



City of Aurora

2nd Floor Council
Chambers
44 E Downer Place
Aurora, IL 60507

Planning and Zoning Commission Meeting Minutes

Wednesday

May 19, 2021

7:00 PM

**THIS PLANNING COMMISSION MEETING WILL BE VIEWABLE VIA
REMOTE ACCESS ONLINE AT:**

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TO JOIN THIS MEETING FOR PURPOSES OF PUBLIC COMMENT VIA TELEPHONE:

PHONE NUMBER: +1 312 626 6799

MEETING ID: 872 8385 1350

THOSE WISHING TO PROVIDE PUBLIC COMMENT MUST PRE-REGISTER WITH THE ZONING AND PLANNING DIVISION NO LATER THAN 3:00 P.M. ON May 19, 2021 – VIA EMAIL: COAPLANNING@AURORA.IL.US OR VOICE MAIL (630) 256-3080. SPEAKERS MUST PROVIDE THEIR NAME, TELEPHONE NUMBER FROM WHICH THE MEETING WILL BE ACCESSED, AND TOPIC OF THEIR COMMENT. THE PUBLIC IS ADVISED THAT ALL TELEPHONE NUMBERS AND PARTICIPANT NAMES MAY BE VISIBLE TO THE PUBLIC.

CALL TO ORDER

Chairman Pilmer called the meeting to order at 7:00 p.m. and stated the following:

On June 26, 2020, the Governor of Illinois issued a statewide disaster declaration related to public health concerns. As head of this body, I have determined that an in-person meeting or a meeting otherwise conducted in accordance with the Open Meetings Act is neither practical nor prudent because of the disaster. This meeting will be conducted by Internet teleconference without the physical presence of a quorum. Prior to the commencement of this meeting, all members of this body were verified and can see and hear one another.

I further find that the physical presence of members of the public is not feasible at this meeting due to the disaster, and more specifically, the practical difficulties associated with accommodating the public in an accessible hygienic location that allows for appropriate social distancing. Alternative arrangements have been made to allow the public to contemporaneously hear all discussion and roll call votes live on the City's official website, on Facebook, and via Zoom teleconference. Notice of these arrangements have been given in accordance with the Open Meetings Act. The public may address this body consistent with the rules previously adopted and recorded and as adapted by Mayoral order.

Edward Sieben, the Executive Secretary, is physically present at our regular meeting location as those terms are defined by Resolution R20-124.

All votes shall be conducted by roll call and a verbatim record of this meeting shall be made and maintained in accordance with the Open Meetings Act.

ROLL CALL

The following Commission members were present: Chairman Pilmer, Mr. Bhatia, Mr. Cameron, Mr. Chambers, Mr. Elsbree, and Mrs. Owusu-Safo. Mrs. Anderson, Mr. Gonzales and Ms. Tidwell called in and excused themselves from the meeting.

OTHERS PRESENT

The following staff members were present: Mr. Sieben, Mr. Sodaro and Mrs. Jackson.

Others Present: Alfred Teleron (MRV Architects, Inc.) and Dan McGue (Shamrock Company).

APPROVAL OF MINUTES

21-0351 Approval of the Minutes of the Planning and Zoning Commission meeting on May 5, 2021.

A motion was made by Mr. Chambers, seconded by Mr. Elsbree, that the minutes be approved and filed. The motion carried.

PUBLIC COMMENT

Chairman Pilmer said if you are here for an item that does not appear on the agenda as a public hearing and you wish to speak to the Commission, we can give you 3 minutes to do so.

No one registered to speak to the Commission.

AGENDA

21-0287 An Ordinance granting a Conditional Use Permit for a restaurant with a drive-through facility (2530) use on the property located at 1504 Mesa Lane (Shamrock Co - 21-0287 / BA36/3-21.111-CU/Fsd/Fpn - JS - WARD 1) (PUBLIC HEARING)

See Attachment for Items 21-0287, 21-0288 and 21-0289.

A motion was made by Mr. Cameron, seconded by Mrs. Owusu-Safo, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 6/2/2021. The motion carried.

21-0288 A Resolution A Resolution Approving the Final Plat for vacant land located at the Northeast corner of Kirk Road and Mesa Lane (Shamrock Co. - 21-0288 - BA36/3-21.111-CU/Fsd/Fpn - JS - Ward 1)

See Attachment for Items 21-0287, 21-0288 and 21-0289.

A motion was made by Mr. Chambers, seconded by Mr. Elsbree, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 6/2/2021. The motion carried.

21-0289

A Resolution Approving a Final Plan on located at 1504 Mesa Lane for a restaurant with a drive-through facility use (Shamrock Co - 21-0289 - BA36/3-21.111-CU/Fsd/Fpn - JS - Ward 1)

See Attachment for Items 21-0287, 21-0288 and 21-0289.

A motion was made by Mr. Elsbree, seconded by Mr. Cameron, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 6/2/2021. The motion carried.

Attachment for Items #21-0287, 21-0288 and 21-0289

21-0287 An Ordinance granting a Conditional Use Permit for a restaurant with a drive-through facility (2530) use on the property located at 1504 Mesa Lane (Shamrock Co. – 21-0287 / BA36/3-21.111-CU/Fsd/Fpn – JS – Ward 1) (PUBLIC HEARING)

Mr. Sodaro said as Chairman Pilmer stated, the first portion of this Petition is the Conditional Use granting the drive through for a restaurant facility. This property is a part of the Dominick's Conditional Use Planned Development and as a part of that development, a Conditional Use is still required for the drive through portion of this. Along with that Conditional Use is a petition for a Final Plat. Give me one second and I can pull up the plat. This property is located at the northeast corner of Mesa Lane and Kirk Road. It is currently one 1.34 acre property and is proposed to be split into two parcels, one being 31,888 square feet and the other being 27,162 square feet. The larger of the lots, Lot 1, is fronted on Mesa Lane. It also has property adjacent to Kirk Road. The smaller of the lots currently is not proposed for development, but different plans have been put forth that show that that is a feasible developable lot. Also on this lot, the smaller lot, Lot 2 at 27,000 square feet, is an ingress/egress easement and that's something we'll discuss a little bit more in the Final Plan portion of this. Currently the area that you can see as drainage and utility easement and sidewalk easement, that area is proposed to be dedicated to the City of Aurora. We are waiting on some revised documents, which I will get to in the recommendation for the Final Plat. Just so everyone is aware, this area here is proposed to be dedicated to the City of Aurora. Finally, we have the Final Plan portion of this as well, which is going to be a drive through Taco Bell. It will be a 2,080 square foot, 40 seat Taco Bell with a drive through. That is proposed to be on Lot 1 of this parcel. Let me pull up the Final Plan really quick. As you can see, there are two points of access onto this portion of the lot, a right-in/right-out access on Mesa Lane and a full access point also onto Mesa Lane. That's going through the lot that is currently not proposed to have any sort of development on it. I'm not sure I stated this, but it will be a 40 seat Taco Bell. We have a floor plan here as well just to real quickly go over everything that's in there. There is also going to be an outdoor patio portion of this that was shown on the Final Plan as well. There are currently 22 parking spaces being proposed. The drive through is allowing for 9 vehicle stacking, 9 cars being stacked as you can see here. Let me go onto the Landscape Plan real quick. We have a good amount of landscaping on the building foundation and along the perimeter of the building. As I said, we are waiting on some revised documents, as we will be strengthening up the landscaping along the northern portion and the western portion, the western portion

being along Kirk Road. In terms of the Conditional Use, we put out public notices in a timely fashion and we have received no public input as of this date. We did have some calls just generally going over what was going on, just asking general questions. For the time being, I believe that's all I have. If you have anything else for me, I'd be happy to answer your questions.

The Petitioners were sworn in.

I'm Alfred Teleron. The office is at 5105 Tollview Drive in Rolling Meadows, 60008.

I'm Dan McGue. My office is 15 Spinning Wheel Court, Suite 110 in Hinsdale, Illinois.

Chairman Pilmer said I don't know if you want to add anything or if you have anything you want to share with the Commission.

Mr. Teleron said I believe Jake covered a lot already. There isn't much I could add onto it other than a few details. I know we didn't go over the exterior design of the building. I wasn't sure if this was part of this portion of the presentation or if this was split into another one. I wasn't sure.

Chairman Pilmer said we are going to do these simultaneously, but I don't know if the other Commissioners have questions. If you have something you want to share, it might be helpful. If you want to briefly cover that, you're welcome to.

Mr. Teleron said I guess we can go into specifics of the site design if that's fine. Jake, would you be able to pull that up on your screen?

Mr. Sodaro said yes. Which document are you looking for?

Mr. Teleron said I guess for now we can start on the Final Plan. One of things that we always try to do when we put together our site layouts is we always want to be cognizant of where the building will be located and where it is going to be oriented or how it is going to be oriented and those things will judge pretty much how the drive through lane and its components will be located. These are all important to be able to basically determine where sound is being generated at the menu board and the speaker posts. Typically, that's located at the 4th or 5th car after the drive through window. What we've done is we've located the building as close to the corner of Mesa Lane and Kirk Road as possible so that as the drive through menu board and speaker posts are eventually located, they are facing away from our residential neighbors. If you could zoom in. It is pretty hard to see the drive through portion. You can see that the menu board and speaker posts are facing toward Kirk Road, thus eliminating any concerns we believe relate to sound generation at the site. Other elements are the location of the trash enclosure. How trash will be picked up, we imagine it will be picked up by a front loader type of garbage truck and those will typically happen one or two times a week. They would come around this full bypass lane that we've designed per Village requirements and exit onto Mesa Lane. Jake already brought up the proposed patio and the accesses onto Mesa Lane. The accesses are actually located in their existing locations with a slight modification onto the access to the west. That first access is a right-in/right-out. We are converting that into a right-in/right-out as it makes a little bit more sense looking at traffic flows on Mesa Lane. I guess that's pretty much it, as much as I can add onto. I guess we can move onto the building elevations.

Mr. Sodaro said between the elevations and the renderings, which one would you prefer

to be up?

Mr. Teleron said I think it would be better to look at the renderings, as it gives a bit more of a general feel, a better feel of what the building will look like. As you can see, the design of modern Taco Bells are a lot more modern in the colors that are used and the general shape of the building. You don't have those mansard roofs that you would typically see in older Taco Bells. Now the big, I guess, cornerstone of the building is this corner tower, which is a rustic metal tower and then you have varying colors and sizes of different Hardi board products. You also see the return, or I guess, more of a use of Taco Bell's more signature purple and you see that on the exterior of the building and also the interior in some parts of the dining room. This is pretty much what the building will look like. That's pretty much what I've got.

Mr. McGue said Alfred, if I could say one thing. I'm the owner of Shamrock Company. We currently operate 3 Taco Bells in Aurora. We're really excited about this location and the ability to serve some great food with a new looking building to the great people of Aurora. I'm really excited about moving forward with this project and hopefully you guys are as excited about it as I am.

Chairman Pilmer said thank you. Any questions for the Petitioner?

Mr. Cameron said I've got one Don. Not really a question, but since Aurora happens to be the second largest city in Illinois, I would hope that the architect would be more attuned and not refer to it as a Village because it is much larger than where his office is located. Just as a comment of proper use of terms. It still offends me.

Mr., Teleron said I apologize for that.

The public input portion of the public hearing was opened. No witnesses registered to speak. The public input portion of the public hearing was closed.

Mr. Sodaro said before we go into the recommendation, I'd like to briefly touch on the Findings of Fact that we typically do for Conditional Use Petitions. Number 1, staff believes that the Conditional Use will not be in anyway detrimental to or endanger public health, safety, morals, comfort or general welfare of the city. The design of the site intends to mitigate any external effects of the neighboring residential development. Number 2, staff believes that the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity or impair property values based on the mitigating factors being proposed, such as heavy landscaping and large setbacks to the residential development to the north. Number 3, staff believes that the Conditional Use will not impede the normal and orderly development of the surrounding properties, the 2 of the 3 other corners of the intersection of Kirk Road and Mesa Lane being utilized for similar uses. Number 4, staff believes that the proposal provides adequate utilities, access roads and drainage as is required for development. Number 5, staff believes that the adequate measures have been taken to provide proper access to and from the site along with minimizing traffic congestion. All access is being planned to be fronted on Mesa Lane so not to interfere with the traffic of the larger Kirk Road. Finally, Number 6, staff believes that the Conditional Use conforms to the applicable regulations of the B-2 zoning district in all other respects.

Mr. Sodaro said staff would recommend approval of the Ordinance granting a Conditional Use Permit for a (2530) restaurant with a drive through facility use on the property located at 1504 Mesa Lane.

MOTION OF APPROVAL WAS MADE BY: Mr. Cameron

MOTION SECONDED BY: Mrs. Owusu-Safo

AYES: Mr. Bhatia, Mr. Cameron, Mr. Chambers, Mr. Elsbree, Mrs. Owusu-Safo

NAYS: None

FINDINGS OF FACT

1. Will the establishment, maintenance or operation of the Conditional Use be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare?

Mr. Chambers said no, it would not.

2. Will the Conditional Use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood; factors including but not limited to lighting, signage and outdoor amplification, hours of operation, refuse disposal areas and architectural compatibility and building orientation?

Mrs. Owusu-Safo said I don't believe it would impact it negatively.

3. Will the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding property for uses permitted in the district?

Chairman Pilmer said this is a commercial area with similar uses across the street and on each corner.

4. Will the proposal provide for adequate utilities, access roads, drainage, and/or other necessary facilities as part of the Conditional Use?

Mr. Chambers said yes it will.

Mr. Cameron said they are either in place or will be provided.

5. Does the proposal take adequate measures, or will they be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets?

Mrs. Owusu-Safo said the proposal should not have any negative traffic impact to adjacent streets.

6. Does the Conditional Use in all other respects conform 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 Commission?

Chairman Pilmer said it does conform to all other applicable regulations.

Mr. Sodaro said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, May 26th at 4:00 via Zoom.

21-0288 A Resolution approving the Final Plat for vacant land located at the northeast corner of Kirk Road and Mesa Lane (Shamrock Co. – 21-0288 / BA 36/3-21.111

-CU/Fsd/Fpn – JS – Ward 1)

Mr. Sodaro said staff reviewed the Final Plat petition and sent back comments to the Petitioners. Ourselves and Engineering are waiting some revisions, so we are just going to put out a blanket condition on this. Staff recommends conditional approval of the Resolution approving the Final Plat for vacant land located at the northeast corner of Kirk Road and Mesa Lane with the condition that the documents be revised to incorporate the Engineering and Zoning and Planning staff comments.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mr. Elsbree

AYES: Mr. Bhatia, Mr. Cameron, Mr. Chambers, Mr. Elsbree, Mrs. Owusu-Safo

NAYS: None

Mr. Sodaro said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, May 26th at 4:00 via Zoom.

21-0289 A Resolution approving a Final Plan on for a restaurant with a drive-through use located at 1504 Mesa Lane (Shamrock Co. – 21-0289 / BA36/3-21.111

-CU/Fsd/Fpn – JS – Ward 1)

Mr. Sodaro said staff would recommend the same conditional approval of the Resolution approving a Final Plan located at 1504 Mesa Lane for a restaurant with a drive through use with the condition that the documents be revised to incorporate the Engineering and Zoning and Planning staff comments.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Elsbree

MOTION SECONDED BY: Mr. Cameron

AYES: Mr. Bhatia, Mr. Cameron, Mr. Chambers, Mr. Elsbree, Mrs. Owusu-Safo

NAYS: None

Mr. Sodaro said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, May 26th at 4:00 via Zoom.

PENDING

COMMITTEE REPORTS

ANNOUNCEMENTS

Mr. Sieben said we will have a meeting June 2nd. That's the next regular meeting. I will be off part of that week, so Tracey will be the designated survivor, if you will, at the office.

ADJOURNMENT

A motion was made by Mr. Bhatia, seconded by Mr. Chambers, that the meeting be adjourned. The motion carried. Chairman Pilmer adjourned the meeting at 7:27 p.m.

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