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EDWARD H. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 02/05/2019 02:38 PM PG: 1 OF 16

VILLAGE OF RIVER GROVE  
COOK COUNTY, ILLINOIS

ORDINANCE NO. 2018-27

AN ORDINANCE REGARDING THE REPORT AND RECOMMENDATION OF THE ZONING BOARD OF APPEALS IN CASE NO. 2018-ZPA-01 AND THE APPLICATION FOR A SPECIAL USE PERMIT FOR THE OPERATION OF A STARBUCKS COFFEE STORE WITH DRIVE-THROUGH FACILITIES FILED BY THE VILLAGE OF RIVER GROVE AND AVALON EQUITIES RIVER GROVE LLC UPON THE PROPERTIES AT 8359 WEST GRAND AVENUE AND 2647 NORTH THATCHER AVENUE, AND THE PORTION OF THE PUBLIC ALLEY EXISTING BETWEEN THESE TWO PROPERTIES

ADOPTED BY THE  
PRESIDENT AND THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF RIVER GROVE

THIS 20<sup>TH</sup> DAY OF DECEMBER, 2018

Published by authority of the  
President and Board of Trustees of  
the Village of River Grove, Cook  
County, Illinois this 20<sup>th</sup> day of  
December, 2018.

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DATE 2-5-19 COPIES 6x  
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**UNOFFICIAL COPY****VILLAGE OF RIVER GROVE  
COOK COUNTY, ILLINOIS****ORDINANCE NO. 2018-27**


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**AN ORDINANCE REGARDING THE REPORT AND RECOMMENDATION OF THE ZONING BOARD OF APPEALS IN CASE NO. 2018-ZBA-01 AND THE APPLICATION FOR A SPECIAL USE PERMIT FOR THE OPERATION OF A STARBUCKS COFFEE STORE WITH DRIVE-THROUGH FACILITIES FILED BY THE VILLAGE OF RIVER GROVE AND AVALON EQUITIES RIVER GROVE LLC UPON THE PROPERTIES AT 8359 WEST GRAND AVENUE AND 2647 NORTH THATCHER AVENUE, AND THE PORTION OF THE PUBLIC ALLEY EXISTING BETWEEN THESE TWO PROPERTIES**

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WHEREAS, attached hereto as **Exhibit A** is the report and recommendation of the Zoning Board of Appeals in Case No. 2018-ZBA-01 which recommends that the Corporate Authorities grant the petitioners the requested special use permit so that the property owner, the Village of River Grove ("Village"), and the contract purchaser, Avalon Equities River Grove LLC ("Avalon"), may proceed with the development of a Starbucks retail coffee store with drive-through facilities in the C-2 Zoning District at and upon the properties at 8359 West Grand Avenue, 2647 North Thatcher Avenue, and that portion of the public alley located between the two identified parcels of property; and

WHEREAS, Section 6-4-3(D)(3) of the Village Code provides, "the village board shall consider the application within thirty (30) days of receiving the findings of fact and recommendation from the zoning board of appeals. The village board may take action in the form of approval, approval with conditions, or denial on applications for special uses. The village board may also refer the matter back to the plan commission/zoning board of appeals for further consideration;" and,

WHEREAS, Section 6-4-3(E) provides the standards for special uses, and states that an application for a special use shall not be approved unless the application is determined to be in conformance with each of the following standards, in addition to any specific use standards included in Chapter 10, "Use Standards", of Title VI, and the Corporate Authorities hereby find that the applicant has met all applicable standards for the special use:

1. The proposed special use is, in fact, a special use authorized in the C2 zoning district in which the property is located (Code Section 6-7-2).
2. The proposed special use is deemed necessary for the public convenience at that location.

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3. The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.
4. The proposed use is in conformance with the goals and policies of the comprehensive plan, and all village codes and regulations.
5. The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.
6. The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.
7. The proposed special use is compatible with development on adjacent property.
8. The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.
9. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this title.
10. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.
11. The proposed special use conforms with the requirements of this title and other applicable regulations; and,

WHEREAS, Section 6-10-2(D)(6) of the Code provides specific use standards for drive-through facilities as follows, and compliance with these specific use standards shall be a condition of the special use permit:

6. Drive-Through Facility: A drive-through facility is considered a separate use, rather than accessory to the principal use. For the purposes of this title, car washes, gas stations and motor vehicle service and repair facilities shall be exempt from the following standards.
  - (a) Drive-through facilities shall provide adequate stacking spaces, in accordance with Chapter 12, "Off Street Parking and Loading," of this title.
  - (b) All drive-through lanes must be located and designed to ensure that they will not adversely affect the safety and efficiency of traffic circulation on adjoining streets.

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- (c) The volume on all intercom menu displays shall be maintained at a level so as not to create a public nuisance for adjoining residential districts.
- (d) The operator of the drive-through facility shall provide adequate on site outdoor waste receptacles and shall provide daily litter cleanup along the rights of way abutting the property.

WHEREAS, Section 6-4-3(G) allows for conditions to be placed on special uses, and specifically provides, "... the village board may impose, such conditions and restrictions upon the construction, location and operation of a special use. Such conditions must be deemed necessary to comply with the standards set forth in this section, to promote the general objectives of this title, and to minimize or reduce the injury to the value of property in the neighborhood. *Such conditions shall be expressly set forth in the ordinance granting the special use.* Failure to maintain such conditions or restrictions as may have been imposed shall constitute grounds for revocation of such special use approval" (emphasis added); and,

WHEREAS, based upon the Board's review of the record, it hereby finds that the conditions for the granting of the special use permit have been satisfied, but the special use permit shall be subject to the restrictions and conditions set forth below and failure to maintain and observe such conditions and restrictions shall constitute grounds for revocation of such special use approval.

**NOW THEREFORE, BE IT ORDAINED**, by the President and Board of Trustees of the Village of River Grove, County of Cook, State of Illinois, in open meeting assembled, that:

Section 1. The foregoing recital clauses are incorporated herein and adopted as the findings of fact by the Corporate Authorities of the Village of River Grove.

Section 2. That the report of the Zoning Board of Appeals recommending that the Corporate Authorities grant the petitioners' requested special use permit is accepted and the requested SPECIAL USE PERMIT IS HEREBY GRANTED subject to the following restrictions and conditions in accordance with Section 6-4-3(G) of the Zoning Code of the Village:

- (A) **SPECIAL USE PERMIT LIMITED TO PETITIONER AVALON EQUITIES RIVER GROVE LLC ONLY.** That the Special Use Permit, based upon the presentation and representations of the Avalon and in accordance with the Redevelopment Agreement between the Village and Avalon, shall be specific to Avalon and is effective only upon Avalon purchasing the subject properties and commencing operation of the proposed Starbucks retail business at this location. The Special Use Permit granted herein shall cease and terminate upon any termination of the Redevelopment Agreement between the Village and Avalon. The Redevelopment Agreement between the Village and Avalon, as approved by Ordinance No. 2018-21, is incorporated by reference in its entirety. This special use permit is not assignable or transferrable by petitioner unless otherwise required by law.

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- (B) **SITE PLAN IMPROVEMENT PLAN REQUIRED.** Avalon is hereby advised that an occupancy permit and business license for the services must first be applied for but will not be issued until the necessary site improvements are completed to the satisfaction of the Site Plan Review Committee and Building Commissioner, and in accordance with the Site Plan offered by Avalon and approved by the Site Plan Review Committee.
- (C) **CODE COMPLIANCE.** That all uses or improvements to the properties by Avalon shall be in compliance with all applicable ordinances, statutes, rules and regulations, and the Redevelopment Agreement.
- (D) **LIMITATIONS ON SPECIAL USES.** That pursuant to Section 6-4-3(H) of the village code, the following limitations shall apply:
- (1) Special use approval may become null and void unless a building permit is issued within six (6) months and construction is thereafter diligently pursued to completion, or an occupancy permit is issued and the premises is occupied within ninety (90) days of the date of adoption of this ordinance granting special use approval. After notice to the property owner and an opportunity for a hearing, the village board may terminate the special use. However, the village board may extend this period upon written request from the applicant showing good cause.
  - (2) Special use approval is granted to this specific property and authorizes the conduct of the special use only on the properties represented on the application and is not transferable to other properties.
  - (3) The approval of the special use authorizes the use on the property in the manner proposed, but does not in itself authorize the establishment of such use without first obtaining any other required approvals, including a building permit, sign permit, occupancy permit, zoning certificate, and site plan review.
  - (4) Any modification or intensification of a special use that alters the essential character or operation of the use in a way not approved at the time the special use was granted, as evidenced by the record or by the text of this title, shall require new special use approval in accordance with village code.
- (E) **VIOLATIONS/REVOCAION OF SPECIAL USE PERMIT.** Failure by Avalon to maintain and observe all such conditions and restrictions shall constitute grounds for revocation of such special use permit granted by this Ordinance.

Section 3. That this Ordinance is enacted solely for the purpose of addressing the best interests of the village with regard to the properties, namely 8359 West Grand Avenue, 2647

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North Thatcher Avenue, and that portion of the public alley existing between these two parcels of property, and it may not be relied upon or used in the interpretation of any provision of the Zoning Code of the Village of River Grove, or any amendments thereto; or as precedence in the village's consideration of any future applications for special use under the Code.

Section 4. If any portion of this Ordinance is invalid, that portion shall be stricken from this Ordinance and the remaining portions of this Ordinance shall continue in full force and effect to the extent possible.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage, approval and publication as provided by law.

Date: December 20, 2018.

*David B. Guerin*  
 \_\_\_\_\_  
 Hon. David B. Guerin, President

ATTEST: *Marjorie A. Manchen*  
 \_\_\_\_\_  
 Hon. Marjorie A. Manchen, Clerk



| WAIVER OF RULE 19 | TRUSTEE   | PRESENT | ABSENT | AYE | NAY |
|-------------------|-----------|---------|--------|-----|-----|
|                   | Aller     | ✓       |        | ✓   |     |
|                   | Bjorvik   | ✓       |        | ✓   |     |
|                   | Sewell    | ✓       |        | ✓   |     |
|                   | Thomas    | ✓       |        | ✓   |     |
|                   | Obaya     | ✓       |        | ✓   |     |
|                   | Konwinski | ✓       |        | ✓   |     |

| ORDINANCE NO. 2018-27               | TRUSTEE   | PRESENT | ABSENT | AYE | NAY |
|-------------------------------------|-----------|---------|--------|-----|-----|
| Presented: <i>Dec 20, 2018</i>      | Aller     | ✓       |        | ✓   |     |
| First Reading: <i>Dec 20, 2018</i>  | Bjorvik   | ✓       |        | ✓   |     |
| Second Reading: <i>Dec 20, 2018</i> | Sewell    | ✓       |        | ✓   |     |
| Passed: <i>Dec 20, 2018</i>         | Thomas    | ✓       |        | ✓   |     |
| Approved: <i>Dec 20, 2018</i>       | Obaya     | ✓       |        | ✓   |     |
|                                     | Konwinski | ✓       |        | ✓   |     |

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## VILLAGE OF RIVER GROVE ZONING BOARD OF APPEALS COOK COUNTY, ILLINOIS

|                                  |   |                                    |
|----------------------------------|---|------------------------------------|
| In the matter of the:            | ) |                                    |
|                                  | ) |                                    |
| Village of River Grove and       | ) | Case No. 2018-ZBA-01               |
| Avalon Equities River Grove LLC, | ) |                                    |
|                                  | ) | Application for Special Use Permit |
| Petitioners.                     | ) |                                    |

### ZONING BOARD OF APPEALS REPORT AND RECOMMENDATION TO THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RIVER GROVE, COOK COUNTY, ILLINOIS

**Summary:** Based upon the testimony and exhibits presented, and the public comments received, the Zoning Board of Appeals unanimously recommends that the President and Board of Trustees of the Village of River Grove, Cook County, Illinois GRANT the requested special use to allow for the operation of a Starbucks retail coffee store with drive through facilities at 8359 Grand Avenue, 2647 Thatcher Avenue, and a portion of the public alley located between these two addresses.

#### REPORT

The hearing in this matter was called to order at 7:00 p.m. Prior to commencing the presentation, the board unanimously appointed James Pasquesi as chair of the hearing, and George Orbzut as secretary. The chair asked counsel to call the roll. Member Henry Bramski was not in attendance, while members Mario Novelli, George Orbzut, Donald L. McElhattan, Craig Matz, Stuart Bruce and James Pasquesi were present. With four or more members being present, the chair declared that a quorum was present, and noted that Bart Smith was present as counsel for the Zoning Board.

The chair then announced that the sole item on the agenda was the joint application of the Village of River Grove, as owner of the properties ("Village"), and Avalon Equities River Grove LLC, as contract purchaser ("Avalon"), relative to the property located at 8359 West Grand Avenue and 2647 North Thatcher Avenue, and a specific portion of the public alley located between these two parcels of property (hereinafter collectively referred to as "the Properties"). The chair further noted that the Village of River Grove approved a Redevelopment Agreement between the Village and Avalon pursuant to Ordinance No. 2018-21, which memorializes the terms and conditions upon which the parties desire to operate a Starbucks coffee shop with drive-through facilities. The chair explained that drive-through facilities require a special use permit from the Village and that was the sole purpose of the public hearing. A copy of Ordinance No. 2018-21 was included as part of the record of the proceeding.

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The chair asked if anyone was present on behalf of the applicants to which the following individuals identified themselves:

Gregory T. Smith, of Klein, Thorpe and Jenkins, Ltd., 20 N. Wacker Drive, Suite 1660, Chicago, Illinois 60606, was present as special counsel on behalf of the Village.

John H. Mays, of Gould & Ratner, 222 North LaSalle Street, Suite 800, Chicago, IL 60601, was present as counsel for Avalon Equities River Grove, LLC, along with attorney Philip P. Piecuch.

Carlo Santucci indicated that he was present on behalf of Avalon Equities River Grove LLC, 3315 Algonquin Road, Suite 600, Rolling Meadows, Illinois 60008; and Michael Platt later presented himself on behalf of Avalon.

Kevin Coughlin, of Marhard Consulting, Ltd, 116 W Illinois St, Chicago 60654, indicated that he was present on behalf of Avalon.

At that time, board counsel, at the request of the chair, placed of record the following documents in support of the application and copies of which will be maintained with the records of the proceeding:

1. The Certificate of Publication of the Chicago Tribune Media Group verifying that proper notice of the hearing was published in accordance with law on November 22, 2018.
2. The list of all property owners of record within 250' of the subject Properties as provided by the Leyden Township Assessor's Office.
3. The Affidavit of Service of Notice of Hearing of Carmen P. Forte, Jr., as special counsel to the Village, verifying that all property owners of record within 250' of the subject Properties received proper notice of the hearing, along with copies of all certified mail receipts, return receipts, and undelivered mailings.
4. The Affidavit of Posted Notice of Hearing of John E. Bjorvik, Public Works Supervisor of the Village, verifying that proper notice of the hearing was posted at the subject Properties in accordance with law as of November 16, 2018.
5. Title commitment number 180105200655 of Attorneys' Title Guaranty Fund, Inc. verifying that ownership of the subject Properties is vested in the Village, along with copies of the deeds further evidencing the Village's ownership of the subject Properties.



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6. The ALTA/NSPS Land Title Plat of Survey of the subject Properties, consisting of three pages, prepared by Manhard Consulting, Inc. and dated October 26, 2018.
7. A site plan consisting of three pages of the proposed special use and improvements to the subject Properties as prepared by Manhard Consulting, Inc., dated September 24, 2018.

Based upon the documents identified and admitted to the record, the chair declared that the hearing was properly noticed, that the applicants, as owner and contract purchaser, were authorized to proceed, and that proper jurisdiction over the matter was established. The chair then requested that the applicants proceed with their presentation.

Counselor Gregory Smith as special counsel for the Village initiated the presentation for the applicants by providing a summary of the applicants and the application filed with the Village. He further explained that the parties entered into a Redevelopment Agreement providing for the Starbucks coffee shop with drive through facilities, and that the corporate authorities believe that the proposed development would serve as catalyst for further redevelopment within the Village. He further explained that the hearing in this matter was necessary because drive-through facilities require a special use permit to operate in the C-2 Commercial Zoning District. He concluded by advising the board that the corporate authorities believe that all conditions for granting a special use permit are met in this matter, and that the co-applicant will provide further details on how these conditions are met by the proposed redevelopment project.

Counselor John Mays, on behalf of Avalon, then made introductory comments as to other successful Starbucks' projects of Avalon and then presented a summary of the Starbucks being a permitted use within the C-2 district, while the use of drive through facilities does require a special use permit to operate as specifically provided by village code. He further indicated that the comprehensive plan specifically calls for such development. At that point, Carlo Santucci was presented as the first witness on behalf of Avalon.

Mr. Santucci, upon being duly sworn, testified that he has 15 years of commercial real estate experience and is a license broker. He received his Bachelor's Degree from Marquette University and his Master's Degree from Northwestern University. He explained that Avalon manages approximately 80 commercial properties and through various divisions, manages, develops and rehabilitates commercial properties. He testified that this location is one of five Starbucks projects and that he is very familiar with the Starbucks products and operations.

Upon further questioning from counsel, Mr. Santucci opined as follows: (a) the development would serve the public convenience and that it would be vital to the local economy and spur further development; (b) the planned Starbucks would be harmonious with

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the surrounding commercial activity, and will serve as a gateway to this commercial area; (c) the development does not present any public safety issues based upon the comprehensive traffic study; and (d) the "rule of ascension" should apply to the property values in this area as the property is being transformed from a vacant gas station lot into a Starbucks coffee shop that will attract other businesses and consumers once it is clear that a Starbucks is being built at the location.

Counselor Mays then called Kevin Coughlin on behalf of Avalon, who was duly sworn in by board counsel. Mr. Coughlin explained that he is a licensed civil engineer with Manhard Consulting, Ltd, having been a registered professional engineer for the past five years. He indicated that he has worked on a number of Starbucks projects and that converting this empty land into a Starbucks is in accordance with the comprehensive plan of the Village. He detailed that the plan reduces the access points to the properties from five to three, with one being located on Thatcher Avenue, once being located on Grand Avenue, and one being located through the drive-through via the vacated alley. He stated that this limits collision points and provides great benefit to this intersection. He further explained that the plan exceeds the Village's drive-through stacking requirement of three vehicles but providing for five vehicles, and the on-site parking exceeds the Village's requirement of 17 parking spots by providing for 21 parking spots. Upon additional questioning, Mr. Coughlin testified that the plan includes drainage and landscaping improvements which will benefit the sewer system of the Village, and both vehicular and pedestrian traffic. He opined that: (a) the planned improvements do not have any significant impact on public facilities; (b) there will be driveway and sidewalk improvements; and (c) the planned use is compatible with the adjacent commercial properties. This concluded Avalon's presentation.

At that time, board counsel requested that Avalon provide the Village with a copy of the traffic study referenced in their presentation, which was provided to Building Administrator James Duffy. Mr. Duffy advised the board that the building department and site plan review committee were satisfied with the planned drive through facilities, and that he had no further comment on the proposed special use.

Board counsel then asked if there were any public comments or questions, and the following individuals presented the questions and comments set forth below:

First, Bonita Billa, of 3127 Elm Street, Apartment 3S, expressed concern about the traffic safety issues related to the drive through operation. She also expressed concerned about parking being eliminated for the area. Board counsel explained that the reduced access points to the properties would improve safety at the location, and that the village would add additional crossing guards to address the children walking to and from River Grove School. Counsel further explained that the Village purchased the two residential properties and improved them with the public parking lot north of Village; and is seeking to purchase other

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properties for public parking, including the Marmor property on Thatcher across from the Village Offices.

Next, Rose Bernard, of 2634 Marwood Street, indicated she was concerned about the traffic in the alley. Kevin Coughlin reviewed the site plan and configuration of the alley with the improvements in response to the Ms. Bernard's concern.

Shirley Capiak, of 2636 Marwood Street, then suggested that the properties were not large enough for the Starbucks operation. In response, Mr. Coughlin, of Manhard, and Mike Platt of Avalon, upon being duly sworn, reviewed the site plan and pointed out the planned locations of the access points, parking area, drive-through facilities and store structure upon the Properties. Ms. Capiak also expressed concern for the safety of the children crossing the Properties to which the access points to the village public parking lot and the reconfigured alleys were explained. Finally, she claimed that the village was "taking" three houses on Marwood Street, including her house, for parking. Mr. Coughlin explained that such information was not correct and any such parking was not included in the plan.

Nancy Cruz, of 2600 Marwood Street presented comment based upon her children having to cross the streets in this area, and asked if there was a process to ensure the children are safe once Starbucks opens. She believes that new traffic will be introduced to the area, and questioned whether the plan anticipated such traffic. In response, Mr. Coughlin explained that the exits from the property will have left hand turning restrictions during peak school and traffic hours; that the site will have stop bars, stop signs, and other traffic and pedestrian safety measures; and that the anticipated traffic will be "pass through flow" not "destination based" traffic. Board counsel concluded by reaffirming that the mayor will make sure there are well protected cross walks at this location and for all the children attending the schools on both sides of the river.

At the conclusion of the public comments, it was confirmed that September 1, 2019, is the targeted opening date for Starbucks, and Counselor Mays offered to all in attendance copies of the site plan to anyone interested.

Accordingly, upon hearing from all individuals in attendance, and there being no other request to be recognized, the chair closed the public portion of the hearing. He then explained that the zoning board members would review the matter in open meeting, and at the conclusion of the discussion, one of the members would make a motion to either recommend that the requested special use permit be granted or denied, and a vote of the members would be taken on the motion. The chair reminded all present that the zoning board's action is that of a recommendation and that the final decision will rest with the President and Board of Trustees of the Village of River Grove.

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At that time, with respect to the request for a special use permit to operate drive through facilities at a Starbucks coffee shop at the Properties, the board members unanimously agreed with the following findings:

1. The proposed special use is a special use authorized in the zoning district in which the Properties are located.
2. The proposed special use is deemed necessary for the public convenience at that location.
3. The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.
4. The proposed use is in conformance with the goals and policies of the comprehensive plan, and all village codes and regulations.
5. The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.
6. The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.
7. The proposed special use is compatible with development on adjacent property.
8. The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.
9. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this title.
10. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.
11. The proposed special use conforms with the requirements of this title and other applicable regulations.

Based upon the findings set forth above, and upon the motion of James Pasquesi, seconded by Mario Novelli, by roll call vote, the board unanimously recommended that the requested

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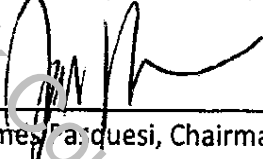
special use be approved and granted by the President and Village Board of Trustees. The hearing adjourned at 8:07 p.m.

## RECOMMENDATION

ACCORDINGLY, IT IS THE RECOMMENDATION OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF RIVER GROVE THAT THE PRESIDENT AND BOARD OF TRUSTEES APPROVE AND GRANT THE SPECIAL USE REQUESTED BY THE VILLAGE OF RIVER GROVE AND AVALON EQUITIES RIVER GROVE, LLC, ALL STANDARDS FOR A SPECIAL USE HAVING BEEN MET SO AS TO PERMIT THE OPERATION OF A DRIVE-THROUGH FACILITIES AT A STARBUCKS RETAIL COFFEE SHOP UPON THE PROPERTIES COMMONLY KNOWN AS 8359 WEST GRAND AVENUE, 2647 NORTH THATCHER AVENUE, AND THAT PORTION OF THE PUBLIC ALLEY EXISTING BETWEEN THE TWO IDENTIFIED PROPERTIES.

Dated: December 20, 2018.

Respectfully submitted,



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James Paquesi, Chairman  
Zoning Board of Appeals  
Village of River Grove

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STATE OF ILLINOIS            )  
   )  
 COUNTY OF COOK            )        SS

### CERTIFICATE

I, the undersigned, certify that I am the duly qualified and acting Village Clerk of the Village of River Grove, Cook County, Illinois ( the "Village"), and as such, I am the keeper of the records and files of the Village and its President and Board of Trustees. I further certify as follows:

Attached to this Certificate is a true, correct and complete copy of Village of River Grove Ordinance No. 2018-27, entitled:

**AN ORDINANCE REGARDING THE REPORT AND RECOMMENDATION OF THE ZONING BOARD OF APPEALS IN CASE NO. 2018-ZBA-01 AND THE APPLICATION FOR A SPECIAL USE PERMIT FOR THE OPERATION OF A STARBUCKS COFFEE STORE WITH DRIVE-THROUGH FACILITIES FILED BY THE VILLAGE OF RIVER GROVE AND AVALON EQUITIES RIVER GROVE LLC UPON THE PROPERTIES AT 8359 WEST GRAND AVENUE AND 2647 NORTH THATCHER AVENUE, AND THE PORTION OF THE PUBLIC ALLEY EXISTING BETWEEN THESE TWO PROPERTIES**

This Ordinance was passed and approved by the Village's President and Board of Trustees on December 20, 2018. A true, correct and complete copy of this Ordinance was published in pamphlet form on December 20, 2018.

Given under my hand and official seal at the Village of River Grove, Cook County, Illinois, this 20 day of December, 2018.



(S

*Marjorie A. Manchen*  
 \_\_\_\_\_  
 The Honorable Marjorie A. Manchen  
 Village Clerk  
*by: gita M. Sela, DVC*

**UNOFFICIAL COPY****EXHIBIT B****Legal Description of the "Property"****Village Owned Parcel 1:**

LOTS 37, 38, 39, AND 40 (EXCEPT THAT PART OF LOT 40 TAKEN FOR HIGHWAYS PURPOSES, AS SHOWN IN DOCUMENT 3275672) IN VOLK BROTHERS 1ST ADDITION TO CHICAGO HOME GARDENS, IN THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PIN: 12-26-409-037-0000

COMMON ADDRESS: 8259 Grand Avenue, River Grove, Illinois 60171

**Village Owned Parcel 2:**

THAT PORTION OF LOT 41 IN VOLK BROTHERS 1ST ADDITION TO CHICAGO HOME GARDENS, IN THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, LYING NORTH AND WEST OF THE LINE STARTING ON THE SOUTH LINE OF SAID LOT 41 LOCATED 66.44 FEET EAST OF THE SOUTHWEST CORNER AND EXTENDING 31.99' FEET NORTH, TO A POINT THEN EXTENDING EAST 21.99 FEET TO THE POINT INTERSECTING WITH THE NORTH PROPERTY LINE OF SAID LOT 41.

PIN: 12-26-409-009-0000 (before subdivision)

COMMON ADDRESS: 2647 Thatcher Avenue, River Grove, Illinois 60171

**Village Owned Parcel 3:**

THAT PART OF A PUBLIC ALLEY, A 16 FOOT RIGHT OF WAY IN VOLK BROTHERS 1ST ADDITION TO CHICAGO HOME GARDENS, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 41 IN SAID VOLK BROTHERS 1ST ADDITION TO CHICAGO HOME GARDENS, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF ILLINOIS ROUTE 171 (THATCHER AVENUE); THENCE NORTH 01 DEGREES 48 MINUTES 37 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 16.43 FEET, TO THE SOUTHWEST CORNER OF LOT 40 IN SAID VOLK BROTHERS 1ST ADDITION TO CHICAGO HOME GARDENS, ALSO BEING A POINT ON THE NORTHERLY

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RIGHT OF WAY OF SAID 16.00 FOOT PUBLIC ALLEY; THENCE SOUTH 78 DEGREES 35 MINUTES 58 SECONDS EAST, ALONG THE LAST DESCRIBED LINE, ALSO BEING THE SOUTHERLY LINE OF SAID LOT 40 AND LOTS 37 THROUGH 39 IN SAID SUBDIVISION, A DISTANCE OF 94.37 FEET TO THE SOUTHEAST CORNER OF SAID LOT 37; THENCE SOUTH 11 DEGREES 24 MINUTES 02 SECONDS WEST, ALONG SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SAID LOT 37, A DISTANCE OF 16.00 FEET TO THE NORTHERLY LINE OF LOT 41 IN SAID VOLK BROTHERS 1ST ADDITION TO CHICAGO HOME GARDENS ALSO BEING THE SOUTHERLY RIGHT OF WAY OF SAID 16.00 FOOT PUBLIC ALLEY, SAID POINT BEING 38.10 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID LOT 41, AS MEASURED ALONG THE NORTHERLY LINE THEREOF; THENCE NORTH 78 DEGREES 35 MINUTES 58 SECONDS WEST, ALONG SAID NORTHERLY LINE OF LOT 41, ALSO BEING SOUTHERLY RIGHT OF WAY OF SAID 16.00 FOOT PUBLIC ALLEY, A DISTANCE OF 90.62 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.