

Planning and Zoning Division 44 E. Downer Place, Aurora, IL 60507-2067
CITY OF LIGHTS phone (630)256-3080 fax (630)-256-3089 email COAPPlanning@aurora-il.org

Land Use Petition

Project Number: 2018.196

Subject Property Information

Address/Location: PAS Plaza - SWC Butterfield & Farnsworth

Parcel Number(s): '12-35-477-006', '12-36-300-007', '12-36-357-001', '12-36-357-002', '12-36-357-003', '12-36-357-004', '12-36-357-005', '12-36-357-006', '12-36-357-007', '12-36-357-008'

Petition Request(s)

Requesting Approval of a Revision to the Preliminary Plat & Plan for the PAS Plaza Subdivision, located at the Southwest Corner of Butterfield Road and North Farnsworth Avenue, for a Retail sales or service (2100) Use, Drive-in Restaurant (2520) Use, and Truck Stop Establishments (2841) Use

Requesting the Revision of the Special Use Planned Development, and Changing the Underlying Zoning of B-2(S), Business District - General Retail and OS-1(S), Conservation, Open Space, and Drainage District, for the Property located at the Southwest Corner of Butterfield Road and North Farnsworth Avenue

Attachments Required

(a CD of digital files of all documents are also required)

Development Tables Excel Worksheet - digital only (Document 1-0)
Word Document of: Legal Description (Format Guidelines 2-1)

One Paper and PDF Copy of:
Qualifying Statement (Format Guidelines 2-1)
Plat of Survey (Format Guidelines 2-1)
Legal Description (Format Guidelines 2-1)
Letter of Authorization (Format Guidelines 2-2)

Two Paper and One PDF Copy of:
Photometric Plan (Format Guidelines 2-5)
Fire Access Plan (Format Guidelines 2-6)
Final Engineering Plans (Format Guidelines 2-16)
Stormwater Permit Application (Application 6-5)
Stormwater Report (Application 2-10)
PE Use Fee Fixture Count Sheet (Application 5-4)
Soil Investigation Report (Application 6-2)
Wetland Determination Report

Petition Fee: \$2,202.00 (Payable to The City of Aurora)

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

*The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: [Signature] Date 10/9/2020

Print Name and Company: DAN SOLTIS / CIMA DEVELOPERS, LP

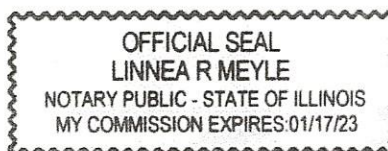
I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

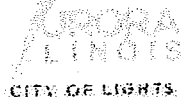
Given under my hand and notary seal this 9th day of October 2020

State of Illinois)
County of Kane) SS

NOTARY PUBLIC SEAL

Linnea R Meyle
Notary Signature





Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org

1-6

Filing Fee Worksheet

Project Number: 2018.196
Petitioner: CIMA Developers
Number of Acres: 5.03
Number of Street Frontages: 2.00
Non-Profit No

Linear Feet of New Roadway: 0
New Acres Subdivided (if applicable): 5.03
Area of site disturbance (acres): 3.76

Filing Fees Due at Land Use Petition:

Request(s):	Preliminary Plan & Plat Revision	\$ 751.12
	Plan Description Revision	\$ 801.12
		\$ -
		\$ -
		\$ -
	Final Engineering Filing Fee	\$ 650.00

Total: **\$2,202.23**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By: Steve Broadwell

Date:



CIMA DEVELOPERS

381 E. ST. CHARLES Rd
CAROL STREAM, IL 60188-2166
FAX: (630)-653-2335
TEL: (630)-653-1700

October 5, 2020

City of Aurora
Development Service Department
44 E. Downer Place
Aurora, IL 60507-2067

RE: PAS Plaza- Project Number 2018.196- CIMA Developers/SWC of Butterfield & Farnsworth/SUPD Revision/Rezoning/Preliminary Plat and Plan Revision
Qualifying Statement For Land Use Petition

To Whom It May Concern:

Please see our response to the City of Aurora's Standards pertaining to our proposed Land Use Petition for zoning approval for our proposed project located at the SWC of Butterfield and Farnsworth.

The project will consist of a new 10,000 SF multi-tenant Retail Building located on the Butterfield frontage of the subject property, along with a new 30'x 40' Diesel Canopy addition on the Farnsworth frontage, just south of our existing PRIDE of Aurora BP location. The 10,000 SF Retail building will include a drive-through window on the east side of the building, and will also include outdoor seating on the west side of the building. Although we have not secured any specific users, we anticipate a (QSR) Quick Service Restaurant use for the east endcap and perhaps a full service restaurant for the west endcap, or something similar. One or two additional users are anticipated for the remaining portion of the building but as mentioned no specific users have been identified at this moment. The Diesel fueling facility will be an extension of our PRIDE of Aurora offer and will operate 24/7, like our current Operation. The facility will operate just for diesel fueling, and quick grab and go type service. The canopy allows for 3 lanes of fueling and sufficient truck stacking. There are no truck parking stalls planned. The trucks will enter off of Farnsworth Ave and will follow the truck route as depicted in our Engineering Plans. The new plan depicts two (2) proposed detention ponds and provides adequate volume stormwater storage. RIRO Access off of Butterfield Avenue remains the same as the previous plan and IDOT approvals have been granted for the current access location. Access to the current homeowner on the SWC of the property remains.

1) The Public health, safety, morals, comfort or general welfare:

We will develop the Site in compliance with all applicable State, Federal and local laws, statutes, codes, regulations, ordinances, EPA regulations, State Fire Marshal regulations, and City of Aurora regulations.

2) The use and enjoyment of other property already established or permitted in the general area

Our Development plan is consistent with the current Retail Developments along Butterfield Road and Farnsworth Road.

3) Property Values within the neighborhood.

Property values in the vicinity will not be diminished in any capacity due to our Development.

4) The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts:

The Development will not interfere with surrounding property, or other property in that respect.

5) Utilities, access roads, drainage and/or other necessary facilities:

Utilities are already in place and have been established. Drainage Plans have been prepared and are in full review with the City Departments. All access roads and additional development facilities will be in accordance with the approved plans.

6) Ingress and egress as it relates to traffic congestion in the public streets:

The Development Plan has been designed for optimal traffic flow and drive-thru stacking. Cross access points to the east and west allow further optimal flow. Our plan reduces several of the existing drives on Butterfield Road, and does not require any additional drives on Farnsworth.

7) The applicable regulations of the zoning district in which the subject property is proposed to be or is located:

We will develop the site in compliance with all applicable Municipal and local laws, statutes, codes, regulations, and ordinances.

Thank You.

Sincerely,

Dan Soltis

Dan Soltis
CIMA Developers, Inc.



CIMA DEVELOPERS, LP

**30W180 Butterfield Road
Warrenville, IL 60555**

O: (630) 653-1700

F: (630) 791-8283

September 29, 2020

City of Aurora
Zoning and Planning
44 E. Downer Place
Aurora, IL 60505

RE: CIMA Developers, LP / The PRIDES Stores Inc.- SWC Kirk Road & Butterfield Road -
Proposed PAS Plaza Development – Consent Authorization to proceed with Zoning Application

To Whom It May Concern:

I, Peter M. Spina, authorized agent of CIMA Developers, LP, the Owner of the subject property, approximately 5.0 acres located at the Southwest Corner of Kirk Road and Butterfield Road, Aurora, IL give my consent to Dan Soltis of CIMA Developers, LP to apply and proceed with any City zoning proceedings necessary in relation to the accompanying Zoning Applications.

Regards,

Peter M. Spina
Authorized Agent
CIMA Developers, LP

PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP AND RANGE AFORESAID; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 35, 403.79 FEET TO THE CENTER LINE OF CHURCH ROAD; THENCE NORTH 09 MINUTES WEST ALONG SAID CENTER LINE 208.3 FEET TO THE SOUTHERLY LINE OF FEDERAL AID ROUTE 131; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 603.8 FEET TO AN ANGLE IN SAID SOUTHERLY LINE; THENCE NORTH 79 DEGREES 59 MINUTES EAST ALONG SAID SOUTHERLY LINE 364.4 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 16 MINUTES WEST TO THE SOUTH LINE OF SAID SECTION 36; THENCE WEST ALONG SAID SOUTH LINE TO A POINT 416.84 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE 334.74 FEET TO THE SOUTHERLY LINE OF SAID FEDERAL AID ROUTE 131; THENCE NORTH 79 DEGREES 59 MINUTES EAST ALONG SAID SOUTHERLY LINE 139.33 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTH EAST CORNER OF SECTION 35; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 35, 403.79 FEET TO THE CENTER LINE OF CHURCH ROAD; THENCE NORTH 0 DEGREES, 9 MINUTES, 0 SECONDS WEST ALONG THE CENTER LINE OF SAID ROAD 208.3 FEET TO THE SOUTH LINE OF FEDERAL AID ROUTE NO. 131, THENCE EAST ALONG THE SOUTHERLY LINE OF SAID ROAD 603.8 FEET TO AN ANGLE IN SAID SOUTHERLY LINE; THENCE CONTINUING ALONG SAID SOUTHERLY LINE NORTH 79 DEGREES, 59 MINUTES, 0 SECONDS EAST, 364.4 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF SAID ROAD NORTH 79 DEGREES, 59 MINUTES, 0 SECONDS EAST 136 FEET; THENCE SOUTH 0 DEGREES, 16 MINUTES, 0 SECONDS WEST 379.4 FEET TO THE SOUTH LINE OF SECTION 36; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 36 TO A POINT IN A LINE DRAWN SOUTH 0 DEGREES, 16 MINUTES, 0 SECONDS WEST FROM A POINT IN A LINE DRAWN SOUTH 0 DEGREES, 16 MINUTES, 0 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES, 16 MINUTES, 0 SECONDS EAST TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART CONVEYED TO THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS IN FINAL JUDGMENT ORDER ENTERED IN CASE NUMBER 07 ED K 10, CIRCUIT COURT OF KANE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS;

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 IN NADLER SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 13, 1998 AS DOCUMENT NUMBER 98K105199, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 1 AND PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID POINT BEING ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88 DEGREES 45 MINUTES 03 SECONDS WEST, 20.17 FEET; THENCE ALONG A LINE LYING 20.17 FEET WESTERLY OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF FARNSWORTH AVENUE, NORTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 375.85 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF FAP ROUTE 365; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 79 DEGREES 24 MINUTES 19 SECONDS EAST, 20.42 FEET TO THE WESTERLY RIGHT OF WAY LINE OF FARNSWORTH AVENUE; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID FARNSWORTH AVENUE, SOUTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 379.15 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER, RETURNING TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF AFORESAID SECTION 35 AND RUNNING WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 19.36 FEET TO A PLACE OF BEGINNING, THENCE NORTHERLY AT A RIGHT ANGLE TO AFORESAID SOUTH LINE OF SECTION 35 A DISTANCE OF 266.01 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF FEDERAL AID ROAD 131, THENCE EASTERLY ALONG THE AFORESAID RIGHT OF WAY 158.55 FEET, THENCE SOUTHERLY 289.85 FEET TO A POINT IN THE SOUTH LINE OF AFORESAID SECTION 36 A DISTANCE OF 137.39 FEET FROM THE SOUTHWEST CORNER OF AFORESAID SECTION 36, THENCE WESTERLY ALONG THE SOUTH LINE OF AFORESAID SECTION 36 A DISTANCE OF 137.39

FEET TO THE PLACE OF BEGINNING, (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE EAST ALONG SAID SOUTH LINE OF SECTION 36, 13.64 FEET TO AN IRON PIPE FOUND AT THE POINT OF BEGINNING; THENCE NORTHERLY 66.05 FEET TO AN IRON PIPE FOUND; THENCE EASTERLY, 124.00 FEET TO AN IRON PIPE FOUND THENCE SOUTHERLY, 65.62 FEET TO AN IRON PIPE; THENCE WESTERLY ALONG SAID SOUTH LINE OF SECTION 36, 123.69 FEET TO SAID POINT OF BEGINNING) IN KANE COUNTY, ILLINOIS; AND THE EAST 33 FEET, AS MEASURED ALONG THE SOUTH LINE OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 35 AND RUNNING THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 19.36 FEET FOR A POINT OF BEGINNING, THENCE NORTHERLY AT RIGHT ANGLES TO THE AFORESAID SOUTH LINE OF SECTION 35, 266.01 FEET TO A POINT IN THE SOUTH RIGHT OF WAY OF FEDERAL AID ROAD 131, THENCE WESTERLY ALONG THE AFORESAID SOUTH RIGHT OF WAY 388.85 FEET TO THE CENTER OF CHURCH ROAD, THENCE SOUTHERLY ALONG THE CENTER OF AFORESAID CHURCH ROAD 208.3 FEET TO THE SOUTH LINE OF AFORESAID SECTION 35, THENCE EASTERLY ALONG SAID SOUTH LINE 384.43 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, 137.39 FEET; THENCE NORTH AT RIGHT ANGLES TO THE SOUTH LINE OF SAID QUARTER SECTION, 289.85 FEET TO THE SOUTHERLY LINE OF FEDERAL AID ROAD NO. 131 FOR THE POINT OF BEGINNING; THENCE SOUTH ALONG THE LAST MENTIONED LINE 289.85 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE EAST ALONG SAID SOUTH LINE, 144.93 FEET; THENCE NORTH AT RIGHT ANGLES TO THE SOUTH LINE OF SAID QUARTER SECTION, 312.84 FEET TO THE SOUTHERLY LINE OF SAID FEDERAL AID ROAD NO. 131; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID ROAD, 88.7 FEET TO AN ANGLE IN SAID ROAD; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID ROAD, 58.06 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.

PARCEL 5:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION, 282.32 FEET, THENCE NORTH AT A RIGHT ANGLE TO THE SOUTH LINE OF SAID QUARTER SECTION 312.84 FEET TO THE SOUTHERLY LINE OF FEDERAL AID ROUTE NO. 131 FOR THE POINT OF BEGINNING, THENCE SOUTH ALONG LAST MENTIONED LINE 312.84 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE EAST ALONG SAID SOUTH LINE 134.52 FEET, THENCE NORTH AT A RIGHT ANGLE TO THE SOUTH LINE OF SAID QUARTER SECTION, 334.74 FEET TO THE SOUTHERLY LINE OF SAID FEDERAL AID ROUTE NO. 131, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID ROAD 136.29 FEET TO THE POINT OF BEGINNING, TOWNSHIP OF BATAVIA, KANE COUNTY, ILLINOIS.