



City of Aurora

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Legistar History Report

File Number: 25-0931

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Type: Ordinance

Status: Agenda Ready

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**General
Ledger #:**

In Control: Building, Zoning,
and Economic
Development
Committee

File Created: 11/07/2025

File Name: Targa Acquisitions, LLC/ NE Corner of Sullivan Road
and Orchard Road / Rezoning/CUPD

Final Action:

Title: An Ordinance Establishing a Conditional Use Planned Development, Approving the Orchard's Crossing Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto to an underlying zoning of R-4A Two-Family Dwelling District, B-2 General Retail District and OS-1 Conservation, Open Space, and Drainage District for the property located at the northeast corner of Sullivan Road and N. Orchard Road

Notes:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description - 2025-11-13 -
2025.257, Exhibit "B" Plan Description - 2025-11-07 -
2025.257, Land Use Petition and Supporting
Documents - 2025-08-29 - 2025.257, Concept Plan -
2025-08-29 - 2025.257, Preliminary Plat -
2025-11-04 - 2025.257, Maps - 2025-11-13 -
2025.257, Presentation - BZE - 2025-11-25 -
2025.257

Enactment Number:

Planning Case #: AU07/1-25.257-CUPD/R

Hearing Date:

Drafter: JMorgan@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning and Zoning Commission	11/19/2025	Forwarded	Building, Zoning, and Economic Development Committee	11/26/2025		Pass
Action Text: A motion was made by Mr. Pickens, seconded by Mr. Roberts, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 11/26/2025, without Staff recommendations. The motion carried.							
Notes: Mrs. Morgan said good afternoon, Jill Morgan, Senior Planner. I first want to just make a note of a scrivener's error. The correction is all the references to R-4 really should be an R-4A as it was outlined							

in the Plan Description. So, all of those references should be R-4A.

The Petitioner, Targa Acquisitions, is requesting establishment of a Conditional Use Planned Development and to change the underlying zoning district from ORI Office, Research, and Light Industrial to R-4A(C) Two-Family Dwelling District with a Conditional Use, B-2(C) General Retail District with a Conditional Use, and OS-1(C) Conservation, Open Space, and Drainage District with a Conditional Use on the property located at the northeast corner of Sullivan Road and North Orchard Road. And you can see here an aerial of that location.

This includes a Plan Description to allow for a mixed-use development consisting of approximately 10 acres of residential, 11 acres of commercial, and 8.3 acres of stormwater detention.

The Subject Property is currently vacant with ORI zoning. The details of the request include a Plan Description that outlines 3 underlying zoning districts. The Plan Description identifies the area to the north of the property as R-4A(C) Two-Family Dwelling District and outlines the City's standard townhome bulk restrictions. The area in the center is identified as commercial. The Plan Description restricts some by right uses while also allowing some additional uses, which includes allowing up to 3 drive-throughs. One lot is also reserved for a white tablecloth, sit-down restaurant. The Plan Description as presented by the Petitioner requests the allowance of 1 gasoline station (2831) use with no truck diesel lanes. The bulk restrictions include specific setbacks from the 3 abutting roadways. In addition, there is a roadway agreement requirement prior to Preliminary Plan and Plat that will outline all the roadway and intersection improvements.

The Petitioner did provide a Concept Plan showing how the property could potentially develop...and then I will bring up that plan. So, here is the Concept Plan and it is a Concept Plan so the specific requirements will come in later. So, they're showing the residential area to the north, 5 commercial lots in the middle, and the existing detention remaining on the southern portion. The plan is Concept only. Upon approval of entitlements, the Petitioner would need to resubmit for a Preliminary Plat and Plat for the entire parcel. And then the Final Plan and Plat for each individual lot when a specific development comes in.

The main entrance to the site right here, is a 3-quarter entrance located off of Orchard Road across from Bushwood Drive. Orchard Road will be improved with a new southbound left turn lane and a dedicated northbound right turn lane into the development. There will also be 2 entrances off of Sequoia Drive. The Concept Plan shows a gasoline station abutting the main entrance drive. And that's right here. Let me just zoom in really quick to the commercial area. So, here is the gasoline station right here, or proposed gasoline station. And then there's 5 other additional commercial lots being shown. The property to the north is set aside for the future townhome development.

Over the past several years, the property and our staff have collaborated to reimagine the future of this large parcel along a major arterial roadway. When Staff introduced the new vision focusing on attracting high-end commercial users, the property owners expressed strong support. The vision requires significant coordination with Kane County Department of Transportation to revise the previously approved right-in/right-out access on Orchard Road to the 3-quarter access, an essential modification to improve the site's viability for a commercial development.

As the market conditions evolved, Staff recognized that an exclusively commercial project might not be feasible; however, mixed-use development that integrated townhomes remained viable. After exploring multiple design options, the final Concept Plan places residential to the north here and that commercial kind of in the center here.

The Petitioner does have a presentation, so unless there's questions for Staff, I can turn it over to the developer for their presentation.

Mr. Pickens said I have one question. I was a little confused when I was reading through the information, the packet you gave us earlier about the gas station where it wasn't allowed, and now it's allowed. Can you clarify that a little bit?

Mrs. Morgan said so, the Petitioner is proposing to allow a gas station. One of Staff's conditions is what Staff is recommending is that a gas station be prohibited. So, the Petitioner wants the gas station. Staff supports the Conditional Use change and the Rezoning with 1 change to the Plan Description not allowing the gas station. So, we're actually recommending prohibiting a gas station use. Is that clear?

Mr. Lee said I'm trying to picture heading south and wanting to turn into this new development. Will there be a light installed at some point?

Mrs. Morgan said no, there is no light. Kane County Department of Transportation would not permit a light. The most we were able...and it took actually quite a bit of conversations with Kane County over an extensive timeframe to get this 3-quarter entrance.

Mr. Lee said so, if I'm coming out and I want to go south, then I have to cross the northbound traffic

lanes and then...

Mrs. Morgan said yeah, so if you want to continue going south along Orchard, you would have to do the internal...you would have to come out at Sequoia and come down, and then turn right, and then turn left.

Mr. Lee said alright, thank you.

Chairman Pilmer said that's...other than the left-turn lane heading south, that'll remain a median.

Mrs. Morgan said I'm sorry. What was the...

Chairman Pilmer said well, there'll be a cut in the median if you want to turn left heading south. But you can't...the only way out is to go to...

Mrs. Morgan said correct, yes...yes...so, there's no cut in the median. So, the only way to do this...

Chairman Pilmer said the majority is probably going to be right-in/right-out heading northbound.

Mrs. Morgan said that is, I think, the thought that is going to be mostly catching people going northbound on their way up to the tollway and then on the weekends and stuff, people would be able to use Sullivan and Sequoia to go southbound on Orchard.

Mr. Pickens said one other question for Staff. On the residential area, you know, Aurora is always looking for low-income housing. Will there be any type of restrictions put on that lot for low-income? Or is it just going to be whatever the Petitioner wants to do?

Mrs. Morgan said there is no restrictions requiring it to be low-income. I'm not aware of really that being a zoning issue. We can't really restrict, like, whether it has to be for market or say it can't be low-income either. So, that...unless there is a...if there was some type of City funding or something, maybe that would be something that...but not through zoning.

Mr. Pickens said okay. Perhaps the Petitioner can voluntarily do it?

Mrs. Morgan said yes.

Mr. Pickens said okay. Thank you.

Chairman Pilmer said I have a question, and maybe the Petitioner will expand. So, in the Staff's report, it talks about the vision for an upscale commercial corridor. I mean, I've driven Orchard Road my whole life, so we have warehouses to the south, and it talks about other gas stations, but I think there's only 1 at the corner of Sullivan and Orchard. But I know there's 1 to the north, but not in the City of Aurora that just expanded. So, I'm just trying to understand why...and I get that maybe there's an appeal to use alternative energy, but as a lot of our tax dollars go to North Aurora to fill up at the gas station to the north of the tollway, I'm trying to understand why we wouldn't...why we are restricting a use here in Aurora.

Mrs. Morgan said yeah, one of our concerns was we really did want to try to get the high-end commercial, and there is a concern that if you allowed the gas station then it can maybe only develop with a gas station. You have a gas station just sit there with no other commercial can possibly just maybe discourage other higher-end commercial uses. And you are correct. There is just the 1 gas station just south of this on Orchard. There's 1 in North Aurora. And then, there are a couple on...further south to the east on Galena. So, not right in this vicinity but in the kind of surrounding vicinity. John, did you want to add something?

Mr. Curley said yeah, John Curley, Chief Development Services Officer for the City of Aurora. I also wanted to point out a little bit of the history of the site. It's currently an ORI zoning, which prohibits gas stations currently. We are interested in modifications to allow many of the other uses that are being proposed or suggested in the Concept Plan. But there was a desire to not expand the uses to include a gas station with this request, and part of that has to do with our sustainability goals which your body was involved in adopting in 2019. One of those goals was to promote smart growth by promoting local and sustainable development and reusing existing infrastructures and reducing overall carbon footprint, as well as promoting the use of existing transportation infrastructure and services to their capacity, increasing alternative and multi-modal accessibility and increased access to renewable

energy sources. So, this is a recommendation where we're trying to balance multiple of our goals, and where Staff is landing is making a recommendation to allow a modification to, in our view, improve the uses on this site from ORI, but not expand those uses to also include a fuel center.

Chairman Pilmer said so, can you...thank you. Can you just further explain kind of the desired higher-end mixed use, what that vision is?

Mr. Curley said well, again, as a matter of perspective from the existing posture of the underlying zoning that exists now, the ORI would allow a lot of uses that I don't think everyone would find as desirable as those that are otherwise being proposed here, including the residential. And we have reserved...attempted to reserve some of those spaces in our recommendations for a sit-down restaurant and there is...I think the Petitioner will tell you, there is some desire for some other restaurants as well as a daycare center in some of the other lots, or at least interest for those uses on this particular parcel now as well.

Chairman Pilmer said thank you. Any other questions of Staff? Thank you. This is a Public Hearing. If the Petitioner would like to come forward. And then, I'll need to swear you in. Anyone that's going to speak, if you'll raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

All said I do.

Chairman Pilmer said thank you.

Mr. Philipchuck said good evening. My name is John Philipchuck. I'm the attorney representing the Petitioners here this evening. My offices are 111 East Jefferson Avenue in Naperville, Illinois. We are here with QuikTrip. Skyler Evans is signing in right now and he'll give you a little more information. I know the Planning Commission did here about the facility that we had gotten approved over on the east side of Aurora at Diehl and Eola Road. That was a little different product because that had the truck area for the diesel pumps. That will not be the case here. We will have in your typical gas islands one of the handles, if you will, one of the pumps would be for diesel because of the need for people that have the diesel engines, especially some of the craftsmen and landscaping people that have the pick-up trucks typically that are diesel-powered. And so...and your smaller box trucks that use diesel power.

So, we will offer those but other than that, we'll get into the differences that QuikTrip can provide here. And they are the lead in this development. We need them because they are the ones that are willing to come in and front-fund the improvements.

A little bit more on the history of the property is being sold by Toyota Motor Sales USA. They have held this property for a number of years, as you all know. It's been farm, but it is ORI, and the City basically, as we know with moratoriums and some of the other things that have happened more recently, decided that they didn't want to see that property used for ORI uses. Therefore, they encouraged Toyota to look for buyers because they didn't feel the need that they had for that property that could come in and do something in more of a commercial nature, which would help the residents of Aurora with providing more ability to shop, dine, and that sort of thing.

Because of the size of it, though, the 29.8 acres, we had an issue with trying to put that much commercial on that site. So, that's why we did work in the ability to put a townhouse-type development. That's how it's been designed: for market townhome development. So, that's the 10 acres to the north of the property. The big idea was that we would try to attract some of the users that were maybe lacking on the far-west side of Aurora and get them into this area. And that's what we've been working on. You'll hear from Jeremy Forman from GTZ Properties about all the work he's done as our commercial broker on approaching the wide variety of users that we feel would be appropriate for this site, and you know, we have been working on that. And of course, the market conditions are what drives things. So, depending on what the market is at any given point in time will make a difference on who we can attract now versus who we may be able to attract 6 months from now.

But, the work that has been done on this site is quite remarkable, as Staff mentioned. Dealing with Kane County who controls Orchard Road and getting the improvements there to allow for the left-in/right-in/right-out, that's a biggie that will help this center take off. And so, we're really proud of the fact that the City worked on that. But again, QuikTrip is coming to the table here to put those improvements in so that we can market this facility with something other than a big truck storage facility warehouse that we have to the south. So, we've got some great hopes for the development of the property but we in looking at the fact that having QuikTrip put their facility on Orchard Road in this location, we don't feel that that is going to discourage high-end users. In fact, the developers are saying to the City we'll even agree to put a moratorium, if you will, on our lot there adjacent to that large stormwater for us to market for 2 years. We'll market that only for a white tablecloth type of

casual, in sitting type of dining, not a drive-through type of operation.

So, we're committed to that. Jeremy can speak more to that as to what he's doing and who he's talking to out in the marketplace, but it shows there's a commitment on our part to try to do even more and by willing to say "well, we won't see to the first guy knocks on the door." But we will work to find somebody that would be able to address that need. And, you know, sometimes it falls in place, sometimes it doesn't. There's a lot of work involved. This gentleman has been doing the heavy lifting on that. But, as far as picking on the gas station, if you will, I guess I could call it that, what we've seen in the marketplace are all the big manufacturers are pulling back on EVs because the market isn't there for them. And we don't see in the marketplace a drop off at all as far as the demand for gasoline and diesel fuel. That...it is what it is. And projecting out for as far as...I think we've got some numbers that go out about 30 years as to the continued demand for this type of fuel. So, we feel that this location especially given the fact that it's right on the interchange. There's no stations between DeKalb and Aurora on I-88, and so we think this is a great tax generator for the City of Aurora as far as, you know, the tax revenue from the gasoline sales but also the way they design their C-stores. They do a large volume of retail sales in those C-stores. So, that would be part of what we would be doing here with QuikTrip.

So, with that, I would turn it over to Jeremy. And he'll talk about the efforts that GTZ Properties have been making.

Mr. Forman said thank you. And thank you for having me. I'm excited to talk about this project. Jeremy Forman, co-founder and principal at GTZ Properties. We're a retail-oriented development investment group based in the Chicagoland area. We've done deals all over the country. GTZ was born out of our former company, GW Properties. GW Properties completed around 200 retail projects in 28 states in the last 10 or 11 years, including a handful in or around the Aurora area, one of which may have come through here probably 6+ months ago, maybe a little longer than that. We were attempting to attract Jewel to Highway 30 and Eola, which Jewel's now taking assignment to. We'll see what ends up happening there. Hopefully, we'll wind up staying involved.

But, I'm very excited about this project. I'm happy to talk more about GTZ but I also want to give a nod to Staff who put in a huge amount of work on this property before we ever had the chance to start working on it. This is essentially an industrial zoned property. I think if Prologis has the opportunity to build a million square foot center here, they would do it tonight and start construction tomorrow. But, as a retail guy, we recognize that it is a growing area. Aurora's been, I think, the fastest growing Chicagoland suburb for years. It's an attractive place for a lot of people to live. We think that this is part of the community that still needs some additional development. The Meijer that didn't build, I believe, just got some zoning passed that have some multi-family get built in the rear. They're holding a retail pad to attract some commercial in the front. We'd like to continue building on the corridor through this project of 22 acres, but it couldn't have been done without the Staff who worked, my guess is tirelessly, alongside Toyota to transform this from the potential to be industrial to what we are now hoping to bring forward which is a mixed-use project between retail and residential.

So, I'll talk to you briefly a little bit more about GTZ: offices in Highland Park, we really kind of consider us just generally in Chicago but I have completed over a billion dollars in transactions across the country between GW and GTZ since 2014. A lot of our relationships are with nationally branded retailers and restaurants and those types of uses, although we've done plenty of local deals and worked with local restaurants and regional groups like Tangled Roots and some other restaurant concepts. And we do specialize in this exact type of work. Not only in master planning of land, but also development specifically when it comes to retail oriented uses.

On this project, we're going to be working with Kimley-Horn as our engineer. We've done a lot of projects with Kimley-Horn, an excellent engineering firm. There's a lot of engineering that goes into this property so we're really glad to have them with us. QuikTrip, who is a tenant on the property or a retail use on the property, is also acting as a partner of ours on the project. Just given the sizeable infrastructure requirements between creating the 3-quarters access which K-DOT had previously approved. That is just going to be creating a left-turn lane with the decel...dedicated left turn lane with the decel lane on Orchard turning into the property. There will be an additional decel lane for a right-turn lane into the property. We'll be creating an access road with some sort of internal art feature or something in the roundabout with commons roads going throughout the property. We have to expand the existing detention pond, create another detention pond, grade, pull utilities, lots of work that needs to be done. We are not asking the City a dollar of incentives. We are able to support this investment candidly through the economics that QuikTrip that is bringing to the table in addition to the other development that will be creating some economic value through the additional development as we continue making that happen.

So, some development examples of GTZ Properties that I thought might be noticeable that you might know about but also somewhat applicable to this. We purchased the old Macy's furniture store in Oak Brook, demolished that, worked with Costco to help expand their parking lot which was needed because they're bustling, and then created 7 retail buildings featuring 14 tenants. Lazy Dog, who we've

done a number of deals within surrounding states, locally and several other states. Panera, VEG, which is a veterinarian center, some small shop retail and restaurants and then Guide Post Montessori.

We just passed PUD not too long ago in Long Grove; 15 acres of farmland not dissimilar to this project. I actually worked with QuikTrip on that to make some pretty meaningful infrastructure improvements to expand that intersection. Improved the safety and access with...at the stoplight intersection at 2 State highways there. That'll be a comprehensive plan as we continue to work things through. QuikTrip kind of being the lead on that. Along with QuikTrip, we're working with a higher-end regional ice cream brand that is a little slower than I'd like but working with them to kind of move things forward. And then, a really cool high-end car condo concept. Car condos that sell for more than, I think, probably where I live currently, but perfect for the area and the community and a really unique use for that space as we continue to develop the rest of the property.

We also just broke ground and currently in construction in Bannockburn, which I think was about 12 acres. That all turned into 5 retail buildings featuring 10 tenants with cross-access to the existing Mariano's. It was a hard corner, 2 State highways, long time coming on that property but excited to break ground on that.

We previously developed an industrial building in Norridge right on Harlem. That property turned into the Caputo's. We had a Ricky Rockets at the corner with Caputo's in the back. Dental Aspen and a Well Now owned by the same company but a 2-tenant strip center out front. That project candidly was so successful that we wound up with surplus retailers and had so many conversations with people that has actually led us now to purchase a property across the street, 12,000 square-foot retail building with a 2,200 square-foot Lovers Lane, and the rest is vacant. We're completely converting that into 3 high-end exciting retailers. Lovers Lane will unfortunately not be part of that project.

So, the proposed request on this, I think as John pointed out and Staff was kind enough to suggest, was...it's a 22-acre project. We're looking to split the property up into 10 acres of multi-family which we're currently considering for low-density townhomes, and then 12 acres of retail which will include quick service, full-service restaurants, C-store, and a daycare. As of right now, we're seeking Conditional Use permits for drive-throughs on several of the restaurant pads as well as a Conditional Use permit to allow for the QuikTrip operation.

The benefit of the PUD is the PUD seal gives the City of Aurora control over the outcome of the development. It sets current expectations for the uses. So, allowing us to have some drive-throughs, allowing us to set aside a parcel to do a full-service restaurant, and still provide some control over future approvals and permits as the users come forward with final PUD.

Getting the PUD in place allows us to close on the property. As soon as we have the entitlements, we are able to close on the property which signals to the market site viability and delivery timing. A lot of large projects in Illinois come out to the market. Lots of people talk about them. Lots of things don't happen. There is constantly retailers...if you're a publicly traded retailer, you have to announce to Wall Street that you're opening. You have to announce to Wall Street when you're opening. You have to hit those goals. It's very difficult to get any publicly traded company engaged on a project that you kind of haven't closed on and don't have a construction timeline on. We've been fortunate to have conversations with a lot of privately owned or franchise driven concepts that are interested in the site. They're still kind of looking for some signals that we're going to be closing and starting construction.

So, looking for the City's support, obviously, in pushing forward the PUD to allow us for additional marketing, and driving those conversations forward. It also does line up very well for the construction start. Anybody who lives in Chicago knows it's easier to shovel snow on the ground, but very hard to dig dirt. So, if we're able to close on the property in the next couple of months, we'll be able to mobilize and ideally start construction this spring.

Additionally, if QuikTrip gets the approvals which then helps fund the infrastructure improvements that I mentioned previously, which include the Orchard Road access improvement project, the interior commons roads, the expansion of the detention pond, and creation of that second detention pond which you'll see on our site plan here.

Again, Staff had done a lot of work prior to our engagement in this property with sort of visualizing what they wanted to see. Based on our experience, we kind of took that inspiration and tried to modify it to what we thought was a little more viable for today's common retailer...or modern retailer, excuse me. So, we spent several months creating site plans, sort of figuring out the engineering, traffic flow, kind of the mix of the types of retailers given the amount of land we had to work with, and worked with Staff to sort of get the nod that this is something that the City would find acceptable to benefit the community, which I think we're going to speak on further. But I'm happy to talk to you if there's any questions now or later, but you can see that we've set aside roughly 10 acres to the north of the property, which would be the multi-family. As the road comes in, we then kind of split it if you look to the left, there's 2 pads, 2 positions for retailers on the left, 2 positions for retailers on the right. One which would be QuikTrip, one hopefully will be a restaurant we all know and love. We're still working on that one.

To the north is the property that we've set aside to market for 2 years to full-service restaurants. It'll be

overlooking the pond. The concept there, if anybody's familiar with Foxtail. Does anybody know or is familiar with Foxtail? So, we sort of envision Foxtail, the type of development they have in Des Plaines. It's overlooking the detention pond with the outdoor seating, indoor full-service restaurant, event space. That's large enough to accommodate, you know, something smaller if that's the right use for it, but something larger too that would benefit from overlooking the pond.

And then, for sizing, and I believe we also use the traffic study, we are showing a hotel in the rear to the east but above the QuikTrip. We've...it's been indicated that a hotel may not be the best fit for the community at this time. So, we've pivoted to market that to other users, and we have a daycare which, Kiddie Academy, has expressed very meaningful interest in taking that position. They currently have a location, I believe, in North Aurora bursting at the seams. They're dying to be down here, and they think that this is going to be the perfect location for them. So, they have a preferred developer that's engaged, that is interested. They're hesitant to spend the type of money to put the plans together that we need to kind of move things forward but sort of wait on the sidelines as soon as we tell them to go. As far as just general tenant updates, I'm happy to share...I know this is public. Hopefully you already know this because I believe they've reached out to the City but Panda Express has expressed significant interest on that first position to the left of the entrance. I have a call with them tomorrow to talk specifically about how this meeting went and the timing of the PUD closing construction. They're moving forward (unintelligible) approvals. Kiddie Academy I just mentioned has expressed interest in being to the east above the QuikTrip. We have been talking to additional QSRs and fast casuals for the other sites. We've had letters of intent with a few groups. Some of which have sort of put us on pause. They have focused on the outlot to the south, which is in front of the new multi-family development on the former Meijer pad. We're working hard to bring them back. We think we have the better position. A lot of the retailers, just in case anyone's curious, have actually told us that they do prefer to be on the south side of the site. I think somebody was asked about how the access works. So, it really is 3-quarters access, retailers like to make sure that you can find them. If they think that you'll figure out how to get out. But with access to Sequoia, which is on the east side, does connect to Sullivan which puts you to full access traffic light intersection. The retailers, given the way that we have the traffic flow throughout the center, find that it'll be easier for them to access that site and be a little bit closer to the intersection. So, (unintelligible) on why we position them on that side. But we're talking to several QSRs and fast casuals, committed to finding a full-service restaurant. We actually originally were talking to Texas Roadhouse, who I believe just landed in North Aurora. So, we missed our window with them. We reached out to 50 different national and regional and local concepts for full-service restaurants, and I think it's probably just a matter of time until we can find the right user to be part of this project.

From a residential standpoint, just a little bit of history here: when the property was originally marketed, I believe that it was marketed to have residential in about 14 acres. There was contemplation early on to complete about 200 units on those 14 acres. Through conversation with the City and Staff, it was indicated that they, the City and community, would like to see less dense residential so we shrunk it from 14 acres to 10 acres. We went from high-density multi-family to something that looks a little bit more like townhomes. So, the current contemplation on the 10 acres is to work with a residential developer. We are retail guys. We know a lot of residential developers. We've engaged with several of them for the project, but we will be specifically targeting people that have townhome background and interest in this property.

As pointed out here, we've engaged over a dozen residential developers, 4 or 5 of which were actually at the City's direction. Multi-family developers that have done business in Aurora that the City thought put together a good project. They were looking for higher density. As we pivoted, we've been talking to more townhome developers and currently have a couple of people who have expressed some initial interest.

Again, Aurora is the fastest growing residential community in the Chicagoland area. To me, it's a when, not an if, for getting residential here. Obviously, figuring out the density and the economics for 60 to 70 units on 10 acres is a little different than 200, so they buyer pool, the developer pool is a little smaller. But we have very good relationships with Colliers Land Group, which is the top land group in the country, CBRE Land Group, who I've done a lot of business with as well and who was marketing this site originally. Both of those groups have expressed interest in marketing the site further once we have the PUD in place and they know what they can be specifically marketing and who they should be talking to. So, that could be additional assistance as we move things forward from the residential standpoint.

Included are some sample renderings of projects that we've completed and some sample renderings of some tenants that we're talking to. We do typically look for first-class retail or first-class construction in all of our retail projects. Again, a lot of that comes from work with national retailers but whether it's a 2, 3 tenant building or a single tenant building, we're looking for a higher-end more modern design. Again, just some sample pictures. That McAllister's and City BBQ is something we built locally. The McAllister's below is their new prototype. Chase Bank we just did a deal with them in Arlington Heights that actually looks a little different than this but turned out nice. And Lazy Dog, as I pointed out

previously, had...we've done several deals with them, in several places. I think this might be missing a slide...or is the older...

Mr. Evans said I think, yeah...so, I'm sorry. Last minute addition here for the...over the lake...

Mr. Forman said yeah, we have a rendering which I'm happy to send to Staff that could circulate to you. We, again, taking inspiration from Foxtail Restaurant which is a...it's actually a converted church overlooking detention pond. It's a really cool place. So, we took that concept, worked with our architects to sort of...using that as inspiration, modify the property to look a little bit more modern, less like a church, more like a restaurant with outdoor seating on the deck and sort of at the lake level with the idea that that would be a gathering place for, outdoor space specifically for spring and summer, and then obviously inside during what feels like more than the rest of the year but that's missing from here. But I'm happy to share with City Staff who can share with you guys. Again, it's more of just sort of an inspiration as we continue to market this site to those types of users.

And of course, QuikTrip, who I can speak about till I'm blue in the face. I don't need to. I have somebody from QuikTrip who can do that probably better than I can. I will just tell you that QuikTrip is one of those brand names in the retail community that when people see a QuikTrip, they see a QuikTrip. They don't see a gas station. It is a brand in and of its own that sort of flags the retail community. Solid traffic, correct retail use, and good developer behind it. On that note, I'm happy to turn it over to Skyler who can talk a little about QuikTrip.

Mr. Evans said thanks, Jeremy. My name is Skyler Evans. I am the Project Manager on this one for QuikTrip. Here really quick before we get into the QuikTrip site plan. I know that we've been up here before, my colleague came up and presented for the Eola and Diehl project. And so, just real quickly I want to talk through QuikTrip.

So, we started in 1958. As of 2025, we have almost 1,200 locations nationwide. We don't franchise anything out. Everything is owned and operated by QuikTrip. It's still a family-owned company, and our employees are the actual shareholders. We invest in the company. And therefore, because of that we're able...our employees try harder, they work harder, we are able to maintain a higher standard than what you would typically see in a convenience store.

Across the nation from Denver to Chicago to the east coast, whenever you walk into a QuikTrip, you'll see employees with khaki pants, khaki shorts, red shirt, and a name tag. You'll always know who you're talking to.

And then, we do...we have really high standards for our store locations. So, internally and externally, we do site walks every 30 minutes, making sure that we don't have trash and stuff outside. Same thing with inside the store. We go through every 30 minutes making sure that bathrooms are clean and to the QuikTrip standard, as well as the entire store.

We also provide breakfast, lunch, and dinner. It's not a third-party user that comes in. It's a QuikTrip owned, QT Kitchens. So, you can come in, you can order food off the ready-to-order menu, or you can grab something that's already prepared for breakfast, lunch, or dinner, whichever timeframe you're there. We also offer roller grill items and those are just quick and convenient. We do offer fresh-made sandwiches and stuff like that as well that are made daily by our employees.

And then, we talk about QuikTrip, one of the really big things that we focus on, and I think is important here for this development is our security. So, I worked in the security center in Tulsa. We have 2 locations in Tulsa...1 in Tulsa, one in Dallas. It's 24/7, it's all QuikTrip employees. There's no external security team for us. We have right around 90 cameras onsite. So, what that does is that ensures that the entire property, as well as the other people around...you know, the other developers around us...also have some kind of security coverage for video cameras whenever they shut down. Because we're a 24/7 operation, you know, we always have somebody onsite that can make calls or whatever if needed.

Our employees have pagers that are on their waistbands. They also have a gyroscope in them, as well as 2 buttons so if any employees falls down or something like that and that pager goes on its side, within 3 seconds, it's sending an alert up to our security center, and then our security center is able to pull up the cameras, figure out what's going on, and then call the proper services...fire, EMS, police. That way the employees in the store can focus on what's going on onsite.

So, here is QuikTrip. This is our latest building. This is our Gen 4 model. It's our latest prototype. We've designed this for customer convenience and layout. And this is a 6,445 square-foot building. It's got 10 pumps for passenger vehicles, 2 auto diesel pumps. So, it's just the ability for passenger vehicles that use diesel to fill up, and landscaping vehicles...not semi-trucks or anything like that. We have 51 parking spaces.

Here's our floor plan. On the left side is our entrance. So, we have 1 entrance in this building. It's through a vestibule, and then immediately as you come in the building to the left is a check stand. And that's where our employees are. Back left is the kitchen from both of these locations, you can see the store floor. It's very open and very customer convenient as well as employee convenient. On the right

side of the building, you have 8 separate rooms. Those are gender-neutral bathrooms. They're all individual, so it allows for more people to have access to the bathroom.

Here's our site plan. Or sorry, our building elevation. I want to point out 1 thing here. So, here's a better rendering of it. So, on the left side of the QuikTrip entrance is a optional walk-up window. It doesn't have to be built into the QuikTrip. It's something if...if the municipality allows us to have it, we would like to. This is just a convenience item for our customers. So, you can order food off the app, we can bring that out to you at the pump, you can park and we can bring it out to you, or if you just wanted to come up to the window and grab it, you can do that as well. Within the app, we have a multitude of items. Almost everything within our store, you can order on the app. So, whether it's a 20-ounce Mountain Dew or a hot tea grab and go item, you can order that and you can go and pick it up at the window, so you don't actually have to go inside the store. I just wanted to point that out as we continue to go through here.

So, again, this is our latest model. It's more modern. We do have equipment stringing up top. That way that the equipment isn't visible from the roadway.

Standard elevations for QuikTrip. So, one of the things I want to point out here is unlike a lot of convenience stores these days, we don't have music playing at our pumps. We don't have, like, a video on the pump that's playing anything. We don't have any music coming out. It's really just a basic pump, and then you've got to tap to pay. That's really the only updated technology that we have in there.

This is our comprehensive plan, or Aurora's comprehensive plan and kind of where we would fit in here. So, kind of in the middle of the screen, it's hard to see. There's a little QuikTrip in the bright pink there, just kind of showing where we're located within Aurora.

Again, the site plan, the overall development plan, I wanted to single out where the QuikTrip was so that it was kind of convenient to see. As stated by John and Jeremy, QuikTrip's kind of a linchpin in this. We're funding all the developments for the project here for the entire development. And then, also the roadway work. We're also...we'll work with the City engineers as well as the County to make sure that we have proper roadway access and things like that and making sure everything's safe.

Again, we're not asking for anything from the City of Aurora. We're just asking for, you know, the ability to come in and do this development that we think will be very good for the community as a whole.

Chairman Pilmer said thank you.

Mr. Forman said happy to answer any questions or talk to the presentation of the project as a whole.

Chairman Pilmer said any questions of the Petitioner?

Mr. Kuehl said yeah, are there any EV charging stations?

Mr. Forman said I'd turn that over to Skyler.

Mr. Evans said yeah, so, we currently don't have planned EV charging. That's one of the things that we're exploring as a company. We're testing it in our Denver market right now. What we've been doing in the Chicagoland area is we've been running conduit to our parking spaces if we're requested for that timeframe where the EV chargers and everything kind of come up to speed. One of the things that we've noticed with the EV chargers, even the level 3s, is that their charge time is actually more like 40 minutes instead of the 25 minutes that they advertise. It doesn't necessarily fit in well with the QuikTrip, but that's also something that we may be able to work in throughout the other sites in the development that are more feasible and reasonable to that business model.

Mr. Forman said it's one thing that we have asked QuikTrip is does it make a lot of sense sometimes for them to do it but if you have a full-service restaurant and you have a Tesla that's going to park there, and have lunch on a sunny afternoon. They've got the time to charge their cars, so that could be something that we collaborate with them on elsewhere...

Mr. Kuehl said yeah, I stopped at your Beloit facility and charged my Tesla. I mean, it's quite a facility.

Mr. Evans said which one?

Mr. Kuehl said the one in Beloit.

Mr. Forman said different QuikTrip. That's Kwik Trip with a "K"...

Mr. Kuehl said oh, okay.

Mr. Forman said yeah, yeah. So, Kwik Trip with a "K" is Wisconsin-based. They have to change their name when they come into Illinois.

Mr. Kuehl said got it. Okay.

Mr. Forman said yes, so, a little different. Yeah, yeah.

Mr. Evans said we get that a lot. We get it all the time. Yeah, even whenever we're wearing our QuikTrip shirts. We get it all the time.

Mr. Roberts said kind of a broader question. You heard some of the push back about it is around the sustainability initiative from 2019. So, how would you guys directly respond to that as not being something we should be factoring in?

Mr. Philipchuck said well, again, it's...it's...there are a lot of factors that go into it, and the fact of the matter is that we are looking to serve the community of Aurora and the motoring public. Because of the access point here, we think it's a great location for that kind of a service. And as much as you would like to maybe have everybody drive an EV, not everybody's going to buy and drive an EV. And so, let's face the realities of it. Even the people, the big...the big folks...you know, the Fords and the Rivians and some of the others that have found that maybe that market's not as deep as we thought it was. And so, they've been pulling back on the production. But there's room for it all. Who knows? Maybe hydrogen's going to come. Who knows? Who knows what technology will bring us? But right now, what we do know is the majority of Americans drive diesel and gasoline vehicles. And we think this is the perfect location for it. It's not going to harm the site. You can tell by the presentation that we've made who we are, what we're trying to do, how we want the best for Aurora. But it doesn't mean...and I don't usually have to go against what Staff recommends but I do this time because I think it's wrong, and I think this site will develop in a wonderful fashion that will benefit Aurora, the citizens of Aurora, the citizens of the 5th Ward, and that this particular site can and should have this gasoline station. I don't think it should be an excluded use.

Mr. Forman said I'll...I'll...let me add to that for a minute because, you know, I think it's also important to look at the entire development, and the QuikTrip is a component of the entire development. They're important to us from an economic standpoint. We still have other things that we have to do on this property from an economic standpoint to get it going. They're sort of the tip of the spear for us. But as far as greenspace and environmental concerns, I will say...and if you want to fall asleep, I can ask Skyler to explain it to you...the over the top safety measures that they put into place with all their underground tanks and storage, shutoffs, all of those things...from an environmental standpoint and the rest of the project, I mean, we are doing our best to include some natural elements, having greenspace, making sure that there's going to be some beautiful, cohesive landscaping along...I keep pointing to this – I realize you can't see it...but along the front of Orchard, it's going to have landscaping along that. We're going to encourage, and obviously the City requires landscaping both through the community and City code on each individual property, whether it be the residential component or the retail. So, again, from the master planning standpoint, I mean there's several environmental aspects to it. I could speak to the safety measures they take around the environmental component of their specific property. And if there was other specific questions, concerns, or suggestions, we'd love to hear them.

Mr. Philipchuck said right now if you want to hear about sustainability and vehicles and emissions and all that, the traffic count out there is 35,000 cars, vehicles a day at this site on Orchard Road...35,000.

Mrs. Martinez said I did have a question. Not so much as the sustainability, but I love some of the renderings you had like Cava and Biddibop and all those. How many QuikTrips are next to a Cava and a Biddibop and an Invicto? Because what I've seen is that we have these developments and it's always a drive-through. It's always a promise of having a restaurant. And Aurora...in order for me to go to any of those, I have to go to Naperville or Oak Brook. So, what...like, how many...as a retailer, like, I know I...you know... I have a retail store. I want to be next to the Cavas and the Biddibops. You know, no offense to the gas station. It's just not my clientele.

Mr. Forman said totally understand, and it's a reasonable question. I'm going to try not to nerd out on you, for as being a retail guy...I will tell you that Cava's first location was in Wicker Park, next location's in downtown Oak Park, next location I think is downtown Naperville. Okay, but they're not major corridors. They're all downtown dense urban environments where you're not going to have typical community-oriented retail. And so, when you ask about the QuikTrip locations, how many Cavas...sort of unfair for both of us because they're so new. But, point taken. Chipotle, Panera,

whatever it is...the answer is with 1,200 QuikTrips around the country, plenty. And the fact that there's a daycare willing to go above to the east of the QuikTrip, Panda Express...oh, I'm sorry. Thank you, I thought this was off. Panda Express next to them, I think that you are going to wind up attracting the type of retailers that make sense for a 35,000 vehicle per day...it's not exactly an intersection...but roadway right off of the interstate, I think with additional housing coming to the area, which rooftops are required. I think somebody mentioned the fact that if you do look at this as on an aerial, there is nothing to the west. I mean, nothing. It's just farmland. To the east is primarily industrial buildings, which unfortunately are 500,000 square feet of building with 20 people in them. So, you need density for some of those users, especially when you're talking about selling or having a \$12...I can't think of the chicken dish that they sell at Cava...but, if you're having a \$12 bowl, I mean, you can go spend \$20 at lunch. I mean, you need density, you need that population to do it. The way that we see this property right now is you're capturing 35,000 cars a day, housing is going to fill in, the retailers ideally are going to succeed and be here a long time. There could be some opportunity for some turnover over time, for sure, or some upgrades down the road. But you really right now are capturing traffic. There's just not housing. There's not the density that you're talking about. So, when you're looking at the Cavas of the world, or some of those other kind of higher-end brands, they're looking for a lot more density than this site just happens to offer.

Mrs. Martinez said I find it interesting because I actually live off of 88 and Premium Outlets and before Lou's opened on Farnsworth, we would go to Orchard or 59. So, now for a Cava or any of those, Lazy Dog, I have to go to 59, right? So, I understand what you're saying as a retailer. I just would hate to see this be another drive-through only.

Mr. Forman said understood. One of the reasons that we've set aside the property facing the detention to focus on bringing full-service restaurant over the next 2 years. You know, as a retail development, you are subject to some market forces, right? So, I don't have 9 full-service restaurants that are looking to grow right now. It just is what it is. Costs between construction, food, employment...there are headwinds that we're working through. We believe that we can work hard to attract a full-service restaurant, if not more than 1. And by the way, we're simply speaking the PUD. If 3 full-service restaurants call me tomorrow, you will see a plan for 3 full-service restaurants. Our goal is to attract retail that's going to be successful here. And Lazy Dog is an interesting use case because they tend to go to very...to denser regional markets. So, Orland Park, Naperville...they opened one in Buffalo Grove which is a little bit of an oddity but there's a whole bunch of stuff happening kind of right around the corner from there. A massive residential development that goes up the road and a couple of other larger users. But we're certainly talking to all those users. We'd love to have them.

Mr. Lee said so, could you provide me some examples of in this location white tablecloth restaurants that would make your day?

Mr. Forman said Foxtail. I would love to see them. I'm always worried when people say white tablecloth. So, I say full-service restaurants. You're sitting down at a table, and a waiter is taking your order. I understand that can mean a lot of things too but just make sure we're all on the same page. I'm not expecting Alinea to open their second location there. Just so we're on the same page. I think the Tangled Roots concepts...if you're familiar with the Tangled Roots, they do kind of brew pubs, they have one in...now I just forgot the name of it...you know, they have 6, 7, 8 restaurants. We've reached out to Lettuce Entertain You. We think that they have a couple of concepts that would be really interesting out here. Those are the types of groups. The Foxtail, you know, the Tangled Roots, the Lettuce Entertain Yous. We've also reached out to national groups...you know, Outback Steakhouse, I mentioned Texas Roadhouse. Partially and candidly to cast a wide net. I think that if you...to answer your question, who I would like to see here. Foxtail. I'd like to see something unique.

Mr. Lee said okay. Thank you.

Mr. Forman said you're welcome. Thank you.

Chairman Pilmer said any other questions of Staff? Or the Petitioner?

Mr. Pickens said it seems to me that the Quik Stop (QuikTrip) is the key factor here in this whole approval procedure. Has there been any approach that where... right now you got it right smack dab in the middle of the whole development. Has there been any thought of maybe possibly getting it segregated to a corner somewhere and possibly screened off for the other lots to be built out to the premium type, or whatever you want to call them? Has there been any thought process...it looks like, even residential, I don't think I'd want to have an apartment right next to the highway. And all these stores would want...I would think they'd want exposure to Orchard Road, so crowd them all up against

Orchard Road and put the housing in back on the back side. I mean, it's just a suggestion but again, it sounds like the station is the one that's...the gas station is the kicker here.

Mr. Forman said they're certainly helping with the significant infrastructure costs...

Mr. Pickens said I understand.

Mr. Forman said so, yes. You bring up a lot of good questions that we spent a lot of time visiting. Interestingly, at a certain point with our site planning, we had the retail and the residential flipped. We had a couple of retailers, one we traded LOIs with who I think again I'm hoping to get back. They actually asked to be as close to the detention pond as possible, partially for the water feature, partially for visibility from the stoplight. They want...everybody needs the visibility from Orchard Road if you're going to become, you know, a destination...you either need to be a destination, like the full-service restaurant and the daycare. The other people want that visibility, but the retailers also want the visibility from the hard corner so the residential wound up going up to the north. That could be office, medical, hospitality. But residential seems like it would be a great fit. Again, growing community, additional rooftops in this area is only going to help spur additional growth. And the residential guys actually said they have no problem being on that side, and they wanted the land to actually be kind of bulked instead of sort of like in a line. That it's easier for them to come up with flexible development plans and figure out their access, driving, and egress if it's chunked like that. So, we did put some thought into those things and it actually moved the site plan around 3 months' worth of times to try to come up with this which we think is the most viable for both residential and retail. We call them gas stations. In the industry, they're called convenience stores. Convenience stores need to be convenient. So, we did have some conversations of where the QuikTrip could go. We thought that this would be the best spot, not only for QuikTrip but also for the development because other retailers, I think to your point, when you're working around developments like this are used to seeing the gas stations on the hard corners. Since we don't have the hard corner at Sullivan, this is the next best thing. If we put it on the other side of the common road, then you're putting...you're abutting up to the residential which might be less of an attraction for the residential people. Whereas, restaurants on those portions function more as an amenity which is the other reason that we put the detention pond, which serves as a common detention pond for all the retailers and a portion of the residential, if not all the residential, behind that is...that is sort of dead space from a retail component to your point. But by putting it behind...by making it common area, it allows us to maximize the amount of development and put things in a way where we can attract the type of uses that make sense for each slot of the location. Thank you.

Chairman Pilmer said anything else?

Mr. Philipchuck said (off mic) it's a Public Hearing, so...

Chairman Pilmer said yeah. So, this is a Public Hearing, if anyone in the audience would like to address the Commission.

Alderman Franco said (off mic) I don't need to swear in again, do I?

Chairman Pilmer said I don't think so.

Alderman Franco said Carl Franco, 5th Ward Alderman. So, a couple things. Did you mention Caputo's before? Because that would be...we'd make a statue of you if you could bring a Caputo's over there so that would be wonderful. (Laughter)

My wife used to own Italian restaurants, and I grew up in Berwyn, so yeah, we like that stuff.

But I want to get back to the sustainability thing. So, it's no secret that the Mayor's Office is very green. And it's no secret that he had mentioned before that gas stations are obsolete and no more gas stations in Aurora. Well, obviously that's nonsense because we're going to be driving vehicles that need gas for a number of years.

When the business community wants to open up a gas station and they're going to spend their money, they know that that's going to be sustainable to people buying gas for a number of years. And we would imagine too that in 20 or 30 years when we do go to more electric vehicles, then they will evolve and put charging stations in. So, I think that what we're looking at here is nonsensical that we're going to talk about no gas stations in Aurora where we're all driving...most of us still drive cars with gas. So, I don't want to poo poo that, but I think that's unrealistic in this day and age, you know. Maybe 30 years from now.

And I will tell you right now that the people that I represent in the 5th Ward...and I've been doing this for 11 years...they don't want any more warehouses. They don't want any more...I shouldn't say data

centers, but they don't want it, certainly not on Orchard Road. Orchard Road is a shiny penny. So, in my mind, that has to be commercial.

Now, part of the problem, and I don't know if it was elaborated out here as much, is that Toyota has been very patient with us about selling this property. If this does not go through and this is zoning industrial, it's very...it's a good chance that this becomes some kind of industrial thing and we do not want industrial on Orchard Road. So, I don't know if this is time critical, but there's a little bit of urgency here to make a decision on commercial. The people that I represent would have a heart attack if we did another warehouse there. We've got a trucking station on Orchard and Indian Trail that was the wrong thing to do years ago. We should've learned our lesson.

So, I would like to protect Orchard and that spot as much as possible for commercial. In my mind, if we only had a gas station there, and they're going to pay for the infrastructure so they're going to attract more, thank God. If we only had a gas station there compared to a warehouse, I would tell you right now, my residents said, "I can live with that" because it's not a warehouse.

So, going forward with this project...and I would love to see the, what do we call them? Full-service, not white linen...if we can get that, that would be wonderful because I been telling people for a long time that we have to have more white linen. Why does North Aurora, just over the bridge, they've got these nice restaurants there and we don't? So, I would expect that somehow some way. No pressure, but that would be a good thing.

But even like I say, even if it was just a gas station, I think that would be more appealing to the people that I represent. So, I am a big advocate of going forward with this. I will be at the BZE meetings and COW and, obviously, City Council pushing for this. But I just think it would be short-sighted for us to say, "We don't do a gas station because they're obsolete, and we're going to move on" when they're willing to put one there and pay for all the infrastructure to attract more. So, I'm a big proponent of that. I'm willing to take any questions from anybody because I've been talking about this kind of stuff for years. I just do not want to let what I would consider maybe the best piece of land in Aurora when you've got Orchard Road, 35,000 cars a day, and 88 there, almost like a Freedom Drive thing, to get away from us and allow somebody to put some kind of warehouse or industrial thing there. That would be a mistake on our part.

So, I just want to throw that out there as a representative of the people that live in that area. And if you have any questions...

Chairman Pilmer said thank you. Any questions?

Mrs. Martinez said I do have a question.

Alderman Franco said sure.

Mrs. Martinez said do you think that we would have the density for some of these other restaurants?

Alderman Franco said thank you. So, down the road from me on Prairie, 74 homes, 101 units behind on Galena and Constitution, 101-unit townhome rentals. Where the Meijer was supposed to be by the Home Depot, 320-unit townhome rentals. Plus, what they're doing, the density is going up because we found there's 3 legs to the stool: Orchard Road or traffic on the road; disposable income, which I will say the West side has good disposable income; but the 3rd leg is the density that we're starting to get. So, in 2 years from now...and not even counting this project...in 2 years from now, we're going to have maybe 800 more people living in this area, so there will be more synergy. I will call it synergy, so we're getting there. And that's not even counting the stuff on Deerpath that I'm looking to get some residential over there. So, good for our businesses. They have the foot traffic and stuff like that. But good for us to maybe bring in...incentivize people to come. It says I got shoppers now. I got consumers. So, good question. Yes, we are...I think we'll have that.

Chairman Pilmer said thank you.

Alderman Franco said thank you.

Chairman Pilmer said anyone else have a question for the Commission? Alright, I am going to close the Public Hearing. I think Staff does have Findings of Fact.

Mrs. Morgan said Staff has the following comments regarding Findings of Facts with the assumption that the condition that the Plan Description be revised to prohibit a Gasoline Station (2831) use be included in the recommendation:

Conditional Use Planned Development:

1. *The project will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare as the development will improve a vacant land with commercial development similar to the development along Orchard Road along with additional residences to patron the commercial development. Its development will complete the transformation of a property that has been underutilized for decades.*
2. *The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity or diminish or impair property values as the development is similar to other commercial development along a major arterial and will provide medium density residential opportunities that is an appropriate housing development located adjacent to commercial.*
3. *The development will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district as the proposed uses are consistent with the surrounding uses. The proposed zoning continues the trend of commercial uses in the area. The area is a good location for residential uses as it is near I-88 tollway, providing easy access to commuters.*
4. *The location is supported by existing utilities, access to existing roads, drainage, and other facilities. The proposed development will integrate well into the existing infrastructure. Much of the stormwater detention is already provided in the existing pond.*
5. *The development does take adequate measures to provide ingress and egress to minimize traffic congestion as the proposal includes the construction of a dedicated southbound, left turn lane into the site, thus alleviating any back-up of southbound traffic. In addition, it provides a dedicated north bound, right turn lane also alleviating any traffic congestion north bound. The traffic study confirms that these improvements should address any traffic concerns on Orchard Road. A Roadway Agreement will be completed prior to Preliminary Plan and Plat to outline any additional roadway improvements required.*
6. *The Conditional Use in all other respects conforms to the applicable regulations of the various zoning districts.*
7. *FOR HOTELS: N/A*
8. *The uses are necessary, desirable, and appropriate with respect to the primary purpose of the development as it allows additional commercial opportunities on a major arterial and it allows townhomes with Aurora's standard bulk restrictions for other similar townhomes.*
9. *The uses are of a nature and are so located as to not exercise an undue detrimental influence on the surrounding neighborhood as it is*

Aye: 6 Chairperson Pilmer, At Large Lee, At Large Pickens, At Large Roberts, At Large Martinez and At Large Kuehl

Text of Legislative File 25-0931

Alderman Franco said my name is Carl Franco, I'm the 5th Ward Alderman of the City of Aurora. I just want to piggyback on what Bruce Goldsmith said. We would not have a moratorium if it wasn't for data centers, the evolution of data centers, and the fact that data centers are tied into this ordinance with warehouses. So, based on that, if they were a separate ordinance, we wouldn't even be here today. So, I just want to make sure that everybody understands the spirit of what we did and why we did it. And I think it would be more than appropriate... I mean, I'm not even going to go into the details...but based on what our spirit was, what we were trying to consider with data centers and the problems they may present, I think it would be more than appropriate to grant the Hardship for this because it wouldn't have even been here if it wasn't tied in with data centers. So, I just wanted to throw that in there, being from City Council's perspective. Thank you.

Chairman Pilmer said thank you. Anyone else? Thank you. I'm going to close the Public Hearing. Any additional discussion? Is there a motion?

MOTION OF APPROVAL WAS MADE BY: Mr. Lee

MOTION SECONDED BY: Mrs. Martinez

AYES: Chairman Pilmer, Mr. Kuehl, Mr. Lee, Mrs. Martinez, Mr. Pickens, and Mr. Roberts

NAYS: 0

ABSTAIN: 0

Motion carried

Chairman Pilmer said motion carries. And then this will next go to, I think, City Council.

Mrs. Vacek said yes, this will next be heard at City Council on November 25th, here at City Hall at 6 pm in this room.

Chairman Pilmer said good luck.

25-0931 An Ordinance Establishing a Conditional Use Planned Development, Approving the Orchard's Crossing Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto to an underlying zoning of R-4 Two-Family Dwelling District, B-2 General Retail District and OS-1 Conservation, Open Space, and Drainage District for the property located at the northeast corner of Sullivan Road and N. Orchard Road (Targa Acquisitions, LLC - 25-0931 / AU07/1-25.257 - CUPD/R - JM - Ward 5) (PUBLIC HEARING)

Mrs. Morgan said good afternoon, Jill Morgan, Senior Planner. I first want to just make a note of a scrivener's error. The correction is all the references to R-4 really should be an R-4A as it was outlined in the Plan Description. So, all of those references should be R-4A.

The Petitioner, Targa Acquisitions, is requesting establishment of a Conditional Use Planned Development and to change the underlying zoning district from ORI Office, Research, and Light Industrial to R-4A(C) Two-Family Dwelling District with a Conditional Use, B-2(C) General Retail District with a Conditional Use, and OS-1(C) Conservation, Open Space, and Drainage District

with a Conditional Use on the property located at the northeast corner of Sullivan Road and North Orchard Road. And you can see here an aerial of that location.

This includes a Plan Description to allow for a mixed-use development consisting of approximately 10 acres of residential, 11 acres of commercial, and 8.3 acres of stormwater detention.

The Subject Property is currently vacant with ORI zoning. The details of the request include a Plan Description that outlines 3 underlying zoning districts. The Plan Description identifies the area to the north of the property as R-4A(C) Two-Family Dwelling District and outlines the City's standard townhome bulk restrictions. The area in the center is identified as commercial. The Plan Description restricts some by right uses while also allowing some additional uses, which includes allowing up to 3 drive-throughs. One lot is also reserved for a white tablecloth, sit-down restaurant. The Plan Description as presented by the Petitioner requests the allowance of 1 gasoline station (2831) use with no truck diesel lanes. The bulk restrictions include specific setbacks from the 3 abutting roadways. In addition, there is a roadway agreement requirement prior to Preliminary Plan and Plat that will outline all the roadway and intersection improvements.

The Petitioner did provide a Concept Plan showing how the property could potentially develop...and then I will bring up that plan. So, here is the Concept Plan and it is a Concept Plan so the specific requirements will come in later. So, they're showing the residential area to the north, 5 commercial lots in the middle, and the existing detention remaining on the southern portion. The plan is Concept only. Upon approval of entitlements, the Petitioner would need to resubmit for a Preliminary Plat and Plat for the entire parcel. And then the Final Plan and Plat for each individual lot when a specific development comes in.

The main entrance to the site right here, is a 3-quarter entrance located off of Orchard Road across from Bushwood Drive. Orchard Road will be improved with a new southbound left turn lane and a dedicated northbound right turn lane into the development. There will also be 2 entrances off of Sequoia Drive. The Concept Plan shows a gasoline station abutting the main entrance drive. And that's right here. Let me just zoom in really quick to the commercial area. So, here is the gasoline station right here, or proposed gasoline station. And then there's 5 other additional commercial lots being shown. The property to the north is set aside for the future townhome development.

Over the past several years, the property and our staff have collaborated to reimagine the future of this large parcel along a major arterial roadway. When Staff introduced the new vision focusing on attracting high-end commercial users, the property owners expressed strong support. The vision requires significant coordination with Kane County Department of Transportation to revise the previously approved right-in/right-out access on Orchard Road to the 3-quarter access, an essential modification to improve the site's viability for a commercial development.

As the market conditions evolved, Staff recognized that an exclusively commercial project might not be feasible; however, mixed-use development that integrated townhomes remained viable. After exploring multiple design options, the final Concept Plan places residential to the north here and that commercial kind of in the center here.

The Petitioner does have a presentation, so unless there's questions for Staff, I can turn it over to the developer for their presentation.

Mr. Pickens said I have one question. I was a little confused when I was reading through the information, the packet you gave us earlier about the gas station where it wasn't allowed, and now it's allowed. Can you clarify that a little bit?

Mrs. Morgan said so, the Petitioner is proposing to allow a gas station. One of Staff's conditions is what Staff is recommending is that a gas station be prohibited. So, the Petitioner wants the

gas station. Staff supports the Conditional Use change and the Rezoning with 1 change to the Plan Description not allowing the gas station. So, we're actually recommending prohibiting a gas station use. Is that clear?

Mr. Lee said I'm trying to picture heading south and wanting to turn into this new development. Will there be a light installed at some point?

Mrs. Morgan said no, there is no light. Kane County Department of Transportation would not permit a light. The most we were able...and it took actually quite a bit of conversations with Kane County over an extensive timeframe to get this 3-quarter entrance.

Mr. Lee said so, if I'm coming out and I want to go south, then I have to cross the northbound traffic lanes and then...

Mrs. Morgan said yeah, so if you want to continue going south along Orchard, you would have to do the internal...you would have to come out at Sequoia and come down, and then turn right, and then turn left.

Mr. Lee said alright, thank you.

Chairman Pilmer said that's...other than the left-turn lane heading south, that'll remain a median.

Mrs. Morgan said I'm sorry. What was the...

Chairman Pilmer said well, there'll be a cut in the median if you want to turn left heading south. But you can't...the only way out is to go to...

Mrs. Morgan said correct, yes...yes...so, there's no cut in the median. So, the only way to do this...

Chairman Pilmer said the majority is probably going to be right-in/right-out heading northbound.

Mrs. Morgan said that is, I think, the thought that is going to be mostly catching people going northbound on their way up to the tollway and then on the weekends and stuff, people would be able to use Sullivan and Sequoia to go southbound on Orchard.

Mr. Pickens said one other question for Staff. On the residential area, you know, Aurora is always looking for low-income housing. Will there be any type of restrictions put on that lot for low-income? Or is it just going to be whatever the Petitioner wants to do?

Mrs. Morgan said there is no restrictions requiring it to be low-income. I'm not aware of really that being a zoning issue. We can't really restrict, like, whether it has to be for market or say it can't be low-income either. So, that...unless there is a...if there was some type of City funding or something, maybe that would be something that...but not through zoning.

Mr. Pickens said okay. Perhaps the Petitioner can voluntarily do it?

Mrs. Morgan said yes.

Mr. Pickens said okay. Thank you.

Chairman Pilmer said I have a question, and maybe the Petitioner will expand. So, in the Staff's report, it talks about the vision for an upscale commercial corridor. I mean, I've driven Orchard Road my whole life, so we have warehouses to the south, and it talks about other gas stations, but I think there's only 1 at the corner of Sullivan and Orchard. But I know there's 1 to the north, but not in the City of Aurora that just expanded. So, I'm just trying to understand why...and I get that maybe there's an appeal to use alternative energy, but as a lot of our tax dollars go to North Aurora to fill up at the gas station to the north of the tollway, I'm trying to understand why we wouldn't...why we are restricting a use here in Aurora.

Mrs. Morgan said yeah, one of our concerns was we really did want to try to get the high-end commercial, and there is a concern that if you allowed the gas station then it can maybe only develop with a gas station. You have a gas station just sit there with no other commercial can possibly just maybe discourage other higher-end commercial uses. And you are correct. There is just the 1 gas station just south of this on Orchard. There's 1 in North Aurora. And then, there are a couple on...further south to the east on Galena. So, not right in this vicinity but in the kind of surrounding vicinity. John, did you want to add something?

Mr. Curley said yeah, John Curley, Chief Development Services Officer for the City of Aurora. I also wanted to point out a little bit of the history of the site. It's currently an ORI zoning, which prohibits gas stations currently. We are interested in modifications to allow many of the other uses that are being proposed or suggested in the Concept Plan. But there was a desire to not expand the uses to include a gas station with this request, and part of that has to do with our sustainability goals which your body was involved in adopting in 2019. One of those goals was to promote smart growth by promoting local and sustainable development and reusing existing infrastructures and reducing overall carbon footprint, as well as promoting the use of existing transportation infrastructure and services to their capacity, increasing alternative and multi-modal accessibility and increased access to renewable energy sources. So, this is a recommendation where we're trying to balance multiple of our goals, and where Staff is landing is making a recommendation to allow a modification to, in our view, improve the uses on this site from ORI, but not expand those uses to also include a fuel center.

Chairman Pilmer said so, can you...thank you. Can you just further explain kind of the desired higher-end mixed use, what that vision is?

Mr. Curley said well, again, as a matter of perspective from the existing posture of the underlying zoning that exists now, the ORI would allow a lot of uses that I don't think everyone would find as desirable as those that are otherwise being proposed here, including the residential. And we have reserved...attempted to reserve some of those spaces in our recommendations for a sit-down restaurant and there is...I think the Petitioner will tell you, there is some desire for some other restaurants as well as a daycare center in some of the other lots, or at least interest for those uses on this particular parcel now as well.

Chairman Pilmer said thank you. Any other questions of Staff? Thank you. This is a Public Hearing. If the Petitioner would like to come forward. And then, I'll need to swear you in. Anyone that's going to speak, if you'll raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

All said I do.

Chairman Pilmer said thank you.

Mr. Philipchuck said good evening. My name is John Philipchuck. I'm the attorney representing the Petitioners here this evening. My offices are 111 East Jefferson Avenue in Naperville, Illinois. We are here with QuikTrip. Skyler Evans is signing in right now and he'll give you a little more information. I know the Planning Commission did here about the facility that we had gotten approved over on the east side of Aurora at Diehl and Eola Road. That was a little different product because that had the truck area for the diesel pumps. That will not be the case here. We will have in your typical gas islands one of the handles, if you will, one of the pumps would be for diesel because of the need for people that have the diesel engines, especially some of the craftsmen and landscaping people that have the pick-up trucks typically that are diesel-powered. And so...and your smaller box trucks that use diesel power.

So, we will offer those but other than that, we'll get into the differences that QuikTrip can provide here. And they are the lead in this development. We need them because they are the ones that are willing to come in and front-fund the improvements.

A little bit more on the history of the property is being sold by Toyota Motor Sales USA. They have held this property for a number of years, as you all know. It's been farm, but it is ORI, and the City basically, as we know with moratoriums and some of the other things that have happened more recently, decided that they didn't want to see that property used for ORI uses. Therefore, they encouraged Toyota to look for buyers because they didn't feel the need that they had for that property that could come in and do something in more of a commercial nature, which would help the residents of Aurora with providing more ability to shop, dine, and that sort of thing.

Because of the size of it, though, the 29.8 acres, we had an issue with trying to put that much commercial on that site. So, that's why we did work in the ability to put a townhouse-type development. That's how it's been designed: for market townhome development. So, that's the 10 acres to the north of the property. The big idea was that we would try to attract some of the users that were maybe lacking on the far-west side of Aurora and get them into this area. And that's what we've been working on. You'll hear from Jeremy Forman from GTZ Properties about all the work he's done as our commercial broker on approaching the wide variety of users that we feel would be appropriate for this site, and you know, we have been working on that. And of course, the market conditions are what drives things. So, depending on what the market is at any given point in time will make a difference on who we can attract now versus who we may be able to attract 6 months from now.

But, the work that has been done on this site is quite remarkable, as Staff mentioned. Dealing with Kane County who controls Orchard Road and getting the improvements there to allow for the left-in/right-in/right-out, that's a biggie that will help this center take off. And so, we're really proud of the fact that the City worked on that. But again, QuikTrip is coming to the table here to put those improvements in so that we can market this facility with something other than a big truck storage facility warehouse that we have to the south. So, we've got some great hopes for the development of the property but we in looking at the fact that having QuikTrip put their facility on Orchard Road in this location, we don't feel that that is going to discourage high-end users. In fact, the developers are saying to the City we'll even agree to put a moratorium, if you will, on our lot there adjacent to that large stormwater for us to market for 2 years. We'll market that only for a white tablecloth type of casual, in sitting type of dining, not a drive-through type of operation.

So, we're committed to that. Jeremy can speak more to that as to what he's doing and who he's talking to out in the marketplace, but it shows there's a commitment on our part to try to do even more and by willing to say "well, we won't see to the first guy knocks on the door." But we will work to find somebody that would be able to address that need. And, you know, sometimes it falls in place, sometimes it doesn't. There's a lot of work involved. This gentleman has been doing the heavy lifting on that. But, as far as picking on the gas station, if you will, I guess I

could call it that, what we've seen in the marketplace are all the big manufacturers are pulling back on EVs because the market isn't there for them. And we don't see in the marketplace a drop off at all as far as the demand for gasoline and diesel fuel. That...it is what it is. And projecting out for as far as...I think we've got some numbers that go out about 30 years as to the continued demand for this type of fuel. So, we feel that this location especially given the fact that it's right on the interchange. There's no stations between DeKalb and Aurora on I-88, and so we think this is a great tax generator for the City of Aurora as far as, you know, the tax revenue from the gasoline sales but also the way they design their C-stores. They do a large volume of retail sales in those C-stores. So, that would be part of what we would be doing here with QuikTrip.

So, with that, I would turn it over to Jeremy. And he'll talk about the efforts that GTZ Properties have been making.

Mr. Forman said thank you. And thank you for having me. I'm excited to talk about this project. Jeremy Forman, co-founder and principal at GTZ Properties. We're a retail-oriented development investment group based in the Chicagoland area. We've done deals all over the country. GTZ was born out of our former company, GW Properties. GW Properties completed around 200 retail projects in 28 states in the last 10 or 11 years, including a handful in or around the Aurora area, one of which may have come through here probably 6+ months ago, maybe a little longer than that. We were attempting to attract Jewel to Highway 30 and Eola, which Jewel's now taking assignment to. We'll see what ends up happening there. Hopefully, we'll wind up staying involved.

But, I'm very excited about this project. I'm happy to talk more about GTZ but I also want to give a nod to Staff who put in a huge amount of work on this property before we ever had the chance to start working on it. This is essentially an industrial zoned property. I think if Prologis has the opportunity to build a million square foot center here, they would do it tonight and start construction tomorrow. But, as a retail guy, we recognize that it is a growing area. Aurora's been, I think, the fastest growing Chicagoland suburb for years. It's an attractive place for a lot of people to live. We think that this is part of the community that still needs some additional development. The Meijer that didn't build, I believe, just got some zoning passed that have some multi-family get built in the rear. They're holding a retail pad to attract some commercial in the front. We'd like to continue building on the corridor through this project of 22 acres, but it couldn't have been done without the Staff who worked, my guess is tirelessly, alongside Toyota to transform this from the potential to be industrial to what we are now hoping to bring forward which is a mixed-use project between retail and residential.

So, I'll talk to you briefly a little bit more about GTZ: offices in Highland Park, we really kind of consider us just generally in Chicago but I have completed over a billion dollars in transactions across the country between GW and GTZ since 2014. A lot of our relationships are with nationally branded retailers and restaurants and those types of uses, although we've done plenty of local deals and worked with local restaurants and regional groups like Tangled Roots and some other restaurant concepts. And we do specialize in this exact type of work. Not only in master planning of land, but also development specifically when it comes to retail oriented uses.

On this project, we're going to be working with Kimley-Horn as our engineer. We've done a lot of projects with Kimley-Horn, an excellent engineering firm. There's a lot of engineering that goes into this property so we're really glad to have them with us. QuikTrip, who is a tenant on the property or a retail use on the property, is also acting as a partner of ours on the project. Just given the sizeable infrastructure requirements between creating the 3-quarters access which K-DOT had previously approved. That is just going to be creating a left-turn lane with the decel...dedicated left turn lane with the decel lane on Orchard turning into the property. There will be an additional decel lane for a right-turn lane into the property. We'll be creating an access

road with some sort of internal art feature or something in the roundabout with commons roads going throughout the property. We have to expand the existing detention pond, create another detention pond, grade, pull utilities, lots of work that needs to be done. We are not asking the City a dollar of incentives. We are able to support this investment candidly through the economics that QuikTrip that is bringing to the table in addition to the other development that will be creating some economic value through the additional development as we continue making that happen.

So, some development examples of GTZ Properties that I thought might be noticeable that you might know about but also somewhat applicable to this. We purchased the old Macy's furniture store in Oak Brook, demolished that, worked with Costco to help expand their parking lot which was needed because they're bustling, and then created 7 retail buildings featuring 14 tenants. Lazy Dog, who we've done a number of deals within surrounding states, locally and several other states. Panera, VEG, which is a veterinarian center, some small shop retail and restaurants and then Guide Post Montessori.

We just passed PUD not too long ago in Long Grove; 15 acres of farmland not dissimilar to this project. I actually worked with QuikTrip on that to make some pretty meaningful infrastructure improvements to expand that intersection. Improved the safety and access with...at the stoplight intersection at 2 State highways there. That'll be a comprehensive plan as we continue to work things through. QuikTrip kind of being the lead on that. Along with QuikTrip, we're working with a higher-end regional ice cream brand that is a little slower than I'd like but working with them to kind of move things forward. And then, a really cool high-end car condo concept. Car condos that sell for more than, I think, probably where I live currently, but perfect for the area and the community and a really unique use for that space as we continue to develop the rest of the property.

We also just broke ground and currently in construction in Bannockburn, which I think was about 12 acres. That all turned into 5 retail buildings featuring 10 tenants with cross-access to the existing Mariano's. It was a hard corner, 2 State highways, long time coming on that property but excited to break ground on that.

We previously developed an industrial building in Norridge right on Harlem. That property turned into the Caputo's. We had a Ricky Rockets at the corner with Caputo's in the back. Dental Aspen and a Well Now owned by the same company but a 2-tenant strip center out front. That project candidly was so successful that we wound up with surplus retailers and had so many conversations with people that has actually led us now to purchase a property across the street, 12,000 square-foot retail building with a 2,200 square-foot Lovers Lane, and the rest is vacant. We're completely converting that into 3 high-end exciting retailers. Lovers Lane will unfortunately not be part of that project.

So, the proposed request on this, I think as John pointed out and Staff was kind enough to suggest, was...it's a 22-acre project. We're looking to split the property up into 10 acres of multi-family which we're currently considering for low-density townhomes, and then 12 acres of retail which will include quick service, full-service restaurants, C-store, and a daycare. As of right now, we're seeking Conditional Use permits for drive-throughs on several of the restaurant pads as well as a Conditional Use permit to allow for the QuikTrip operation.

The benefit of the PUD is the PUD seal gives the City of Aurora control over the outcome of the development. It sets current expectations for the uses. So, allowing us to have some drive-throughs, allowing us to set aside a parcel to do a full-service restaurant, and still provide some control over future approvals and permits as the users come forward with final PUD.

Getting the PUD in place allows us to close on the property. As soon as we have the entitlements, we are able to close on the property which signals to the market site viability and delivery timing. A lot of large projects in Illinois come out to the market. Lots of people talk about them. Lots of things don't happen. There is constantly retailers...if you're a publicly traded retailer, you have to announce to Wall Street that you're opening. You have to announce to Wall

Street when you're opening. You have to hit those goals. It's very difficult to get any publicly traded company engaged on a project that you kind of haven't closed on and don't have a construction timeline on. We've been fortunate to have conversations with a lot of privately owned or franchise driven concepts that are interested in the site. They're still kind of looking for some signals that we're going to be closing and starting construction. So, looking for the City's support, obviously, in pushing forward the PUD to allow us for additional marketing, and driving those conversations forward. It also does line up very well for the construction start. Anybody who lives in Chicago knows it's easier to shovel snow on the ground, but very hard to dig dirt. So, if we're able to close on the property in the next couple of months, we'll be able to mobilize and ideally start construction this spring.

Additionally, if QuikTrip gets the approvals which then helps fund the infrastructure improvements that I mentioned previously, which include the Orchard Road access improvement project, the interior commons roads, the expansion of the detention pond, and creation of that second detention pond which you'll see on our site plan here.

Again, Staff had done a lot of work prior to our engagement in this property with sort of visualizing what they wanted to see. Based on our experience, we kind of took that inspiration and tried to modify it to what we thought was a little more viable for today's common retailer...or modern retailer, excuse me. So, we spent several months creating site plans, sort of figuring out the engineering, traffic flow, kind of the mix of the types of retailers given the amount of land we had to work with, and worked with Staff to sort of get the nod that this is something that the City would find acceptable to benefit the community, which I think we're going to speak on further. But I'm happy to talk to you if there's any questions now or later, but you can see that we've set aside roughly 10 acres to the north of the property, which would be the multi-family. As the road comes in, we then kind of split it if you look to the left, there's 2 pads, 2 positions for retailers on the left, 2 positions for retailers on the right. One which would be QuikTrip, one hopefully will be a restaurant we all know and love. We're still working on that one.

To the north is the property that we've set aside to market for 2 years to full-service restaurants. It'll be overlooking the pond. The concept there, if anybody's familiar with Foxtail. Does anybody know or is familiar with Foxtail? So, we sort of envision Foxtail, the type of development they have in Des Plaines. It's overlooking the detention pond with the outdoor seating, indoor full-service restaurant, event space. That's large enough to accommodate, you know, something smaller if that's the right use for it, but something larger too that would benefit from overlooking the pond.

And then, for sizing, and I believe we also use the traffic study, we are showing a hotel in the rear to the east but above the QuikTrip. We've...it's been indicated that a hotel may not be the best fit for the community at this time. So, we've pivoted to market that to other users, and we have a daycare which, Kiddie Academy, has expressed very meaningful interest in taking that position. They currently have a location, I believe, in North Aurora bursting at the seams. They're dying to be down here, and they think that this is going to be the perfect location for them. So, they have a preferred developer that's engaged, that is interested. They're hesitant to spend the type of money to put the plans together that we need to kind of move things forward but sort of wait on the sidelines as soon as we tell them to go.

As far as just general tenant updates, I'm happy to share...I know this is public. Hopefully you already know this because I believe they've reached out to the City but Panda Express has expressed significant interest on that first position to the left of the entrance. I have a call with them tomorrow to talk specifically about how this meeting went and the timing of the PUD closing construction. They're moving forward (unintelligible) approvals. Kiddie Academy I just mentioned has expressed interest in being to the east above the QuikTrip. We have been talking to additional QSRs and fast casuals for the other sites. We've had letters of intent with a few groups. Some of which have sort of put us on pause. They have focused on the outlot to the south, which is in front of the new multi-family development on the former Meijer pad. We're

working hard to bring them back. We think we have the better position. A lot of the retailers, just in case anyone's curious, have actually told us that they do prefer to be on the south side of the site. I think somebody was asked about how the access works. So, it really is 3-quarters access, retailers like to make sure that you can find them. If they think that you'll figure out how to get out. But with access to Sequoia, which is on the east side, does connect to Sullivan which puts you to full access traffic light intersection. The retailers, given the way that we have the traffic flow throughout the center, find that it'll be easier for them to access that site and be a little bit closer to the intersection. So, (unintelligible) on why we position them on that side.

But we're talking to several QSRs and fast casuals, committed to finding a full-service restaurant. We actually originally were talking to Texas Roadhouse, who I believe just landed in North Aurora. So, we missed our window with them. We reached out to 50 different national and regional and local concepts for full-service restaurants, and I think it's probably just a matter of time until we can find the right user to be part of this project.

From a residential standpoint, just a little bit of history here: when the property was originally marketed, I believe that it was marketed to have residential in about 14 acres. There was contemplation early on to complete about 200 units on those 14 acres. Through conversation with the City and Staff, it was indicated that they, the City and community, would like to see less dense residential so we shrunk it from 14 acres to 10 acres. We went from high-density multi-family to something that looks a little bit more like townhomes. So, the current contemplation on the 10 acres is to work with a residential developer. We are retail guys. We know a lot of residential developers. We've engaged with several of them for the project, but we will be specifically targeting people that have townhome background and interest in this property. As pointed out here, we've engaged over a dozen residential developers, 4 or 5 of which were actually at the City's direction. Multi-family developers that have done business in Aurora that the City thought put together a good project. They were looking for higher density. As we pivoted, we've been talking to more townhome developers and currently have a couple of people who have expressed some initial interest.

Again, Aurora is the fastest growing residential community in the Chicagoland area. To me, it's a when, not an if, for getting residential here. Obviously, figuring out the density and the economics for 60 to 70 units on 10 acres is a little different than 200, so they buyer pool, the developer pool is a little smaller. But we have very good relationships with Colliers Land Group, which is the top land group in the country, CBRE Land Group, who I've done a lot of business with as well and who was marketing this site originally. Both of those groups have expressed interest in marketing the site further once we have the PUD in place and they know what they can be specifically marketing and who they should be talking to. So, that could be additional assistance as we move things forward from the residential standpoint.

Included are some sample renderings of projects that we've completed and some sample renderings of some tenants that we're talking to. We do typically look for first-class retail or first-class construction in all of our retail projects. Again, a lot of that comes from work with national retailers but whether it's a 2, 3 tenant building or a single tenant building, we're looking for a higher-end more modern design.

Again, just some sample pictures. That McAllister's and City BBQ is something we built locally. The McAllister's below is their new prototype. Chase Bank we just did a deal with them in Arlington Heights that actually looks a little different than this but turned out nice. And Lazy Dog, as I pointed out previously, had...we've done several deals with them, in several places. I think this might be missing a slide...or is the older...

Mr. Evans said I think, yeah...so, I'm sorry. Last minute addition here for the...over the lake...

Mr. Forman said yeah, we have a rendering which I'm happy to send to Staff that could circulate to you. We, again, taking inspiration from Foxtail Restaurant which is a...it's actually a

converted church overlooking detention pond. It's a really cool place. So, we took that concept, worked with our architects to sort of...using that as inspiration, modify the property to look a little bit more modern, less like a church, more like a restaurant with outdoor seating on the deck and sort of at the lake level with the idea that that would be a gathering place for, outdoor space specifically for spring and summer, and then obviously inside during what feels like more than the rest of the year but that's missing from here. But I'm happy to share with City Staff who can share with you guys. Again, it's more of just sort of an inspiration as we continue to market this site to those types of users.

And of course, QuikTrip, who I can speak about till I'm blue in the face. I don't need to. I have somebody from QuikTrip who can do that probably better than I can. I will just tell you that QuikTrip is one of those brand names in the retail community that when people see a QuikTrip, they see a QuikTrip. They don't see a gas station. It is a brand in and of its own that sort of flags the retail community. Solid traffic, correct retail use, and good developer behind it. On that note, I'm happy to turn it over to Skyler who can talk a little about QuikTrip.

Mr. Evans said thanks, Jeremy. My name is Skyler Evans. I am the Project Manager on this one for QuikTrip. Here really quick before we get into the QuikTrip site plan. I know that we've been up here before, my colleague came up and presented for the Eola and Diehl project. And so, just real quickly I want to talk through QuikTrip.

So, we started in 1958. As of 2025, we have almost 1,200 locations nationwide. We don't franchise anything out. Everything is owned and operated by QuikTrip. It's still a family-owned company, and our employees are the actual shareholders. We invest in the company. And therefore, because of that we're able...our employees try harder, they work harder, we are able to maintain a higher standard than what you would typically see in a convenience store.

Across the nation from Denver to Chicago to the east coast, whenever you walk into a QuikTrip, you'll see employees with khaki pants, khaki shorts, red shirt, and a name tag. You'll always know who you're talking to.

And then, we do...we have really high standards for our store locations. So, internally and externally, we do site walks every 30 minutes, making sure that we don't have trash and stuff outside. Same thing with inside the store. We go through every 30 minutes making sure that bathrooms are clean and to the QuikTrip standard, as well as the entire store.

We also provide breakfast, lunch, and dinner. It's not a third-party user that comes in. It's a QuikTrip owned, QT Kitchens. So, you can come in, you can order food off the ready-to-order menu, or you can grab something that's already prepared for breakfast, lunch, or dinner, whichever timeframe you're there. We also offer roller grill items and those are just quick and convenient. We do offer fresh-made sandwiches and stuff like that as well that are made daily by our employees.

And then, we talk about QuikTrip, one of the really big things that we focus on, and I think is important here for this development is our security. So, I worked in the security center in Tulsa. We have 2 locations in Tulsa...1 in Tulsa, one in Dallas. It's 24/7, it's all QuikTrip employees. There's no external security team for us. We have right around 90 cameras onsite. So, what that does is that ensures that the entire property, as well as the other people around...you know, the other developers around us...also have some kind of security coverage for video cameras whenever they shut down. Because we're a 24/7 operation, you know, we always have somebody onsite that can make calls or whatever if needed.

Our employees have pagers that are on their waistbands. They also have a gyroscope in them, as well as 2 buttons so if any employees falls down or something like that and that pager goes on its side, within 3 seconds, it's sending an alert up to our security center, and then our security center is able to pull up the cameras, figure out what's going on, and then call the proper services...fire, EMS, police. That way the employees in the store can focus on what's going on onsite.

So, here is QuikTrip. This is our latest building. This is our Gen 4 model. It's our latest prototype. We've designed this for customer convenience and layout. And this is a 6,445 square-foot building. It's got 10 pumps for passenger vehicles, 2 auto diesel pumps. So, it's just the ability for passenger vehicles that use diesel to fill up, and landscaping vehicles...not semi-trucks or anything like that. We have 51 parking spaces.

Here's our floor plan. On the left side is our entrance. So, we have 1 entrance in this building. It's through a vestibule, and then immediately as you come in the building to the left is a check stand. And that's where our employees are. Back left is the kitchen from both of these locations, you can see the store floor. It's very open and very customer convenient as well as employee convenient. On the right side of the building, you have 8 separate rooms. Those are gender-neutral bathrooms. They're all individual, so it allows for more people to have access to the bathroom.

Here's our site plan. Or sorry, our building elevation. I want to point out 1 thing here. So, here's a better rendering of it. So, on the left side of the QuikTrip entrance is a optional walk-up window. It doesn't have to be built into the QuikTrip. It's something if...if the municipality allows us to have it, we would like to. This is just a convenience item for our customers. So, you can order food off the app, we can bring that out to you at the pump, you can park and we can bring it out to you, or if you just wanted to come up to the window and grab it, you can do that as well. Within the app, we have a multitude of items. Almost everything within our store, you can order on the app. So, whether it's a 20-ounce Mountain Dew or a hot tea grab and go item, you can order that and you can go and pick it up at the window, so you don't actually have to go inside the store. I just wanted to point that out as we continue to go through here.

So, again, this is our latest model. It's more modern. We do have equipment stringing up top. That way that the equipment isn't visible from the roadway.

Standard elevations for QuikTrip. So, one of the things I want to point out here is unlike a lot of convenience stores these days, we don't have music playing at our pumps. We don't have, like, a video on the pump that's playing anything. We don't have any music coming out. It's really just a basic pump, and then you've got to tap to pay. That's really the only updated technology that we have in there.

This is our comprehensive plan, or Aurora's comprehensive plan and kind of where we would fit in here. So, kind of in the middle of the screen, it's hard to see. There's a little QuikTrip in the bright pink there, just kind of showing where we're located within Aurora.

Again, the site plan, the overall development plan, I wanted to single out where the QuikTrip was so that it was kind of convenient to see. As stated by John and Jeremy, QuikTrip's kind of a linchpin in this. We're funding all the developments for the project here for the entire development. And then, also the roadway work. We're also...we'll work with the City engineers as well as the County to make sure that we have proper roadway access and things like that and making sure everything's safe.

Again, we're not asking for anything from the City of Aurora. We're just asking for, you know, the ability to come in and do this development that we think will be very good for the community as a whole.

Chairman Pilmer said thank you.

Mr. Forman said happy to answer any questions or talk to the presentation of the project as a whole.

Chairman Pilmer said any questions of the Petitioner?

Mr. Kuehl said yeah, are there any EV charging stations?

Mr. Forman said I'd turn that over to Skyler.

Mr. Evans said yeah, so, we currently don't have planned EV charging. That's one of the things that we're exploring as a company. We're testing it in our Denver market right now. What we've been doing in the Chicagoland area is we've been running conduit to our parking spaces if we're requested for that timeframe where the EV chargers and everything kind of come up to speed. One of the things that we've noticed with the EV chargers, even the level 3s, is that their charge time is actually more like 40 minutes instead of the 25 minutes that they advertise. It doesn't necessarily fit in well with the QuikTrip, but that's also something that we may be able to work in throughout the other sites in the development that are more feasible and reasonable to that business model.

Mr. Forman said it's one thing that we have asked QuikTrip is does it make a lot of sense sometimes for them to do it but if you have a full-service restaurant and you have a Tesla that's going to park there, and have lunch on a sunny afternoon. They've got the time to charge their cars, so that could be something that we collaborate with them on elsewhere...

Mr. Kuehl said yeah, I stopped at your Beloit facility and charged my Tesla. I mean, it's quite a facility.

Mr. Evans said which one?

Mr. Kuehl said the one in Beloit.

Mr. Forman said different QuikTrip. That's Kwik Trip with a "K"...

Mr. Kuehl said oh, okay.

Mr. Forman said yeah, yeah. So, Kwik Trip with a "K" is Wisconsin-based. They have to change their name when they come into Illinois.

Mr. Kuehl said got it. Okay.

Mr. Forman said yes, so, a little different. Yeah, yeah.

Mr. Evans said we get that a lot. We get it all the time. Yeah, even whenever we're wearing our QuikTrip shirts. We get it all the time.

Mr. Roberts said kind of a broader question. You heard some of the push back about it is around the sustainability initiative from 2019. So, how would you guys directly respond to that as not being something we should be factoring in?

Mr. Philipchuck said well, again, it's...it's...there are a lot of factors that go into it, and the fact of the matter is that we are looking to serve the community of Aurora and the motoring public. Because of the access point here, we think it's a great location for that kind of a service. And as much as you would like to maybe have everybody drive an EV, not everybody's going to buy and drive an EV. And so, let's face the realities of it. Even the people, the big...the big folks...you know, the Fords and the Rivians and some of the others that have found that maybe that market's not as deep as we thought it was. And so, they've been pulling back on the production. But there's room for it all. Who knows? Maybe hydrogen's going to come. Who knows? Who knows what technology will bring us? But right now, what we do know is the

majority of Americans drive diesel and gasoline vehicles. And we think this is the perfect location for it. It's not going to harm the site. You can tell by the presentation that we've made who we are, what we're trying to do, how we want the best for Aurora. But it doesn't mean...and I don't usually have to go against what Staff recommends but I do this time because I think it's wrong, and I think this site will develop in a wonderful fashion that will benefit Aurora, the citizens of Aurora, the citizens of the 5th Ward, and that this particular site can and should have this gasoline station. I don't think it should be an excluded use.

Mr. Forman said I'll...I'll...let me add to that for a minute because, you know, I think it's also important to look at the entire development, and the QuikTrip is a component of the entire development. They're important to us from an economic standpoint. We still have other things that we have to do on this property from an economic standpoint to get it going. They're sort of the tip of the spear for us. But as far as greenspace and environmental concerns, I will say...and if you want to fall asleep, I can ask Skyler to explain it to you...the over the top safety measures that they put into place with all their underground tanks and storage, shutoffs, all of those things...from an environmental standpoint and the rest of the project, I mean, we are doing our best to include some natural elements, having greenspace, making sure that there's going to be some beautiful, cohesive landscaping along...I keep pointing to this – I realize you can't see it...but along the front of Orchard, it's going to have landscaping along that. We're going to encourage, and obviously the City requires landscaping both through the community and City code on each individual property, whether it be the residential component or the retail. So, again, from the master planning standpoint, I mean there's several environmental aspects to it. I could speak to the safety measures they take around the environmental component of their specific property. And if there was other specific questions, concerns, or suggestions, we'd love to hear them.

Mr. Philipchuck said right now if you want to hear about sustainability and vehicles and emissions and all that, the traffic count out there is 35,000 cars, vehicles a day at this site on Orchard Road...35,000.

Mrs. Martinez said I did have a question. Not so much as the sustainability, but I love some of the renderings you had like Cava and Biddibop and all those. How many QuikTrips are next to a Cava and a Biddibop and an Invicto? Because what I've seen is that we have these developments and it's always a drive-through. It's always a promise of having a restaurant. And Aurora...in order for me to go to any of those, I have to go to Naperville or Oak Brook. So, what...like, how many...as a retailer, like, I know I...you know... I have a retail store. I want to be next to the Cavas and the Biddibops. You know, no offense to the gas station. It's just not my clientele.

Mr. Forman said totally understand, and it's a reasonable question. I'm going to try not to nerd out on you, for as being a retail guy...I will tell you that Cava's first location was in Wicker Park, next location's in downtown Oak Park, next location I think is downtown Naperville. Okay, but they're not major corridors. They're all downtown dense urban environments where you're not going to have typical community-oriented retail. And so, when you ask about the QuikTrip locations, how many Cavas...sort of unfair for both of us because they're so new. But, point taken. Chipotle, Panera, whatever it is...the answer is with 1,200 QuikTrips around the country, plenty. And the fact that there's a daycare willing to go above to the east of the QuikTrip, Panda Express...oh, I'm sorry. Thank you, I thought this was off. Panda Express next to them, I think that you are going to wind up attracting the type of retailers that make sense for a 35,000 vehicle per day...it's not exactly an intersection...but roadway right off of the interstate, I think with additional housing coming to the area, which rooftops are required. I think somebody

mentioned the fact that if you do look at this as on an aerial, there is nothing to the west. I mean, nothing. It's just farmland. To the east is primarily industrial buildings, which unfortunately are 500,000 square feet of building with 20 people in them. So, you need density for some of those users, especially when you're talking about selling or having a \$12...I can't think of the chicken dish that they sell at Cava...but, if you're having a \$12 bowl, I mean, you can go spend \$20 at lunch. I mean, you need density, you need that population to do it. The way that we see this property right now is you're capturing 35,000 cars a day, housing is going to fill in, the retailers ideally are going to succeed and be here a long time. There could be some opportunity for some turnover over time, for sure, or some upgrades down the road. But you really right now are capturing traffic. There's just not housing. There's not the density that you're talking about. So, when you're looking at the Cavas of the world, or some of those other kind of higher-end brands, they're looking for a lot more density than this site just happens to offer.

Mrs. Martinez said I find it interesting because I actually live off of 88 and Premium Outlets and before Lou's opened on Farnsworth, we would go to Orchard or 59. So, now for a Cava or any of those, Lazy Dog, I have to go to 59, right? So, I understand what you're saying as a retailer. I just would hate to see this be another drive-through only.

Mr. Forman said understood. One of the reasons that we've set aside the property facing the detention to focus on bringing full-service restaurant over the next 2 years. You know, as a retail development, you are subject to some market forces, right? So, I don't have 9 full-service restaurants that are looking to grow right now. It just is what it is. Costs between construction, food, employment...there are headwinds that we're working through. We believe that we can work hard to attract a full-service restaurant, if not more than 1. And by the way, we're simply speaking the PUD. If 3 full-service restaurants call me tomorrow, you will see a plan for 3 full-service restaurants. Our goal is to attract retail that's going to be successful here. And Lazy Dog is an interesting use case because they tend to go to very...to denser regional markets. So, Orland Park, Naperville...they opened one in Buffalo Grove which is a little bit of an oddity but there's a whole bunch of stuff happening kind of right around the corner from there. A massive residential development that goes up the road and a couple of other larger users. But we're certainly talking to all those users. We'd love to have them.

Mr. Lee said so, could you provide me some examples of in this location white tablecloth restaurants that would make your day?

Mr. Forman said Foxtail. I would love to see them. I'm always worried when people say white tablecloth. So, I say full-service restaurants. You're sitting down at a table, and a waiter is taking your order. I understand that can mean a lot of things too but just make sure we're all on the same page. I'm not expecting Alinea to open their second location there. Just so we're on the same page. I think the Tangled Roots concepts...if you're familiar with the Tangled Roots, they do kind of brew pubs, they have one in...now I just forgot the name of it...you know, they have 6, 7, 8 restaurants. We've reached out to Lettuce Entertain You. We think that they have a couple of concepts that would be really interesting out here. Those are the types of groups. The Foxtail, you know, the Tangled Roots, the Lettuce Entertain Yous. We've also reached out to national groups...you know, Outback Steakhouse, I mentioned Texas Roadhouse. Partially and candidly to cast a wide net. I think that if you...to answer your question, who I would like to see here. Foxtail. I'd like to see something unique.

Mr. Lee said okay. Thank you.

Mr. Forman said you're welcome. Thank you.

Chairman Pilmer said any other questions of Staff? Or the Petitioner?

Mr. Pickens said it seems to me that the Quik Stop (QuikTrip) is the key factor here in this whole approval procedure. Has there been any approach that where... right now you got it right smack dab in the middle of the whole development. Has there been any thought of maybe possibly getting it segregated to a corner somewhere and possibly screened off for the other lots to be built out to the premium type, or whatever you want to call them? Has there been any thought process...it looks like, even residential, I don't think I'd want to have an apartment right next to the highway. And all these stores would want...I would think they'd want exposure to Orchard Road, so crowd them all up against Orchard Road and put the housing in back on the back side. I mean, it's just a suggestion but again, it sounds like the station is the one that's...the gas station is the kicker here.

Mr. Forman said they're certainly helping with the significant infrastructure costs...

Mr. Pickens said I understand.

Mr. Forman said so, yes. You bring up a lot of good questions that we spent a lot of time visiting. Interestingly, at a certain point with our site planning, we had the retail and the residential flipped. We had a couple of retailers, one we traded LOIs with who I think again I'm hoping to get back. They actually asked to be as close to the detention pond as possible, partially for the water feature, partially for visibility from the stoplight. They want...everybody needs the visibility from Orchard Road if you're going to become, you know, a destination...you either need to be a destination, like the full-service restaurant and the daycare. The other people want that visibility, but the retailers also want the visibility from the hard corner so the residential wound up going up to the north. That could be office, medical, hospitality. But residential seems like it would be a great fit. Again, growing community, additional rooftops in this area is only going to help spur additional growth. And the residential guys actually said they have no problem being on that side, and they wanted the land to actually be kind of bulked instead of sort of like in a line. That it's easier for them to come up with flexible development plans and figure out their access, driving, and egress if it's chunked like that. So, we did put some thought into those things and it actually moved the site plan around 3 months' worth of times to try to come up with this which we think is the most viable for both residential and retail. We call them gas stations. In the industry, they're called convenience stores. Convenience stores need to be convenient. So, we did have some conversations of where the QuikTrip could go. We thought that this would be the best spot, not only for QuikTrip but also for the development because other retailers, I think to your point, when you're working around developments like this are used to seeing the gas stations on the hard corners. Since we don't have the hard corner at Sullivan, this is the next best thing. If we put it on the other side of the common road, then you're putting...you're abutting up to the residential which might be less of an attraction for the residential people. Whereas, restaurants on those portions function more as an amenity which is the other reason that we put the detention pond, which serves as a common detention pond for all the retailers and a portion of the residential, if not all the residential, behind that is...that is sort of dead space from a retail component to your point. But by putting it behind...by making it common area, it allows us to maximize the amount of development and put things in a way where we can attract the type of uses that make sense for each slot of the location. Thank you.

Chairman Pilmer said anything else?

Mr. Philipchuck said (off mic) it's a Public Hearing, so...

Chairman Pilmer said yeah. So, this is a Public Hearing, if anyone in the audience would like to address the Commission.

Alderman Franco said (off mic) I don't need to swear in again, do I?

Chairman Pilmer said I don't think so.

Alderman Franco said Carl Franco, 5th Ward Alderman. So, a couple things. Did you mention Caputo's before? Because that would be...we'd make a statue of you if you could bring a Caputo's over there so that would be wonderful. (Laughter)

My wife used to own Italian restaurants, and I grew up in Berwyn, so yeah, we like that stuff. But I want to get back to the sustainability thing. So, it's no secret that the Mayor's Office is very green. And it's no secret that he had mentioned before that gas stations are obsolete and no more gas stations in Aurora. Well, obviously that's nonsense because we're going to be driving vehicles that need gas for a number of years.

When the business community wants to open up a gas station and they're going to spend their money, they know that that's going to be sustainable to people buying gas for a number of years. And we would imagine too that in 20 or 30 years when we do go to more electric vehicles, then they will evolve and put charging stations in. So, I think that what we're looking at here is nonsensical that we're going to talk about no gas stations in Aurora where we're all driving...most of us still drive cars with gas. So, I don't want to poo poo that, but I think that's unrealistic in this day and age, you know. Maybe 30 years from now.

And I will tell you right now that the people that I represent in the 5th Ward...and I've been doing this for 11 years...they don't want any more warehouses. They don't want any more...I shouldn't say data centers, but they don't want it, certainly not on Orchard Road. Orchard Road is a shiny penny. So, in my mind, that has to be commercial.

Now, part of the problem, and I don't know if it was elaborated out here as much, is that Toyota has been very patient with us about selling this property. If this does not go through and this is zoning industrial, it's very...it's a good chance that this becomes some kind of industrial thing and we do not want industrial on Orchard Road. So, I don't know if this is time critical, but there's a little bit of urgency here to make a decision on commercial. The people that I represent would have a heart attack if we did another warehouse there. We've got a trucking station on Orchard and Indian Trail that was the wrong thing to do years ago. We should've learned our lesson.

So, I would like to protect Orchard and that spot as much as possible for commercial. In my mind, if we only had a gas station there, and they're going to pay for the infrastructure so they're going to attract more, thank God. If we only had a gas station there compared to a warehouse, I would tell you right now, my residents said, "I can live with that" because it's not a warehouse.

So, going forward with this project...and I would love to see the, what do we call them? Full-service, not white linen...if we can get that, that would be wonderful because I been telling people for a long time that we have to have more white linen. Why does North Aurora, just over the bridge, they've got these nice restaurants there and we don't? So, I would expect that somehow some way. No pressure, but that would be a good thing.

But even like I say, even if it was just a gas station, I think that would be more appealing to the people that I represent. So, I am a big advocate of going forward with this. I will be at the BZE meetings and COW and, obviously, City Council pushing for this. But I just think it would be short-sighted for us to say, "We don't do a gas station because they're obsolete, and we're going to move on" when they're willing to put one there and pay for all the infrastructure to attract more. So, I'm a big proponent of that. I'm willing to take any questions from anybody because I've been talking about this kind of stuff for years. I just do not want to let what I would

consider maybe the best piece of land in Aurora when you've got Orchard Road, 35,000 cars a day, and 88 there, almost like a Freedom Drive thing, to get away from us and allow somebody to put some kind of warehouse or industrial thing there. That would be a mistake on our part. So, I just want to throw that out there as a representative of the people that live in that area. And if you have any questions...

Chairman Pilmer said thank you. Any questions?

Mrs. Martinez said I do have a question.

Alderman Franco said sure.

Mrs. Martinez said do you think that we would have the density for some of these other restaurants?

Alderman Franco said thank you. So, down the road from me on Prairie, 74 homes, 101 units behind on Galena and Constitution, 101-unit townhome rentals. Where the Meijer was supposed to be by the Home Depot, 320-unit townhome rentals. Plus, what they're doing, the density is going up because we found there's 3 legs to the stool: Orchard Road or traffic on the road; disposable income, which I will say the West side has good disposable income; but the 3rd leg is the density that we're starting to get. So, in 2 years from now...and not even counting this project...in 2 years from now, we're going to have maybe 800 more people living in this area, so there will be more synergy. I will call it synergy, so we're getting there. And that's not even counting the stuff on Deerpath that I'm looking to get some residential over there. So, good for our businesses. They have the foot traffic and stuff like that. But good for us to maybe bring in...incentivize people to come. It says I got shoppers now. I got consumers. So, good question. Yes, we are...I think we'll have that.

Chairman Pilmer said thank you.

Alderman Franco said thank you.

Chairman Pilmer said anyone else have a question for the Commission? Alright, I am going to close the Public Hearing. I think Staff does have Findings of Fact.

Mrs. Morgan said Staff has the following comments regarding Findings of Facts with the assumption that the condition that the Plan Description be revised to prohibit a Gasoline Station (2831) use be included in the recommendation:

Conditional Use Planned Development:

- 1. The project will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare as the development will improve a vacant land with commercial development similar to the development along Orchard Road along with additional residences to patron the commercial development. Its development will complete the transformation of a property that has been underutilized for decades.*
- 2. The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity or diminish or impair property values as the development is similar to other commercial development along a major arterial and will provide medium density*

residential opportunities that is an appropriate housing development located adjacent to commercial.

3. *The development will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district as the proposed uses are consistent with the surrounding uses. The proposed zoning continues the trend of commercial uses in the area. The area is a good location for residential uses as it is near I-88 tollway, providing easy access to commuters.*
4. *The location is supported by existing utilities, access to existing roads, drainage, and other facilities. The proposed development will integrate well into the existing infrastructure. Much of the stormwater detention is already provided in the existing pond.*
5. *The development does take adequate measures to provide ingress and egress to minimize traffic congestion as the proposal includes the construction of a dedicated southbound, left turn lane into the site, thus alleviating any back-up of southbound traffic. In addition, it provides a dedicated north bound, right turn lane also alleviating any traffic congestion north bound. The traffic study confirms that these improvements should address any traffic concerns on Orchard Road. A Roadway Agreement will be completed prior to Preliminary Plan and Plat to outline any additional roadway improvements required.*
6. *The Conditional Use in all other respects conforms to the applicable regulations of the various zoning districts.*
7. *FOR HOTELS: N/A*
8. *The uses are necessary, desirable, and appropriate with respect to the primary purpose of the development as it allows additional commercial opportunities on a major arterial and it allows townhomes with Aurora's standard bulk restrictions for other similar townhomes.*
9. *The uses are of a nature and are so located as to not exercise an undue detrimental influence on the surrounding neighborhood as it is of a similar use as the area and provides additional residential patrons to the surrounding commercial properties.*
10. *The exceptions so allowed are reflected by the appropriate zoning district symbols as the vision uses fit well into the B-2 zoning district and Aurora's standard practice is to zone townhomes under R-4: Two Family Dwelling District and are so recorded on the zoning district map.*

REZONING:

1. *Staff has noted below the physical development policies that the proposal meets. The proposal brings additional commercial opportunities and provides additional housing stock to accommodate the needs of Aurora's growing population.*
2. *The proposal represents the logical establishment and is consistent extension of the requested classification in the consideration of the existing land uses, existing zoning classifications, and character of the area as across the street are similar commercial*

uses and placing commercial along major arterials and near a tollway is standard planning practice. Medium density residential near commercial corridors is common practice and similar to across the street.

- 3. The proposal is consistent with a desirable trend of development in the area as the area already contains commercial and residential development along Orchard Road. A gas station is currently not a permitted use and a gas station does not appear to be consistent with the vision of a high-end, mixed-use development.*
- 4. The rezoning will allow for more suitable uses as the development is consistent with the surrounding areas across the street and will provide additional housing opportunities to the area. A gas station is currently not a permitted use and maintaining this restriction reflects the highest and best use of this property.*
- 5. The rezoning is consistent with the existing land uses, zoning classifications, and general character as the Property has remained vacant and undeveloped under the Property's current land use designation as ORI, contributing little to the community and surrounding properties. Re-designating the Property for a mixed-use development with residential rooftops would be the highest and best use for this site and will help support the existing commercial and retail uses along Orchard Road.*

Chairman Pilmer said does Staff have a recommendation?

Mrs. Morgan said yes:

Staff recommends Conditional Approval of the An Ordinance Establishing a Conditional Use Planned Development, Approving the Orchard's Crossing Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto to an underlying zoning of R-4 Two-Family Dwelling District, B-2 General Retail District and OS-1 Conservation, Open Space, and Drainage District for the property located at the northeast corner of Sullivan Road and N. Orchard Road, with the following conditions:

- 1. That Section 2.3.1.a of the Plan Description be modified as follows:
2.3 Use Regulations 1. This property shall be limited to those uses permitted in the B-2 Business District, Section 49- 108.3(d)(1) of the Zoning Ordinance, with the following modifications:
a. The following uses shall be prohibited:
(1) Pawnshop (2160)
(2) Laundromat (2610)
(3) Tattoo Salon (2630)
(4) Alternative Financial Institutions (2220)
(5) Gasoline Station (2831)*
- 2. That Section 2.3.1.b stating "The following uses shall be permitted:
(1) One gasoline station (2831), no truck diesel lanes" be removed.*

Chairman Pilmer said so, just to clarify, the property shall be limited to those uses in the B-2 district. So, you've got 5 that you're recommending be prohibited. And then, can you further clarify...

Mrs. Morgan said yes. So, what I'm doing...so, their current Plan Description as presented has...agrees with the 4 prohibited uses, and they're saying that the following uses shall be permitted: a gasoline station, no truck diesel lanes. So, Staff is adding removing that as a permitted use as they're proposing, and putting gas station as a prohibited use. So, the changes are basically saying we don't want a gas station...we want to prohibit a gas station is Staff's...what were recommending as the changes to the Plan Description, as the developer is presenting. Does that make sense?

Chairman Pilmer said yeah. So, could I just ask another question of Staff regarding...so, I know you stated gas stations are not a permitted use today?

Mrs. Morgan said correct. They're not allowed.

Chairman Pilmer said and neither is the rest of the development, right?

Mrs. Morgan said correct. And it's also not a permitted use in the B-2 either. It's a Conditional Use in the B-2.

Chairman Pilmer said so, you've heard Staff's recommendation. Any discussion? Or is there a motion?

Mr. Pickens said is there any way that we can allow the gas station?

Chairman Pilmer said I think we can make a motion. Pardon me, you can make a motion to allow, you know, basically to accept Staff's recommendation except for whatever you want to change.

Mr. Pickens said that's what I shall do.

Mrs. Morgan said if you want to just...if you want to permit a gas station, what they are proposing is permitting it basically by right in the Plan Description. So, you would basically not want to approve any of Staff's conditions. You'll basically be approving what the developer is recommending as is.

Chairman Pilmer said but you can add the other 4 items...

Mrs. Morgan said that's already currently in the Plan Description. So, it would be as the Plan Description is presented to you in your packet right now, as those 4 items are already prohibited. So, and then they are saying a gas station should be permitted in the current Plan Description that is in your packet.

Mr. Pickens said so, how do we vote?

Chairman Pilmer said I think your motion would be to the permitted uses in the B-2 Business District including a Gasoline Station use (2831).

Mr. Roberts said so, we're voting to reject the Findings of Facts?

Chairman Pilmer said well, we would (inaudible) just make a motion...

Mrs. Morgan said to approve an ordinance, you would just...it's not a conditional approval. You would just be Staff recommends approval of an ordinance. Because what they're presenting allows the gas station as a permitted use.

Chairman Pilmer said so, we would approve the ordinance not conditionally.

Mrs. Morgan said with no conditions.

Mrs. Vacek said no conditions, yes.

Chairman Pilmer said so, the motion would be...it would be up to you. If you want to make a motion that would not be conditional, but approval as not conditional.

Mr. Pickens said I move to approve without the conditions.

Mr. Roberts said second.

Chairman Pilmer said motion's been made and seconded. Please call the roll.

MOTION OF APPROVAL WITHOUT STAFF CONDITIONS WAS MADE BY: Mr. Pickens

MOTION SECONDED BY: Mr. Roberts

AYES: Chairman Pilmer, Mr. Kuehl, Mr. Lee, Mrs. Martinez, Mr. Pickens, and Mr. Roberts

NAYS: 0

ABSTAIN: 0

Motion carried.

Chairman Pilmer said motion carries. Staff did have 10 Findings of Fact related to the Conditional Use.

Mrs. Morgan said I would think you will also need to modify Staff's findings for items under Rezoning. Items 3, 4...3 and 4 to remove Staff's comments regarding gas stations.

Chairman Pilmer said so, on the Conditional Use Findings of Fact, are there any corrections or additions?

Mr. Roberts said I move we modify points 3 and 4 to remove the gasoline station prohibit...however it's worded.

Chairman Pilmer said so, on the Rezoning Findings of Fact, we would recommend to amend the Findings of Fact to state that a gas station is a permitted use based on the general area of the property in question. And then, item 4. Will rezoning allow uses that are more suitable than the permitted uses under the existing zoning? I believe that it would be amended that gas station should be a permitted use and not be restricted as a highest and best use of the property. Any other changes or corrections? Is there a motion to accept the Findings of Fact as read and amended?

MOTION OF APPROVAL OF FINDINGS OF FACT (AMENDING #3 & #4) WAS MADE BY: Mr. Roberts

MOTION SECONDED BY: Mrs. Martinez

AYES: Chairman Pilmer, Mr. Kuehl, Mr. Lee, Mrs. Martinez, Mr. Pickens, and Mr. Roberts

NAYS: 0

ABSTAIN: 0

Chairman Pilmer said motion carries. If Staff will state where this will next be heard.

Mrs. Morgan said this will next be heard on November 26th at the Building, Zoning, and Economic Development Committee meeting at 4 o'clock in this room.

Chairman Pilmer said good luck.

ANNOUNCEMENTS

Chairman Pilmer said any announcements?

Mrs. Morgan said no. We will be having the holiday dinner on December 10th?

Chairman Pilmer said 10th.

Mrs. Morgan said December 10th, 6 to 9.

Chairman Pilmer said and then, is there a meeting on the 3rd?

Mrs. Vacek said there is a meeting on the 3rd.

ADJOURNMENT

Chairman Pilmer said is there a motion to adjourn?

MOTION OF ADJOURNMENT WAS MADE BY: Mr. Roberts

MOTION SECONDED BY: Mr. Lee

Motion carried by voice vote.

Chairman Pilmer adjourned the meeting at 9:20 pm.

