

City of Aurora

Development Services Department | Zoning and Planning Division

44 E. Downer Place | Aurora, IL 60505

Phone: (630) 256-3080 | Fax: (630) 256-3089 | Web: www.aurora-il.org



2022.081

Land Use Petition

Subject Property Information

Address / Location: 970 N. Lake Street

Parcel Number(s): 15-15-155-008

Petition Request

Requesting the Establishment of a Conditional Use Planned Development on the property located at 970 N. Lake Street

Requesting approval of a Final Plat for Lake Street 31 Development Subdivision located at 970 N. Lake Street

Attachments Required

(a digital file of all documents is also required)

Development Tables Excel Worksheet - digital only (1-0)

Word Document of: Legal Description (2-1)

Word Document of: Plan Description (2-18)

One Paper and pdf Copy of:

Qualifying Statement (2-1)

Plat of Survey (2-1)

Legal Description (2-1)

Letter of Authorization (2-2)

Proposed CC and Rs OR Lease Restrictions (2-1)

Two Paper and pdf Copy of:

Plan Description (2-18)

Final Plat (2-5)

Address Plat (2-17)

Petition Fee: \$1,785.62

Payable to: City of Aurora

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: Thomas M. Fitzpatrick Date 3/16/22

Print Name and Company: Thomas M. Fitzpatrick, V.P. Development Services of America

I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

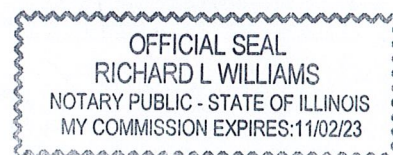
Given under my hand and notary seal this 16th day of MARCH, 2022.

State of Illinois)

County of Kane) SS

Notary Signature

NOTARY PUBLIC SEAL





Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org

1-6

Filing Fee Worksheet

Project Number: 2018.140

Petitioner: Lake Street 31 Development, LLC

Number of Acres: 7.94

Number of Street Frontages: 2.00

Non-Profit No

Linear Feet of New Roadway: 0

New Acres Subdivided (if applicable): 7.94

Area of site disturbance (acres): 6.23

Filing Fees Due at Land Use Petition:

Request(s):	Conditional Use	\$ 902.81
	Final Plat	\$ 852.81
	Public Hearing Notice Sign(s)	\$ 30.00

Total: **\$1,785.62**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By: Tracey Vacek

Date: 3/14/2022

Project Contact Information Sheet

Project Number: 2018.140

Petitioner Company (or Full Name of Petitioner): Lake Street 31 Development, LLC

Owner

First Name: Thomas Initial: Last Name: Fitzpatrick Title: Mr.
Company Name: Lake Street 31 Development, LLC
Job Title: VP Development
Address: 4225 West 62nd Street
City: Indianapolis State: IN Zip: 46268
Email Address: tfitzpatrick@storageofamerica.co Phone No.: (616) 209-2162 Mobile No.:

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Owner
Company Name: Lake Street 31 Development, LLC
First Name: Thomas Initial: L. Last Name: Fitzpatrick Title: Mr.
Job Title: VP Development
Address: 4225 West 62nd Street
City: Indianapolis State: IN Zip: 46268
Email Address: tfitzpatrick@storageofamerica.cc Phone No.: (616) 209-2162 Mobile No.:

Additional Contact #1

Relationship to Project: Engineer
Company Name: Atwell, LLC
First Name: Brian Initial: A. Last Name: Styck Title: Mr.
Job Title: Project Manager
Address: 1245 East Diehl Road Suite 100
City: Naperville State: IL Zip: 60563
Email Address: bstyck@atwell-group.com Phone No.: (630) 577-0800 Mobile No.:

Additional Contact #2

Relationship to Project: Attorney
Company Name: Griffin Williams LLP
First Name: Richard Initial: L. Last Name: Williams Title: Mr.
Job Title: Attorney at Law
Address: 21 N. 4th St.
City: Geneva State: IL Zip: 60134
Email Address: rwilliams@gwillplaw.com Phone No.: (630) 457-1205 Mobile No.:

Additional Contact #3

Relationship to Project: Architect
Company Name: RESpace
First Name: Eric Initial: Last Name: Bratzler Title: Mr.
Job Title: Partner
Address: 407 Beltline Road, #277
City: Collinsville State: IL Zip: 62234
Email Address: ericb@Respace.design Phone No.: (618) 216-5560 Mobile No.:

Additional Contact #4

Relationship to Project:
Company Name:
First Name: Initial: Last Name: Title:
Job Title:
Address:
City: State: Zip:
Email Address: Phone No.: Mobile No.:

QUALIFYING STATEMENT

I. Introduction: Petitioner, Lake Street 31 Development, LLC (“Developer”), is an Illinois limited liability company and the developer of an approximately 7.937 acre parcel generally located on the west side of State Highway 31 (Lake Street), and generally between Manor Place and Colorado Avenue extended, east of Palace Street (the “Subject Property”). The Subject Property is currently zoned B-2 Business District under the City’s zoning ordinance. An approximately 182,985 square foot building is presently situated on the Subject Property. Developer plans to redevelop approximately 6.235 acres of the Subject Property as new commercial and retail space, and utilize a portion of the existing building as an indoor storage facility. Developer further plans on creating an approximately 1.703 acre commercial outparcel to be used a retail car wash facility. The car wash facility will be jointly developed with SFI Properties Aurora LLC and Super Sudz Aurora, Inc. Developer’s investment in the City will be in excess of \$9,000,000.

II. Description of Proposal:

The Subject Property has been vacant and largely unused since Carson Pirie Scott vacated the premises in 2017. During the recent pandemic, the Subject Property was most recently used by the City of Aurora as its Mass Vax Covid-19 vaccination site. In an effort to re-purpose the existing building and revitalize the area, Developer plans the following:

1. A planned unit development consisting of two lots, namely: a 6.235 acre commercial mixed use development repurposing the existing Carson Pirie Scot Facility; and, an approximately 1.703 acre commercial parcel ideal or car wash.
2. The repurposing of the existing 182,985 square foot department store building will be as follows: approximately 120,000 of leasable space as a temperature and access controlled indoor storage facility; and, approximately 16,000 square feet of the commercial space on the front (easterly) facing portion of the building, which commercial space will be a mixture of general retail, restaurants with outdoor seating potential, general commercial and office uses.

As the existing building is being repurposed, no additional space shall be added to the existing building, so setback shall remain as they presently exist. However, the existing building will undergo an extensive façade enhancement.

191 parking spaces will be provided (6 handicap), which is a reduction from the 509 that presently exist. However, the intensity of use will be greatly diminished since there is very limited parking required for the storage use.

Signage will be provided by wall signage for the multi-tenants, and a 5 foot wide by 10

foot tall monument sign along Route 31.

Developer's proposed office use is permitted under the existing B-2 zoning. Developer requests the City:

1. Approve a Special Use for a Planned Unit Development ("PUD") for the Subject Property;
2. Approval of a Preliminary Plat and Plan for the 1.703 acre commercial parcel;
3. Approval of the Final Plat for the entire 7.937 acre parcel, creating two new lots: a 6.235 acre lot for and a 1.70 acre lot; and,
4. Approval of a Plan Description detailing the uses permitted under the PUD along with such exceptions to the City's zoning requirements as set forth within the terms of the PUD ordinance and Plan Description.

The proposed development by Developer is the highest and best use for the Subject Property, and will generally benefit the City of Aurora in at least the following ways:

- a) *The public health, safety, morals, comfort or general welfare:* The Subject Property has sat vacant and unused for over 3 years. Improvement of the Subject Property as outlined above will spark the revitalization of this area which is in general need of
- b) *The use and enjoyment of other property already established or permitted in the general area:* The proposed development is generally consistent with the previously approved Planned Development and the uses in the area. The surrounding area is general retail and office. Surrounding properties are generally as follows:

North: B2 – General Business (Ace Hardware, auto sales, general retail).

South: B2 – General Business (Planet fitness, thrift store, and general retail)

East: B2 – General Business (Jackson Hewitt Tax service, Midwest Title loans, fast food and general retail)

West: Residential/Park

- c) *Property values within the neighborhood.* Adjacent and nearby property values will not be negatively affected, as the proposed development is less intensive than the previous use, and otherwise consistent with the character and trend in the general area. As the property has sat vacant and blighted for over five

years, the repurposing of the property will aesthetically enhance the Subject Property, add value, and increase the tax base in the area.

d) *The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts:* The proposed development repurposes a failed department store at a time when the patterns of commercial shoppers is changing to more of an on-line presence. The proposed use is consistent with past uses and existing nearby uses.

e) *Utilities, access roads, drainage and/or other necessary facilities:* Water, electric and natural gas are already at, or near, the Subject Property. No modifications to the utility or roadway network are necessary to support the proposed use.

f) Ingress and egress as it relates to traffic congestion in the public streets: Ingress and egress will be by virtue of the already access points off of Route 31 and Palace Street are in place. The development will provide for traffic calming measures from Place to Lake Street, which is generally now used as a cut through from Colorado Avenue easterly. As the use is dramatically less intensive than a large department store, traffic will be far less than if a department store continued to exist and operate at the Subject Property.

g) *The applicable regulations of the zoning district in which the subject property is proposed to be or is located:* The proposed special use as a Planned Development accommodates uses that are well suited to the area but not necessarily accommodated by virtue of the existing B2 zoning designation.

III. Requested Variances, Modifications or Exceptions from the City's Codes and Ordinances.

a. Parking. The Zoning Ordinance generally imposes the following requirements:

- | | |
|-------------|--|
| i. Retail: | 1 space per 2175 sf gross floor area (gfa) |
| ii. Storage | 1 space per 1,000 sf gfa |

b. The strict application of the City's general parking requirements for a mixed commercial planned development would otherwise create an excessive amount of parking based upon the proposed uses.

Developer is proposing 191 parking spaces.

- (1) Mini-storage, Common Corridor: In addition to business or professional offices and retail parking, 1 space per 4,000 square foot of gross floor area with a minimum of 3 spaces shall be required.

SOA Lake, LLC
2832 5th Street
Rock Island, Illinois 61201
Email: tfitzpatrick@storageofamerica.com

March 9, 2022

City of Aurora
Development Services
44 E. Downer Place
Aurora, Illinois 60507
630-256-3080
coaplaning@aurora-il.org

Re: Letter of Authorization – Lake Street 31 Development, LLC

Dear Development Services Department:

This letter shall confirm that SOA Lake LLC, an Illinois limited liability company, is the owner of an approximately 7.937 acre parcel of improved real estate located 970 N. Lake Street, Aurora, Illinois and legally described as follows:

THAT PART OF THE WESTERLY HALF OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 15; THENCE SOUTH 101.64 FEET ALONG THE WESTERLY LINE OF SAID SECTION 15 TO THE OLD CLAIM LINE (WHICH IS ALSO THE NORTH LINE OF RIDDLE HIGHLANDS IN THE CITY OF AURORA, ILLINOIS); THENCE EASTERLY ALONG THE OLD CLAIM LINE 648.77 FEET TO THE NORTHWEST CORNER OF LOT 13 IN BLOCK 11 OF RIDDLE HIGHLANDS; THENCE NORTHERLY ALONG A LINE WHICH BEGINS AT THE NORTHWEST CORNER OF LOT 13 IN BLOCK 11 OF RIDDLE HIGHLANDS AND EXTENDS NORTHERLY TO THE SOUTHWEST CORNER OF LOT 221 OF NORTHLAKE MANOR AURORA, KANE COUNTY, ILLINOIS, FOR A DISTANCE OF 772.78 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 430 FEET TO THE SOUTHEAST** CORNER OF LOT 221 IN NORTHLAKE MANOR; THENCE EASTERLY ALONG THE SOUTHERLY LINE AND SOUTHERLY LINE EXTENDED OF NORTHLAKE MANOR 763.74 FEET TO THE WESTERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS DEPARTMENT OF PUBLIC WORKS AND BUILDINGS BY SPECIAL WARRANTY DEED RECORDED NOVEMBER 1, 1963 AS DOCUMENT 1011949; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2451.29 FEET, AN ARC DISTANCE OF 190.33 FEET; THENCE SOUTH 8 DEGREES 33 MINUTES 49 SECONDS EAST ALONG SAID WESTERLY LINE 197.38 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; THENCE SOUTH 44 DEGREES 28 MINUTES 11 SECONDS WEST ALONG SAID WESTERLY LINE 25.04 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; THENCE SOUTH 8 DEGREES 33 MINUTES 49

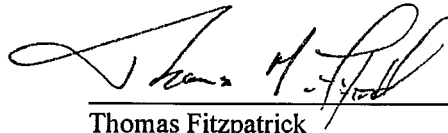
SECONDS EAST 31.52 FEET TO THE SOUTHWEST CORNER OF SAID STATE OF ILLINOIS TRACT; THENCE NORTH 88 DEGREES 51 MINUTES WEST PARALLEL WITH THE SOUTHERLY LINE AND SOUTHERLY LINE EXTENDED OF NORTHLAKE MANOR 822.69 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

Parcel Identification Number: 15-15-155-008 (the "Property").

Lake Street 31 Development, LLC an Illinois limited liability company ("Developer"), is the developer of the Property. This letter shall confirm that Lake Street 31 Development, LLC, by and through its authorized representatives (which includes without limitation Thomas Fitzpatrick) shall have the authority to file a Land Use Petition with the City of Aurora (the "City") seeking to obtain all governmental approvals from the City in order for Developer to use the Property in accordance with its intended use. The governmental approvals shall include, but not be limited to: (1) approval of a Final Plat and Plan for a mixed used commercial development; (2) a special use permit for a car wash; (3) special use for indoor storage; and, (4) such other approvals as Developer may request from the City (collectively the "Entitlements").

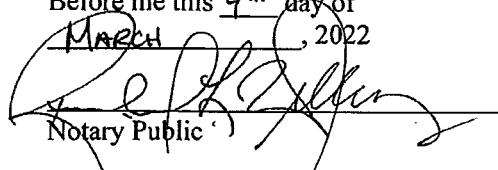
Additionally, SFI Properties Aurora, LLC, an Illinois limited liability company ("SFI") is the contract purchaser for an approximately 1.703 acre parcel constituting a portion of the Property. Super Sudz Aurora Inc. ("Sudz") is the developer of the 1.703 acre parcel. SFI and Sudz are hereby further authorized to seek Entitlements concurrently with Developer.

The letter shall further confirm that there are no buildings on the Property and no electors reside thereon. This authorization shall continue in full force and effect until receipt by the City of a revocation signed, in writing.

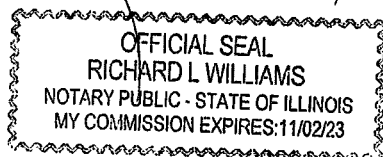


Thomas Fitzpatrick

Subscribed and Sworn to
Before me this 9TH day of
MARCH, 2022



Notary Public





LEGAL DESCRIPTION PER TITLE COMMITMENT

FIRST AMERICAN TITLE INSURANCE COMPANY

FILE NO.: NCS-910955-23-CHI2 WITH AN EFFECTIVE DATE: JUNE 21, 2018

THAT PART OF THE WESTERLY HALF OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 15; THENCE SOUTH 101.64 FEET ALONG THE WESTERLY LINE OF SAID SECTION 15 TO THE OLD CLAIM LINE (WHICH IS ALSO THE NORTH LINE OF RIDDLE HIGHLANDS IN THE CITY OF AURORA, ILLINOIS); THENCE EASTERLY ALONG THE OLD CLAIM LINE 648.77 FEET TO THE NORTHWEST CORNER OF LOT 13 IN BLOCK 11 OF RIDDLE HIGHLANDS; THENCE NORTHERLY ALONG A LINE WHICH BEGINS AT THE NORTHWEST CORNER OF LOT 13 IN BLOCK 11 OF RIDDLE HIGHLANDS AND EXTENDS NORTHERLY TO THE SOUTHWEST CORNER OF LOT 221 OF NORTHLAKE MANOR AURORA, KANE COUNTY, ILLINOIS, FOR A DISTANCE OF 772.78 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 430 FEET TO THE SOUTHEAST CORNER OF LOT 221 IN NORTHLAKE MANOR; THENCE EASTERLY ALONG THE SOUTHERLY LINE AND SOUTHERLY LINE EXTENDED OF NORTHLAKE MANOR 763.74 FEET TO THE WESTERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS DEPARTMENT OF PUBLIC WORKS AND BUILDINGS BY SPECIAL WARRANTY DEED RECORDED NOVEMBER 1, 1963 AS DOCUMENT 1011949; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2451.29 FEET, AN ARC DISTANCE OF 190.33 FEET; THENCE SOUTH 8 DEGREES 33 MINUTES 49 SECONDS EAST ALONG SAID WESTERLY LINE 197.38 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; THENCE SOUTH 44 DEGREES 28 MINUTES 11 SECONDS WEST ALONG SAID WESTERLY LINE 25.04 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; THENCE SOUTH 8 DEGREES 33 MINUTES 49 SECONDS EAST 31.52 FEET TO THE SOUTHWEST CORNER OF SAID STATE OF ILLINOIS TRACT; THENCE NORTH 88 DEGREES 51 MINUTES WEST PARALLEL WITH THE SOUTHERLY LINE AND SOUTHERLY LINE EXTENDED OF NORTHLAKE MANOR 822.69 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

Lake Street 31 Development, LLC

List of Prohibited Uses

Meat Market

Pawnshops

Garage Sales

Laundromats

Flea Markets

Second hand stores or thrift shops

Tattoo parlors

Massage parlors

Marijuana dispensaries

Dry-cleaning facilities with an on-site plant