		AGENDA ITEM EXECUTIVE SUMMARY					
		Title:		Recommendation to approve a Minor Change to PUD Preliminary Plan – 2701 E. Main St. (Dunkin’ Donuts)			
		Presenter:		Russell Colby			
Please check appropriate box:							
		Government Operations				Government Services	
X		Planning & Development – (8/8/16)				City Council	
Estimated Cost:		N/A		Budgeted:		YES	NO
Budgeted Project Amount/Engineers Estimate:							
If NO, please explain how item will be funded:							
Executive Summary:							
<p>The Planning & Development Committee reviewed and tabled this item on 7/11/16.</p> <p>Staff researched the cross-access easement issue. The easement is a private agreement between the two property owners (of the Dunkin and Walgreens lots) that clearly requires approval from both parties to be modified in any way. Walgreens is a tenant and does not own their lot.</p> <p>Subsequent to the meeting, the follow items have been submitted:</p> <ul style="list-style-type: none"> • A letter from the Dunkin building property owner, stating that Walgreens will not approve revising the cross-access easement without two-way traffic flow south of the Dunkin building. The position is unchanged from the July meeting. • An email from St. Charles Toyota owner Dennis Alf stating that he supports the Minor Change as presented by Dunkin Donuts at the July meeting. <p>At the request of Chairman Bancroft, staff obtained information from the Police Department regarding traffic accidents at the St. Charles Toyota drive at Main Street. Data going back to January 2010 shows one accident directly related to traffic exiting the St. Charles Toyota drive. The accident information does not show a significant, recurring traffic issue in this location.</p> <p><u>Options for the Committee to consider:</u></p> <ul style="list-style-type: none"> • Approve the Minor Change as presented. Per the 2015 Minor Change approval, Dunkin Donuts will relocate the drive between the Dunkin and Toyota lots further to the south and will make improvement to address drainage issues along the common property line. • Deny the Minor Change. If the Minor Change is denied, it is likely that the Dunkin Donuts business will not open in this location. The existing site and access configuration will remain, meaning that any traffic from the Dunkin lot will continue to be able to exit through the Toyota access drive to Main Street via the two-way access drive. (In the future, depending on the business and what if any site changes are proposed, the City may not have control to impose any conditions regarding the site circulation). 							
Attachments: (please list)							
Aerial photo of the existing site; Letter from property owner CPD Feather Rock LLC dated 7/21/16; Email from Dennis Alf dated 7/11/16; Application for Minor Change; Ordinance No. 2015-Z-9							
Recommendation / Suggested Action (briefly explain):							
Recommendation to approve Minor Change to PUD Preliminary Plan – 2702 E. Main St. (Dunkin’ Donuts)							
For office use only:		Agenda Item Number: 3i					

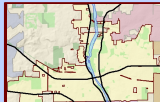
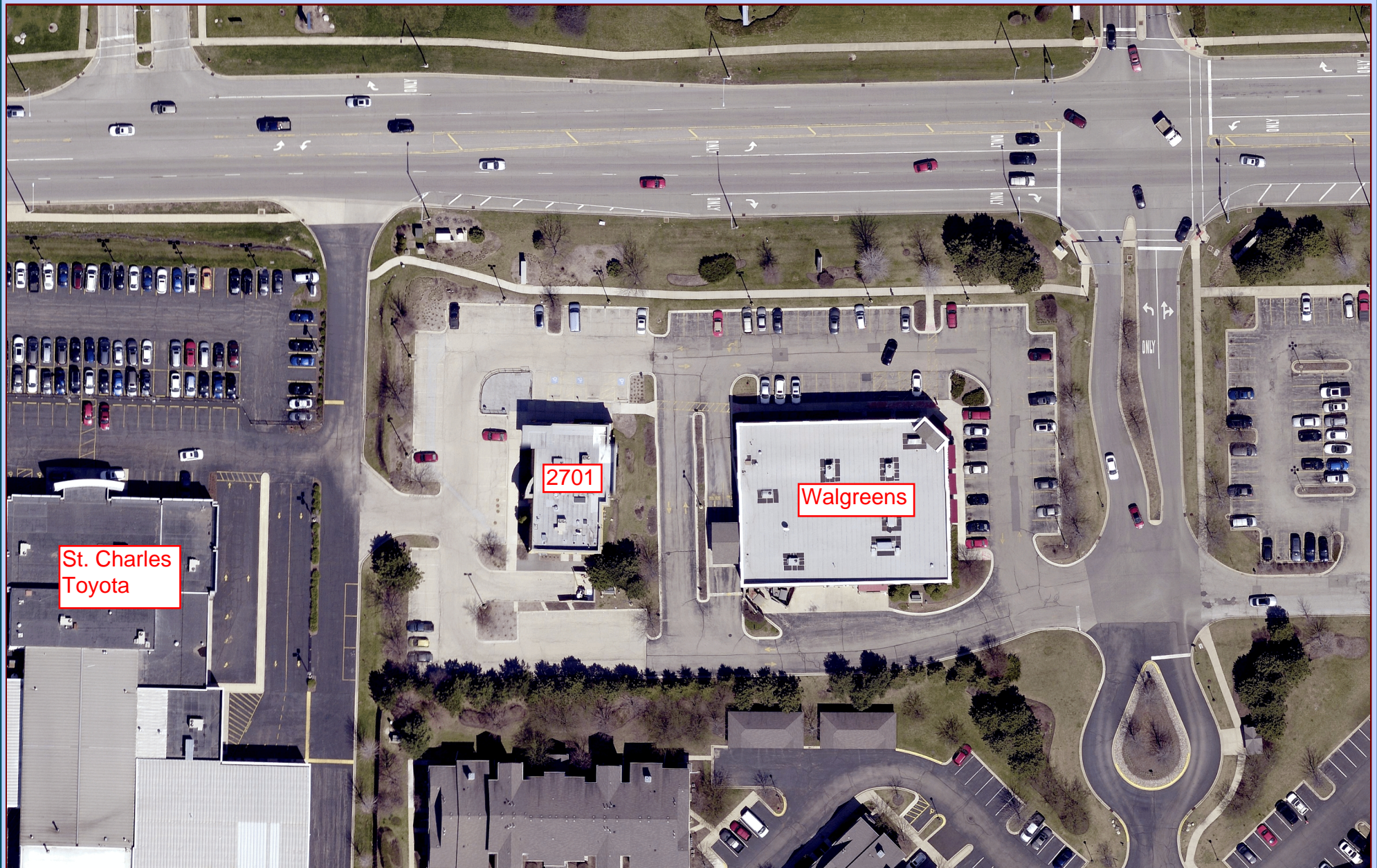


City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

2701 E. Main St. - Existing

RAYMOND ROGINA *Mayor*
MARK KOENEN *City Administrator*



Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois
Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
Printed on: August 4, 2016 09:38 AM



0 42 83 Feet

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Powered by InRoads GIS

CPD Feather Rock LLC
10531 Timberwood Circle, Suite D
Louisville, KY 40223
(312) 375-7248

July 21, 2016

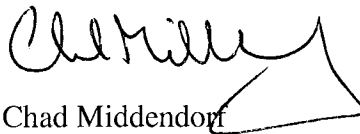
Plan Commission
City of St. Charles
2 E. Main Street
St. Charles, IL 60174

Re: **Proposed Dunkin Donuts at 2701 East
Main Street, St. Charles, IL**

Dear Ladies and Gentlemen:

CPD Feather Rock LLC is the owner of the above property. This letter is to provide additional background regarding our discussions and negotiations with our neighbor, Walgreens Co., regarding proposed site plan changes to our property. The adjacent Walgreens property benefits from an access easement across our property (Document number 2002K090898 in the Office of the Recorder of Kane County, Illinois). That easement specifically requires that we obtain Walgreens' consent to move the location of our driveway entrance. Walgreens currently has two-way access behind our building. Walgreens representatives have repeated stated that they will not consent to a site plan revision if it reduces their current two-way access across the back of our property to only one-way access. Should you have any comments or questions, please do not hesitate to contact me.

CPD Feather Rock LLC



Chad Middendorf
Manager

cc: Karim Khoja
Barry Millman

From: Jim Duerr [<mailto:jim.duerr@ddnmg.com>]
Sent: Tuesday, July 12, 2016 11:23 AM
To: Johnson, Ellen
Subject: Fwd: Duncan donuts / Toyota drive 2016 july city meeting

Ellen - please share this with all ... Jim Duerr , Dunkin Donuts

----- Forwarded message -----

From: Dennis Alf <dennisalf@toyota.net>
Date: Mon, Jul 11, 2016 at 10:25 PM
Subject: Fwd: Duncan donuts / Toyota drive 2016 july city meeting
To: Charles Radovich <radovichlaw@sbcglobal.net>
Cc: Jim Duerr <jim.duerr@ddnmg.com>, Michael Alf <michaelalf@toyota.net>, Steven Alf <stevenalf@toyota.net>, Lesli Reynolds <leslireynolds@toyota.net>, Greg Chismark <gchismark@wbkengineering.com>

I attended another meeting last night, the Duncan donut people are in a really tough place. Walgreens has put there requests in and they are going to hold up the project again. I guess you may think that is what i want, but to tell you the truth I would rather go with the Devil i know than go with the next Devil that may not work with me. Thanks to Jim Duerr I think we have an agreement that will serve us all. And I want to help them proceed in a timely manner so they can make their November opening dates. So to be clear I am giving my support of the project as outlined in Kolbrook design ,Job no. 1425.009 issue date 5/19/2016

I am hoping that you still have the cross /access agreement which gives Walgreens and other tenants access to my drive, if you have such Please e-mail to jim.duerr@ddnmg.com (cell [847-533-6400](tel:847-533-6400)) Jim needs this asap to save the project and is trying to put something together for next weeks city council meeting.

Attached is the notes that the planning commission reviewed last night, thank you for helping them with this

Dennis A. Alf
President St. Charles Toyota
2651 E. Main Street
St. Charles IL, 60174
dennisalf@toyota.net
[630-584-6655](tel:630-584-6655)

CITY OF ST. CHARLES

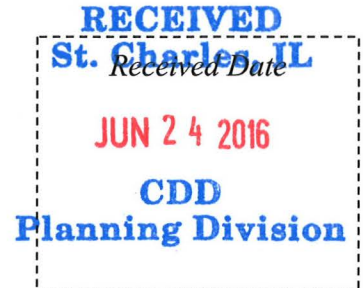
TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

MINOR CHANGE TO PUD APPLICATION



For City Use

Project Name: 2701 E. Main St. - Dunkin Donuts
Project Number: 2016 -PR- 007
Application No. 2016 -AP- 021

Instructions:

A Minor Change to PUD is one that modifies an approved PUD Preliminary Plan in a manner that complies with all standards of the Special Use for PUD Ordinance applicable to the property and meets the definition of a Minor Change as contained either in Section 17.04.430 of the Zoning Ordinance or the Special Use for PUD Ordinance.

To request approval of a Minor Change, complete this application and submit it with all required attachments to the Planning Division. When the application is complete, City staff will schedule a review by the Planning and Development Committee of the City Council. The Committee's recommendation will be forwarded to the City Council for final action.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

1. Property Information:	Location:	2701 E. MAIN STREET	
	Parcel Number (s):	3A (PUD) 0925301029000	
	PUD Name:	STUART'S CROSSING PUD	
2. Applicant Information:	Name	JIM DUERR NORTHSHORE MGMT GROUP	Phone 847-441-4277
	Address	790 W. FRONTAGE RD. SUITE 412 NORTHFIELD, IL 60093	Fax
			Email JIM.DUERR@DDNMG.COM
3. Record Owner Information:	Name	CHAD MIDDENDORF CPD FEATHER ROCK LLC	Phone 502 425 1524
	Address	10531 TIMBERWOOD CIRCLE SWED LOUISVILLE, KY 40223	Fax
			Email CHAD@GREENROCKUSA.COM

Information for proposed Minor Change:

Name of PUD:

STUART'S CROSSING

PUD Ordinance Number:

1997-M-115

Ord. or Resolution(s) that approved the current plans:

2015-Z-9

Identify Specific PUD Plans to be changed:

- ☒ Site/Engineering Plan
☐ Landscape Plan
☐ Architectural Elevations
☐ Signs
☐ Other plans: _____

Description of Proposed Changes:

ADJUST DRIVE THRU ISLAND TO ALLOW FOR
2 WAY TRAFFIC @ REAR PER WALGREEN'S REQUEST

Attachment Checklist:

If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

☒ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance. (\$200)

☒ **REIMBURSEMENT OF FEES AGREEMENT:**

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

☒ **REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

☒ **PROOF OF OWNERSHIP and DISCLOSURE:**

- a) a current title policy report; or
- b) a deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

- ☐ **LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper
- ☐ **PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

- ☐ **COVER LETTER:** Letter describing the proposed minor change requested, why it is necessary, and how it is different from the currently approved plan.

☒ **PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

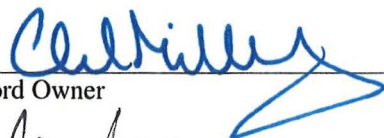
Copies of Plans:

Please contact the Planning Division to determine if full size copies of plans are needed. For simple applications, provide one full scale plan set, three (3) 11" x 17" copies (in color if applicable), and a PDF file on CD-ROM or emailed to the Project Manager.

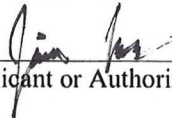
Plans shall include the following, depending on the scope of the proposed Minor Change:

- Site Plan indicating location of proposed change.
- For changes to site/engineering plans, show existing/approved and proposed site/engineering plan changes.
- For changes to architectural elevations, show existing/approved and proposed building design, color and materials.
- For changes to landscaping, show approved and proposed plans, indicate species and quantities of plant material to replace existing/approved materials.
- Additional information may be necessary depending on the specific change proposed.

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.



Record Owner



Applicant or Authorized Agent

6/22/16
Date

6/22/2016
Date

Chad Middendorf, Manager
CPD Feather Rock LLC

**OWNERSHIP DISCLOSURE FORM
LIMITED LIABILITY COMPANY (L.L.C.)**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, Chad Middelendorf, being first duly sworn on oath depose and say that I am
Manager of CPD Feather Rock LLC, an Indiana ~~Illinois~~ Limited Liability
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

<u>Chad Middelendorf</u>	_____
<u>LOREN GUZSK</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: Chad Middelendorf, Manager

Subscribed and Sworn before me this 23rd day of
June, 20 16.

Virginia Bolen

Notary Public

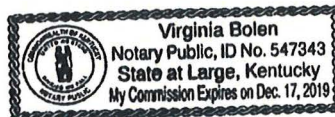
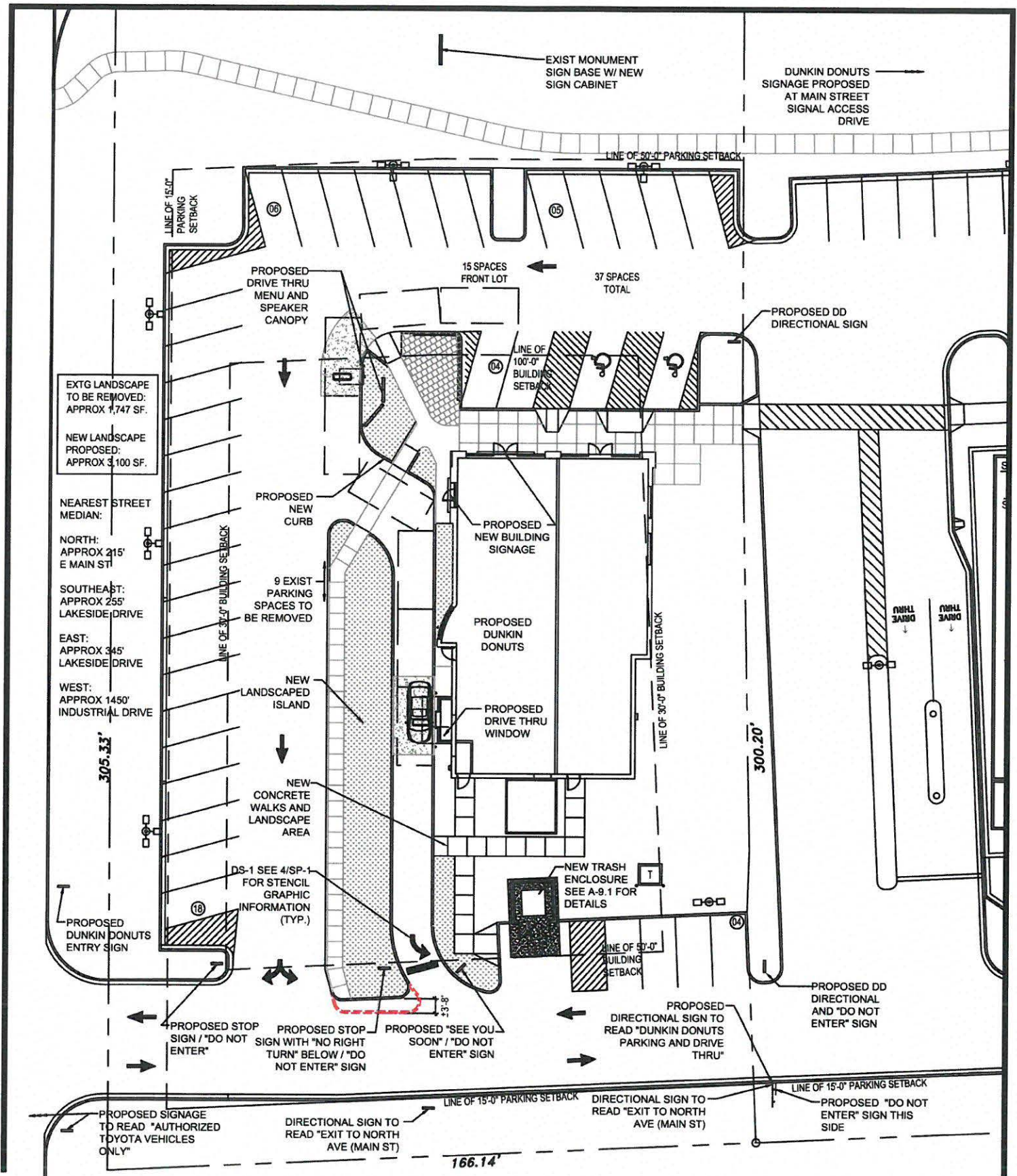


EXHIBIT A

Legal Description

LOT 2 OF AMLI AT ST. CHARLES LOT 2 & 3 RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AT THE OFFICE OF KANE COUNTY, RECORDED OF DEED ON JULY 23, 2002 AS DOCUMENT 2002K090894, AND BEING A SUBDIVISION OF PART OF THE WEST ½ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.



ARCHITECT:

kolbrook design

828 DAVIS STREET
SUITE 300
EVANSTON, IL 60201
Ph 847.492.1992

PROJECT:

Dunkin St. Charles - Qdoba

2701 E Main St.
St. Charles, IL 60174

PROPOSED SITE PLAN-2

SCALE: 1/32" = 1'-0"

Job No.

1425.009

Issue Date

05/19/2016

Project Area

2236 SQ. FT.

Refer to:	
Minutes	5-18-15
Page	

City of St. Charles, Illinois

Ordinance No. 2015-Z-9

**Motion to approve An Ordinance Granting Approval of
a Minor Change to PUD Preliminary Plan and Drive-
Through Facility Stacking Space Reduction for 2701 E.
Main St. (Stuart's Crossing PUD – Dunkin Donuts)**

**Adopted by the
City Council
of the
City of St. Charles
May 18, 2015**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, May 23, 2015**

Nancy Garrison
City Clerk



(SEAL)

City of St. Charles, IL
Ordinance No. 2015-Z-9

**An Ordinance Granting Approval of a Minor Change to
PUD Preliminary Plan and Drive-Through Facility Stacking Space Reduction
for 2701 E. Main St. (Stuart's Crossing PUD – Dunkin Donuts)**

WHEREAS, a request for a Minor Change to the PUD Preliminary Plan approved by Resolution No. 2002-21 "A Resolution Approving the PUD Preliminary Plan for Boston Market (Stuart's Crossing- AMLI PUD)", and amended by Minor Change to PUD Preliminary Plan approvals under Resolution Nos. 2002-33, 2003-13, 2003-25, and 2005-29, and Ordinance No. 2009-Z-1, and a request for a Drive-Through Facility stacking space reduction was filed by Steve Kolber, Kolbrook Design ("Applicant") for 2701 E. Main Street, said realty being legally described in Exhibit "A" attached hereto and incorporated herein as the "Subject Property"; and,

WHEREAS, the Plan Commission recommended approval of said request for a Drive-Through Facility stacking space reduction, subject to certain conditions, on or about May 6, 2014; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of said requests for Minor Change to PUD and Drive-Through Facility stacking space reduction on or about April 13, 2015, subject to certain conditions; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as though fully set out in this Section 1.

2. That passage of this Ordinance shall constitute approval of a Minor Change to PUD Preliminary Plan, pursuant to St. Charles Zoning Ordinance Section 17.04.430 B, such that the following documents and illustrations are hereby approved, a reduced copy of which is attached hereto and incorporated herein as Exhibit "B", subject to compliance with such conditions, corrections, and modifications as may be required by the Director of Community and Economic Development and the Director of Public Works to comply with the requirements of the St. Charles Municipal Code:

- Site Plan, dated 5/13/2015
- Architectural Renderings, dated 1/14/2014

3. That passage of this Ordinance shall constitute approval of a Drive-Through Facility stacking space reduction, pursuant to St. Charles Zoning Ordinance Section 17.24.100.C, such

that the total number of stacking spaces required for the Drive-Through Facility for the Dunkin Donuts proposed to be located on the Subject Property is eight (8) spaces.

4. That the Subject Property may be developed and used only in accordance with all ordinances of the City now in effect or hereafter amended, and subject to the following conditions:

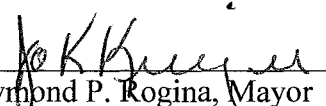
- a. Drainage along the private access driveway and adjacent swale located directly west of the Subject Property shall be evaluated and drainage issues shall be resolved to the satisfaction of the Director of Community & Economic Development and/or Director of Public Works. An engineering plan for the relocation of the shared cross access drive and related drainage improvements shall be submitted at the time of building permit for the construction of the Drive-Through Facility.
- b. All traffic utilizing the Drive-Through Facility shall exit left (or eastward) to Lakeside Drive. Curbing shall be provided to direct traffic to exit eastward, per the attached plan.
- c. Signage per the attached plan shall be provided to direct vehicles exiting the drive-through lane to utilize Lakeside Drive to access E. Main St.

5. That after the adoption and approval hereof, the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

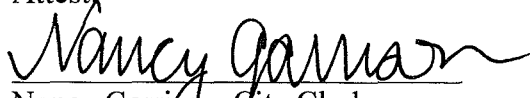
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of May 2015.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of May 2015.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of May 2015.

 Mayor Pro-ten
Raymond P. Rogina, Mayor

Attest:


Nancy Garrison, City Clerk

Vote:

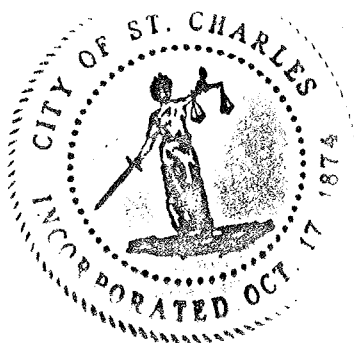
Ayes: 9

Nays: 0

Absent: 0

Abstain: 0

Date: _____



APPROVED AS TO FORM:

City Attorney

DATE: _____

EXHIBIT "A"

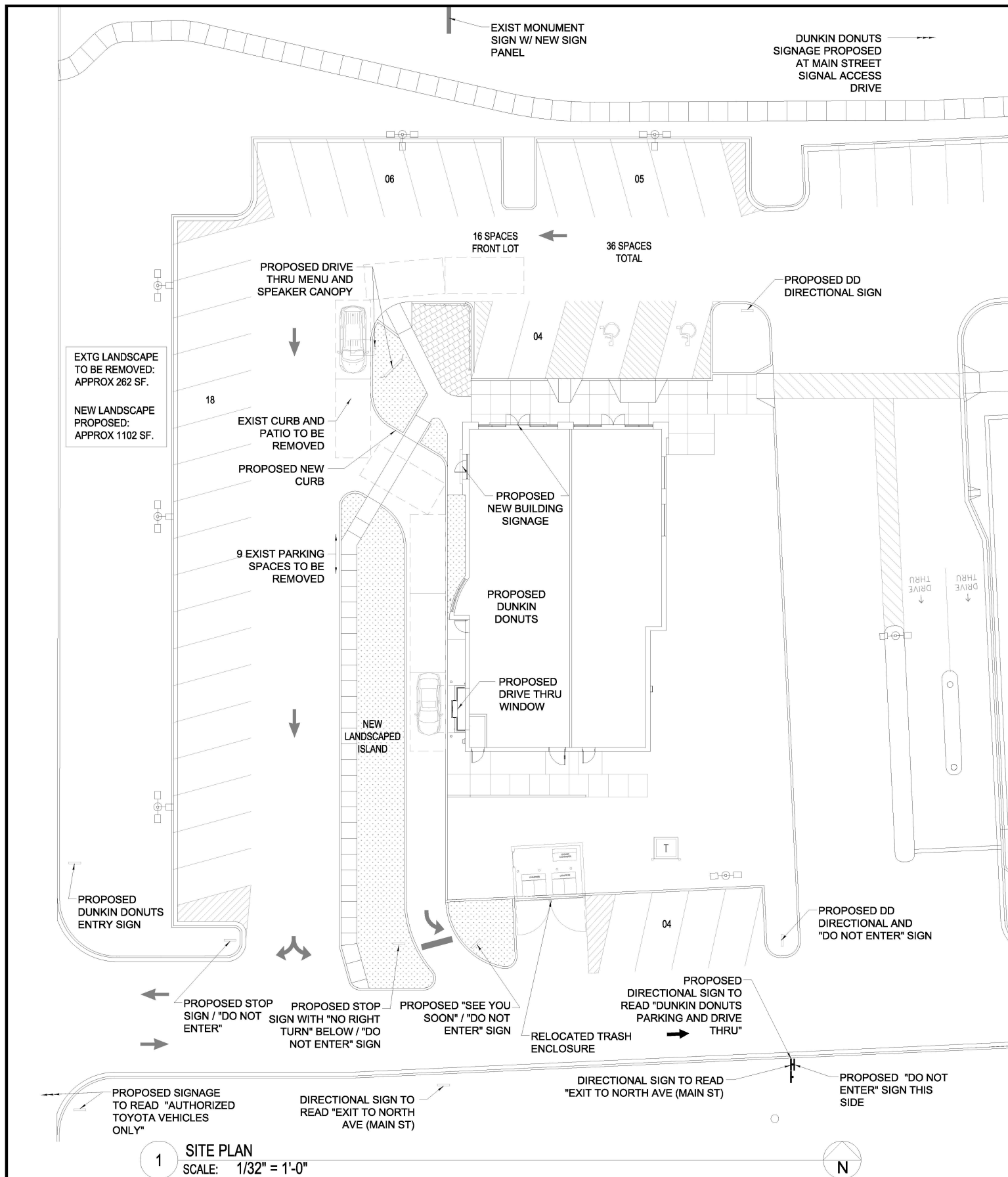
LEGAL DESCRIPTION OF SUBJECT REALTY

LOT 2 OF AMLI AT ST. CHARLES LOT 2 & 3 RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AT THE OFFICE OF THE KANE COUNTY RECORDER OF DEEDS ON JULY 23, 2002 AS DOCUMENT 2002K090894, AND BEING A SUBDIVISION OF PART OF THE WEST ½ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

PIN #09-25-301-029

EXHIBIT "B"

PLANS



ARCHITECT:

kolbrook design

828 DAVIS STREET
SUITE 300
EVANSTON, IL 60201
Ph 847.492.1992

PROJECT:

Dunkin St. Charles - Qdoba

2701 E Main St.
St. Charles, IL 60174

PROPOSED SITE PLAN

Job No.

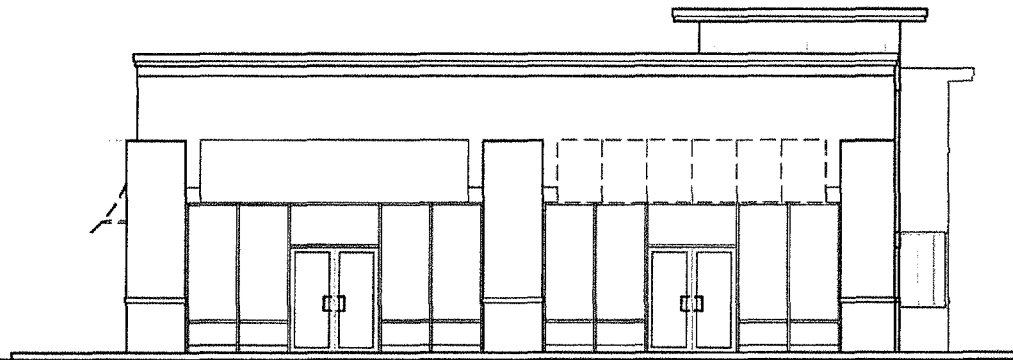
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Issue Date

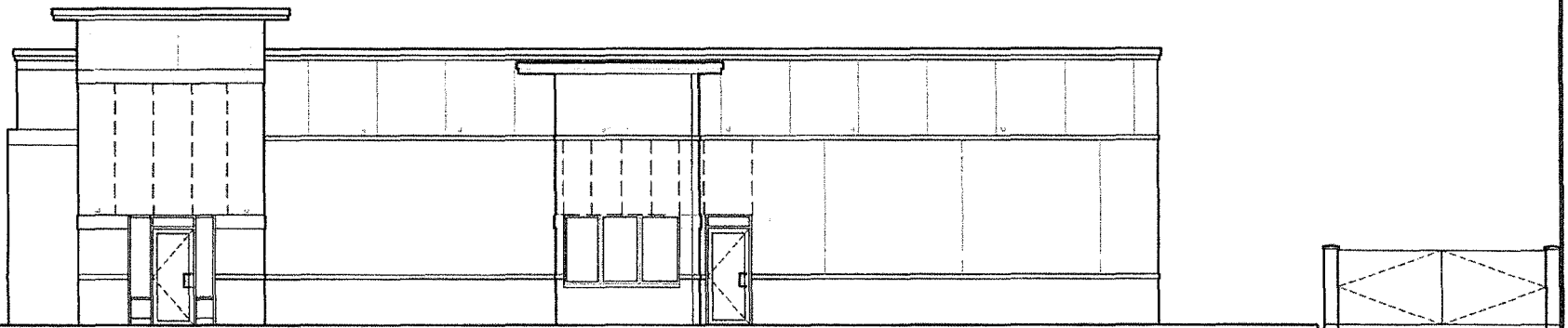
05/13/2015

Project Area

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2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 WEST ELEVATION
SCALE: 1/8" = 1'-0"

ARCHITECT:

kolbrook design

828 DAVIS STREET
SUITE 300
EVANSTON, IL 60201
PH 847 492 1992

PROJECT:

Dunkin Donuts - St. Charles
2701 E Main Street
St. Charles, IL 60174

EXISTING ELEVATIONS

Project Number

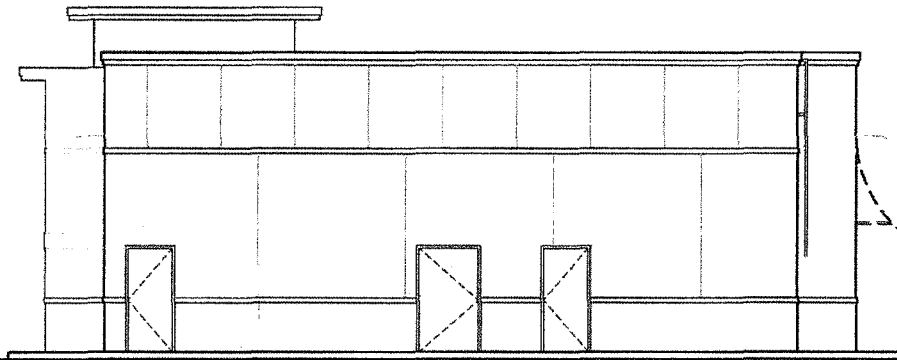
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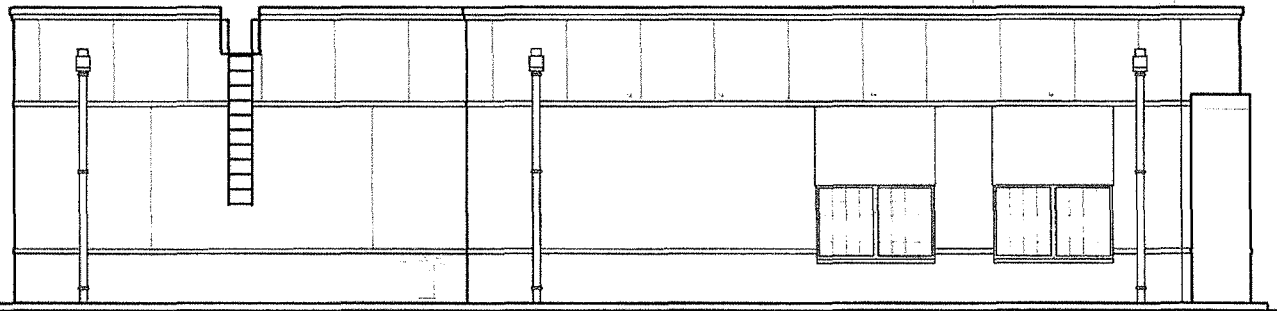
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Page Number

05



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

ARCHITECT:

kolbrook design

828 DAVIS STREET
SUITE 300
EVANSTON, IL 60201

PH: 647.492.1992

PROJECT:

Dunkin Donuts - St. Charles
2701 E Main Street
St. Charles, IL 60174

EXISTING ELEVATIONS

Project Number

1425.009

Issue Date

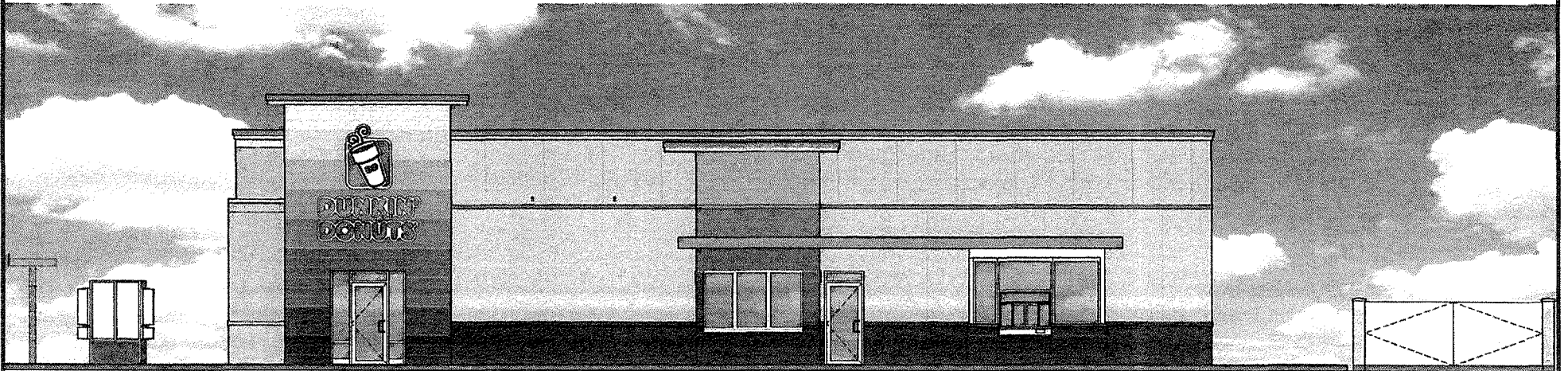
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Page Number

06



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 WEST ELEVATION
SCALE: 1/8" = 1'-0"

ARCHITECT:

kolbrook design

828 DAVIS STREET
SUITE 300
EVANSTON, IL 60201
PH 847.452.1392

PROJECT:

Dunkin' Donuts - St. Charles
2701 E Main Street
St. Charles, IL 60174

PROPOSED ELEVATIONS

Project Number

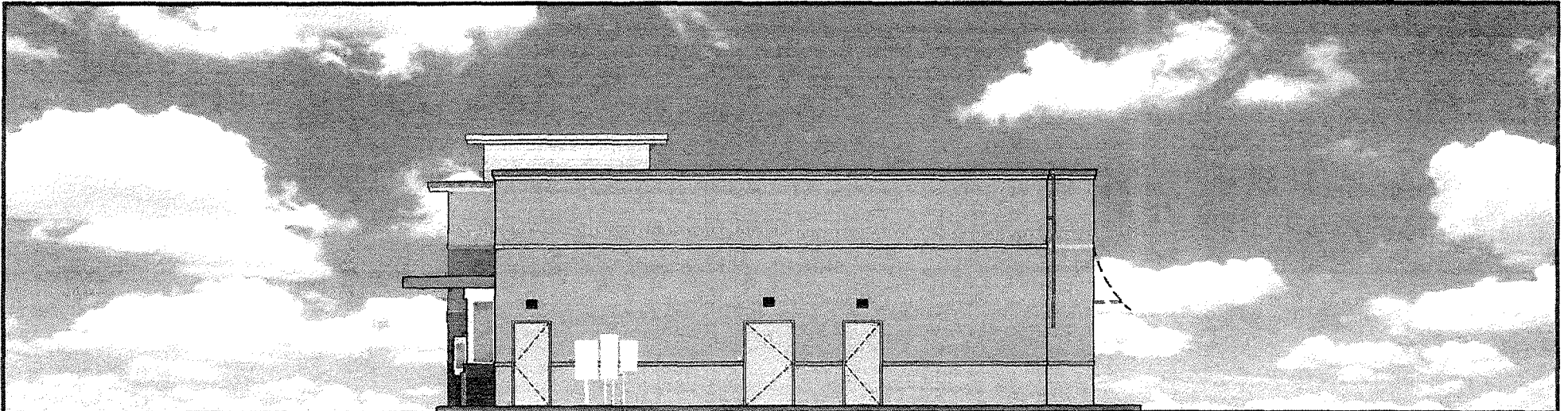
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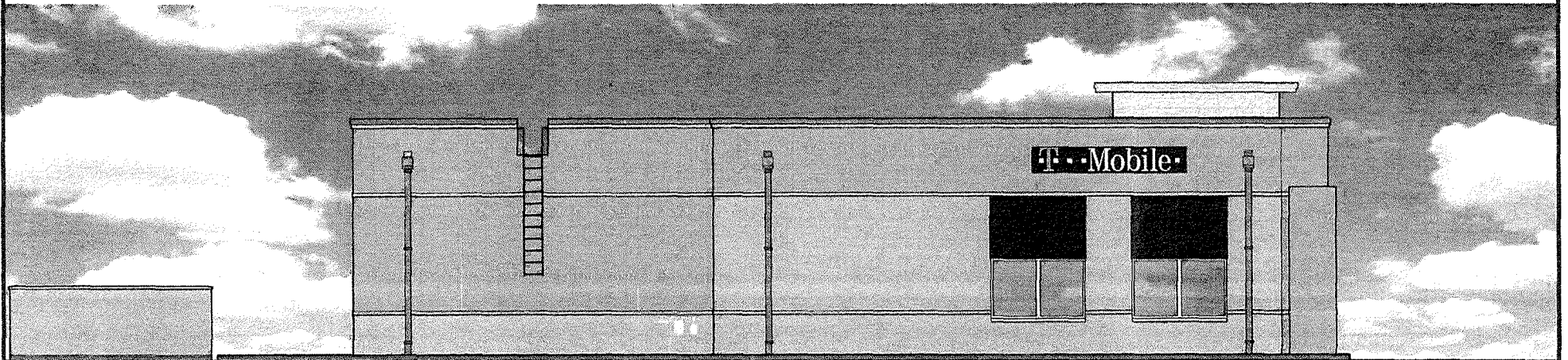
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Page Number

07



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

ARCHITECT:

kolbrook design

828 DAVIS STREET
SUITE 300
EVANSTON, IL 60201
PH: 847.492.1992

PROJECT:

Dunkin Donuts - St. Charles
2701 E Main Street
St. Charles, IL 60174

PROPOSED ELEVATIONS

Project Number

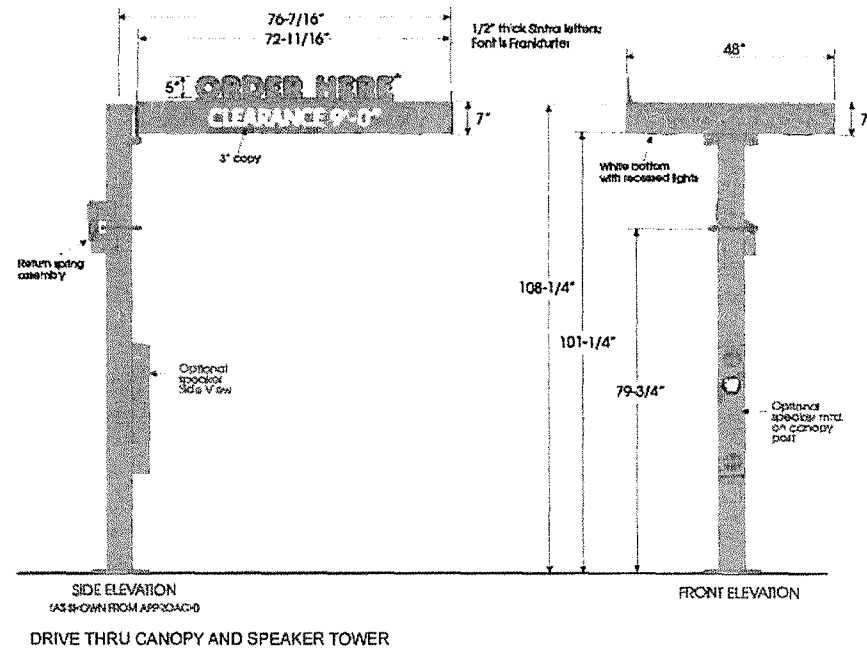
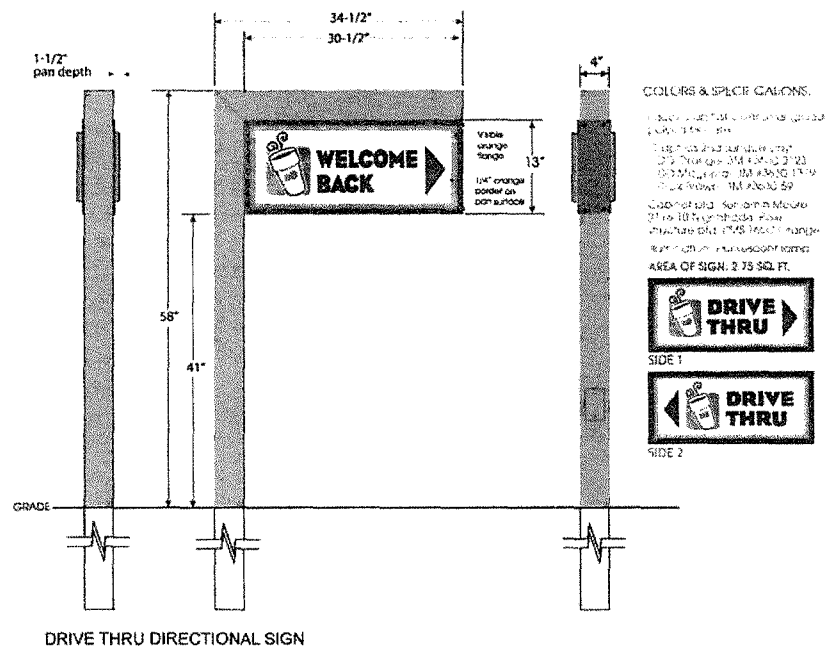
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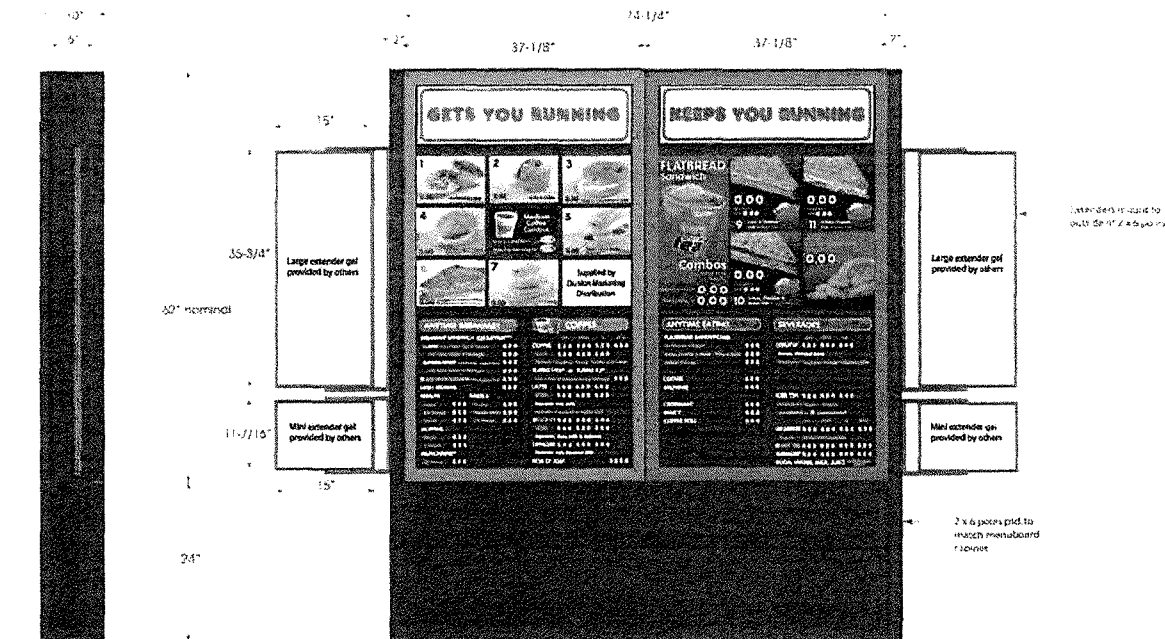
Issue Date

01/14/2014

Page Number

08





DRIVE THRU MENU BOARD

L: 112.25" AREA: 64.65 SF.
 W: 10"
 H: 86"

ARCHITECT:

kolbrook design

828 DAVIS STREET
 SUITE 300
 EVANSTON, IL 60201

PH: 847.432.1332

PROJECT:

Dunkin' Donuts - St. Charles
 2701 E Main Street
 St. Charles, IL 60174

DRIVE THRU MENU

Project Number

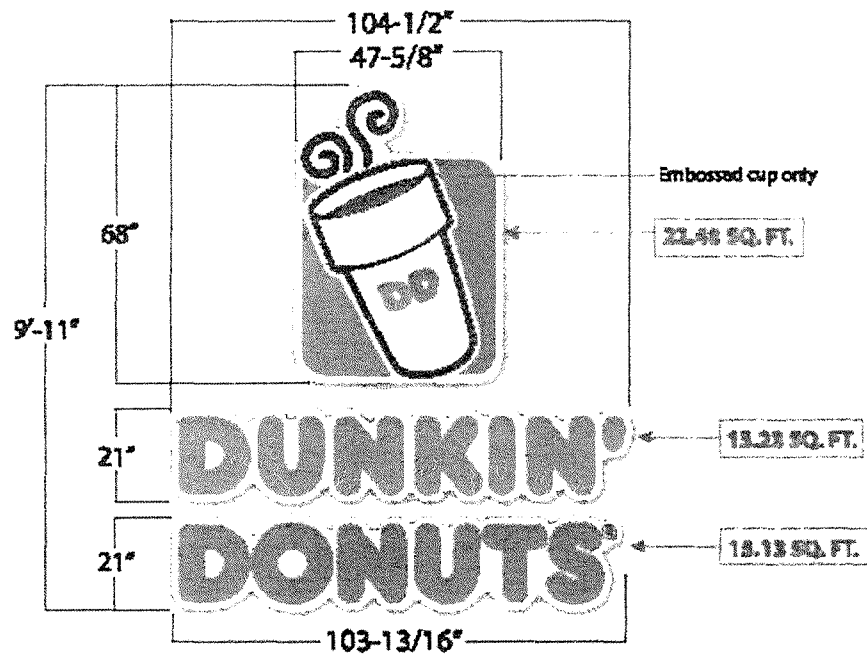
1425.009

Issue Date

01/14/2014

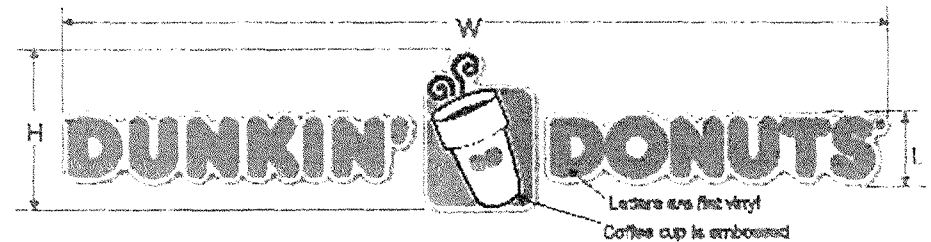
Page Number

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DUNKIN DONUTS DD ICON CUP OVER LOGO 21" LETTERS

L: 21"
W: 104.5"
H: 119"
Area: 41.24 SF.



DUNKIN DONUTS "IN-LINE" LOGO LED CLOUD SIGN 15" LETTER

L: 15"
W: 174.5"
H: 34"
Area: 41.24 SF.

ARCHITECT:

kolbrook design

828 DAVIS STREET
SUITE 300
EVANSTON, IL 60201
PH 847 492 1592

PROJECT:

Dunkin Donuts - St. Charles
2701 E Main Street
St. Charles, IL 60174

BUILDING SIGNAGE

Project Number

1425.009

Issue Date

01/14/2014

Page Number

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State of Illinois)
)
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on May 18, 2015, the Corporate Authorities of such municipality passed and approved Ordinance No. 2015-Z-9, entitled

"Motion to approve An Ordinance Granting Approval of a Minor Change to PUD Preliminary Plan and Drive-Through Facility Stacking Space Reduction for 2701 E. Main St. (Stuart's Crossing PUD – Dunkin Donuts),"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2015-Z-9, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 23, 2015, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 18th
day of May, 2015.



Nancy Garrison
Municipal Clerk