



# City of Aurora

44 East Downer Place  
Aurora, Illinois 60505  
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## Legistar History Report

File Number: 16-01229

File ID: 16-01229	Type: Resolution	Status: ATS Review
Version: 3	General Ledger #:	In Control: Planning & Development Committee
		File Created: 12/28/2016
<b>File Name:</b> Vequity Real Estate Advisors/Retail / 2413 Bushwood Drive / Final Plan		Final Action:
<b>Title:</b> A Resolution Approving a Final Plan on Lot 12 of Orchard Road Business Park Subdivision located at 2413 Bushwood Drive being at the northwest corner of Bushwood Drive and Orchard Road.		

**Notes:**

**Agenda Date:** 02/16/2017

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A-1" Final Plan - 2017-01-23 - 2016.177.pdf, Exhibit "A-2" Landscape Plan - 2017-02-01 - 2016.177.pdf, Exhibit "A-3" Building and Signage E elevations - 2017-01-23 - 2016.177.pdf, Fire Access Plan - 2017-01-23 - 2016.177.pdf, Address Plat - 2017-02-01 - 2016.177.pdf, Land Use Petition and Supporting Documents - 2016-12-28 - 2016.177.pdf, Landscape Materials Worksheet - 2016-12-28 - 2016.177.pdf, Property Research Sheet 54993 - 2016-12-09 - 2016.177.pdf, Plat of Survey - 2016-12-28 - 2016.177.pdf, Legistar History Report - 2017-01-31 - 2016.177.pdf

**Enactment Number:**

**Planning Case #:** SG12/2-16.177-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	01/03/2017	Forward to Planning Council	DST Staff Council (Planning Council)				
			Action Text:	This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)				
1	DST Staff Council (Planning Council)	01/10/2017						
			Notes:	Representative Present: Ryan Murphy, Kim Ward and Bill Perry				

I'm Ryan Murphy with Vequity.

I'm Kim Ward with Vequity.

I'm Bill Perry with Watermark Engineering.

Mr. Murphy said by way of introduction, we're a 15 person company out of Chicago. We develop about 12 retail centers a year. All we do is retail. This particular project is being built for Malnati's as our anchor tenant. It is a 9,700 square foot building, 18,000 square feet of open space, and 76 parking spaces. The building itself is a masonry building with a cultured base. All lighting will be LED lighting. The building will be sprinklered per code. We expect the project to generate somewhere between 30 and 50 full time jobs and generate additional real estate tax and sales tax for the city.

Mr. Sieben said you said 9,700 square foot?

Mr. Murphy said 9,720 square feet.

Mr. Sieben said and then you've got a drive thru also?

Mr. Murphy said we do have a drive thru with a bypass lane. Stacking, I believe, is 8 spaces.

Mr. Perry said it is more than adequate.

Mr. Sieben said and regarding tenants, you said you have one for sure?

Mr. Murphy said yes. Malnati's is our anchor tenant. It is a carry out and delivery facility. We are in conversation with 2 others right now that would fill about 60% of the space. We intend to be 70% to 80% leased before we even come out of the ground.

Mr. Sieben said and you anticipate starting construction in the spring?

Mr. Murphy said we'd like to assuming the process goes well.

Mr. Sieben said do you feel you like the market here based on your experience?

Mr. Murphy said we do. We love the market. It is a very strong retail market for the tenants that are on the Orchard Road corridor. The biggest challenge with this particular site is not having a left hand in. We develop primarily for national tenants and the biggest negative that we've heard is hey we would do this right now, and Potbelly's is an example, if we had a left in. If anybody headed north on Orchard to go up and have to turn around, it's been a detriment to the site. That may be outside everyone's hand.

Mr. Wiet said we talked to the County years ago about even a signalized intersection there because the property on the east side of Orchard is undeveloped and there was an interested developer in a hotel and a retail and we talked about them. I don't know if it will go anywhere, but there was some interest on the County's part, but they like to limit their access points as much as possible. As I mentioned earlier for the car wash, the County is not going to be making anyone install a deceleration lane.

Ms. Phifer said how many tenants do you think you will end up with?

Mr. Murphy said no more than 5, most likely 4.

Mrs. Morgan said we are in the review of the plans. We'll get that out to you guys soon.

Mr. Cross said I think I already sent comments.

Mr. Murphy said as you look at the plan do you feel there are any variances that are needed?

Mrs. Morgan said no variances. Everything is looking pretty good. We are going to have some comments on landscaping. At this point, and I'm only midway through the review, nothing major hit me.

Mr. Sieben said I think as far as the overall site plan, you guys were meeting all the criteria on that, so it's going to be maybe some landscaping and things like that.

Mr. Thavong said stormwater management has been provided on the overall development. Utilities, there should be stubs out there that have been provided. Are you sharing access with the hotel?

Mr. Perry said obviously off of Bushwood.

Mr. Sieben said you are using the existing access which comes into the Hampton Inn and then there is a curb opening that was anticipated for development of this.

Mr. Perry said there is actually 2. There is 1 that is further to the north as well.

Mr. Murphy said I believe that easement is in place already.

Mr. Perry said we at initial submittal were trying to get rid of that second curb cut, but ended up bringing it back in per your request.

Mr. Frankino said we'll just have really two issues. You know that you'll need a 1,500 gallon inceptor and then there will be an underfloor grease line that will run from the south end to the far north end within about 10 or 20 feet of the far wall so that we cover all the tenants if there is ever any other food type establishment that goes in there. That way everyone is covered and no one has to cut through another space.

Mr. Perry said so having one grease inceptor for the entire center is fine. You just have one grease line that everybody taps into?

Mr. Frankino said yes sir.

Mr. Murphy said and that would be within the building as opposed to outside?

Mr. Frankino said within, yes. Basically it would just be parallel inside.

Mr. Perry said the grease trap is on the outside of the building.

Mr. Murphy said right.

Mr. Sieben said and just one more thing about users. You indicated Malnati's would be a carryout, so they obviously would not do the drive thru portion, so you would be looking at another restaurant user for the drive thru and then you've also allotted for a small seating area in front of that.

Mr. Murphy said correct. Does that necessitate a Special Use Permit?

Mr. Sieben said no. We look forward to you coming in. Jill will be getting back to you.

1 DST Staff Council 01/17/2017  
(Planning Council)

**Notes:** Mrs. Morgan said staff has sent out comments. Everything looked pretty good. I believe they sent an e-mail to Engineering saying they would work on Engineering. They are currently working on Planning's comments. This is tentatively set for the February 8th Planning Commission.

Mr. Frankino said we have not received a submittal for this one yet.

Mrs. Morgan said they just recently asked me about permits and I told them to contact your office.

1 DST Staff Council 01/24/2017  
(Planning Council)

**Notes:** Mrs. Morgan said staff did send out comments. We received a resubmittal yesterday. We haven't had a chance to look at it. The main comments were mostly landscaping comments. A lot of the other issues have already been addressed.

Mr. Feltman said we sent out comments and we are waiting for a resubmittal.

Mr. Cross said we know that there has been a request to be an Orchard address. If that is the case, that's going to change some locations as far as where the FDC is at, the supply hydrant as well. We just had some minor comments on access to the sprinkler room. We need a clear sidewalk/walkway. That wasn't on the plan presently, so minor things, but again, potentially if the address goes to being

Orchard, that's going to impact some things.

Mr. Beneke said is this something that is a concern being on Orchard, or is it possible that they can have that?

Mrs. Vacek said usually for corner lots they can have either address. I think they would prefer to have Orchard. We'll be contacting Steve Z. and talking to him about it.

Mr. Beneke said the size of this building is going to require it to be sprinklered unless it has fire wall separation. At the moment it appears they are trying to say that it is not a sprinklered building, but it will need to be. They were showing something in regard to a FDC.

Mr. Cross said it is just not in the data table.

Mrs. Morgan said so do they just need to update the data table?

Mr. Cross said they can update that. It just needs to be clearly marked that this is the sprinkler room. It looks like, because of where the water comes into the building as far as the water service, but it doesn't say.

Mr. Beneke said and then the FDC will have to be located facing Orchard with a supply hydrant.

Alderman Franco said it this the north or south side of Bushwood?

Mr. Sieben said north. Bushwood you see on the bottom, so north is up. Orchard is on the right there. On the left of this property is the Hampton Inn.

Alderman Franco said and there are going to be 5 lots?

Mr. Sieben said 5 units.

Alderman Franco said 5 units and 1 building. It is going to be a building with 5 units in the building.

Mr. Sieben said potentially. Up to 5.

Alderman Franco said and the access point coming into that is going to be where? You've got the right-in/right-out there, so you come in on Bushwood.

Mr. Sieben said correct. They are using the current access into the Hampton Inn. That was designed as a connected access there.

Mr. Wiet said it is the same entrance to get into the Hampton. Once you get into the Hampton, you go right and there is a curb cut there that goes into this lot.

Alderman Franco said so what is the square footage on this building?

Mr. Cross said 9,700.

Alderman Franco said 9,000 and they are going to split it up potentially into 5 units?

Mr. Beneke said usually they do them like 1,500 to 2,000 square foot areas.

Mrs. Morgan said there will be one drive-thru.

Alderman Franco said and we don't know what's going in there quite yet?

Mr. Sieben said they've said they have a Lou Malnati's as a carryout in 2,000 square foot of that. They are talking with some others, but they don't have any others inked yet.

Mrs. Vacek said he said that they were hoping, I think, to be 80% occupied by the time that they build it.

1	DST Staff Council (Planning Council)	01/31/2017 Forwarded	Planning Commission	02/08/2017	Pass
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**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 2/8/2017. The motion carried by voice vote.

**Notes:** *Mrs. Morgan said staff did receive a resubmittal on this. They addressed most of staff's comments. We still have some outstanding landscaping comments. We also have been working with them and Engineering. They wanted that Orchard address. We did get an address from Engineering that we can use for Orchard Road. I told them to make that change to their address plat. Javan did tell them that in order to do that they would need the FDC connection location facing Orchard Road.*

*Mr. Beneke said did you receive a revised fire plan with your resubmittal?*

*Mrs. Morgan said no, not to me.*

*Mr. Beneke said we have not received anything, so you need to get them to get that to us. We have several comments in that FDC locations, supply hydrants and everything are going to be affected on that because that's going to be a sprinklered building unless they provide fire walls.*

*Mrs. Morgan said I was going to vote to move this forward. I have a condition. Do you want a condition?*

*Mr. Beneke said we have a lot of things before we're comfortable with it.*

*Mrs. Vacek said we'll just put the condition that they meet...*

*Mr. Beneke said we need them to get something to us right away then so that it is all conditioned based on all the comments. I don't recall all of it. I know it's really related to hydrants and FDC locations.*

*Mrs. Vacek said we'll just put the condition that they have to meet the Fire review comments.*

*Mr. Beneke said please make sure they get it to us right away because we can't have it hanging out after it goes through the political process.*

*Mr. Thavong said Engineering-wise, we sent out review comments. There weren't any major issues. I'm okay in recommending to vote this out.*

*Mr. Frankino said Fox Metro still has yet to receive an initial submittal on this one. Hopefully that will be coming soon.*

*Mrs. Morgan said I motion to move this forward to the February 8th Planning Commission with the condition that the landscape plan is revised to remove 4 understory trees and 1 canopy tree and relocate them along the east perimeter, as well as the condition that they meet all the fire access plan comments by the Fire Marshall.*

*Mr. Wiet said can we also consider doing a little berthing along Orchard? If you look, we've bermed everything up and down Orchard. Make a note of that, especially where the parking lot is in front of Orchard to the south. We bermed a little bit so you kind of get like up to the headlights. It is one of these deals that would probably look a little attractive if they have some dirt they want to move around and just put it there or something.*

*Mrs. Vacek said absolutely.*

*Mr. Sieben said so we have a motion with conditions. Mrs. Vacek seconded the motion. The motion carried unanimously.*

2	Planning Commission	02/08/2017	Forwarded	Planning & Development Committee	02/16/2017	Pass
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**Action Text:** A motion was made by Mr. Chambers, seconded by Mrs. Duncan, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 2/16/2017. The motion carried.

**Notes:** *Mrs. Morgan said this Petition is for a Final Plan for a retail use at 2413 Bushwood Drive. That is the current address of the property. The plan would include the development of approximately a 65,700 square foot building. It will accommodate up to 5 units in the building. The southern end includes a drive-thru and the northern end of the building has an outdoor seating area for the use of that unit. The entrance to the site is from Bushwood Drive and it is via the neighboring Hampton Inn Hotel.*

entrance. The development is providing 75 parking spaces. The Petitioner is here to answer any other questions unless you have any questions for staff.

*I'm Max Odom with Vequity. I think she explained it fairly well. Let me just give a little about our company. We have probably developed 30 strip centers in the last 2½ years in and around the Chicago area. Most of our tenants are very strong local or national tenants that we deal with and that's what we expect to have at this location. We've gone through Engineering. I think even as of this morning, we had some last additional comments that were approved on the landscaping. Other than that, I'll turn it over for questions.*

*Mr. Reynolds said do you have any tenants lined up yet?*

*Mr. Odom said we have a couple of tenants lined up, at least one that we're signing a lease with very shortly. Then we probably have 3 or 4 additional interested parties that we are working with right now.*

*Mrs. Morgan said staff would recommend approval of the Resolution approving a Final Plan on Lot 12 of Orchard Road Business Park Subdivision located at 2413 Bushwood Drive.*

MOTION OF APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mrs. Duncan

AYES: Mr. Bergeron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mr. Pilmer, Mr. Reynolds

NAYS: None

*Mrs. Morgan said this will next be heard at the Planning and Development Committee meeting on Thursday, February 16, 2017, at 4:00 p.m. in the 5th floor conference room of this building.*

Aye: 7 At Large Bergeron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Divine, SD 204 Representative Duncan and Fox Valley Park District Representative Chambers

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