



City of Aurora

44 East Downer Place
Aurora, Illinois 60505
www.aurora-il.org

Legistar History Report

File Number: 15-00508

File ID: 15-00508

Type: Ordinance

Status: ATS Review

Version: 3

General Ledger #:

In Control: Planning & Development Committee

File Created: 06/05/2015

File Name: Planet Fitness / Northgate Plaza, LLC / Special Use

Final Action:

Title: An Ordinance Granting a Special Use Permit for a Special Purpose Recreational Facility Use on the Property located at 954 N. Lake Street

Notes:

Agenda Date: 08/13/2015

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description.pdf, Exhibit "B" Parking Lot Exhibit - 2015-06-17.pdf, Exhibit "C" Memorandum of Agreement.pdf, Property Research Sheet - 2015-05-26 - 2015.138.pdf, Land Use Petition and Supporting Documentation - 2015-06-04 - 2015.138.pdf, Plat of Survey - 2015-06-04 - 2015.138.pdf, Floor Plan - 2015-06-04 - 2015.138.pdf, Legistar History Report - 2015-07-31 - 2015.138.pdf

Enactment Number:

Planning Case #: AU15/1-15.138-Su

Hearing Date:

Drafter: tvacek@aurora-il.org

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	06/09/2015	referred to	DST Staff Council (Planning Council)	06/16/2015		
	Action Text: This Petition was referred to the Planning Council						
1	DST Staff Council (Planning Council)	06/16/2015					
	Notes: <i>Representatives Present: Loren Eatman, Mike Horan, Steven Titiner</i>						

Mr. Horan said the main thing we are looking at, Planet Fitness is a nationwide chain. We just opened up our 1,000th club nationwide. The main thing we are looking at is we are more geared toward general fitness. We are like 60/40, 60% women and 40% men are our clientele. We have a lot of cardio equipment. We are going to be 24/7. We do have some small amenities, which are tanning and some massage chairs. It is 24/7 with tanning. General fitness is what we cater to.

Mr. Sieben said and this is manned 24 hours then, correct?

Mr. Horan said yes. We are open and staffed 24/7. We always have staff on site. Some clubs have like a key swipe or something like that. We are open and staffed 24/7.

Mr. Sieben said and maybe one of the owners want to talk about some of the, you are going to do some parking lot improvements in front of this unit. Is that correct?

Mr. Eatman said yes. We are going to mill and repave a fairly good sized area in front of the big box stores. Basically this is where they are going, which was the TJ Maxx location previously. I have to verify it, because I didn't bring my drawing, but this whole parking field here is going to get repaved.

Mr. Sieben said so essentially in front of those big boxes?

Mr. Eatman said right.

Mr. Sieben said if you could maybe just confirm that with Tracey like we had talked about earlier.

Mrs. Vacek said I'm the Planner that is going to be bringing this through. Obviously there is not a lot to review on this one, so I did kind of talk to you beforehand. We would suggest that you create a new legal description, which will reduce the number of people that you need to actually notify when the public notices go out, so it would just be this building footprint here that's kind of shown and the parking area that you would be resurfacing. If you can get that to me, I will get you public notices out. I believe that we have you set for the August 5th Planning Commission. I will be sending you out the public notice directions and everything and then we will get you going.

When do I need this legal?

Mrs. Vacek said I just need it for the ordinance, so prior to it going to City Council. If we can get that done, obviously, I'm basing it off of what you are telling me that you are going to survey, so that would be the 250 square feet, so as soon as you can let me know the area, then I will get you...

Mr. Sieben said in other words, the area of the footprint of the building and then this area. Just assume that's what we are going to use as the legal, your new legal, so go 250 from that point, so therefore, you don't have to go 250 from how we were originally going to do it.

Mr. Eatman said it doesn't change the west.

Mrs. Vacek said well it does a little bit because the legal that you gave me was that whole building, the entire building area, so it would change.

Mr. Sieben said so it is going to cut off some of the stuff on the other side of Palace to the south.

Mr. Titiner said so you want us to prepare deeds then transferring the property...

Mr. Eatman said no, just the survey and a new legal.

Mrs. Vacek said so I will be getting those notices out to you probably prior to me leaving for my vacation.

Mr. Beneke said we talked in the DST about at any time you can submit to us for building permits and start that process and we can work concurrently with the process.

Mr. Eatman said my understanding is you'll have them before the end of June, as well as demo application.

Mr. Beneke said and like we said, we can do those separately so you can get started on the demo piece. I believe Ed was okay with interior demo.

Mr. Frankino said please submit to Fox Metro concurrently with the city so that we are not lagging behind in our review.

Mr. Sieben said are you doing plumbing in there and stuff.

Mr. Eatman said a little.

Mr. Horan said so we need to submit to Fox Metro.

Mr. Frankino said you can submit electronic PDF drawings.

Mr. Beneke said when you apply, you'll get an e-mail from us that says welcome to the process and it will have the different agencies. It will have some contact information for Fox Metro and everything. The sooner you get into them the easier it is to move along. We can't release the permit prior to Fox Metro's approval, but of course, we are going to not hold anything up on review either, so it will all go concurrently.

Mr. Sieben said just work with Tracey on the notices and then the next meeting will just be the Planning Commission.

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|---|---|------------|-----------|--|------------|------|
| 1 | DST Staff Council
(Planning Council) | 06/23/2015 | | | | |
| | Notes: Mrs. Vacek said I did send out comments last week. It is just to revise their legal description. They have gotten that to me, so I will be preparing their public notice stuff and then we'll wait to see when this goes to hearing. | | | | | |
| 1 | DST Staff Council
(Planning Council) | 06/30/2015 | | | | |
| | Notes: Mr. Sieben said I think Tracey has already sent back comments. | | | | | |
| | Ms. Phifer said we already got a response back. | | | | | |
| | Mr. Seiben said this is, I believe, set for the August 5th Planning Commission. | | | | | |
| 1 | DST Staff Council
(Planning Council) | 07/07/2015 | | | | |
| | Notes: Mr. Sieben said I think this is set to go to the August 5th Planning Commission meeting. I don't think there is anything new on that. | | | | | |
| 1 | DST Staff Council
(Planning Council) | 07/14/2015 | | | | |
| | Notes: Mrs. Vacek said the notices went out. This will be going on the August 5th Planning Commission. | | | | | |
| 1 | DST Staff Council
(Planning Council) | 07/21/2015 | | | | |
| | Notes: Mrs. Vacek said this will be voted out next week. | | | | | |
| 1 | DST Staff Council
(Planning Council) | 07/28/2015 | Forwarded | Planning
Commission | 08/05/2015 | Pass |
| | Action Text: A motion was made by Mrs. Vacek, seconded by Mr. Beneke, that this agenda item be Forwarded to the Planning Commission, on the agenda for 8/5/2015. The motion carried by voice vote. | | | | | |
| | Notes: Mrs. Vacek said this is going to the August 5th Planning Commission. I make a motion to move this out. There will be 4 conditions on the Special Use: | | | | | |
| | <ol style="list-style-type: none"> 1. That the parking lot as shown on the attached exhibit, which is a portion of the parking lot out at Northgate, be milled and resurfaced. 2. That the landscaping planters within the parking be removed and a landscape island be constructed at each end of the parking islands. 3. That a landscape plan be provided to and approved by the Planning and Zoning Division which should contain perennials, grasses and shrubs within the parking lot islands. 4. That the gum be removed from the sidewalk in front of the building. | | | | | |
| | Mrs. Vacek said so those are the conditions that will be moving forward. I do make a motion to that extent. Mr. Beneke seconded the motion. The motion carried unanimously. | | | | | |
| 2 | Planning Commission | 08/05/2015 | Forwarded | Planning &
Development
Committee | 08/13/2015 | Pass |
| | Action Text: A motion was made by Mr. Cameron, seconded by Mr. Engen, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 8/13/2015. The motion carried. | | | | | |
| | Notes: 2 VICE CHAIRMAN TRUAX: The first item for | | | | | |
| | 3 business is an ordinance granting a special use permit | | | | | |

4 for a special purpose recreational facility use on the
5 property located at 954 North Lake Street in Aurora in
6 Ward 6, and this is a public hearing.

7 MS. VACEK: Good evening. The petitioner is
8 requesting a special use permit for a special purpose
9 recreational facility for Planet Fitness. Planet
10 Fitness is proposing to lease A 28,000-square-foot
11 unit, being the former T.J. Maxx unit in Northgate
12 Shopping Center and is planning to remodel the unit to
13 accommodate their needs.

14 In addition, they are proposing to redo the
15 parking lot that is in front of the building. They're
16 going to mill it and resurface it.

17 I will turn it over to the petitioner --
18 they are here tonight -- unless you have any questions
19 for me.

20 VICE CHAIRMAN TRUAX: Questions for staff?

21 MEMBER COLE: Where was the sign where this
22 was posted?

23 MS. VACEK: It's off of Palace Drive.

24 MEMBER COLE: Okay. That's the only place I

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1 didn't look.

2 MS. VACEK: That's the only public hearing
3 that this area -- that they're actually using is on
4 public right-of-way.

5 MEMBER COLE: Oh, okay.

6 VICE CHAIRMAN TRUAX: Would the petitioner
7 like to come forward and be sworn in.

8 (Three witnesses sworn.)

9 MR. TITINER: Steven Titiner. I'm an
10 attorney from Truemper, Titiner & Brouch on behalf of
11 the shopping center, Northgate Shopping Center.

12 MR. EATON: I'm Loren Eaton. I'm with EDL
13 Property; we manage the center.

14 MR. HORAN: Mike Horan with Planet Fitness.
15 I manage Planet Fitness Joliet, St. Charles, Elgin,
16 and the one here in Aurora.

17 VICE CHAIRMAN TRUAX: Okay. If you'd like
18 to fill us in briefly about your project.

19 MR. HORAN: Okay. Planet Fitness -- we're
20 looking to in the property here start a Planet Fitness.
21 It's going to be a 24/7 fitness gym. We operate other
22 ones, like I said, in the area.

23 Planet Fitness, we're a nationwide chain,
24 have got over 1,000 locations nationwide. It's going

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1 to be -- most of our members are -- it's 60 percent
2 female, 40 percent male, and the main thing is we're
3 going to be 24/7. We do have tanning; we will have
4 tanning in the facility. Main thing is it's going to
5 be 24/7.

6 MR. TITINER: Let me add, also, that there
7 will be staff on the premises 24/7.

8 MR. HORAN: Yes, we are open and staffed 24/7.

9 MEMBER COLE: And what would your staffing
10 be during the night from 11:00 -- from 10:00 at night
11 until 6:00 in the morning?

12 MR. HORAN: We have two --

13 *MEMBER COLE: You always have two people*
14 *there?*
15 *MR. HORAN: Two people work the front desk,*
16 *and then we have a cleaning company that comes in and*
17 *cleans during the night. But there's always two people*
18 *there during the day and at night from 10:00 p.m. to*
19 *6:00 a.m.*
20 *MEMBER ENGEN: Are you planning on using a*
21 *swipe card? I don't know if I had read that in there.*
22 *MR. HORAN: No. Because we're staffed we*
23 *don't do swipe cards because we're always open.*
24 *MEMBER ENGEN: I'm concerned about security.*

9

1 *MR. HORAN: Yeah, we always have two --*
2 *two people on staff.*
3 *VICE CHAIRMAN TRUAX: Are there questions*
4 *for the petitioners?*
5 *(No response.)*
6 *VICE CHAIRMAN TRUAX: Okay. I thank you for*
7 *your presentation.*
8 *This is a public hearing, so if there are*
9 *people in the audience who wish to ask a question or*
10 *make a comment on this particular issue, now is your*
11 *chance to come forward.*
12 *(No response.)*
13 *VICE CHAIRMAN TRUAX: Seeing that no one*
14 *came forward, I will close the public hearing.*
15 *Tracey, do you have a recommendation?*
16 *MS. VACEK: Staff would recommend*
17 *conditional approval of the ordinance granting a*

18 special use permit for a special purpose recreational
19 facility use at the property located at 954 North Lake
20 Street with the following conditions:
21 Number one, that the sidewalk area in front
22 of the building be thoroughly cleaned and maintained
23 in good condition, including the removal of any used
24 gum stuck to the surface.

10

1 Number two, that the petitioner make the
2 following improvements to the parking lot shown in the
3 yellow highlighted area on Exhibit B:
4 A, the pavement be milled, resurfaced
5 restriped with the existing configuration.
6 B, parking islands shall be maintained at
7 the end of each parking aisle and that one parking
8 island shall be constructed at the northeast corner.
9 Number -- or I guess it's letter C,
10 landscape shall be installed in said parking islands.
11 A landscape plan shall be provided and subject to
12 approval by the planning and zoning division prior to
13 the temporary occupancy permits or occupancy permit
14 being issued for the project.
15 Said landscaping plants shall include a
16 mixture of perennials, grasses, and shrubs. If the
17 petitioner wishes to keep the circle landscape
18 planters in the yellow highlighted area, these shall
19 also be included on said landscaping plan and planted
20 with a mixture of perennials, shrubs and -- grasses
21 and shrubs.

22 *MEMBER COLE: I have a question. The*
23 *repaving of the parking lot there, is that going to be*
24 *the responsibility of -- this is also a TIF up there;*

11

1 *is that correct?*

2 *MS. VACEK: This is -- yes, this is part of*
3 *a TIF district, and no, they are not using the TIF*
4 *money for this repaving.*

5 *MEMBER COLE: So who will be paying for*
6 *the paving?*

7 *MS. VACEK: The petitioner will be. And*
8 *this is the exhibit that will show you where that*
9 *highlighted area is.*

10 *VICE CHAIRMAN TRUAX: Are there other*
11 *questions for staff?*

12 *(No response.)*

13 *VICE CHAIRMAN TRUAX: If not, I would*
14 *entertain a motion on this issue.*

15 *MEMBER CAMERON: Move for approval with*
16 *conditions.*

17 *MEMBER ENGEN: Second.*

18 *VICE CHAIRMAN TRUAX: It's been moved and*
19 *seconded.*

20 *Sue, would you call the roll, please.*

21 *MS. JACKSON: Mr. Bergeron.*

22 *MEMBER BERGERON: Yes.*

23 *MS. JACKSON: Mr. Cameron.*

24 *MEMBER CAMERON: Yes.*

1 MS. JACKSON: Mrs. Cole.
2 MEMBER COLE: Yes.
3 MS. JACKSON: Mr. Divine.
4 MEMBER DIVINE: Yes.
5 MS. JACKSON: Mr. Engen.
6 MEMBER ENGEN: Yes.
7 MS. JACKSON: Mr. Pilmer.
8 MEMBER PILMER: Yes.
9 MS. JACKSON: Mr. Reynolds.
10 MEMBER COLE: Yes.
11 VICE CHAIRMAN TRUAX: The motion carries. I
12 believe we need to do findings of fact for the special
13 use. We have to evaluate the proposal with respect to
14 the following:
15 Number one, will the establishment of the
16 proposed special use be unreasonably detrimental to or
17 endanger the public health, safety, morals, comfort,
18 or general welfare?
19 MEMBER ENGEN: This special use will not be
20 detrimental to this area. It will definitely be a big
21 improvement to the shopping area and will certainly
22 bring in more people in that area who could use some
23 of the other stores, too.
24 VICE CHAIRMAN TRUAX: Number two, will the

1 establishment of the proposed special use be injurious
2 to the use and enjoyment of other property in the
3 immediate vicinity for the purposes already permitted?

4 MEMBER CAMERON: *It's a commercial site and*
5 *is designed as a shopping center with all of those*
6 *typical uses for the area. It should have no effect.*

7 VICE CHAIRMAN TRUAX: *Number three, will the*
8 *establishment of the proposed special use*
9 *substantially diminish/impair property values within*
10 *the neighborhood?*

11 MEMBER REYNOLDS: *The special use will not*
12 *diminish property values. In fact, it will stabilize*
13 *the Northgate Shopping Center that's been around for*
14 *many, many years and certainly be a welcome addition.*

15 VICE CHAIRMAN TRUAX: *Number Four, will the*
16 *establishment of the proposed special use impede the*
17 *normal and orderly development and improvement of*
18 *surrounding properties for uses permitted by their*
19 *respective zoning districts?*

20 MEMBER COLE: *This area is pretty much*
21 *developed, but, if anything, the redevelopment of this*
22 *area should encourage others to maybe update their*
23 *property, and perhaps the rest of the parking lot will*
24 *be repaired, also.*

14

1 VICE CHAIRMAN TRUAX: *Number five, are*
2 *adequate utilities, access roads, drainage, and other*
3 *necessary facilities provided or shown as being*
4 *proposed on the site plan for the proposed special use?*

5 MEMBER CAMERON: *Already in place.*

6 VICE CHAIRMAN TRUAX: *Number six, what*
7 *effect will the proposed special use have on traffic*

8 or general area? Has ingress and egress been designed
9 to minimize congestion in the public streets?

10 MEMBER PILMER: They are already in place,
11 as well. It's been a shopping center for 40 or
12 50 years.

13 VICE CHAIRMAN TRUAX: Number seven, does the
14 proposed special use conform in all other respects to
15 the applicable regulations of the zoning district in
16 which it is located, except as such regulations are
17 modified pursuant to the Planning Commission
18 recommendations?

19 MEMBER ENGEN: This special use conforms to
20 all its applicable regulations.

21 VICE CHAIRMAN TRUAX: Okay. Those are
22 findings of fact.

23 Tracey, does this now go forward?

24 MS. VACEK: Yes. This will be next heard at

15

1 our planning and development committee on August 13th
2 here at City Hall, 5th floor conference room, at
3 4:00 p.m.

4 VICE CHAIRMAN TRUAX: Okay. Thank you.
5 Good luck with your project.

6 MR. TITINER: Thank you very much.

Aye: 7 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer,
Aurora Twnshp Representative Reynolds, At Large Divine and At Large
Engen
