i>	<i>Zoning</i>	<i>North</i>	Willowbrook Square Shopping Ctr.	B-2/Special Use	<i>South</i>	Lake Hinsdale Village	R-4/Special Use	<i>East</i>	Single-Family Residential	R-4 and R-1	<i>West</i>	Multi-Family Residential and Whole Foods	R-5 and B-2	
	<i>Use</i>	<i>Zoning</i>															
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<i>East</i>	Single-Family Residential	R-4 and R-1															
<i>West</i>	Multi-Family Residential and Whole Foods	R-5 and B-2															
Exhibit Documents Attached:	<ol style="list-style-type: none">1. Sheet P101, Existing and Demo Plans, prepared by BRR Architecture, dated 12/5/14.2. Whole Foods Market concept drawings, prepared by BRR Architecture, consisting of 8 pages, dated 12/2/143. Whole Foods sign plan, prepared by Doyle, consisting of 2 pages, dated 5/23/144. Sheet A1, Fixture Plan, prepared by BRR Architecture, dated 12/5/145. Sheet SP2, Dock Plan, prepared by BRR Architecture, dated 12/5/146. Sheet SP3, Truck Circulation, prepared by BRR Architecture dated 12/5/147. Sheet LS1, Landscape Plan, prepared by BRR Architecture dated 12/5/148. Letter from Dan Lynch dated 12/18/14, consisting of 2 pages9. Sheet C001, Existing Conditions/Proposed Conditions, prepared by Haeger Engineering, dated 12/5/14																
Necessary Action																	
By Plan Commission:	Make a recommendation to the Mayor and Village Board regarding approval of an Amended Special Use Permit for a Planned Unit Development to allow for the operation and site improvements associated with a Retail Food Store (Whole Foods). A sample recommendation can be found on page 7.																

Site Description:

The shopping center consists of 179,098 square feet of leasable in-line space, plus a 5,400 square foot outlet building (Bank of America), all on 20.96 acres.



Background: The Shopping Center PUD was approved in 1986 pursuant to ordinance 86-O-32, which authorized the following subject to compliance with certain original plans and conditions:

1. Bank with drive-through
2. Garden supply store and accessory outdoor sales and storage
3. Bicycle sales
4. Rental and repair facility
5. Electrical and household appliance sales and repair
6. Fast food consisting of sit-down pizza and accessory carry-out services

The following additional amendments have been made to the PUD over the years to accommodate certain uses which are special uses in the B-2 zoning district

87-O-41: Bresslers and ShuHan Express

94-O-19: Big Apple Bagel

- 95-O-09: McDonald's Express
- 96-O-09: Restaurant with carry-out and outdoor seating
- 98-O-23: Sandwich Factory carry-out and outdoor seating
- 00-O-30: Additional bank drive through lanes
- 02-O-11: Quiznos
- 10-O-08: Goodwill
- 12-O-21: Mathnasium
- 14-O-32: Oishi Sushi

Interestingly, even though Dominick's operated within the center for many years, the use was never authorized by special use or amendment to the PUD. This amendment to the PUD authorizes the food store use and the associated modifications to the exterior and site necessary to accommodate the new grocery store

Development Proposal: Whole Foods will be occupying 56,989 square feet of the 69,679 square foot space formerly occupied by Dominick's, which closed in 2013. The unused space will be taken over by Regency, who manages the shopping center, and made available for another use. Staff is already working with the owner/manager of the shopping center on their own PUD amendment, which will also provide new loading facilities for the left over Dominick's space, propose a "face lift" that will allow the rest of the center to blend in with the new look of Whole Foods, as well as provide additional parking, improved loading and garbage facilities for other uses, as well as increased outdoor dining opportunities for selected tenants.

Whole Foods is relocating from their existing store located immediately west on 63rd Street. As part of this relocation effort, Whole Foods will be remodeling both inside and outside of the building, providing a new look for the exterior including new signage, and improving loading facilities in the rear of the building.

Staff Analysis:

Appropriateness of Use: A grocery store is an appropriate use for this retail shopping center. It will be smaller than the previous Dominick's but in line with Whole Foods current marketing strategy. The remaining 12,690 square feet of space will also be improved with new and loading facilities at the rear of the store, which will be included as part of the management company's amendment to the PUD which is expected to be submitted in the new couple of months.

Front Façade Image: The proposed modifications to "the look" of the grocery store tenant space are consistent with Whole Foods branding. Exhibit 1 shows both the current and proposed site plan and elevation plans for the front of the building. Exhibit 2, an eight (8) page document, shows concept elevation drawing for both the front and back of the store.

Signage: Proposed Whole Foods signage is shown conceptually in Exhibit 2 and in detail in Exhibit 3, with the latter providing exact dimensions and placement on the building. Two wall signs are proposed on the front elevation, one on the east elevation and one on a small north elevation wall that extends perpendicular to the east wall, providing visibility to 63rd Street. The main sign contains 207.5 square feet, while the secondary sign contains 92.17 square feet of signage for a total of 299.67 square feet. The Zoning Ordinance permits 1.25 times the length of the storefront in sign square footage and permits wall signs on frontages that qualify as "business site frontage". Both elevations proposed to receive signage qualify as business site frontage. With 238 linear feet of frontage, the proposed Whole Foods is eligible for 297.5 square feet of signage. Staff supports the waiver necessary to allow the additional two (2) square feet of signage. The graphic panel shown graphically on some of the pages in Exhibit 2 does not comply with the Ordinance and must be removed from the drawings.

Parking: Parking has been evaluated for this use and for the center. Based on a staff analysis of existing plats and aerial photographs, there are 798 parking spaces in the shopping center. The table below shows all the uses and their square footages, including the square footage of vacant stores. The fifth column titled "Require1" shows the parking required pursuant to the Zoning Ordinance for the listed use. No parking is calculated in this column for uses that are vacant, but a calculation is provided for the proposed Whole Foods Store. The sum at the bottom of this column shows a parking requirement of 753 parking spaces, which when compared to the available 798 parking spaces, indicates there is currently an ample supply of parking to accommodate the use. The last column of numbers, however, shows a total parking requirement of 848 spaces, which adds parking for all remaining vacant spaces assuming some conservative general retail uses (at 4 parking spaces per 1,000 square feet). This parking requirement will make the center approximately 50 spaces short. The shopping center management (Regency) is working to address this situation and will be submitting its own PUD amendment to add parking and clarify allowable tenant mix and uses. Given the significance of the vacant 12,690 square foot space not being occupied by Whole Foods, staff is recommending this approval include a condition that does not allow occupancy in that space until such time as Regency completes their amendment to the PUD. Staff has discussed this with Regency and they agree to this condition.

Hinsdale Lake Commons Parking Analysis

Tenant	Sqft.	Zoning	Require1	Require2
1 Phillies	6177	100	62	62
2 Oshi Sushi	1900	100	19	19
Rest of Vacant 2	2129			9
2b TCBY	1338	200	7	7
3 Reichardt Cleaners	1347	250	5	5
4 Stogies	1451	250	6	6
5 Vacant	979			4
6 Optics	978		4	4
7 Edward Jones	978	225	4	4
8 Beltone Hearing	995		4	4
9 Borics Haircare	978	200	5	5
10 Café La Fortuna	1872	100	19	19
11 Subway	978	100	10	10
12 Fannie Mae	1534	250	6	6
13 Whole Foods	56989	200	285	285
13b Vacant	12690			51
14 Palm Beach Tan	3000	200	15	15
15 Lavida Massage	2070	200	10	10
16 Cabinetry Solutions	2078	250	8	8
17 Vacant	5996	250		24
18 Mathnasium	1800		9	9
19 Dentists	1800		11	11
20 Vacant	1840	250		7
21 Chiropractor	1800		11	11
22 Charter Fitness	17275		70	70
25 Goodwill	22800	250	91	91
26 Salon Suites	4789	200	24	24
27 Advanced Physicians	3600		12	12
28 FMC Dialysis	9374		18	18
30 Magic Nails	1762	200	9	9
31 Juicy O	5801	200	29	29
TOTAL	179098		753	848

Outdoor Seating and Displays: Sheet A1, attached to this report as Exhibit 4, shows the following outdoor areas:

1. A fenced in outdoor patio area consisting of 530 square feet at the north end of the main entrance
2. A 165 square foot and a 95 square foot merchandising area on the north and south sides of the main entrance respectively (shown cross hatched).
3. Outdoor seating for 30 in specified areas immediately adjacent the building frontage as shown on Sheet A1.

The use of outdoor spaces for business is regulated by Section 9-6-1 and 9-12-10 of the Zoning Ordinance. Specifically 9-6-1 requires "all business, service, storage, merchandise, display, and where permitted, repair and processing shall be conducted wholly within a completely enclosed building." Section 9-10-12, however, acknowledges and allows for certain "temporary uses" as follows:

1. Christmas tree sales for a period not to exceed 45 days commencing no earlier than November 10 of each year.
2. Outdoor garden sales for a period not to exceed 120 days commencing no earlier than March 15 of each year and ceasing no later than July 15
3. Outdoor seating in designated areas in conjunction with a restaurant are allowed between April 1 and September 30 of each year, subject to providing necessary clearances for pedestrians and accommodating safety personnel.
4. The outdoor display of product for grocery stores in excess of thirty thousand (30,000) square feet is allowed between April 1 and November 15.

Whole Foods intends to comply with these regulations which will be stipulated in the approving ordinance.

Rear Improvements: A new loading dock is being added at the rear of the store. It will be screened with a masonry wall and will accommodate two semis. The wall will also extend to provide screening for dumpsters and compactors. A condition requiring the use of brick material that matches the rear building material has been added. Exhibits 5 and 6 show the proposed improvement and that it allows for the continuous movement of semis in the rear circulation area. Exhibit 7 shows the proposed landscaping to include a raised planter bed, with lattice type material attached to the wall that will allow for climbing plant material to grow up the wall.

It should be noted that the engineering review (attached as Exhibit 8) requires the relocation of an existing sanitary line and sewer easement to accommodate the loading dock addition. As part of this review, it was also learned that parts of the existing sanitary service line are not in the existing easement. The Village Engineer is recommending that easements be revised to reflect actual locations of improvements once construction of the utility has been completed and prior to the issuance of a "final certificate of occupancy." Exhibit 9 shows the proposed engineering plan.

Engineering Comments: The Village Engineer has completed a review of the proposed exterior improvements and has forwarded his comments that require minor modifications to the plans. This letter is attached as Exhibit 8, and the Plan Commission's recommendation includes a condition that these changes must be incorporated into the document prior to being forwarded to the Village Board for final consideration.

Wetlands/Stormwater Management: The proposed use will not alter the approved stormwater management plan.

Special Use and PUD Standards: Exhibit 10 lists the standards for special use and PUD and provides findings and responses to the standards. The Plan Commission should review these standards to ensure they reflect the findings that are included in the sample motion below.

Staff Recommendation: Staff supports the requested relief and recommends the Plan Commission approve the following sample motion:

Based on the submitted petition and testimony presented, the requested amendment to the PUD to accommodate a new 56,989 square foot Whole Foods "food store" meets the standards of a special use and PUD, and therefore I move that the Plan Commission forward its "Findings of Fact" attached to the January 7, 2015 staff report prepared for case number 15-01 as Exhibit 10, and recommend the Village Board approve the special use, PUD amendment, including a sign waiver to allow for an increase of two square footage for wall signage, subject to the following conditions:

1. Except as follows, improvements shall be in substantial compliance with the plans identified on page 1 of the staff report prepared for Zoning Hearing Case 15-01, except as enumerated below, with all plan documents to be revised, submitted and approved by Village staff prior to being forwarded to the Village Board for consideration. All documents shall be revision dated with the same date.
 - a. The loading dock, dumpster enclosure shall utilize brick material that matches the building material.
 - b. Plans shall be revised as indicated in the December 18, 2014 letter from Dan Lynch, CBBEL.
 - c. The graphic picture wall sign shown on various pages of Exhibit 2 shall be removed.
2. The 12,690 square foot space adjoining the proposed Whole Foods shall not be issued a certificate of occupancy until the property owner amends the PUD to address parking deficiencies created by the occupancy of the space.
3. All outdoor displays, merchandising areas and seating shall be only in the areas indicated on the plans and shall comply at all times with all Village Codes.
4. Sanitary easements shall be revised as necessary and submitted to the Village prior to the issuance of any certificates of occupancy.

Zoning Hearing Case 15-01 Exhibits

EXHIBIT 1

B|R|R
Architecture

Architect of Record:
B|R|R Architecture, Inc.
1000 S. Robert Kingery Hwy.
Willowbrook, IL 60527
T: 708-220-9900
F: 708-220-6644
Checklist

Checklist
Description
No. Date Description

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Whole Foods Market
Willowbrook, IL

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION - The building design is the result of a representation of the proposed design only. The building design may vary based on various factors including, but not limited to, applicable zoning requirements, restrictions, contract, font style, construction conditions required by building codes, inspectors, material availability or final design direction.

B | R | R
architecture

1

12/02/2014



Whole Foods Market
Willowbrook, IL

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION - This building design is based on a representation of the current design plans as of 12/02/2013 and reflects what is intended to happen, but, because of the nature of the construction process, construction style, construction variations required by building codes or inspectors, material availability or other design alterations,



Whole Foods Market
Willowbrook, IL

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION - This building is a design representation of the current signage intent only. The building being designed, note discrepancies in function, but may change to reflect programming, architectural, context, farr style, construction norms, as required by building codes or in permit, instrument and may be subject to change.

B|R|R
architecture

3

12/02/2014



Whole Foods Market | Entry
Willowbrook, IL

DESIGN REPRESENTATION ONLY-NOT FOR CONSTRUCTION-The building design is shown in rendering format for presentation purposes. The rendering may vary from the final construction due to changes in design, materials, colors, materials, materials to time, contract, local style, construction, permits, rendered by building code, project constraints and other factors. Final design is controlled by building code.



Whole Foods Market | Entry Canopy
Willowbrook, IL

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION - This building image is a conceptual design of the current design intent only. The building images may not reflect the final design, materials, and, shall any and all, light fixture, mat and texture, color, font style, construct, elevation, required by building codes or by permit, or any final design or building drawing.



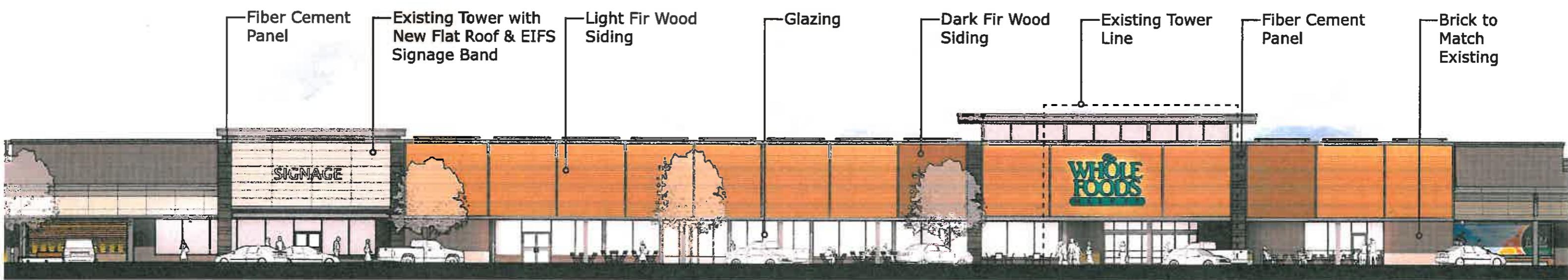
Whole Foods Market | Dock 01
Willowbrook, IL

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION - This building image is a design representation of the building as proposed. The building image shows approximate dimensions, materials, colors, and other design features. It is not a final construction drawing and does not show all details required for construction, including, without limitation, specific sizes, dimensions, materials, textures, colors, finishes, lighting, fixture, furniture, equipment, and other details required by building codes or inspectors. Actual building will be in accordance with final construction documents.



Whole Foods Market | Dock 02
Willowbrook, IL

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION - The building layout, dimensions, orientation of rooms, windows, doors, stairs, fireplaces, and other major architectural features, dimensions, and materials are subject to change. Consult the architect or engineer for final design details.



Light Fir



Dark Fir

Whole Foods Market | Elevation

Willowbrook, IL

DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION - The building shown is a design and has not been reviewed or approved by the building department. Actual construction must conform to the building and zoning codes in effect at the time of construction. The building department may require certain changes to the design to conform to the building and zoning codes. The building department may require a building permit.

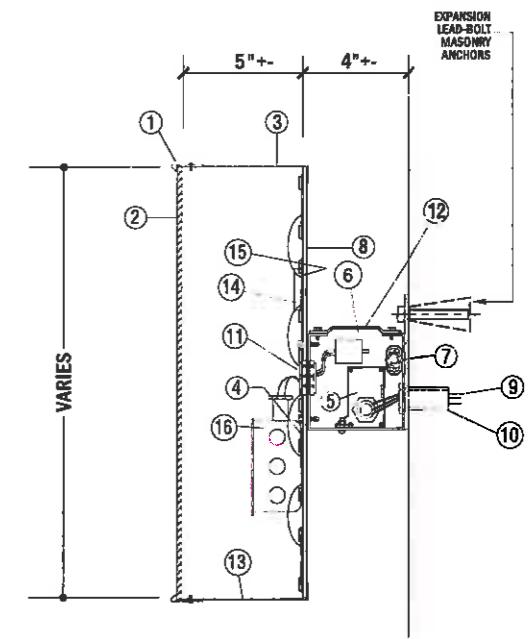
EXHIBIT 3



A ONE(1) L.E.D. ILLUMINATED CHANNEL LETTER DISPLAY, RACEWAY MOUNTED • FRONT VIEW
SCALE: 1/4"=1'



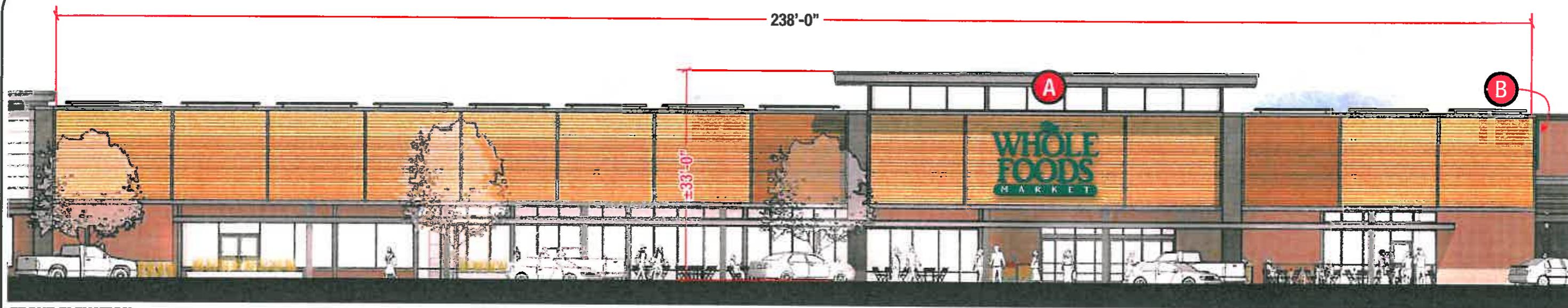
B ONE(1) L.E.D. ILLUMINATED CHANNEL LETTER DISPLAY, RACEWAY MOUNTED • FRONT VIEW
SCALE: 1/4"=1'



Section thru Letters
NTS

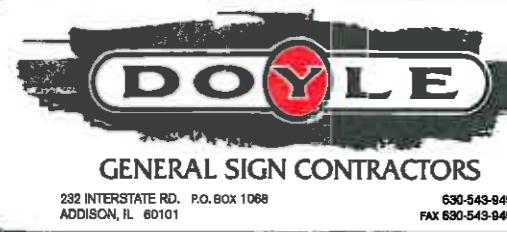
LEGEND

- 1 TRIM CAP - PMS 349 GREEN
- 2 2447 WHITE PLEX FACE - FIRST SURFACE
3630-26 GREEN VINYL
- 3 .040 & .063 ALUMINUM RETURN -
PT. PMS 349 GREEN
- 4 TERMINAL BLOCK
- 5 TRANSFORMER, CLASS II 12V
- 6 BRIDGE RECTIFIER
- 7 SAFETY SWITCH
- 8 .090 ALUMINUM BACK
- 9 120V PRIMARY, NO. 12 THHN
STRANDED WIRE. 1-20 AMP CIRCUIT
- 10 FLEXIBLE WEATHERPROOF
CONDUIT PER LOCAL CODE
SILICONE SEAL ALL PENETRATIONS
- 11 UL APPROVED STANDARD BUSHING
- 12 ALUM. FAB'D. RACEWAY w/ ACCESS LID
- 13 1/4" DRAIN HOLE
- 14 L.E.D. CIRCUIT BOARD
- 15 L.E.D. STENCIL
- 16 "J" BOX



FRONT ELEVATION

SCALE: 1/16" = 1'0"



DATE	REVISION

CUSTOMER APPROVAL		DATE

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CLIENT	WHOLE FOODS MARKET				
ADDRESS	6300 S RT. 83				
CITY	WILLOWBROOK	STATE	IL	DESIGNER	KM
DRWG. NO.	13989	SCALE:	NOTED	DATE:	05.23.2014
				SHEET	NO. 2

Whole Foods Market

WILLOWBROOK, IL

WILLOWBROOK, IL

Architects at Work
444 Archibald, Inc.

Copyright Holder	Mr. John Doe
Address	123 Main Street
City	Anytown, USA
State	CA
Zip	90210
Phone	(555) 123-4567
Comments	None

STRUCTURE PLAN

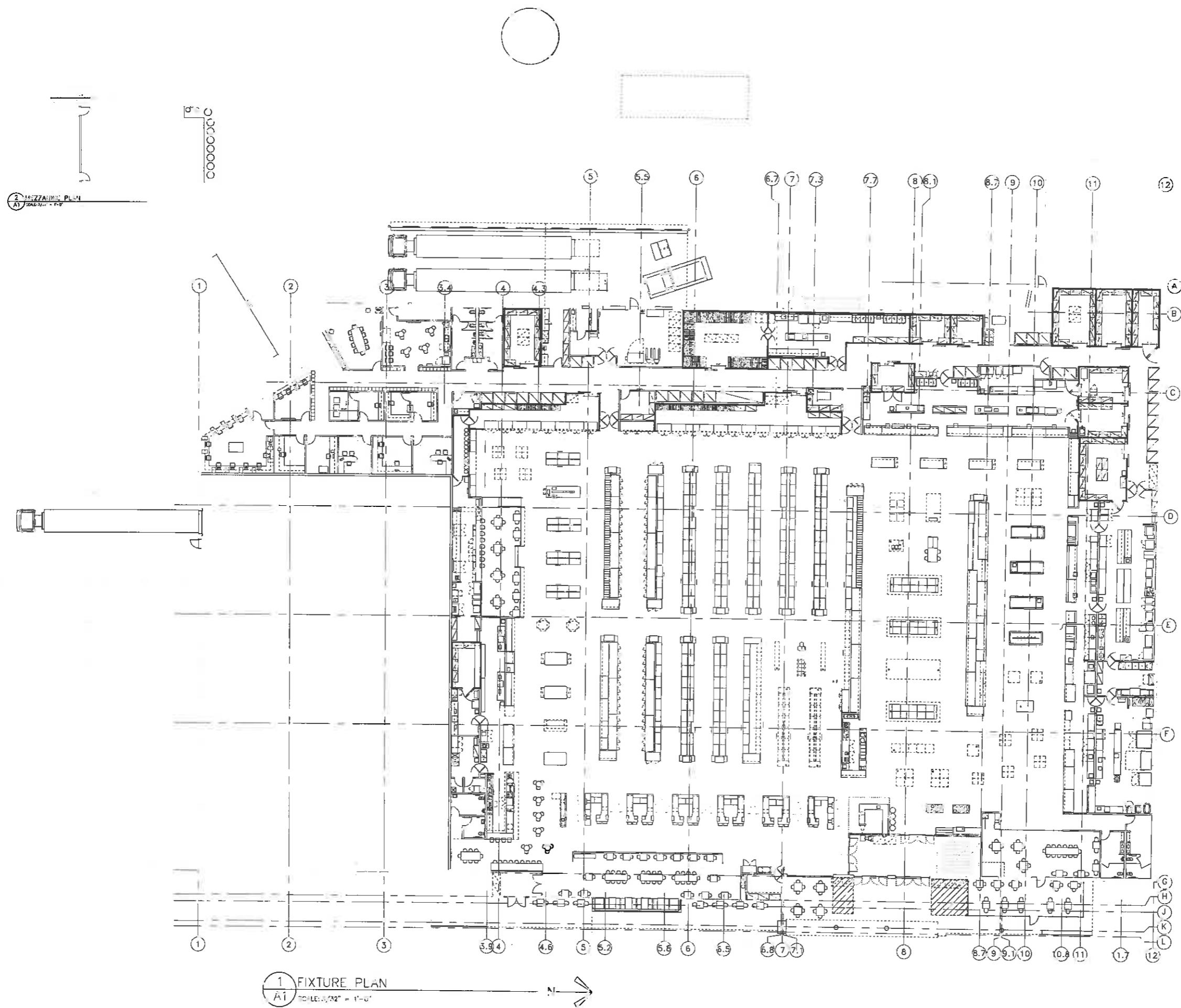


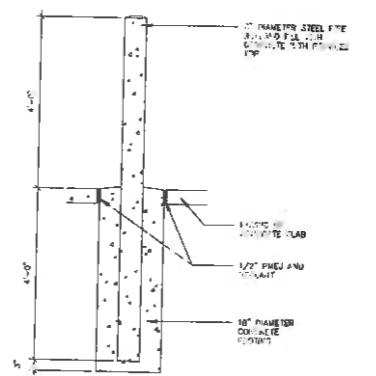
EXHIBIT 5

Whole Foods Market

WILLOWBROOK, IL

Whole Food
WILLOWBROOK, IL

WEEK PLAN



2 EXTERIOR BOLLARD DETAIL

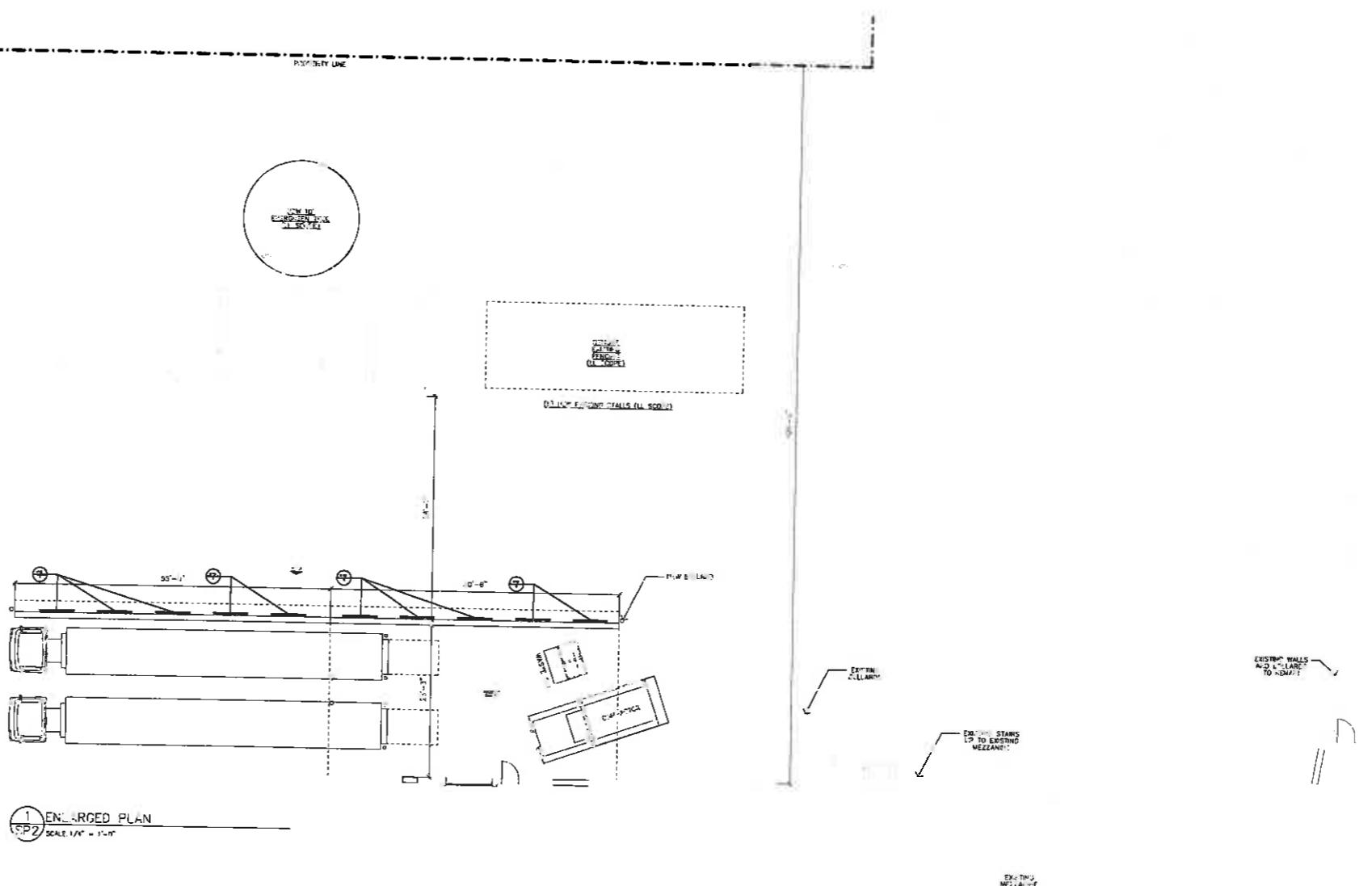
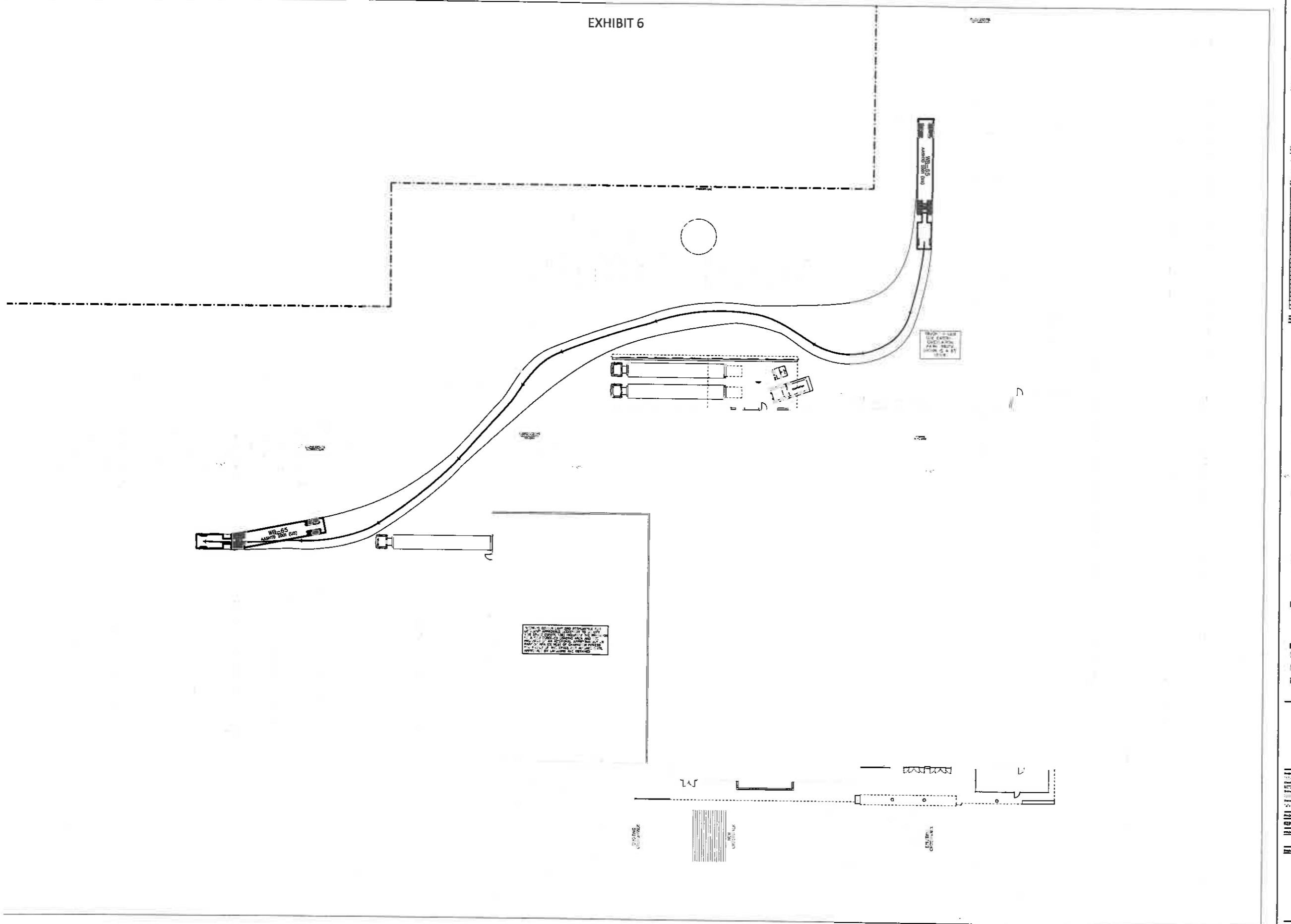


EXHIBIT 6



Whole Foods Market
WILLOWBROOK, IL

SP3

Architect of Record:
SKIDMORE, OWINGS & MERRILL, LLP
1301 Avenue of the Americas
New York, NY 10019
212.960.4000
Fax: 212.960.4001
E-mail: wholefoods@skidmore.com

Designated Architect:
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1301 Avenue of the Americas
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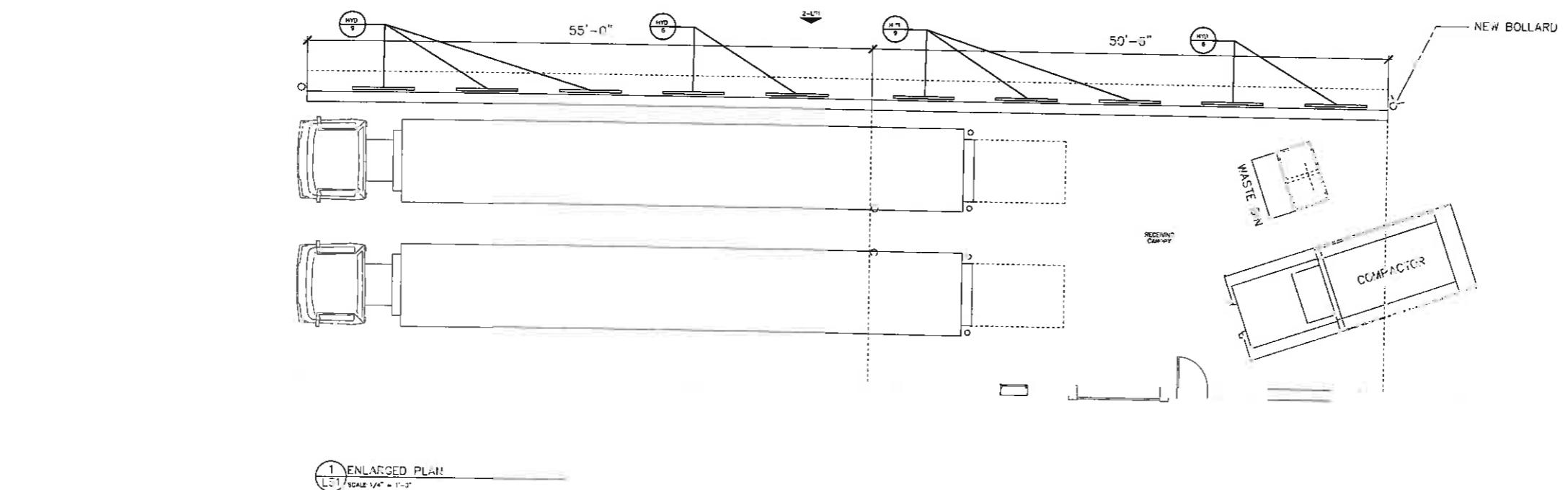
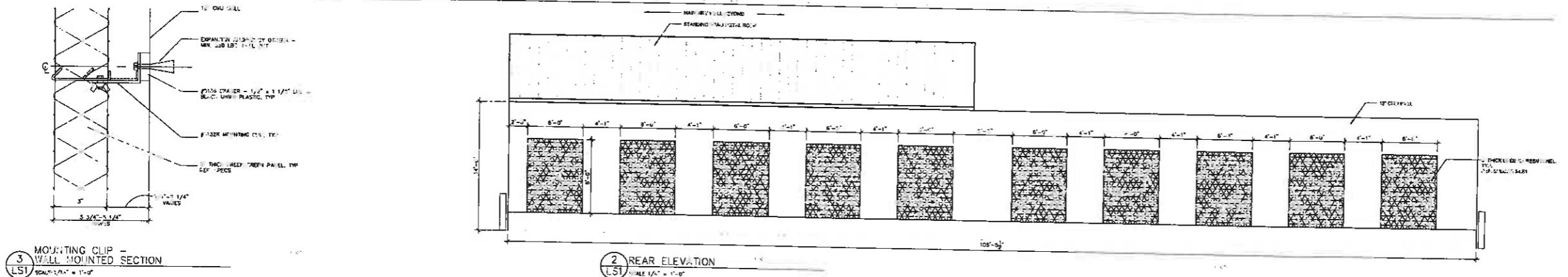
TRUCK CIRCULATION
Sheet No. SP3
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EXHIBIT 7

CODE
HYD

COMMON NAME/BOTANICAL NAME
CLIMBING HYDRANGEA/HYDRANGEA ANOMALA

QTY



Whole Foods Market

WILLOWBROOK, IL

Architect of Record	McGraw Hill Construction, Inc.
Address	1221 Avenue of the Americas New York, NY 10020
Phone	(212) 512-6000
Fax	(212) 512-6001
URL	http://www.mhconstruction.com
Comments	

ESCAPE PLAN

**CHRISTOPHER B. BURKE ENGINEERING, LTD.**

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

December 18, 2014

Village of Willowbrook
7760 Quincy Street
Willowbrook, IL 60527

Attention: Tim Halik

Subject: Whole Foods Remodeling– 6300 South Robert Kingery Highway
(CBBEL Project No. 90-144H164)

Dear Tim:

As requested, we have reviewed the remodeling plans for the Whole Foods property at 6300 South Kingery Highway, dated December 5, 2014, which includes the rerouting of the existing sanitary service line for the building due to the reconfiguration of the exterior receiving area. We offer the following comments:

1. We note that the proposed screening of the loading area partially blocks access to the existing fire department connection and wall hydrant. The engineer should coordinate with the appropriate fire protection district to ensure that they still have acceptable access to the sprinkler system connection.
2. The proposed sanitary manholes are missing their rim and invert elevations. The structures also should be given unique identifiers.
3. The pipe material type, pipe diameter, and pipe slope are not noted for the proposed sanitary sewer.
4. A note should be added to sheet C001 stating how the existing sanitary sewer is to be abandoned.
5. A note should be added to sheet C001 stating how the existing grease trap is to be abandoned.
6. The following standard details should be added to sheet C001: Pipe Installation under Pavement, Sanitary Manhole, Grease Trap, and Pavement Restoration.
7. A note should be added to sheet C001 stating that the connection of the discharge pipe from the proposed grease trap to the existing manhole shall be made through a cored opening with an inserted flexible seal.

8. A note should be added to sheet C001 stating as to how the existing pavement striping is to be obscured prior to the restriping called out for on the plan; either sealing over the existing striping or sealing the entire parking area.
9. The plan sheet or set should be signed and sealed by the engineer of record.
10. As noted on sheet C001, the existing sanitary sewer is not located within the existing dedicated easement. A new easement will need to be dedicated once the relocation work is completed to encompass the relocated and existing sanitary sewer.
11. This property is in the service area of Flagg Creek Water Reclamation District, and they will have to review and approve plans for the sanitary sewer relocation.

If you have any questions, please feel free to contact me.

Sincerely,



Daniel L. Lynch, PE, CFM
Head, Municipal Engineering Department

EXHIBIT 9

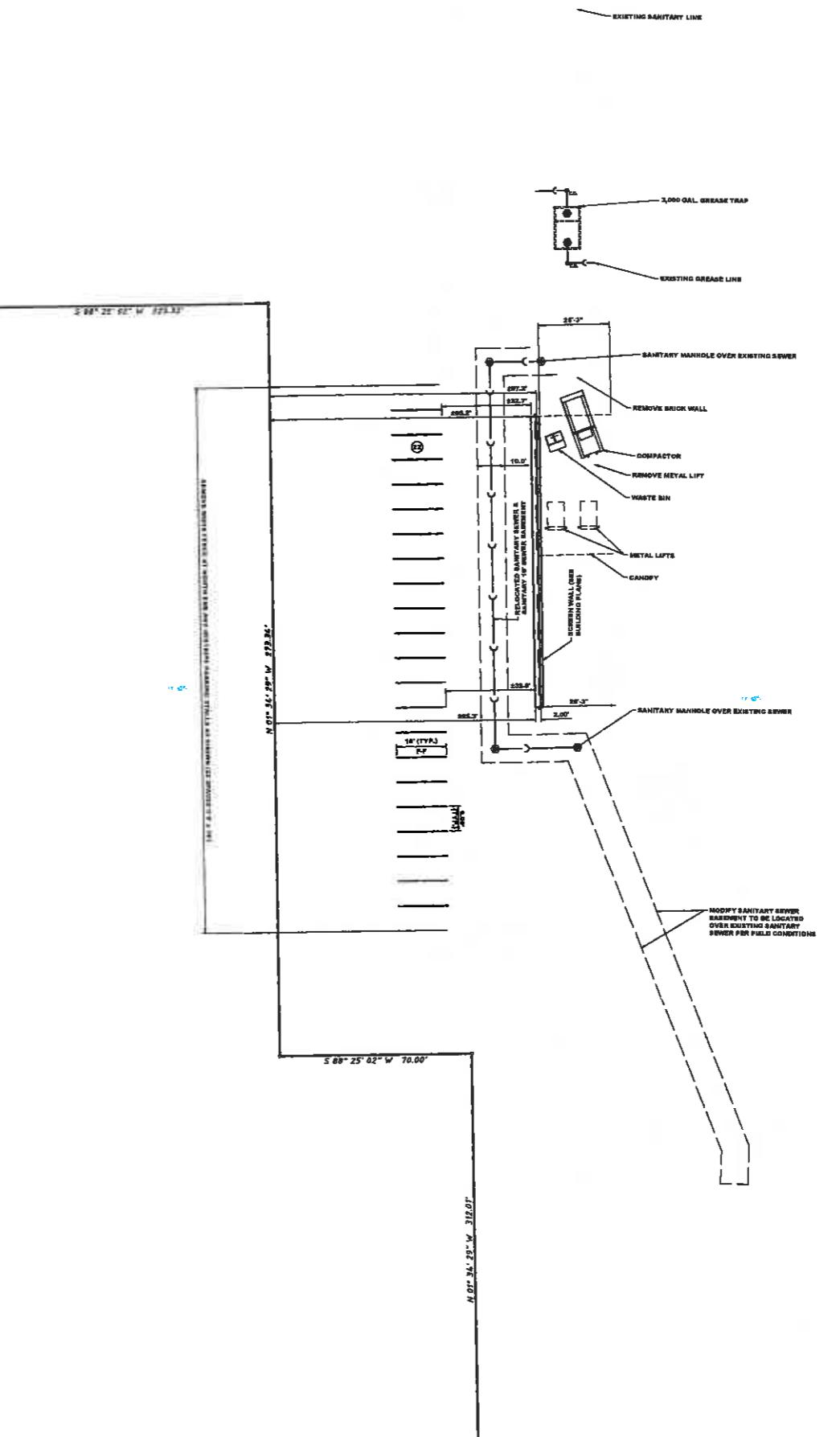
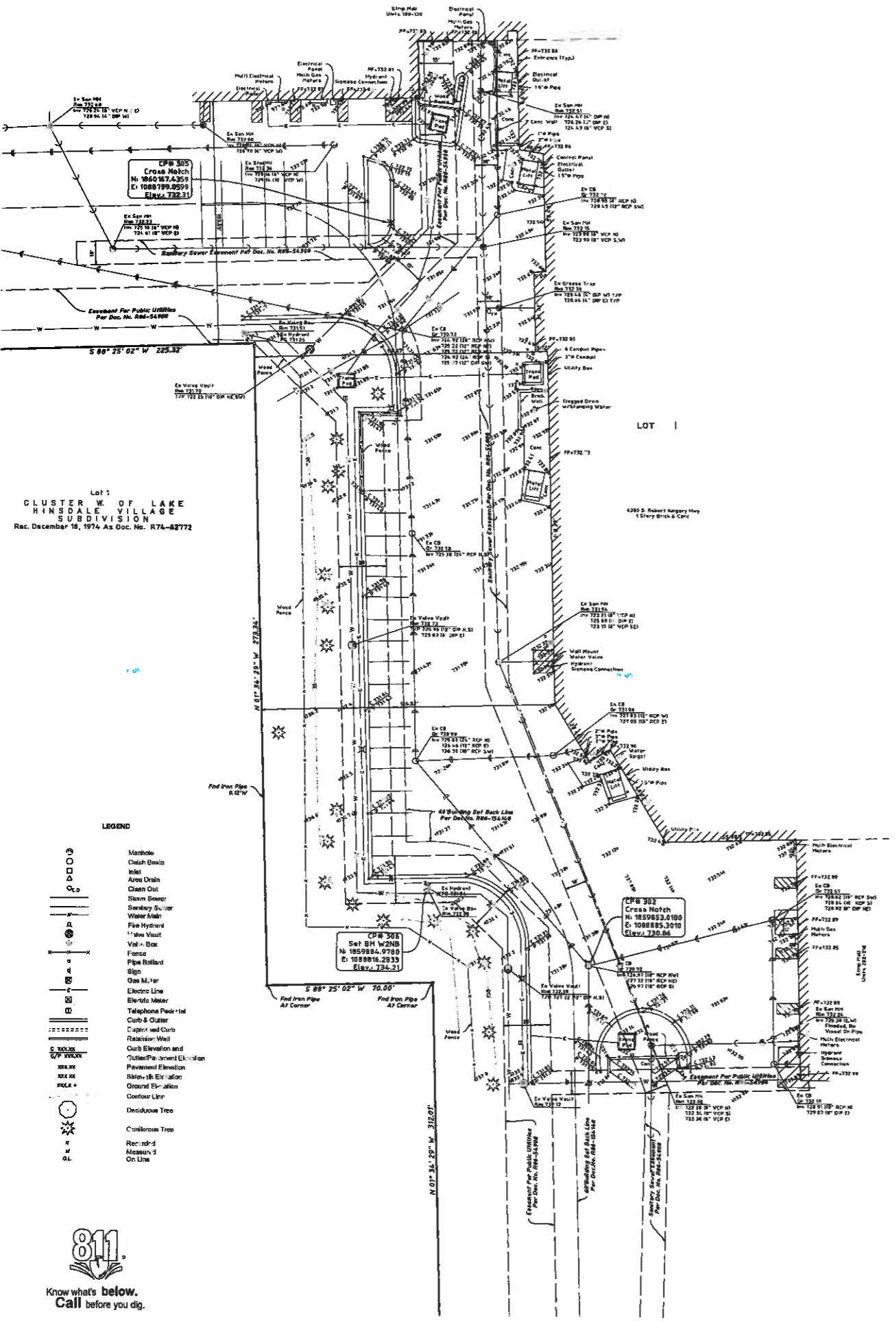


EXHIBIT 10
Standards and Findings of Fact

9-14-5.2: Special Use Standards:  

(A) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

FINDING: The establishment will not be detrimental or endanger the public health, safety, morals, comfort, or general welfare. The currently vacant space is being revitalized with a new grocery store where one previously existed for many years.

(B) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

FINDING: This use will not be injurious to the use and enjoyment of other property in the immediate vicinity. Whole Foods has an existing store just down the street, and is moving to a larger space in order to service a greater number of residents.

(C) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

FINDING: This establishment will not impede the normal and orderly development, as the use of the building will not be changed. A new grocery store is replacing an existing grocery store.

(D) That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.

FINDING: Utilities, access roads, drainage, and/or other necessary facilities are being provided and/or improved as needed to serve the new space.

(E) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

FINDING: Traffic will not be affected, since the space is being used in the same manner as it was previously.

(F) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

FINDING: Acknowledged, to be approved by the Village Board.

(G) Conditions in the area have substantially changed, and at least one year has elapsed since any denial by the Village Board of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site. (Ord. 97-O-05, 1-27-1997)

FINDING: No request has been made in the last year with regard to the use of this space.

9-13-6: PUD STANDARDS:

The planned unit development must meet the following standards:

(A) Comprehensive Plan: A planned unit development must conform with the intent and spirit of the planning goals and objectives of the village comprehensive plan.

The exterior renovations bring a fresh, updated look to the shopping center, and will be a strong anchor to the development. The Whole Foods façade update is cohesive with the future look of the shopping center

(B) Size And Ownership: The site of the planned unit development must be under single ownership and/or unified control and be not less than two (2) acres in area.

Whole Foods will be a tenant in a shopping center that is greater than 2 acres owned and managed by Regency

(C) Compatibility: The uses permitted in the planned unit development must be of a type and so located as to exercise no undue detrimental influence upon surrounding properties.

The space will maintain the same use as the previous function, which is a mercantile grocery store/supermarket

(D) Storm Water Management: Adequate facilities, both on site and off site, shall be provided to ensure that all drainage related issues are addressed.

Drainage will not be affected due to the new use of the building.

(E) Space Between Buildings: The minimum horizontal distance between buildings shall be:

Clearances between existing buildings will not be impacted by this project

(F) Yards: The required yards or setbacks along the periphery of the planned unit development shall be at least equal in width or depth to that of the applicable required yard within the adjacent zoning district. Notwithstanding the foregoing, buildings of more than twenty four feet (24') in height shall provide a setback from any property line not less than a distance equal to the height of such buildings.

Setbacks will not be affected by this project.

(G) Parking Requirements: Adequate parking shall be provided as set forth in other sections of this title.

There is adequate parking in the center to support the proposed use; however occupancy of the adjoining 12,690 square foot space will be restricted until the property owner amends the PUD to accommodate additional parking.

(H) Traffic: That adequate provision be made to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Traffic not to be affected due to the new use of the building. Drive aisles, parking, and building use will not change.

(I) Preservation Standards: Due regard shall be demonstrated for any existing site conditions worthy of consideration including: desirable trees of a minimum six inch (6") caliper or greater, natural bodies of water, designated wetlands

and/or flood hazard areas, etc. All desirable vegetation shall be identified by location, caliper size, type, condition and a method by which preservation efforts will be conducted.

Landscaping and vegetation will not be affected due to the new use of the existing building.

(J) Design Standards: The provisions of the Willowbrook subdivision ordinance shall be adhered to, unless a variance is granted by the village board.

(K) Uses For PUDs Greater Than Five Acres: Any permitted or special use available under any of the various zoning districts classifications, whether singly or in combination, and any other use permitted by law, may be allowed as either a permitted or special use within a planned unit development consisting of more than five (5) acres, but only to the extent specifically approved by the village board, after a finding that such use is consistent with the objectives of this chapter.

Not applicable.

(L) Other Standards: The planned unit development may depart from strict conformance with the required density, dimension, area, height, bulk, and other regulations for the underlying zoning district and other provisions of this title to the extent specified in the preliminary plat and documents authorizing the planned unit development so long as the planned unit development will not be detrimental to or endanger the public health, safety and general welfare. Notwithstanding the foregoing, every planned unit development must comply with the minimum standards set forth in subsections (A), (B), (C), (D), (H), (I) and (K) of this section. (Ord. 06-O-12, 5-8-2006)

Not applicable.

9-13-7: PLANNED UNIT DEVELOPMENT FINDINGS:

The plan commission shall, after the public hearing, set forth to the board of trustees the reason for the recommendation, and said recommendation shall set forth with particularity what respects the proposal would be in the public interest, including, but not limited to, findings of fact on the following: (Ord. 75-O-3, 3-10-1975)

(A) In what respects the proposed plan is consistent with the stated purpose of the planned unit development regulations.

The proposed amendment to the PUD provides accommodations for the reuse of a space previously occupied by a grocery store for a somewhat smaller grocery store chain. Whole Foods will update the façade appearance of the building and make minor modification to the rear of the store to better accommodate loading and garbage.

(B) The extent to which the proposed plan meets the requirements and standards of the planned unit development regulations. (Ord. 97-O-05, 1-27-1997)

As enumerated above, the proposed amendment to the PUD meets the requirements and standards of the PUD regulations.

(C) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, the density, dimension, area, bulk and use, and the reasons why such departures are deemed to be in the public interest.

The only waiver from the requirements of the Zoning Ordinance regulations is to allow for a two square feet increase in wall signage square footage.

(D) The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space, and furthers the amenities of light and air, recreation and visual enjoyment.

The proposed changes have been evaluated to ensure the safe movement of semis and other vehicular traffic in the rear of the store, and for the provision of adequate pedestrian walkways in the front of the store. Revised and/or relocated sanitary sewer easements are to be provided as part of this project.

(E) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood. (Ord. 75-O-3, 3-10-1975)

This revision to the PUD is compatible with the immediate shopping center uses as well as with nearby commercial properties.

(F) The desirability of the proposed plan with respect to the physical development, tax base and economic well being of the village.

The proposed plan is desirable in that it brings new life to an otherwise vacant space, that if left vacant, would have damaging consequences on the balance of the shopping center. Whole Foods is a viable grocery store competitor in the current market and their presence will stabilize and strengthen the Village's tax revenues.

(G) The conformity with the intent and spirit of the current planning objectives of the village. (Ord. 97-O-05, 1-27-1997)

The proposed plan is consistent with the goals and objectives of the Comprehensive Plan and the Village.