

VILLAGE OF GILBERTS

KANE COUNTY

STATE OF ILLINOIS

ORDINANCE NUMBER 13-2017

**An Ordinance approving an amended site plan for Dunkin Donuts/Baskin Robbins
at 315 E. Higgins Road**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF GILBERTS
KANE COUNTY
STATE OF ILLINOIS**

June 13, 2017

**Published in pamphlet form by authority of the President and Board of Trustees of
the Village of Gilberts, Kane County, Illinois this 13th day of June, 2017.**

AN ORDINANCE APPROVING AN AMENDED SITE PLAN FOR A DUNKIN DONUTS/BASKIN ROBBINS AT 315 E. HIGGINS ROAD

WHEREAS, Arihantanam Corp. ("**Applicant**"), the owner of the property within the Prairie Business Park commonly known as 315 E. Higgins Road ("**Property**"), has submitted an application to the Village of Gilberts seeking to amend the approved site plan for the construction of a Dunkin Donuts/Baskin Robbins restaurant, including a drive through, at the Property; and

WHEREAS, on April 16, 2013, the Village Board of Trustees adopted Ordinance No. 13-2013, which approved a Planned Unit Development ("**PUD**") for the Prairie Business Park; and

WHEREAS, the regulations contained in Ordinance No. 13-2013 governing the PUD for the Prairie Business Park allow restaurants, including restaurants with a drive through, as a permitted retail business use; and

WHEREAS, the regulations contained in Ordinance No. 13-2013 governing the PUD for the Prairie Business Park require site plan review for any exterior construction or change in use within the PUD; and

WHEREAS, on January 17, 2017, the Gilberts Village Board of Trustees adopted Ordinance No. 02-2017, which approved the Applicant's site plan for the construction of a Dunkin Donuts/Baskin Robbins restaurant, including a drive through, at the Property; and

WHEREAS, the Applicant now seeks to amend the approved site plan to allow for a shorter by-pass lane around the Dunkin Donuts/Baskin Robbins restaurant, a copy of which is attached hereto and incorporated herein as Exhibit A ("**Amended Site Plan**"); and

WHEREAS, the Gilberts Plan Commission reviewed the Applicant's Amended Site Plan for compliance with Village Codes and Ordinances at a meeting held on May 10, 2017, and at the conclusion of the meeting the Plan Commission voted to recommend approval of the Applicant's Amended Site Plan for the construction of a Dunkin Donuts/Baskin Robbins restaurant, including a drive through, at the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, IN KANE COUNTY, ILLINOIS, AS FOLLOWS;

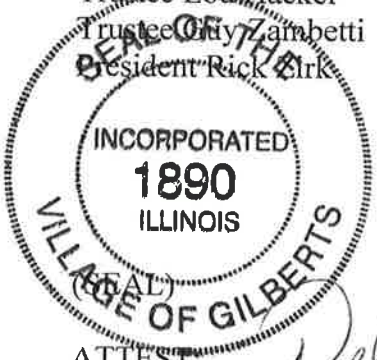
Section 1. Recitals. The recitals are incorporated herein into this Section 1 as if fully set forth.

Section 2. Approval of Amended Site Plan. The Village Board of Trustees hereby approves the Applicant's Amended Site Plan, attached hereto as Exhibit A, for the construction of a Dunkin Donuts/Baskin Robbins restaurant, including a drive through, at the Property.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its approval in the manner provided by law.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 13th day of June 2017.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Elissa Kojzarek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Nancy Farrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Jeanne Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Lou Hacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Guy Zambetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Rick Zirk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



APPROVED THIS 13th DAY OF June, 2017

[Signature]
Village President, Rick Zirk

ATTEST: [Signature]
Village Clerk, Debra Meadows

Published: 6/14/2017

Exhibit A
Amended Site Plan

4830-8377-6329, v. 1

