



# City of Aurora

44 E. Downer Place  
Aurora, IL 60505  
www.aurora-il.org

## Legistar History Report

**File Number: 24-0839**

**File ID:** 24-0839

**Type:** Ordinance

**Status:** ATS Review

**Version:** 1

**General  
Ledger #:**

**In Control:** Building, Zoning,  
and Economic  
Development  
Committee

**File Created:** 10/29/2024

**File Name:** Panda Express / 1390 Butterfield Road / Conditional  
Use Plan Description Revision/Final Plan

**Final Action:**

**Title:** An Ordinance approving a revision to the Savannah Crossing Plan  
Description on 1.15 Acres for Property located at 1390 Butterfield Road

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Legal Description, Exhibit "B" Plan  
Description Revision, Land Use Petition and  
Supporting Documents, Parcel Maps

**Enactment Number:**

**Planning Case #:** BA36/3-24.426 - CUPD/Fpn

**Hearing Date:**

**Drafter:** FieldE@aurora.il.us

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning and Zoning Commission	11/06/2024	Forwarded	Building, Zoning, and Economic Development Committee	11/13/2024		Pass
<b>Action Text:</b> A motion was made by Mrs. Martinez, seconded by Mr. Roberts, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 11/13/2024. The motion carried.							
<b>Notes:</b> Ms. Field said good evening. Emma Field, Associate Planner. The subject property is zoned B-2(C) Business District General Retail with a Conditional Use. The Conditional Use is for a Conditional Use Planned Development, Savannah Crossing. The Petitioner is requesting approval of a Plan Description Revision to the Savannah Crossing Conditional Use Planned Development. The revision is to allow up to 6 drive through restaurants and allowing a drive through restaurant on Lot 8. Concurrently with this proposal, the Petitioner is requesting approval of a Final Plan. The details of the request include a 2,300 square foot drive through restaurant of fast casual Chinese food. The plan shows two menu and ordering stations. The drive-through allows for a 13 car stack up. The plan meets parking regulations with 41 spaces including two handicapped spaces. There are three points of ingress egress on the property, one of which leads to a private drive behind the property. A sidewalk runs along the interior access road. The landscape features a mixture of trees and shrubs surrounding the property and buffering Butterfield Road. Are there any questions for me? And I can bring up the Petitioner too if there's any questions.							

*Acting Chair Owusu-Safo said is there any questions for Staff? Okay, thank you. I guess we can have the Petitioner, or the applicant come up please. If you haven't already signed in, please sign in.*

*Mr. Crable said I have. I have, thank you very much.*

*Acting Chair Owusu-Safo said raise your right hand. Do you swear to tell the truth and nothing but the truth?*

*Mr. Crable and Mr. Dams said I do.*

*Acting Chair Owusu-Safo said alright, you may please state your address.*

*Mr. Crable said okay, my name is Justin Crable. I work with Atwell, and my address is 1250 Suite 300 East Diehl Road, Naperville, Illinois 60563.*

*Acting Chair Owusu-Safo said thank you.*

*Mr. Crable said I appreciate your time tonight. I think Emma has explained the site to the point where I don't have a whole lot to add. This is a vacant out lot in the Savannah Crossing Shopping Center. It's been vacant for 2 decades I think is what the report says. My firm was involved in the original development of the shopping center, the design of it. Panda Express is a long-time client of ours. They're very interested and excited about developing this lot. And as Emma said, all the code requirements have met, we have adequate utilities serving the property today. Drainage design was done 20 years ago to accommodate this development, so we already have detention and drainage in place for us just to tap into. And I don't have much else to add, so if you have any questions, I'll be happy to answer them at this time.*

*Acting Chair Owusu-Safo said okay, does the Commission have any questions? Alright, thank you.*

*Mr. Crable said okay, thank you so much.*

*Acting Chair Owusu-Safo said anybody else who'd like to add anything else to it? You're good, okay.*

*Mr. Dams said (off mic, from audience) I'm just here to answer any questions. I'm the contract purchaser/developer working for Panda Express....sorry.*

*Acting Chair Owusu-Safo said please state your name and address.*

*Mr. Dams said Eric Dams, 2211 North Elston, Chicago, 60614. Sorry about that. As I mentioned, we're the contract purchaser. We have the property under contract with Fifth Third Bank who decided after many years not to build here. We are working with our end user, Panda Express, and would appreciate your support. We think it's a great use for the property, tax generating, and something for the community. So, I appreciate your time tonight.*

*Acting Chair Owusu-Safo said thank you.*

*Mr. Dams said thank you.*

*Acting Chair Owusu-Safo said alright. Can we...I guess we move on to Findings of Fact. This is a Public...*

*Mr. Sieben said you have to open the Public Hearing.*

*Acting Chair Owusu-Safo said oh, I thought... we have to close the Public Hearing.*

*Mr. Sieben said and then close it.*

*Acting Chair Owusu-Safo said we haven't started it yet. This is a Public Hearing. Are there anybody here that would like to speak? Seeing none, the Public Hearing is now closed. Findings of Fact, please, by Staff.*

*Ms. Field said yes, before I get into the Findings of Fact, just a little bit of discussion that was kind of already said earlier, that the Savannah Crossings shopping center was approved in 2005, and it has has sat vacant since the shopping center was built in 2005. And there are currently no fast casual*

Chinese food establishments in the surrounding area. Due public notice was given for the Public Hearing on this matter and Staff has not received public inquiries regarding this petition. And for the Findings of Fact, Staff has reviewed the Findings of Fact and have determined the following:

1. The establishment maintained or operation of the conditional use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2. The establishment is several yards from residential. It will have no distracting lights or architecture. The drive-through fits well within the shopping center. This has been a vacant lot for two decades and now there will be a constructive use. In addition, this business will offer a cuisine that you cannot find anywhere close.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. It will not substantially diminish and impair property values within the neighborhood. The establishment meets setbacks, bulk restrictions, sign code, and lighting requirements.
4. The establishment of the conditional use will not impede the normal and orderly development. It will also not impede on improvement of the surrounding property for uses permitted in the district. This is the last vacant property to be built on.
5. The proposal will provide for adequate utilities, access roads, and drainage. Cross access is being provided along the south side of the lot to the east and west. Drainage is provided to the north of the lot.
6. The proposal takes adequate measures to provide ingress and egress so designed to minimize traffic congestion. The cars stacking meets the requirements. There are no ingress or egress to any public street, only private roads of the subdivision. There are three accesses that follow two-way traffic. Regional detention for stormwater management is being provided to the north of the property.
7. The conditional use does, in all other respects, conform to the applicable regulations of the Savannah Crossing Conditional Use Planned Development district. It meets setbacks, parking requirements, building height, use, sign requirements, and landscaping.
8. The use is permitted by such exceptions necessary or desirable and appropriate with the respect to the primary purpose of the development. The use is defined as a 2530 restaurant with a drive through facility per the City of Aurora Zoning Ordinance. The use is permitted in the Savannah Crossing Plan Description.
9. This use is permitted by such exception of a nature or so located as to not exercise an undue detrimental influence on the surrounding neighborhood.
10. The use exceptions so allowed are reflected by the appropriate zoning district symbols and so recorded on the zoning map.

And that's it for Findings of Facts.

Acting Chair Owusu-Safo said is there a motion to approve the Findings of Facts as read into the record?

MOTION OF APPROVAL OF FINDINGS OF FACTS WAS MADE BY: Mrs. Martinez  
MOTION SECONDED BY: Mr. Lee  
AYES: Mr. Chambers, Mr. Lee, Mrs. Martinez, Mrs. Owusu-Safo, Mr. Pickens. and Mr. Roberts.  
NAYS: 0  
Motion carried.

Acting Chair Owusu-Safo said now, can Staff give us their recommendations?

Ms. Field said Staff would recommend approval of the Ordinance approving a revision to the Savannah Crossing Plan Description.

*Acting Chair Owusu-Safo said is there a motion? What is the Commission's wish?*

*MOTION OF APPROVAL WAS MADE BY: Mrs. Martinez*

*MOTION SECONDED BY: Mr. Roberts*

*AYES: Mr. Chambers, Mr. Lee, Mrs. Martinez, Mrs. Owusu-Safo, Mr. Pickens. and Mr. Roberts.*

*NAYS: 0*

*Motion carried.*

Aye: 6 At Large Lee, At Large Chambers, At Large Owusu-Safo, At Large  
Pickens, At Large Roberts and At Large Martinez

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**Text of Legislative File 24-0839**