

ORDINANCE NO. O2026-09**AN ORDINANCE APPROVING SITE SPECIFIC AMENDMENTS AND MAJOR AMENDMENT TO THE FINAL PLAN OF PLANNED UNIT DEVELOPMENT FOR LOT I-4 IN CANTERA SUBAREA I (28231 DIEHL ROAD – 7 BREW)**

WHEREAS, Menard, Inc., a Wisconsin limited liability company ("**Owner**"), is the owner of that certain real property identified as Lot I-4 in Cantera Subarea I, commonly known as 28231 Diehl Road, Warrenville, Illinois, and legally described in **Exhibit A ("Property")**; and

WHEREAS, on January 25, 1991, the City Council approved Ordinance No. 1136 ("**PUD Ordinance**"), which approved a planned unit development for approximately 650 acres of real property, which is now commonly known as Cantera ("**Approved PUD**"), and the Property is located within Cantera and subject to the Approved PUD; and

WHEREAS, on February 22, 1994, the City Council approved Ordinance No. 1295 ("**Cantera Development Regulations Ordinance**"), which approved the Cantera Development Control Regulations ("**Development Control Regulations**") and Cantera General Site Plan Documents ("**General Site Plan Documents**"), establishing the design and development standards for specific application to Cantera, including the standards and procedures for the approval of preliminary and final planned unit development plans; and

WHEREAS, on April 25, 2003, the City Council approved Ordinance No. 2050, which approved preliminary planned unit development plans, use designations, site specific amendments to the Development Control Regulations, and signage criteria ("**Subarea I Signage Criteria**") for Subarea I of the Approved PUD; and

WHEREAS, on April 4, 2004, the City Council approved Ordinance No. 2127, which approved a final planned unit development plan ("**Final PUD Plan**") for the Property to allow the construction of two restaurant buildings, one on the western portion of the Property and one with a drive-through facility on the eastern portion of the Property ("**Existing Building**"), and associated off-street parking, drive aisles, and landscaping improvements (collectively, the "**Existing Development**"); and

WHEREAS, the Existing Development is complete; and

WHEREAS, pursuant to the Development Control Regulations and the General Site Plan Documents, the Property is located in the Commercial Center Use Area of the Approved PUD; and

WHEREAS, Who Brew IL V, LLC, a Delaware limited liability company ("**Applicant**"), intends to lease the eastern portion of the Property that contains the Existing Building and associated off-street parking and landscaping improvements ("**Leased Parcel**"); and

WHEREAS, the Applicant desires to demolish the Existing Building and construct a 748-square-foot building ("**Building**"), drive-through canopy, related queuing lanes, off-street parking area, and landscape improvements (collectively, the "**Proposed Development**") for the purpose of operating a 7 Brew drive-through coffee shop; and

WHEREAS, as part of the Proposed Development, the Applicant proposes to install a 32.07-square-foot wall sign on the north elevation of the Building that is approximately 67 percent of the length of the north elevation ("**North Wall Sign**"); and

WHEREAS, pursuant to Section VI.D.4(c) of the Development Control Regulations and Section II.A of the Subarea I Signage Criteria, the maximum permitted area of a wall sign on the north elevation of the Property is 22.875 square feet; and

WHEREAS, pursuant to Section II.A of the Subarea I Signage Criteria, the length of a wall sign on the Property may not exceed 25 percent of the building length on the elevation upon which the sign will be mounted; and

WHEREAS, pursuant to Sections 7 and 8 and Table 2A of the City of Warrenville Zoning Ordinance (“**Zoning Ordinance**”) and Section III of the Development Control Regulations the Applicant, with the consent of the Owner, has requested approval of: (i) site specific amendments from the Development Control Regulations and the Subarea I Sign Criteria to allow the North Wall Sign on the Property (“**Site Specific Amendments**”); and (ii) major amendment to the Final PUD Plan to include the Proposed Development (“**Major PUD Amendment**”) (collectively, the Site Specific Amendments and Major PUD Amendment are the “**Requested Approvals**”); and

WHEREAS, a public hearing by the Plan Commission to consider the Requested Approvals, notice of which was duly published in the *Daily Herald* on January 7, 2026, was convened on January 22, 2026 and continued to February 19, 2026; and

WHEREAS, on February 19, 2026, the Plan Commission adopted Findings of Fact, Project Number PZ2025-0029, unanimously recommending that the Mayor and the City Council approve the Requested Approvals; and

WHEREAS, the Mayor and the City Council have determined that, subject to and contingent upon the conditions, restrictions, and provisions of this Ordinance, the Major PUD Amendment complies the required standards for planned developments as set forth in Section 8 of the Zoning Ordinance and Section III of the Development Control Regulations; and

WHEREAS, consistent with the Plan Commission recommendation, and pursuant to the City’s powers under applicable law, including its home rule powers under the Illinois Constitution of 1970, the Mayor and the City Council have determined that it is in the best interest of the City and the public to approve the Requested Approvals, in accordance with, and subject to and contingent upon, the conditions, restrictions, and provisions of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Approval of Site Specific Amendments. In accordance with Section 8.C of the Zoning Ordinance and Section III.B of the Development Control Regulations, and subject to, and contingent upon, the conditions, restrictions, and provisions set forth in this Ordinance, the City Council approves the Site Specific Amendments to allow the North Wall Sign on the Property.

SECTION 3: Approval of Revised Final PUD Plan and Major PUD Amendment. In accordance with Section 8 of the Zoning Ordinance and Section III of the Development Control Regulations, and subject to, and contingent upon, the conditions, restrictions, and provisions set forth in this Ordinance, the Major PUD Amendment to revise the Final PUD Plan to include the

documents referred to collectively as the “**Revised Final PUD Documents**” and listed on **Exhibit B** attached to this Ordinance, is hereby approved.

SECTION 4: Conditions. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the City Code, the Zoning Ordinance, or the Subdivision Control Ordinance or any other rights the Owner or the Applicant may have, the approvals granted in Sections 2 and 3 of this Ordinance are hereby expressly subject to and contingent upon the conditions, concepts, restrictions, limitations, and provisions set forth in this Section (collectively, the “**Conditions**”).

A. Standard Conditions.

1. Compliance with Regulations. The redevelopment, use, operation, and maintenance of the Property shall comply with all applicable City codes and ordinances as the same have been or may be amended from time to time, except to the extent specifically provided otherwise in this Ordinance.

2. Compliance with Plans. The redevelopment, use, and maintenance of the Property must be in strict accordance with the Final PUD Plan, as amended by the Revised Final PUD Documents, except for minor changes and site work approved in accordance with all applicable City ordinances and standards.

B. Traffic Control. The Applicant must obtain, at its sole cost, traffic control services in order to manage overflow stacking on days on which it anticipates a significant increase in the number of customers, including, without limitation, grand opening day and promotional days, in accordance with the Stacking and Queue Management Plan, consisting of three pages, prepared and submitted by the Applicant and undated, a copy of which is attached to this Ordinance as **Exhibit C (“Stacking and Queue Management Plan”)**.

SECTION 5. Binding Effect. This Ordinance and the privileges, obligations, and provisions contained herein run with the Property and inure to the benefit of, and are binding upon, the Owner and its successors, and assigns.

SECTION 6: Invalidation of Approvals. Upon the failure or refusal of the Applicant or Owner, or their successors or assigns, to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the City, the approvals granted in Sections 2 and 3 of this Ordinance (“**Approvals**”) may, at the sole discretion of the City Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the City Council may not so revoke the Approvals unless it first provides the Owner and the Applicant, or its successors or assigns, with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the City Council. In the event of such revocation, the City Administrator and City Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances. The Owner acknowledges that public notices and hearings have been held with respect to the adoption of this Ordinance, have considered the possibility of the revocation provided for in this Section, and agree not to challenge any such revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice to the Owner, or its successors or assigns, successors required by this Section is given.

SECTION 7: Amendments. Any amendment to any provision of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided

in the Zoning Ordinance, the Development Control Regulations, and the Subdivision Control Ordinance, as applicable to the affected items of relief.

SECTION 8: Effective Date.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the City Council by a majority vote and approval in the manner required by law;
2. Publication in pamphlet form in the manner required by law;
3. The filing by the Owner and the Applicant with the City Clerk of an Unconditional Agreement and Consent, in the form of **Exhibit D** attached to and, by this reference, made a part of this Ordinance, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the City for any claims that may arise in connection with the approval of this Ordinance; and
4. Recordation of this Ordinance, together with such exhibits as the City Clerk deems appropriate for recordation, with DuPage County Recorder of Deeds.

B. In the event that the Owner and the Applicant do not file with the City Clerk a fully executed copy of the unconditional agreement and consent referenced in Paragraph 8.A.3 of this Ordinance within 90 days after the date of passage of this Ordinance by the Mayor and City Council, the corporate authorities shall have the right, in their sole discretion, to declare this Ordinance null and void and of no force or effect.

PASSED THIS ____ day of _____, 2026.

AYES: ____ NAYS: ____ ABSENT: ____ ABSTAIN: ____

APPROVED THIS ____ day of _____, 2026.

MAYOR

ATTEST:

CITY CLERK

EXHIBITS

Exhibit A – Legal Description of the Property

Exhibit B – Revised Final PUD Documents

Exhibit C – Stacking and Queue Management Plan

Exhibit D – Unconditional Agreement and Consent

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

LOT 4 IN CANTERA SUB-AREA "I" RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH ½ OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 27, 2003 AS DOCUMENT R2003-195726, IN DUPAGE COUNTY, ILLINOIS.

Permanent Index Number: 07-02-405-006

EXHIBIT B

REVISED FINAL PUD DOCUMENTS

1. **Site Development Plans**, consisting of 18 Sheets (C0.0-C7.2), prepared by Toth & Associates, and dated February 9, 2026.
2. **Floor Plan**, consisting of one sheet, prepared by Veritas Architecture and Design, and Dated December 9, 2025.
3. **Roof Plan**, consisting of one sheet, prepared by Veritas Architecture and Design, and Dated December 9, 2025.
4. **Exterior Elevations**, consisting of four sheets, prepared by Veritas Architecture and Design, and Dated December 9, 2025.
5. **Building Section Plan**, consisting of one sheet, prepared by Veritas Architecture and Design, and Dated December 9, 2025.
6. **Trash Enclosure Plan**, consisting of one sheet, prepared by Veritas Architecture and Design, and Dated December 9, 2025.
7. **Materials and Color Board**, consisting of one sheet, submitted by Applicant, and dated December 9, 2025.
8. **Renderings**, consisting of one sheet, submitted by Applicant, and dated December 9, 2025.
9. **Sign Plans**, consisting of seven sheets, prepared by Pattison ID, and with a latest revision date of February 6, 2026.
10. **Photometric and Lighting Plans**, consisting of five sheets, prepared by Red Leonard Associates, and with a latest revision date of January 19, 2026.\
11. **Stacking and Queue Management Plan** (See Exhibit C).

Copies of the Revised Final PUD Documents are available for review at the Community Development Department. All documents listed in this Exhibit B (regardless of whether the document itself is attached to this Ordinance) shall be deemed incorporated by reference, and made a part of, this Ordinance. All documents listed in this Exhibit B are subject to such further revision as may be required to conform to the conditions stated in Section 4 of this Ordinance.

EXHIBIT C

STACKING AND QUEUE MANAGEMENT PLAN



City of Warrenville
Jack Maszka
3S258 Manning Avenue
Warrenville, IL 60555

**RE: 7 BREW DRIVE THRU COFFEE – GRAND OPENING ACTIVITIES/SWAG DAY/JACKPOT DAY/PROMOTIONAL DAYS DRIVE-THRU OPERATIONAL PLAN
28231 DIEHL ROAD; WARRENVILLE, IL 60555**

Dear Mr. Maszka,

Please let this letter serve as the operational plan 7 Brew Drive-Thru Coffee to address Grand Opening Activities, Swag Day, Jackpot Day and all other promotional days (hereafter referred to as “Promotional Days”) at the drive-thru stand located at 28231 Diehl Road; Warrenville, IL.

Objective: This operational plan is intended to ensure efficient drive-thru flow and minimize traffic congestion and vehicle backups into the surrounding shopping center, Dodge Drive, Davis Parkway and Diehl Road during Promotional Days. The operational plan provides clear guidance on how overflow stacking procedures, queue management, and team member positioning, to ensure smooth operations and prevent traffic impacts to adjacent roadways.

Stacking and Queue Management Plan

The site plan allows for 48 cars to queue on-site before traffic would otherwise back up on to Private Rd. If the drive-thru queue exceeds 25 vehicles on Promotional Days, the following measures will be put into place to manage drive-thru flow:

- **Overflow Queueing Location:** Upon reaching a queue greater than 48 cars, 7 Brew will implement the overflow stacking plan which incorporates queuing in the drive aisle to the West and depicted in Exhibit A. A single file line will form and can hold an additional 15 cars until reaching Dodge Dr.
- **Third Party Traffic Control:** 7 Brew will engage either the Warrenville Police Department or a Third-Party Traffic Control company to help direct traffic on all Promotional Days. There will be a minimum quantity of two (2) units engaged to help direct traffic to designated locations as identified on Exhibit A.

Below are Promotional Days that Warrenville Police Department or third-party traffic control company will be engaged to aid in traffic control:

- Grand Opening Day: Always on a Monday
- Swag Day: First Saturday after Grand Opening Monday



- Jackpot Days: 7th of every month (event will not be promoted but if a customer comes in and asks about the promotion, it will be honored to the customer. Will commit to traffic control even though no promotion is taking place).
- Grand Opening Day: Always on a Monday
- **Additional Team Members/Team Member Positioning:** Additional team members will be on-site during Swag Day activities. This includes at least three (3) New Stand Opening Specialists and additional team members (up to 20-25 team members) to be positioned to help engage with customers, direct customers of the appropriate locations for customers to queue and to help expedite the process of making and delivering drinks to ensure the drive-thru lane moves as efficiently and quickly as possible in an orderly manner. On all other Promotional Days, the additional team members will be added to direct customers. Locations of the team members are identified in Exhibit. Additional team members will be on hand if additional locations are identified for team members to be stationed during Promotional Days.
- **Large Orders:** In the event there are large orders that threaten to slow down the throughput of the stand, the cars will be notified to pull forward into the parking spots across the drive aisle to the North to wait and collect their order once completed.

This Promotional Days drive-thru overflow management plan is designed to ensure when customer demand peaks, the demand can be accommodated without cars impacting/backing up into the shopping center, Dodge Drive, Davis Parkway and Diehl Road. It is important to note that 7 Brew Drive-Thru Coffee is still fairly new to the Chicagoland market with locations open in Naperville, IL, Round Lake Beach, IL, Lake Zurich, IL, Huntley, IL, Mokena, IL, Lockport, IL, two locations in Joliet, IL, Bolingbrook, IL and Algonquin, IL. By the time Swag Day occurs at the Warrenville, IL location, additional locations should be open in Downers Grove, IL, two in Bloomingdale, IL, and Plainfield, IL. An additional location in Wheaton, IL is tracking similar timing to the Warrenville, IL location.

When 7 Brew first opened in Naperville, IL, it saw a significant amount of its business travelling from a far distance away (a lot of times over 10 miles away). This demand has cut down significantly since additional locations have opened and we expect this trend to continue with the opening of additional stands.

We appreciate your time on this matter and please do not hesitate to reach out with any questions. I can be reached at (847) 372-2586 or via email at chrisgeorge@whobrewllc.com.

Sincerely,

Chris George
Who Brew, LLC



EXHIBIT A – OVERFLOW QUEUE EXHIBIT

Signage and Team Member placement directing traffic to stack in single file line

Signage and Team Member placement directing traffic to stack in single file line

Signage and Team Member placement directing traffic to stack in single file line

48 cars in drive-thru queue

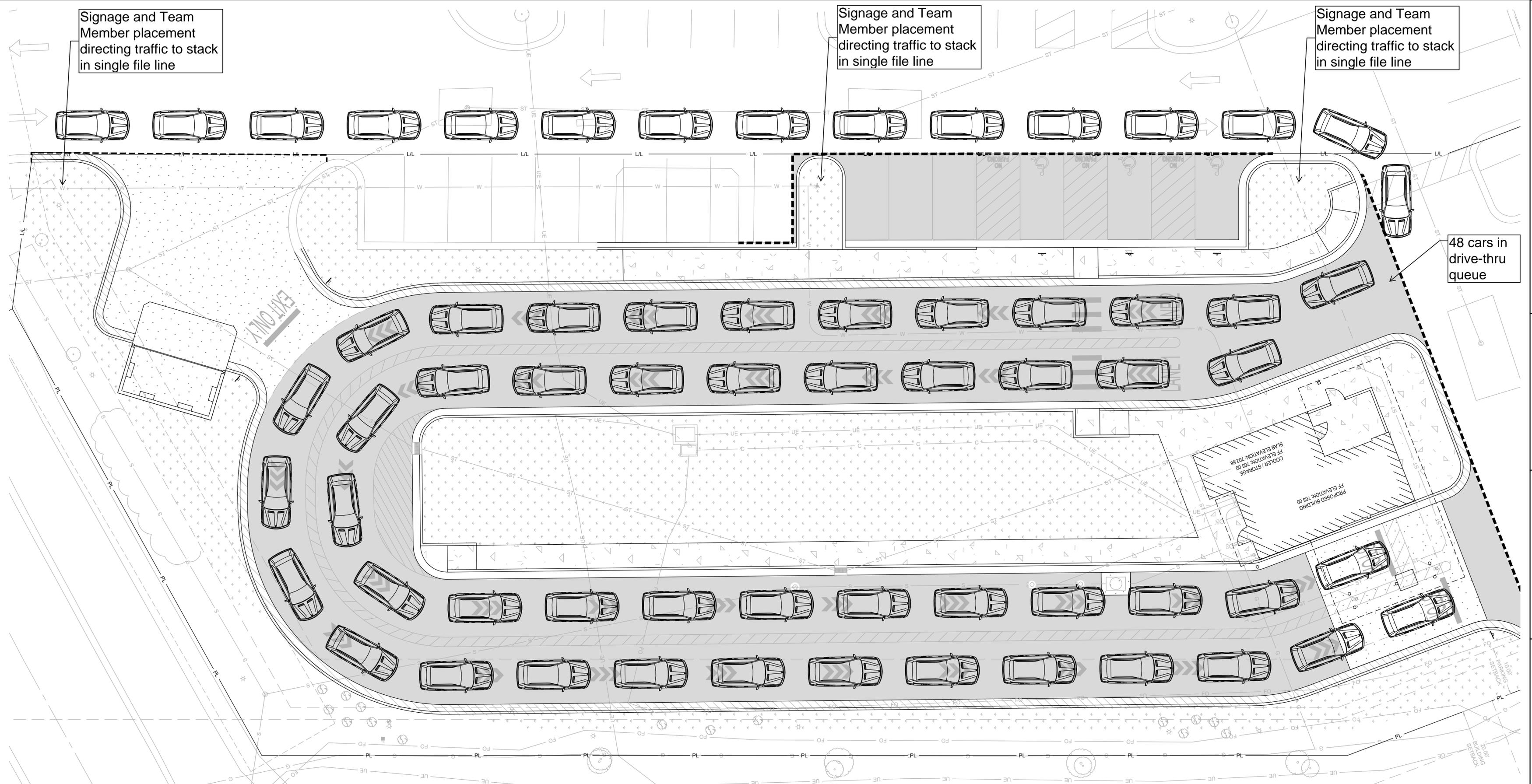


EXHIBIT D

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The City of Warrenville, Illinois ("**City**");

WHEREAS, Menard, Inc., a Wisconsin limited liability company ("**Owner**"), is the owner of that certain real property identified as Lot I-4 in Cantera Subarea I, commonly known as 28231 Diehl Road, Warrenville, Illinois ("**Property**"); and

WHEREAS, Who Brew IL V, LLC ("**Applicant**") intends to lease the eastern portion of the Property that contains an existing restaurant building with a drive-through ("**Existing Building**") and associated off-street parking and landscaping improvements ("**Leased Parcel**"); and

WHEREAS, the Applicant desires to demolish the Existing Building on the Property and construct a 748-square-foot building ("**Building**"), drive-through canopy, related queuing lanes, off-street parking area, and landscape improvements ("**Proposed Development**") for the purpose of operating a 7 Brew drive-through coffee shop; and

WHEREAS, as part of the Proposed Development, the Applicant proposes to install a 32.07-square-foot wall sign on the north elevation of the Building, the length of each of the which will be approximately 67 percent of the elevation length on which it is mounted; and

WHEREAS, Ordinance No. O2026-____, adopted by the City Council on _____, 2026 ("**Ordinance**"), approved site specific amendments and a major amendment to the Final PUD Plan (collectively, the "**Requested Approvals**") to allow the construction of the Proposed Development; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Owner and the Applicant have filed, within 90 days following the passage of the Ordinance, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Owner and the Applicant does each hereby agree and covenant as follows:

1. The Owner and the Applicant hereby unconditionally agree to, accept, and consent to, and will abide by, each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.

2. The Owner and the Applicant agree that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right, provided that the notice to the Owner required by Section 6 of the Ordinance is given.

3. The Owner and the Applicant acknowledge and agree that the City is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the City's granting of the Requested Approvals or its adoption of the Ordinance, and that the City's

approvals do not, and will not, in any way, be deemed to insure, the Owner against damage or injury of any kind and at any time.

4. The Applicant hereby agrees to hold harmless and indemnify the City, the City's corporate authorities, and all City elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with (a) the City's review and approval of any plans and issuance of any permits, (b) the City's adoption of the Ordinance granting the Requested Approvals, (c) the development, maintenance and use of its obligations under this Unconditional Consent and Agreement, and (d) the performance by the Owner of its obligations under this Unconditional Consent and Agreement.

MENARD, INC.

By: _____
Printed Name: _____
Its: _____

SUBSCRIBED and **SWORN** to
before me this _____ day of
_____, 20__.

Notary Public

By: _____
Printed Name: _____
Its: _____

SUBSCRIBED and **SWORN** to
before me this _____ day of
_____, 20__.

Notary Public