



City of Aurora

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Legistar History Report

File Number: 18-0340

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Type: P&D Resolution

Status: Agenda Ready

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General Ledger #:

In Control: Planning & Development Committee

File Created: 04/12/2018

File Name: Insite Real Estate/ Burger King / Final Plan / 1378 Butterfield Road

Final Action:

Title: A Planning and Development Committee Resolution Approving a Final Plan on Lot 11 of Savannah Crossing Subdivision located at 1378 Butterfield Road being north of Butterfield Road and east of Church Road for a Restaurant with a drive-through facility (2530) use

Notes:

Agenda Date: 05/24/2018

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A-1" Final Plan - 2018-05-14 - 2017.188.pdf, Exhibit "A-2" Landscape - 2018-05-14 - 2017.188.pdf, Exhibit "A-3" Building and Signage Elevations - 2018-05-14 - 2017.188.pdf, Appealable Sheet - 2017.188.pdf, Property Research Sheet - ID #69097 - 2017-09-22 - 2017.188.pdf, Land Use Petition and Supporting Documents - 2018-04-12 - 2017.188.pdf, Declaration of Restrictive Covenant (to encumber Lot 11) - 2018-04-12 - 2017.188.pdf, Cross Access Easement - 2018-04-12 - 2017.188.pdf, Plat of Survey - 2018-04-12 - 2017.188.pdf, Fire Access Plan - 2018-04-12 - 2017.188.pdf, Legistar History Report - 2018-05-08 - 2017.188.pdf

Enactment Number:

Planning Case #: BA35/4-17.188-Fpn

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	Committee of the Whole	04/17/2018	Forward to Planning Council	Planning Council			
	Action Text:	This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)					
1	Planning Council	04/24/2018					

Notes: *Representatives Present: David Shindoll, Eric Pedersen and Jessica Kramer*

I'm Dave Shindoll. I'm a Civil Engineer with Mackie Consultants. We've done the surveys, the landscape and the engineering for this site. We are working for our client, InSite Real Estate Development, who will speak a little bit to the tenant and the development. This site is one of the outlots in the previously developed Savannah Crossings with the Wal-Mart Shopping Center. It is about a 1 acre lot. Stormwater detention is already provided. We contemplate connecting to existing water and sewer stubs that are on the frontage road. We don't need any access out to Butterfield. We've made our submittal of Landscape Plan, Final Plan and all of the other required documents, including Fire Access Plan. We would hope to be placed on the next available Planning Commission meeting. Perhaps these folks would like to introduce the project.

I'm Eric Pedersen. I'm with InSite Real Estate. We are working with Toms King, one of the larger franchisees of Burger King. This is a 1,265 square foot building. There are 28 seats in it. It is one of the latest prototypes. It will have a brick exterior. It will be a real nice looking building.

Mr. Feltman said if I can touch on something. Obviously, you guys are showing cross access, which is what we had requested, so that's great.

Mr. Shindoll said you are talking about the parcel adjacent to us?

Mr. Feltman said yes. It helps a lot with just access control and making sure that both sites work well.

Mr. Pedersen said we are working with Popeyes in coordinating that access. We think it is a good idea as well.

Mr. Shindoll said and if you look at our Fire Access Plan, you'll see we were working together to show circulation for both sites.

Mrs. Morgan said Planning is still reviewing this. Prior to them submitting, like Dan had mentioned, we've worked a lot with the cross access and working with the adjacent property to the east. We should get out some review comments from the Planning side. Engineering, I think, will be coming shortly. One of our concerns was if we could move you forward without Popeyes, but on Fire you meet it without having a cross access, so we don't have to pair you guys. Popeyes is, I think, coming in a little later than we had expected.

Mr. Feltman said where is the Fire Department connection?

Mr. Beneke said there is none.

Mr. Feltman said there is none because it is too small. Got you.

Mr. Beneke said and we've approved it.

Mr. Shindoll said but I will point out that we did identify where the existing hydrants are and we verified the hydrant distance coverage. There is one at the northeast of that drawing and one at the northwest of that drawing.

Mr. Beneke said we saw it and approved it. Fire is done.

Mr. Feltman said this is kind of maybe an ancillary detail, but what address would you prefer because you are on a corner?

Mrs. Vacek said we already have an address. It is a Butterfield address.

Mrs. Morgan said 1378 Butterfield.

Mrs. Vacek said we did addressing when it came in with Final with the Wal-Mart.

Mrs. Morgan said we should get you guys comments out shortly. Tentatively we are looking at potentially May 16th, depending on how many comments we have and Engineering's comments as well.

Mr. Shindoll said I think we were hoping for that May 16th slot and, obviously, we'll make every effort to respond right away so that the comments are addressed before the meeting.

Mr. Beneke said just so you know, you can be submitting to us, if you haven't already, for building permit. We work concurrently with the process.

Mr. Pedersen said we hope to submit early May for building permits.

Mr. Beneke said the sooner the better so we start it in the hopper. Then if we are done, it will just be waiting for Engineering and Zoning to sign off on it.

Mr. Feltman said Mary Garza is reviewing this. She is in review right now, so you'll get comments probably in a few days, maybe early next week.

1 Planning Council 05/01/2018

Notes: *Mrs. Morgan said they were here last week. Staff is still in review of the documents. We had a lot of discussions beforehand on the entrances and the circulation and so they are meeting all that so we will probably have some comments on landscaping, but nothing substantial we don't envision.*

Mr. Feltman said we took a look at it briefly. I don't see any major issues with it.

Mr. Sieben said we had a lot of pre-application discussion, so I think we are all on the same page.

Mr. Feltman said it is an existing outlot. Obviously, the detention has been provided.

Mr. Sieben said there is no need for a Special Use on this lot. There was one more permitted drive-thru along Butterfield, so Burger King is taking advantage of that. So that's why it is not a Special Use for this.

Mr. Cross said we signed off on it.

1 Planning Council 05/08/2018 Forwarded Planning Commission 05/16/2018 Pass

Action Text: A motion was made by Mrs. Morgan, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 5/16/2018. The motion carried by voice vote.

Notes: *Mrs. Morgan said Planning staff made some comments. Nothing major. We sent those out. We are still waiting for revisions. We should be receiving that next week. I do make a motion to move this forward to the Planning Commission on May 16. Mrs. Vacek seconded the motion.*

Mr. Sieben said Engineering is still reviewing or are they pretty good?

Mr. Thavong said this is Mary's project.

Mrs. Vacek said I believe she sent out comments last week and there was nothing major.

Mr. Thavong said so we have no objections.

The motion carried unanimously.

3 05/16/2018

Action Text: A motion was made by Mr. Chambers, seconded by Mrs. Anderson, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 5/24/2018. The motion carried.

Notes: 3 *Our next item is the Planning and*

4 *Development Committee resolution approving the final*
5 *plan on Lot 11 of Savannah Crossing Subdivision*
6 *located at 1378 Butterfield Road being north of*
7 *Butterfield Road and east of Church Road for a*
8 *restaurant with a drive-thru facility use by Burger*
9 *King, Ward 1.*

10 *MS. VACEK: Good evening.*

11 *The subject property is currently*
12 *vacant with B-2S general retail district with the*
13 *special use.*

14 *This is actually part of the TMK plan*
15 *description and the Savannah Crossing Subdivision,*
16 *which is with the Wal-Mart right there. It's one of*
17 *the out-lots.*

18 *The petitioner is requesting approval*
19 *of a final plan for the construction of a*
20 *2,165 square feet restaurant with 28 seats. The*
21 *development will be accessed with the interior drive*
22 *aisle that is off of Church -- off of Church Road*
23 *and there will be one shared northerly access for*
24 *both this lot and the property to the east of this*

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1 *lot, which will have another connection to the*
2 *southeast corner.*

3 *The project has two ordering lanes*
4 *that combine into one lane as you approach the*
5 *windows and there's 15 stacking spaces and 22*
6 *parking spaces.*

7 *It also does include -- the final*

8 *plan does include a full landscape plan.*

9 *Landscaping is being implemented throughout the site*

10 *as well as building signage elevations.*

11 *I will turn it over to the petitioner*

12 *so he can go into more detail of that.*

13 *CHAIRWOMAN TRUAX: Thank you.*

14 *Are there questions for Tracey?*

15 *MR. GUNN: Good evening.*

16 *My name is Chris Gunn. I'm with*

17 *InSite Real Estate. We are the developer for*

18 *Lot 11. We've been working with Inland Real Estate,*

19 *who is the seller.*

20 *We have the property right now under*

21 *contract and our proposed tenant is a franchisee*

22 *TOMS King. They have 120 locations throughout the*

23 *country and they operate Burger King's.*

24 *As Tracey said, our building is*

37

1 *2,165 square feet. We are proposing 22 parking*

2 *spots, which actually exceeds what Code requires.*

3 *Code requires one per three seats, which would*

4 *equate to about ten spots, but the declaration in*

5 *place for Savannah Crossing requires us to have ten*

6 *parking spots per thousand, so that's why it seems*

7 *like we have quite a bit of parking out there.*

8 *Couple things that will come up with*

9 *staff recommendation, I've talked with Tracey*

10 *already, one being directional signage. We've*

11 *already addressed that item with the directional*

12 *signage to the entrance of the site. We have scaled*
13 *that back to the 3 square foot recommendation from*
14 *staff.*

15 *The other thing that we will work*
16 *with staff over the next week here is addressing*
17 *some of the landscaping. I don't think we have any*
18 *issues with the amount of landscaping, just some of*
19 *the locations along the front and addressing*
20 *Butterfield Road, and we'll work with staff over the*
21 *next week with that as well.*

22 *CHAIRWOMAN TRUAX: Okay. Questions for the*
23 *petitioner?*

24 *I guess not.*

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1 *So we're ready for staff*
2 *recommendation.*

3 *MS. VACEK: Staff would recommend a conditional*
4 *approval of the Planning and Development Committee*
5 *resolution approving a final plan on Lot 11 of*
6 *Savannah Crossing Subdivision located at*
7 *1378 Butterfield Road with the following conditions:*
8 *The condition that you actually have in your packet*
9 *we're going to remove because they did comply with*
10 *that condition and we are going to add a condition*
11 *that the landscape plan be revised to shift some of*
12 *the internal landscaping to the area along*
13 *Butterfield Road prior to the Planning and*
14 *Development Committee.*

15 *We've already talked to them about it*

16 and we'll be working with them to get that revision.
17 CHAIRWOMAN TRUAX: Okay. For the staff
18 recommendation, what's the wish of the Commission?
19 COMMISSIONER COLE: Move for approval.
20 COMMISSIONER CAMERON: Approval with
21 conditions.
22 CHAIRWOMAN TRUAX: Second?
23 COMMISSIONER COLE: I'll second.
24 CHAIRWOMAN TRUAX: Mrs. Cole seconded.

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1 Okay. Would you call the roll,
2 please.
3 MR. BROADWELL: Mrs. Anderson.
4 COMMISSIONER ANDERSON: Yes.
5 MR. BROADWELL: Mr. Cameron.
6 COMMISSIONER CAMERON: Yes.
7 MR. BROADWELL: Mr. Chambers.
8 COMMISSIONER CHAMBERS: Yes.
9 MR. BROADWELL: Mrs. Cole.
10 COMMISSIONER COLE: Yes.
11 MR. BROADWELL: Mrs. Head.
12 COMMISSIONER HEAD: Yes.
13 MR. BROADWELL: Mrs. Owusu-Safo.
14 COMMISSIONER OWUSU-SAFO: Yes.
15 MR. BROADWELL: Mr. Pilmer.
16 COMMISSIONER PILMER: Yes.
17 MR. BROADWELL: Mr. Reynolds.
18 COMMISSIONER REYNOLDS: Yes.
19 CHAIRWOMAN TRUAX: Okay. Motion carries.

20 I guess this will go on to Planning
21 and Development.
22 MR. BROADWELL: This will be at the Planning
23 and Development Committee on --
24 CHAIRWOMAN TRUAX: Thursday the 24th, I bet.

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1 MS. VACEK: Yes.
2 This will be at Planning and
3 Development Committee on May 24th here at City Hall
4 in the 5th floor conference room at 4:00 p.m.
5 CHAIRWOMAN TRUAX: Okay. Thank you.
6 Good luck with the project.

3	Planning Commission	05/16/2018	Forwarded	Planning & Development Committee	05/24/2018	Pass
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Action Text: A motion was made by Mr. Chambers, seconded by Mrs. Cole, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 5/24/2018. The motion carried.

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22 *CHAIRWOMAN TRUAX: Second?*

23 *COMMISSIONER COLE: I'll second.*

24 *CHAIRWOMAN TRUAX: Mrs. Cole seconded.*

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1 *Okay. Would you call the roll,*
2 *please.*

3 *MR. BROADWELL: Mrs. Anderson.*

4 *COMMISSIONER ANDERSON: Yes.*

5 MR. BROADWELL: Mr. Cameron.
6 COMMISSIONER CAMERON: Yes.
7 MR. BROADWELL: Mr. Chambers.
8 COMMISSIONER CHAMBERS: Yes.
9 MR. BROADWELL: Mrs. Cole.
10 COMMISSIONER COLE: Yes.
11 MR. BROADWELL: Mrs. Head.
12 COMMISSIONER HEAD: Yes.
13 MR. BROADWELL: Mrs. Owusu-Safo.
14 COMMISSIONER OWUSU-SAFO: Yes.
15 MR. BROADWELL: Mr. Pilmer.
16 COMMISSIONER PILMER: Yes.
17 MR. BROADWELL: Mr. Reynolds.
18 COMMISSIONER REYNOLDS: Yes.
19 CHAIRWOMAN TRUAX: Okay. Motion carries.
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4 in the 5th floor conference room at 4:00 p.m.
5 CHAIRWOMAN TRUAX: Okay. Thank you.
6 Good luck with the project.
Aye: 9 At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp
Representative Reynolds, At Large Anderson, At Large Truax, Fox Valley
Park District Representative Chambers, At Large Owusu-Safo and SD
129 Representative Head

