



City of Aurora

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

Legistar History Report

File Number: 16-00522

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Status: ATS Review

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General Ledger #:

In Control: Planning & Development Committee

File Created: 06/06/2016

File Name: Marathon & Dunkin Donuts / Special Use / 2626 Ogden Avenue

Final Action:

Title: An Ordinance Granting a Special Use Permit for a Restaurant with a drive-through facility (2530) Use on the Property located at 2626 Ogden Avenue

Notes:

Agenda Date: 07/28/2016

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description - 2016-07-14.pdf, Exhibit "B" Memorandum of Agreement - 2016-07-14 - 2015-089.pdf, Property Research Sheet - 2015-04-08 - 2015.089.pdf, Land Use Petition and Supporting Documents - 2016-06-03 - 2015.089.pdf, Plat of Survey - 2016-06-03 - 2015.089.pdf, Legistar History Report (Special Use) - 2016-07-14 - 2015.089.pdf

Enactment Number:

Planning Case #: NA30/4-15.089-Su/Fpn/R

Hearing Date:

Drafter: jhall@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	06/14/2016	referred to	DST Staff Council (Planning Council)			
	Action Text:	This Petition was referred to to the DST Staff Council (Planning Council)					
1	DST Staff Council (Planning Council)	06/21/2016					
	Notes:	<p><i>Mr. Sieben said this is the existing Marathon Station at the corner of Ogden and Eola. What the proposal is, is to remove the small tunnel car wash on the back of the building and replace it with a slightly remodeled building that would have a drive-thru Dunkin Donuts. The representatives are here.</i></p> <p><i>Representatives Present: Kal Muhammed, Dilip Patel</i></p> <p><i>I'm Kal Muhammed. I'm with FHS Design + Build. We are the architects for the potential project here at 2626 Ogden Avenue. It is currently a gas station with a shutdown car wash. It had an old</i></p>					

restaurant area that's not being used at this point. So the building was purchased by a new owner who is now our client and who has been in conversation with a Dunkin franchisee, a local Dunkin franchisee, on bringing a Dunkin Donuts into the gas station.

Mr. Sieben said and is this gentleman the franchisee?

Mr. Muhammed said this is the manager.

Mr. Patel said I'm the District Manager for Mr. Renwella, who is the owner.

Mr. Muhammed said Darmish Renwella is the franchisee. Dilip is the manager for the area. Eddie Wood is the new gas station owner that's going to be running the project. They've teamed up to basically take this building and bring it up to a much nicer level than what it is now obviously.

Mr. Sieben said before you get into this property, I believe the franchisee has a few other Dunkin Donuts in the area. Do you want to mention those?

Mr. Patel said we've been running successfully 2 locations; one at 2380 S. Eola by Hafenrichter and Eola, Dunkin and Baskin.

Mr. Sieben said that's in the City of Aurora?

Mr. Patel said City of Aurora. The second one is about 7 years old on E. New York Street by Vaughn Street. These are the 2 stations we have and we are running successfully. We are hiring majorly local residents as employees.

Mr. Muhammed said so basically the property has been kind of run down for a while and this is a good opportunity for these two owners to come together to basically redo this project and get it to a shape where the community can really utilize it and get some good use out of it and make it something that is more appealing for the community and bring it up to Aurora standards obviously. This would be a good project for the city and for them as well.

Mr. Sieben said do you want to talk about how it functions with the stacking and then any of the exterior improvements you are going to be doing to the building?

Mr. Muhammed said the idea here is we are looking for a Special Use approval on the drive-thru, which is a key element for the Dunkin Donuts, obviously, the drive-thru facility. In order for us to get the drive-thru in place, we're basically tearing down the old car wash that is no longer in use and rerouting the vehicles off of Ogden coming around the building in the opposite direction of the way the car wash used to run. So what we did was put Dunkin on the farthest end of the building and provide a little bit of an addition for just a small addition for the drive-thru window to bump out in order for us to utilize that same path of the car wash and bring in as much car stacking as possible off Ogden Avenue. So we would be bringing all the vehicles in off Ogden, wrapping around the building and ending at the Dunkin Donuts drive-thru, which is up on the top section there of the building.

Mr. Sieben said so you have a total of 11 stacking. You have 5 from the drive-thru window and 6 from the menu board.

Mr. Muhammed said from the menu board back, right.

Mr. Sieben said probably what you want to do is not show those last 3 that are hanging out at the right-in/right-out there. You should probably not show those in a future revision.

Mr. Muhammed said right. Well we just wanted to kind of give everybody an idea that you'd still be able to get a few cars off of Ogden Avenue just to see that we have plenty of stacking to kind of get people off the street and not block the traffic. That was the idea just to show the maximum amount of vehicles that can pull in.

Mr. Sieben said then what exterior improvements to the building are you looking at?

Mr. Muhammed said I'd like to get this to kind of give you an idea of the way it's working here. This is going to be the Dunkin side with the addition of the drive-thru and this is the gas station area. So Dunkin has a typical image and I'm sure you've all seen it around. So this is going to be a combination type facility, so you would have the gas station c-store with the Dunkin on the other side. As far as the

c-store option, what we are doing is the owner decided to go with On The Run, which is the franchise that he would like to use over there and the image that he is using on the c-store. So that side is going to get remodeled as well. The On The Run image is going to be input into the c-store area. The interior layout will get remodeled with those same colors, same image, a new cash register area, counter and new shelving on the interior of that. Then the Dunkin is going to be basically completely a new brand Dunkin area. You notice the tower that's going to go in as a Dunkin entrance. We are going to add a separate entrance for the Dunkin area, which is different from the main entrance for the c-store, yet they will both be open to each other from the inside. So you'll have some separation. They will be able to shut down separate businesses as needed with just a security gate between the two stores, but during business hours, obviously, that will be completely open and customers will have access to both facilities. This is just to give you an idea of a typical image of what the Dunkin looks like and what the On The Run looks like. That gives you an idea what the tower looks like and that front entrance area of what we are doing here. The On The Run, basically the exterior image you can see is pretty much similar to what we have going on on this gas station as far as the shape of the front entrance. Then some of the interior finishes on the Dunkin side and then you can see some of the interior finishes on the On The Run side over there on that side there. I believe that helps to give everybody an idea of what we are doing here.

Mr. Sieben said this is Jill Hall. Jill is the Planner that will be the point person on this for you guys. I think you are the point person?

Mr. Muhammed said yes.

Mr. Sieben said so we will be reviewing this. We got it in just recently, but I know we have been talking for a while.

Mr. Feltman said at this point we don't have Engineering plans, but it is not uncommon because you are going through a Special Use. I don't see there being any issue, but once you are further along in the process if you could engage an Engineer. The main thing would just be a grading plan and then if there are any utility changes. I don't know if Fox Metro has any comments. I don't know what the grease trap is like in the existing facility and whether it would need to be upgraded or not. Do you have any idea what...

Mr. Muhammad said we'll get some more information on that. Right now I think the main idea for plans was just to try to get through the first step of the Special Use for the drive-thru because without the drive-thru it is not really a feasible idea for Dunkin Donuts without the drive-thru.

Mr. Feltman said correct.

Mr. Muhammad said so this was basically step one just to get through the drive-thru process.

Mr. Feltman said correct. But at some point, obviously, we need to figure out those details.

Mr. Muhammad said absolutely.

Mr. Sieben said what about engineering? I don't believe any engineering has been submitted. Is that correct?

Mr. Feltman said right.

Mr. Sieben said where would you stand on this? Now it is going through a Special Use, so they are looking for their entitlement. Do you want something on the front end?

Mr. Feltman said I think the grease trap would be the biggest cost and issue to figure out. I don't know if you client would, I don't know what their budget is like. That could be a considerable amount of money.

I'm Mike with Fox Metro. I'll provide you with my card and it will have Jamie Thompson's information on it. You can call. I can talk to you about it as well. She'll determine, based on what's there, what the need is, if any, once you get to that point.

Mr. Muhammad said do you have a record of what's there?

Mr. Frankino said we will have a record of what's there and she'll be able to evaluate that against other

Dunkin Donuts and remain consistent with what's at the other ones.

Mr. Muhammad said and when we are further down the line, our Engineers will provide the calculations for the grease trap and indicate whether it needs to be replaced or not, obviously, with our calculations as well per the code requirements.

Mr. Frankino said I'll give you that card today. That way you have it.

Mr. Muhammad said as far as utilities go, we're not planning on changing anything. There is plenty of power, plenty of water, and plenty of everything there being that the car wash is being taken out and being that there used to be a restaurant already there. We seem like we are in pretty good shape as far as utilities. We are not planning on replacing anything.

Mr. Feltman said so it would be figuring out the grease trap situation, whether that is needed or not, and then just a general grading plan just to be sure everything is going to drain properly. You are, obviously, removing a building and we want to make sure that it is going to drain properly.

Mr. Muhammad said right, along the backside where the car wash used to be.

Mr. Cross said we've reviewed it and have no issues.

Mr. Sieben said like I said, Jill will be your point person. You don't need to be here again next week. You should be then getting comments back from us and then we will eventually have a date for you for the public hearing at Planning Commission, so she'll work with you on the notices about 3 plus weeks ahead of the meeting.

1 DST Staff Council 06/28/2016
(Planning Council)

Notes: *Ms. Hall staff reviewed and sent out comments. We are just waiting to hear from the applicant.*

Mrs. Vacek said this is tentatively set for the July 20th Planning Commission.

Mr. Feltman said we did not get final engineering because it was a Special Use.

Mr. Sieben said really the only main comment was that radius on the 2 turns and that we had talked about that so we made that comment.

1 DST Staff Council 07/05/2016
(Planning Council)

Notes: *Ms. Hall said staff has made comments and sent it to the Petitioner. We are waiting to hear back.*

Mr. Sieben said Engineering, I think you guys really didn't have much comment on this one.

Mr. Thavong said I don't think so.

Mr. Cross said we didn't have any comments either.

1	DST Staff Council (Planning Council)	07/12/2016	Forwarded	Planning Commission	07/20/2016	Pass
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Action Text: A motion was made by Ms. Hall, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 7/20/2016. The motion carried by voice vote.

Notes: *Ms. Hall said they resubmitted with changes. Staff has reviewed them and they addressed all of our changes. I don't think Engineering has any comments. I make a motion to move this forward to the July 20th Planning Commission meeting. Mrs. Vacek seconded the motion. The motion carried unanimously.*

2	Planning Commission	07/20/2016	Forwarded	Planning & Development Committee	07/28/2016	Pass
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Action Text: A motion was made by Mr. Cameron, seconded by Mr. Garcia, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 7/28/2016. The motion carried.

Notes: *See Attachment for Items 16-00522 and 16-00523.*

Aye: 11 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer,
Aurora Twnshp Representative Reynolds, At Large Anderson, At Large
Divine, SD 204 Representative Duncan, SD 131 Representative Garcia,
Fox Valley Park District Representative Chambers and At Large
Owusu-Safo

Attachment for 16-00522 and 16-00523:

- 16-00522 An Ordinance granting a Special Use Permit for a Restaurant with a drive-through facility (2530) use on the property located at 2626 Ogden Avenue (Marathon & Dunkin Donuts – 16-00522 / NA30/4-15.089-Su/Fpn/R – JH – Ward 8) (PUBLIC HEARING)
- 16-00523 A Resolution approving a Revision to the Final Plan on Lot 1 of MG Aurora East Resubdivision located at 2626 Ogden Avenue (Marathon & Dunkin Donuts – 16-00523 / NA30/4-15.089-Su/Fpn/R – JH – Ward 8)

Chairman Truax said our first item is an Ordinance granting a Special Use Permit for a restaurant with a drive-through facility use on the property located at 2626 Ogden Avenue by Marathon and Dunkin Donuts in Ward 8 and this is a public hearing.

Ms. Hall said the Petitioner, Marathon and Dunkin Donuts, is requesting approval of a Special Use for a restaurant with a drive-thru facility use on the property located at 2626 Ogden Avenue. Just for some background, the property is located near the northeast corner of Eola Road and Ogden Avenue. It is currently utilized as a gasoline station with a Special Use for a single bay car wash. It is located in the Fox Valley East Planned Development District. The details of the project are they are proposing for the existing Special Use for the single bay car wash to be repealed and then an additional Special Use for a restaurant with a drive-thru facility be put on the location. Concurrently with this proposal, the Petitioner is also proposing a Final Plan Revision, which includes removal of the current car wash, which will then become the drive-thru facility, construction of a small addition on the northeast corner of the building, as well as renovate the north end of the current site for the Dunkin Donuts use. There will be 12 parking spaces on the site. They, with this submittal, included building and signage elevations. The building will be fiber cement siding in shades of brown, as well as know what's known as Exterior Insulation and Finish System cladding and that will be in orange. There is also a landscape plan which included additional landscaping in front of the building as well as along Ogden Avenue and in the detention area.

The Petitioner was sworn in.

Good evening. My name is Kal. I'm with FHS Design + Build. We've been hired to work on this project here at 2626 Ogden. It is an existing gas station with a car wash. We are in the process of trying to get this building up to the standards of all the other nice buildings in Aurora and bring it to a point where everybody can enjoy the facilities and really get this to really fit into the environment and all the nicer buildings around it. I know it looks like it has been abandoned for a while and there are some things and issues with that. What we are doing basically is revamping the whole interior. We are bringing in a national franchise, Dunkin Donuts, into the building. We are also revamping the C-store, which is for the gas station/convenience store. That's going to be an On the Run, also a national recognized chain. So the interior is going to be completely remodeled. There is going to be a small addition done for the Dunkin Donuts to allow for a drive-thru. We are going to be removing the car wash and reusing the car wash drive-thru for the Dunkin Donuts. We're here asking for a Special Use on the drive-thru facility. That's what we are presenting here in front of you.

Mrs. Anderson said where will people enter to drive through the Dunkin Donuts area?

Mr. Muhammad said so you are basically entering off Ogden Avenue here and coming in around the building here on the back side.

Mrs. Anderson said they can only enter going west, would it be west on Ogden?

Mr. Muhammad said you would be travelling westbound on Ogden, correct.

Mrs. Anderson said that's the only way you can get into the Dunkin Donuts unless you go from Eola...

Mr. Muhammad said if you come from Eola...

Mrs. Anderson said you can turn into that?

Mr. Muhammad said you can enter from Eola and turn into this whole area here. That brings you into the gas station and then you will be able to turn into the drive-thru that way. So there will be access from both sides, from Ogden and Eola.

Mrs. Anderson said it is really a bad location to get in and out of there at times from Ogden.

Mr. Muhammad said going westbound?

Mrs. Anderson said yes, westbound, and going out to go westbound, going out from there. Traffic is horrible. Have to go out to Eola Road maybe.

Mr. Muhammad said well what's nice about this is you are going to enter off of Ogden and wrap around the entire building to get to the drive-thru closer to the Eola side, so most people as they exit here are probably going to exit toward Eola.

Mrs. Anderson said only if they are going north on Eola.

Mr. Muhammad said yes.

Mrs. Anderson said because you can't make a left out on Eola Road.

An audience member said yes, yes you can.

Mrs. Anderson said can you make a left there?

Mr. Muhammad said when you are coming out of the complex here?

Mrs. Anderson said right.

Mr. Muhammad said yes you can make a left onto Eola, right.

Mrs. Owusu-Safo said you mentioned 12 parking spaces. Are they additional parking spaces or all fully new parking spaces or existing parking spaces?

Mr. Muhammad said no. We haven't reduced or increased the parking spaces. What we've done is the stacking requirement to get to the drive-thru, that's been increased so we've exceeded the requirement for the stacking. So you would have more cars in line for the drive-thru than what's required by code and that gets more people off the street so that we are not blocking any of the traffic on the street side. We've really elongated the line, the drive-thru line in order to make that work.

Mr. Cameron said is there going to be inside donut sales as well as part of the gas station facility? In effect, will they have counters or seats or anything as part of that?

Mr. Muhammad said yes, absolutely. This might be a little difficult to see, but the orange area is the Dunkin Donuts. The yellow area is the gas station/c-store and there will be an opening between the two to allow customers to go into both businesses.

Mr. Cameron said so even more opportunity to spend money.

Mr. Muhammad said convenience as well.

Mrs. Owusu-Safo said is the façade or the design consistent with what the other buildings in the shopping center look like? I know there is a new, I think, Wendy's. How does that all fit in?

Mr. Muhammad said well if you see Wendy's, Wendy's and all the national franchises basically have a specific look that they go for and Wendy's that's the new look that they've done. Usually it is every 10 years all these franchises come up with a new design and redo their images. This is the latest image of Dunkin Donuts. That's what their look is right now and that's what they input at every location they go for.

Mrs. Owusu-Safo said so they don't necessarily try to merge into what the current kind look of the area is? They just come in with whatever the brand is?

Mr. Muhammad said whenever there is any requirements as far as certain materials being used, whether it is masonry or things like that, we take that into account and that gets incorporated into the design and the construction. But as far as this building, I think anything we do would make it look better.

The public input portion of the public hearing was opened. No witnesses came forward. The public input portion of the public hearing was closed.

Ms. Hall said staff recommends approval of the drive-thru on the property located at 2626 Ogden Avenue. I would like to make one note. The staff memo that was included in your packets has a condition. That was a mistake. Staff does not recommend any conditions and we recommend approval outright.

Mr. Sieben said I would just like to add as we worked through the process with the architect, the key was the stacking and the design that you see now is an improvement from what initially came in, so this does exceed stacking requirements because the last thing we want is traffic backing up onto Ogden Avenue. I just wanted to stress that. Engineering is good with it too.

MOTION OR APPROVAL WAS MADE BY: Mr. Cameron

MOTION SECONDED BY: Mr. Garcia

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mr. Garcia, Mrs. Owusu-Safo, Mr. Pilmer, Mr. Reynolds

NAYS: None

FINDINGS OF FACT

1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Cole said these are listed in the staff report.

2. Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?

Mrs. Owusu-Safo said yes it is. It is in a commercial zone and it is just an extension of an existing building and similar use.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Duncan said it will be an improvement upon the current site significantly.

4. Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mr. Cameron said the improved stacking should keep the traffic off the main thoroughfare and according to the written material they manage to serve much quicker than normal so it should additionally move the traffic through and it is, of course, in the interest of the franchise to move them through as fast as possible because that's where the money comes from.

5. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Mr. Bergeron said all these services are in effect right now. They will just be updated.

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mr. Chambers said yes it does. Along with the stacking, you have access to enter and exit both off of Ogden as well as Eola Road.

- 9a. Will the Special Use not preclude the normal and orderly development and improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Mrs. Duncan said it will be a welcome addition to that particular area of the city.

- 9b. Is the Special Use in all other respects in conformance to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission?

Chairman Truax said I believe it conforms in all other respects.

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, July 28, 2016, at 4:00 p.m. in the 5th floor conference room of this building.

Chairman Truax said we have an additional Resolution approving a revision to the Final Plan on Lot 1 of MG Aurora East Resubdivision located at 2626 Ogden Avenue by Marathon and Dunkin Donuts in Ward 8.

Mr. Sieben said this is just approving the site plan.

MOTION OF APPROVAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mrs. Anderson

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mr. Garcia, Mrs. Owusu-Safo, Mr. Pilmer, Mr. Reynolds

NAYS: None

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, July 28, 2016, at 4:00 p.m. in the 5th floor conference room of this building.