

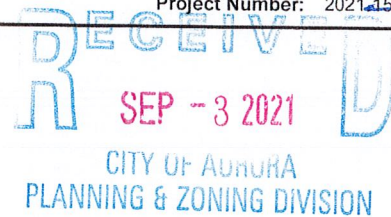
# Land Use Petition

Project Number: 2021-151 <sup>266</sup>

## Subject Property Information

Address/Location: NEC of Eola Road and Bilter Road

Parcel Number(s): 07-05-103-001



## Petition Request(s)

Requesting Approval of a Final Plan for Lot 108 of Butterfield Phase II, Unit 1-C, Located at the Northeast Corner of North Eola Road and Ferry Road, for a Business and Professional, Office (2400) Use and a Warehouse, Distribution and Storage Services (3300) Use

## Attachments Required

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

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

Two Paper and One PDF Copy of:  
Final Engineering Plans  
Stormwater Permit Worksheet,  
Application  
Stormwater Report  
Project Information Sheet  
Address Plat  
Fire Access Plan

Two Paper and PDF Copy of:  
Final Plan (Format Guidelines 2-4)  
Landscape Plan (Format Guidelines 2-7)  
Building and Signage Elevations (Format  
Guidelines 2-11)

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)  
Existing or Proposed CC&Rs\*

## Petition Fee: \$1,762.93 (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 9-1-21

Print Name and Company: Robert Palka / Below O, LLC.

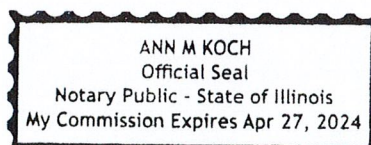
I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a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

Given under my hand and notary seal this 1<sup>ST</sup> day of September, 2021

State of IL )  
County of DuPage ) SS

NOTARY PUBLIC SEAL

[Signature]  
Notary Signature



## Filing Fee Worksheet

**Project Number:** 2021.151

**Petitioner:** Mars2 Management & Brokers, LLC

**Number of Acres:** 9.66

**Number of Street Frontages:** 3.00

**Non-Profit** No

**Linear Feet of New Roadway:** 0

**New Acres Subdivided (if applicable):** 0.00

**Area of site disturbance (acres):** 8.50

### Filing Fees Due at Land Use Petition:

Request(s):	Final Plan	\$ 912.93
	Final Engineering Filing Fee	\$ 850.00

**Total:** **\$1,762.93**

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

Verified By: Steve Broadwell

Date:

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PLANNING & ZONING DIVISION





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



1-5

## Project Contact Information Sheet

### Project Number:

### Petitioner Company (or Full Name of Petitioner):

Below 0, LLC

### Owner

First Name: Michele Initial: L Last Name: Keller Title: \_\_\_\_\_  
Company Name: Chicago Title Land Trust 43123 dated 10/8/71, by its beneficiary DuPage Properties Venture  
Job Title: Senior Vice President  
Address: 400 East Ohio Street, Suite 1004  
City: Chicago State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address: mkeller@leyorganization.com Phone No.: \_\_\_\_\_ Mobile No.: 312.208.3612

### Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Land Developer / Builder  
Company Name: Below 0, LLC  
First Name: Rob Initial: \_\_\_\_\_ Last Name: Palka Title: \_\_\_\_\_  
Job Title: Vice President of Real Estate  
Address: 150 Harvester Drive, Suite 100  
City: Burr Ridge State: IL Zip: 60527  
Email Address: rpalka@marslc.com Phone No.: 630.230.2023 Mobile No.: 708.278.1982

### Additional Contact #1

Relationship to Project: Attorney  
Company Name: Griffin Williams McMahon & Walsh, LLP  
First Name: Richard Initial: L Last Name: Williams Title: \_\_\_\_\_  
Job Title: Attorney at Law  
Address: 21 N. Fourth Street  
City: Geneva State: IL Zip: 60134  
Email Address: rwilliams@gwmwlaw.com Phone No.: 630.457.1205 Mobile No.: \_\_\_\_\_

### Additional Contact #2

Relationship to Project: Engineer  
Company Name: Manhard Consulting  
First Name: Ryan Initial: T Last Name: Walter Title: \_\_\_\_\_  
Job Title: Project Manager  
Address: 700 Springer Drive  
City: Lombard State: IL Zip: 60148  
Email Address: rwalter@manhard.com Phone No.: 630.925.1121 Mobile No.: \_\_\_\_\_

### Additional Contact #3

Relationship to Project: Architect  
Company Name: Ware Malcomb  
First Name: Michael Initial: \_\_\_\_\_ Last Name: Noiles Title: \_\_\_\_\_  
Job Title: Project Manager  
Address: 500 W. Madison St.  
City: Chicago State: IL Zip: 60661  
Email Address: mnoiles@waremalcomb.com Phone No.: 312.837.4600 Mobile No.: \_\_\_\_\_

### Additional Contact #4

Relationship to Project: \_\_\_\_\_  
Company Name: \_\_\_\_\_  
First Name: \_\_\_\_\_ Initial: \_\_\_\_\_ Last Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Job Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_ Mobile No.: \_\_\_\_\_

## QUALIFYING STATEMENT

**I. Introduction:** Petitioner, Mars2, LLC ("Developer"), is an Illinois limited liability company and the developer of an approximately 9.66 acre vacant parcel generally located at the northeast corner of Eola and Ferry Road, Aurora, Illinois part (the "Subject Property"). The Subject Property is currently zoned PDD and is part of the Butterfield Center for Business and Industry. Developer plans to construct an approximately 147,000 +/- cold storage facility on Lot 108, which was previously final platted by the Owner, DuPage Property Ventures.

## **II. Description of Proposal:**

The Subject Property has always been vacant and is one of the few remaining lots left within the Butterfield Center for Business and Industry. Developer plans the following:

1. An approximately 147,000 multi-tenant square foot cold storage facility consisting of: (a) 114,800 +/- convertible refrigeration/freezer space providing for temperatures between -10 and 55 degrees; (b) 25,200 square foot cold storage dock; and (c) two office areas of 2,800 +/- and 2,520 +/- square feet; (2) 30-33 trailer storage areas; and, (3) employee parking areas.

Developer's proposed office use is permitted as a matter of right under the existing Butterfield PDD zoning district designation. The Subject Developer requests the City:

2. Approve the Final Plan for a cold storage facility on the Subject Property.

The proposed development by Developer is the highest and best use for the Subject Property, and will generally benefit the City and its residents in at least the following ways:

- a) *The public health, safety, morals, comfort or general welfare:* The Subject Property has been vacant since the Butterfield PDD was approved in \_\_\_\_\_. Improvement of the Subject Property, as outlined above will generate job growth in the City of Aurora, with minimal impact on traffic or utilities, and will significantly add to the City's tax base. Developer anticipates in excess of 50 jobs will be created by this project.
- b) *The use and enjoyment of other property already established or permitted in the general area:* The proposed development is consistent with the previously approved Butterfield Planned Development District and the existing uses in the area. The surrounding area is office, warehouse, and



light industrial or open space. The uses at surrounding properties are generally as follows:

*North:* PDD/P – Office, retail and industrial type uses and open space: Nippon Express/XPO Logistics and Big Woods Forest Preserve.

*South:* PDD – Office, retail and industrial: RR Donnelly warehouse

*East:* B2 – PDD – International Paper warehouse facility

*West:* PDD/P – Vacant land zoned PDD, St. John African Methodist Episcopal Church, and Big Woods Forest Preserve

c) *Property values within the neighborhood.* Adjacent and nearby property values will not be negatively affected, as the proposed development uses are consistent with nearby properties and the character and trend in the general area as previously planned by the City. There are no residential structures within one-half mile of the Development, with the nearest residential development being buffered by the Big Woods Forest Preserve. The Development will add significant value to the City's tax base without affecting the value of adjacent or nearby properties.

d) *The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts:* The Butterfield Center for Business and Industry was designed for warehouse and distribution facilities such as the proposed Development. This Development will be consistent with the existing adjacent and nearby uses and has been long planned.

e) *Utilities, access roads, drainage and/or other necessary facilities:* Water, electric and natural gas are already at, or near, the Subject Property. No modifications to the utility or roadway network are necessary to support the proposed use. The Development has direct access to I-88 via Eola Road.

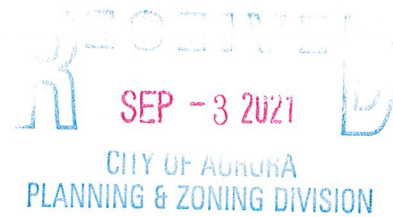
f) *Ingress and egress as it relates to traffic congestion in the public streets:* Ingress and egress will be by virtue of existing Prospect Court. The development will have additional emergency access off Bilter Road. Bilter/Ferry Road and Eola Road are DuPage County highways which are capable of any additional traffic generated by the Development.

g) *The applicable regulations of the zoning district in which the subject property is proposed to be or is located:* The proposed use is consistent with the uses previously approved by the City as part of the Butterfield Planned Development District, which provides for warehouse and distribution facilities as approved uses as a matter of right.

III. Requested Variances, Modifications or Exceptions from the City's Codes and Ordinances.

None.

DuPage Properties Venture  
333 N. DesPlaines Street  
Chicago, Illinois 60661  
jderose@devresinc.com  
(312) 368-0770 phone



September 1, 2021

City of Aurora  
Planning and Zoning Division  
44 E. Downer Place  
Aurora, Illinois 60507  
coaplaning@aurora-il.org

**Re: Letter of Authorization – Lot 108 in Butterfield Phase II, Unit 1-C  
NEC of Eola Road and Ferry Road, Aurora, Illinois**

To whom it may concern:

This letter shall confirm that Chicago Title Land Trust Company, as Successor Trustee to LaSalle Bank Trustee under a Trust Agreement Dated October 8, 1971 and known as Trust Number 43123 is the record owner of an approximately 9.655 acre parcel of real estate located at the northeast corner of Eola and Ferry Roads, Aurora, Illinois and legally described as follows:

LOT 108 OF BUTTERFIELD PHASE II, UNIT 1-C OF THE CITY OF AURORA,  
COUNTY OF DUPAGE, ILLINOIS, RECORDED IN DUPAGE COUNTY ON  
OCTOBER 1, 1997, AS DOCUMENT NUMBER R1997-148364.

Parcel Identification Number: 07-05-103-001 (the "Property").

DuPage Properties Venture is an Illinois general partnership and the sole beneficiary of the Trust. It has authority to execute this Letter of Authorization.

This letter shall confirm that Below 0, LLC, an Illinois limited liability company is the contract purchaser of the Property and has the authority to file a Land Use Petition with the City of Aurora (the "City") seeking to obtain all governmental approvals from the City in order to use the Property in accordance with its intended use. The governmental approvals shall include, but not be limited to: (1) approval of a Final Plat and Plan for an industrial building; and, (2) such other approvals as Developer may request from the City.

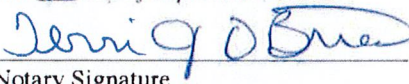
The letter shall further confirm that there are no buildings on the Property and no electors reside thereon. This authorization shall continue in full force and effect until receipt by the City of a revocation signed, in writing.

DUPAGE PROPERTIES VENTURE

By: DeRose DPV, Inc., an Illinois corporation,  
General Partner

By:   
James F. DeRose, its President

Subscribed and sworn to before me  
this 1<sup>st</sup> day of September, 2021.

  
Notary Signature





### Legal Description

LOT 108 OF BUTTERFIELD PHASE II, UNIT 1-C OF THE CITY OF AURORA, COUNTY OF DUPAGE, ILLINOIS, RECORDED IN DUPAGE COUNTY ON OCTOBER 1, 1997, AS DOCUMENT NUMBER [R1997-148364](#).

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## Parking and Stacking Requirement Worksheet

**Project Number:** 0

**Petitioner:** Below 0, LLC

### Parking Requirement

<b>Total Parking Requirement</b>	<b>159</b>
Enclosed Parking Spaces	-
Surface Parking Spaces	159

*Note: All parking spaces must be individually accessible spaces in order to count towards this requirement*

### Stacking Requirement

<b>Total Stacking Requirement (number of stacking spaces)</b>	-	
Drive-through facilities	-	5 stacking spaces at each bay, window, lane, ordering station, machine or similar.
Car wash facilities, automated	-	20 stacking spaces or 10 per approach lane, whichever is greater.
Car wash facilities, self-service	-	3 stacking spaces per approach lane, plus 2 drying spaces per stall
Preschool or daycare facilities, drop-off area	-	5 stacking spaces for facilities 5,000 SF or less or 10 spaces for facilities greater than 5,000 SF.

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### OFFICE USE ONLY

Verified By: \_\_\_\_\_

<u>Sq Ft / Units</u>	<u>Requirement Based On:</u>	<u>Use</u>	<u>Needed</u>	<u>Number Required</u>
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## Landscaping CTE Requirement Worksheet

**Project Number:** 0

**Petitioner:** Below 0, LLC

**Street Frontage** 1,884 L.F.

**Stormwater HWL** - L.F. Wet Bottom

- L.F. Dry Bottom

**Neighborhood Border** - L.F.

**Dwelling Units** - units

**Subdivision Name:** Butterfield

**Unit/Phase:** Phase II, Unit 1C **Lot Number**

**Perimeter Yard** 2,523 L.F.

**Buffer Yard** - L.F.

**Surface Parking Spaces** 178 spaces

**Parking Lot Islands** - Number

**Building Foundation** 1,206 L.F.

108

### Standard Requirements

### Plant Mix Guidelines

		Canopy Trees	Evergreen Trees	Understory Trees	Evergreen Shrubs	Deciduous Shrubs
		CTE Equivalent Value				
	Total CTEs Required	1	1/3	1/3	1/20	1/20
Street Trees	57.0	57	0	0	0	0
Wet Stormwater Facility	0.0	0	0	0	0	0
Dry/Turf Stormwater Facility	0.0	0	0	0	0	0
Neighborhood Border	0.0	0	0	0	0	0
Dwelling Unit	0.0	0	0	0	0	0
Perimeter Yard	76.0	38	34	34	152	152
Buffer Yard	0.0	0	0	0	0	0
Parking Lot Islands	13.0	9	0	0	43	43
Building Foundation	12.0	0	0	0	120	120
<b>Total:</b>	<b>158.0</b>	<b>104</b>	<b>34</b>	<b>34</b>	<b>315</b>	<b>315</b>

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Verified By:

Date:

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