



## Legislation Text

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**File #:** 20-0240, **Version:** 2

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**TO:** Mayor Richard C. Irvin

**FROM:** Edward T. Sieben, Director  
Zoning & Planning Division

**DATE:** April 20, 2020

**SUBJECT:**

A Resolution Approving a Final Plan on property located at 1165 N. Lake Street for a restaurant with a drive-through facility (2530) use (The Glazier Project, LLC - Aurora - 20-0240 / AU15/1-20.023-SUPD/Fpn - JS - Ward 6)

**PURPOSE:**

The Petitioner, The Glazier Project, LLC, is requesting approval of a Final Plan for the property located at 1165 N. Lake Street for a restaurant with a drive-through facility (2530) use.

**BACKGROUND:**

The Subject Property consists of a vacant Long John Silvers restaurant with B-2 General Retail District zoning. Additional information on the legislative history of the property can be found in the attached Property Information Sheet.

The Petitioner is requesting approval of a Final Plan for the property to construct approximately an 8,300 square foot multi-tenant commercial building on the property located at 1165 N. Lake Street. The property currently consists of a vacant restaurant building which was previously a Long John Silvers. This have been vacant several years in a deteriorating condition. The new retail building will be anchored by a national coffee company with drive thru of approximately 2,400 square feet, and additional retail of approximately 5,900 square feet. The building will be 100 percent masonry. The entire site will be re-constructed with a new landscaped setback of almost 10 feet along Lake Street, and a new monument sign. Currently the site has a 0 feet setback with a pole sign. This plan also proposes the construction of 45 parking spaces which meets the zoning requirements for this use. The northerly access to the site will be removed, leaving the southerly access point across from Old Indian Trail Road. The layout will also provide plenty of vehicle stacking for the drive thru, meeting our requirements. A new 5'6" wide sidewalk will also be installed.

Concurrently with this proposal, the Petitioner is requesting the establishment of a Special Use Planned Development. The proposed plan description varies the front and rear setback regulations. The plan description also permits a restaurant with a drive through by right for the property.

**DISCUSSION:**

Staff has reviewed the Special Use Planned Development and Final Plan petition and have sent comments back to the petitioner on those submittals. The petitioner has made the requested

revisions to these documents and they now meet the applicable codes and ordinances, with the exception of the items reflected in the conditions listed in the Staff Recommendation below.

This property was previously a restaurant with a drive-through, therefore, by adding this as an additional permitted use it should not have a negative impact to the area. Even through the front setback does not meet the 30 foot requirement, the proposed plan is enlarging the current setback from 0 feet to over 9 feet along Lake Street allowing landscape to be implemented. In addition, the removal of northerly access point on to Lake Street should help control the traffic congest and patterns.

This new retail development will help with the redevelopment of North Lake Street as there has not been new retail construction here in a number of years. It will help beautify the corridor and help stimulate other redevelopment along the North Lake Street corridor.

### **POLICIES AND GUIDELINES:**

The Staff's Evaluation and Recommendation are based on the following Physical Development Policies:

10.0 To provide for the orderly, balanced and efficient growth and redevelopment of the City through the positive integration of land use patterns, functions, and circulation systems. To protect and enhance those assets and values that establishes the desirable quality and general livability of the City. To promote the City's position as a regional center.

11.1(5) To guide and promote development to areas where public utilities, public roads and municipal services are either available or planned.

11.1(3) To encourage new development contiguous to existing development.

### **RECOMMENDATIONS:**

Staff would recommend CONDITIONAL APPROVAL of the Resolution Approving a Final Plan on property located at 1165 N. Lake Street for a restaurant with a drive-through facility (2530) use, with the following conditions:

1) That the Final Plan approval shall be contingent upon Final Engineering approval.

2) That the trash enclosure match the material of the building.

### **ATTACHMENTS:**

Exhibit "A-1" Final Plan

Exhibit "A-2" Landscape Plan

Exhibit "A-3" Building and Signage Elevations

Land Use Petition with Supporting Documents

Property Research Sheet

Legistar Number: 20-0240

cc: Edward T. Sieben, Zoning & Planning Director  
John P. Curley, Chief Development Services Officer



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution approving a Final Plan on property located at 1165 N. Lake Street for a restaurant with a drive-through facility (2530) use

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS by petition dated April 3, 2020, The Glazier Project, LLC - Aurora filed with the City of Aurora a petition requesting approval of a Final Plan for the property located at 1165 N. Lake Street for a restaurant with a drive-through facility (2530) use and related required documents as attached hereto as Exhibits "A-1" through Exhibit "A-3"; and

WHEREAS, on April 1, 2020, the Mayor by Executive Order directed that all matters which the City Code authorizes a standing committee to take final action upon be referred to the City Council for consideration as New Business; and

WHEREAS, pursuant to Section 2-82 of the City Code, the Planning Council and Planning Commission were properly discharged from their responsibilities to review and make recommendations upon the Final Plan; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, finds as facts all of the preamble recitals of this Resolution and hereby grants CONDITIONAL APPROVAL of said Final Plan with the following conditions:

- 1) That the Final Plan approval shall be contingent upon Final Engineering approval.
- 2) That the trash enclosure match the material of the building.

BE IT FURTHER RESOLVED that the City Council hereby adopts the Final Plan and related required documents, as attached hereto as Exhibit "A-1" Final Plan, Exhibit "A-2" Landscape Plan, and Exhibit "A-3" Building and Signage Elevations, along with any easement dedications or vacations deemed necessary by the City Engineer.