	AGEND	A ITEM EXECUTIVE SUMMARY	Agenda Item number: *4a	
AN R	Title:	Plan Commission recommendation Subdivision Final Plat for Burger		
ST. CHARLES	Presenter:			
Meeting: Planning	g & Developr	ment Committee Date: Octob	per 8, 2018	
Proposed Cost: N	/A	Budgeted Amount: N/A	Not Budgeted:	
<b>Executive Summa</b>	ary (if not bu	dgeted please explain):		
Meijer PUD Ordin The Burger King a the Meijer PUD zo The Lannert Group	ance #1999-Mend retail build b	the Meijer PUD and is subject to the devent-24.  dings were constructed on a single lot 1. ds, which lists no minimum lot size.  of the owners, Gill Properties LLC, has so in order to subdivide the property into in	6 acre lot. This complies with	
Plan Commission	review			
The Plan Commiss	ion marriarriad	I the application on 9/4/18 and recomme		

Plan Commission recommendation, Staff Memo, Application, Final Plat

Addition.

Plan Commission recommendation to approve a Minor Subdivision Final Plat for Burger King

# City of St. Charles, Illinois Plan Commission Resolution No. 17-2018

# A Resolution Recommending Approval of a Final Plat of Subdivision (Minor Subdivision) for Burger King Addition (Lannert Group)

## Passed by Plan Commission on September 4, 2018

WHEREAS, it is the responsibility of the St. Charles Plan Commission to review requests for Final Plat of Subdivision; and

WHEREAS, the Plan Commission has reviewed the Final Plat of Subdivision (Minor Subdivision) for Burger King Addition (Lannert Group); and

WHEREAS, the Plan Commission finds the Final Plat of Subdivision to be in conformance with the requirements of Title 16 of the City Code entitled, "Subdivisions and Land Improvement" and the applicable PUD requirements of Ordinance No. 1999-M-24 (Meijer PUD).

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of the Final Plat of Subdivision (Minor Subdivision) for Burger King Addition (Lannert Group); contingent upon the resolution of all staff comments prior to City Council action.

Roll Call Vote:

Ayes: Holderfield, Schuetz, Funke, Pretz, Vargulich, Pietryla, Purdy, Wallace, Kessler

Nays: None Absent: None Motion carried: 9-0

PASSED, this 4th day of September 2018.

Chairmai
St. Charles Plan Commission

# Community & Economic Development

Phone: (630) 377-4443



### **STAFF MEMO**

**TO:** Chairman Ed Bessner

And the Members of the Planning & Development Committee

**FROM:** Russell Colby, Community Development Division Manager

**RE:** Burger King Addition Resubdivision

**DATE:** October 2, 2018

### I. APPLICATION INFORMATION:

**Project Name:** Burger King Addition Subdivision

**Applicant:** The Lannert Group

**Purpose:** Resubdivide into two parcels (one for each building)



#### II. BACKGROUND

In 2009, the City approved Ordinance #2009-Z-14, granting PUD Preliminary Plan approval for the development of a Burger King restaurant with drive-through and a multi-tenant retail building on an outlot parcel located in front of the Lowes store, at the northwest corner of Randall and Bricher Roads. The property is located within the Meijer PUD and is subject to the development standards in the Meijer PUD Ordinance #1999-M-24.

The Burger King and retail buildings were constructed on a single lot 1.6 acre lot. This complies with the Meijer PUD zoning standards, which lists no minimum lot size.

The Lannert Group, on behalf of the owners, Gill Properties LLC, has submitted an application for Minor Subdivision – Final Plat in order to subdivide the property into individual lots for the two buildings.

#### III. ANALYSIS

#### **Zoning Review**

Staff has reviewed the Final Plat for compliance with the applicable PUD requirements. The proposed lots comply with all PUD requirements as listed below. Additional information is needed to verify if the parking provided per lot meets the minimum standard, as noted in the table.

Requirement	PUD Standards-	Lot 1	Lot 2
	Ord. 1999-M-24	Multi-tenant	Burger King
		building	
Lot Area	None	27,760 sf	41,933 sf
Lot Width	None	156.52 ft.	207 ft.
<b>Building Setbacks:</b>	=	•	
Front (Randall Road)	50 ft.	73 ft.	50 ft.
Interior Side (north, south)	5 ft,	10 ft. north	38 ft. north
	311,	40 ft. south	70 ft. south
Rear (west)	20 ft.	70 ft.	75 ft.
Parking/Paving Setbacks:			
Front	50 ft.	50 ft.	50 ft.
Interior Side	5 ft. if provided	0 ft.	0 ft.
Rear	None	6.75 ft.	8 ft.
<b>Building Coverage (FAR)</b>	0.300	0.23	.07
Parking Requirement	15 per 1000 sf. net	24*	
(Restaurant)	floor area	2 <del>4</del> *	
Parking Requirement	5 per 1000 sf. net floor		31*
(Multi-Tenant Building)	area		

\*Note: As constructed, the development met the applicable PUD requirements based on the total parking provided. Because the calculation is based on net floor area, the actual required parking assigned to each building is undetermined, without reviewing the current floor plan of each building.

#### Subdivision Plat

Staff has reviewed the Subdivision Plat for compliance with City Code and offers the following comments that will need to be addressed before City Council action:

- 1. The "Access and Utility Easement" that follows the common lot line needs to be expanded to 24 ft. to cover the entire width of the drive aisle. Easement language needs to be added to grant cross access between the two lots.
- 2. The amount of parking on the Burger King lot (Lot 2) may not meet the minimum parking requirement for the restaurant use. Staff recommends that a shared parking easement be established over the 8 parking spaces along the shared access drive, or alternately, granting of a shared parking easement over the entirety of both lots.
- 3. A duplicate owner and notary signature block is shown; only a single signature block is required.
- 4. A signature block for the Director of Community & Economic Development needs to be added.
- 5. A signature block needs to be added for the Kane County Department of Transportation, which has jurisdiction over Randall Road.
- 6. A Mortgagee's signature may need to be added, if applicable.

#### IV. SUGGESTED ACTION

Staff has found the application materials to be complete and the Final Plat to be in compliance with applicable PUD ordinance standards, subject to revisions noted above.

The Plan Commission reviewed the Final Plat of Subdivision on 9/4/18 and recommended approval, 9-0.

Staff recommends approval of the Final Plat of Subdivision, subject to resolution of any staff comments prior to City Council action.

# 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 SUBDIVISION – FINAL PLAT APPLICATION

For City Use
Project Name:

BUPGEZ KING ADDITION
Project Number:

2018 -AP-033

RECEIVE Date St. Charles, IL
AUG 3 0 2018
CDD Planning Division

Per City Code Section 16.04.04, a Minor Subdivision must meet the following criteria:

1) Compliance with subdivision design standards in the City Code; 2) No more than 4 lots; 3) No public utility extensions or new streets are required to serve the subdivision; 4) no stormwater detention is required to serve the subdivision; 5) all lots meet minimum zoning standards.

Complete this application and submit it with all required attachments to the Planning Division. When this application is complete and the plans are substantially in compliance with requirements, the Final Plat will be placed on a Plan Commission agenda for review.

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

1.	Property Information:	Location: BERGER KING PARCEL ON RANDM	L&BRICHER RID	
		Parcel Number (s): SECTION 32  959 PANDAL POAD	TOWNSHIP FON PANGE	6 E
		Proposed Subdivision Name:		
2. Applicant Information:	~ ~	Name THE LANNERT GROUP Address	Phone 630-208-8088 Fax	
		215 FULTON ST GENEVA IL 60134	630-208-8050 Email TLGCLM-HEAT. COM	
	OWARCE	Name GILL PROPERTIES LLC 17522	Phone	
		Address 1250 EXECUTIVE PLACE SUITE GENEVA IL 60134 402	Fax Email	

## **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 A of the Subdivision Code. (\$300)

# 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:**

Submit one of the following:

- 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%).

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.

# 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:

Ten (10) full size copies, Three (3) 11" by 17", and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

# SUBDIVISION PLAT - DRAWING REQUIREMENTS/CHECKLIST:

Complete the attached checklist and ensure that all required information is included on the plat.

# □ PARK AND SCHOOL LAND/CASH WORKSHEETS: 🖊 . 🌣 .

For residential developments, Park and School land/cash worksheets in accordance with Title 16 of the St. Charles Municipal Code with population projections establishing anticipated population and student yields.

# □ INCLUSIONARY HOUSING SUMMARY: N.A.

For residential developments, submit information describing how the development will comply with the requirements of Title 19, "Inclusionary Housing" of the St. Charles Municipal Code.

# COPIES OF THIRD PARTY PERMIT/APPROVALS N. &

Kane County DOT and/or IDOT signature on Final Plat (if applicable)

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

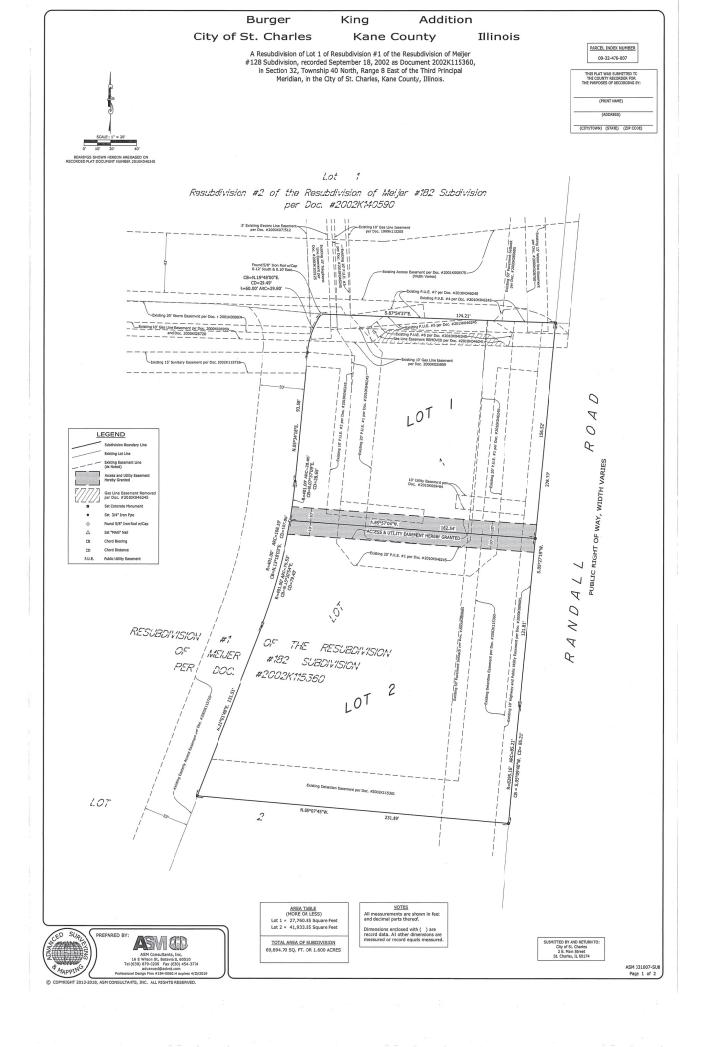
Date

Applicant of Authorized Agent

Date

# Ownership Disclosure Form Limited Liability Company (L.L.C.)

State of Illinois ) \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
KANE COUNTY )	
4, William L. Gill, being first du	ly swom on oath depose and say that I am
Manager of GILL PROPERTIES, LLC SU	
Company (L.L.C.), and that the following persons	
Company (E.E.E.), and has use muowing positions	THE PARTY STATE STATE CONTRACTION OF LIVER DIVINGS VICENCE AND
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Notary Public - State of Illinois My Commission Expires Nov 15, 2020	



Burger

King

Addition

City of St. Charles

#### Kane County

Illinois

A Resubdivision of Lot 1 of Resubdivision #1 of the Resubdivision of Meijer #128 Subdivision, recorded Septemper 18, 2002 as Document 2002K115360, in Section 32, Township 40 North, Range 8 East of the Third Principal Me

OWNER'S CERTIFICATE OF LOT 1 IN THE RESUBDIVISION #1 OF THE RESUBDIVISION OF MEDER #182 PER DOCUMENT #2002K115360	CITYCOUNCIL CERTIFICATE	CCUNTY CLERK CERTIFICATE
STATE OF ILLINOIS )	STATE OF ILLINOIS) ) SS	STATE OF ILLINOIS) ) SS
COUNTY OF KANE ) SS	COUNTY OF KANE	
THIS IS TO CERTIFY THAT THE UNDERSIGNED IS / ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE ATTACHED PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS FROWN BY THE PLAT FOR USES AND PROJESSES AS INDICATED THEREIN, AND DOES HEEBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.	APPROVED, AND JCCEPTED BY HE MAYOR AND CITY COUNCIL OF THE CITY OF ST. CHARLES, ILLIPOIS, THIS, DAY 6F, 23	I, COUNTY CLERK IN AMPOR THE COUNTY AND STATE AFRICAGE, OCH HER COUNTY AND STATE AFRICAGE, OCH HERSY CERTIFY THAT THERE ARE NO DELINQUIST GENERAL TAKES, NO UNIND CREMETED THESE, AND NO INDEMNEE ATM AGAINST AND OF THE AND THE LIBED IN THE FLAT. I FRUITER CERTIFY THAT I HAVE RECEIVED ALL STATUTIONY FLES IN COMMENCION WITH THE FLAT.
GILL PROPERTIES, LLC	MAYOR	GI/EN UNDER NY HAND AND SEAL OF THE COUNTY AT GENEVA, ILLNOIS, THIS DAY OF, A.D., 20
440 SOUTH SID STREET ST. CHARLES, IL 60174	CITYCLERK	
DATED AT, ILLINOIS, THIS DAY OF, 20		KANE COUNTY CLERK
BV.		
BY: (PRINT NAME) (TITLE)	PLAN COMMISSION CERTIFICATE	
	STATE OF ILLINOS) ) SS	
(SIGNATURE)	COURTY OF KANE	
	APPROVED THIS DAY OF A.D	KANE COUNTY RECORDER'S CERTIFICATE
NOTARY PUBLIC'S CERTIFICATE	CITYOF ST. CHARLES PLAN COMMISSION	STATE OF ILLINOIS)
STATE OF ILLINOIS ) ) SS		COUNTY OF KANE) ) SS
COUNTY OF KANE )	PLAN COMMISSION CHAIRMAN	
I,, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE		THIS INSTRUMENT NUMBER WASFILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, THIS DAYOF
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NOTARY PUBLIC	THISIS TO CERTIFY THAT I,  THISIS TO CERTIFY THAT I,  ST. OHARLES, FIRM NO DELINQUENT OR UNRALD CURRENT OR FORFEITED SPECIAL ASSESMENTS ORANY DETERRED INSTRUMENTS THEREOF AGAINST ANY OF THE REAL ESTATE	
MY COMMISSION EXPIRES	ASSESSMENTS ORANT DEPENDED INSTRUMENTS THEREOF AGAINST ANY OF THE REAL ESTATE DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE.	
PIT COMPLISSION EXPIRES		SURVEYOR'S CEXTIFICATE
	DATED AT ST. CHRILES, ILLINOIS, THIS DAY OF, A.D	STATE OF ILLINOIS ) ) SS
		COJNTY OF KANE )
	COLLECTOR CITY OF ST. CHARLES	THIS IS TO CERTIFY THAT I, CHARLES S. MARSHALL, AN ILLINOIS PROFESSIONAL IAND SURVEYOR, HAVE SURVEYED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:
OWNER'S CERTIFICATE OF LOT 1 IN THE RESUBDIVISION #1 O' THE RESUBDIVISION OF MEURE #182 PER DOCUMENT #2002K115360  STATE OF		A RESUBDIVISION OF LOT 1 OF RESUBDIVISION AT RECORDED SEPEMBER 18, 2002, AS DOCUMENT 200XXI.15360 OF THE RESUBDIVISION OF MELBER \$128 SUBDIVISION IN SECTION 32, TOWNISH TO NORTH, RANGE \$4.ST OF THE THIRD PRINCIPAL MERICIAN, IN THE ITTY OF ST. OHARLES, KAME COUNTY, ILLINOS.
COUNTY OF) SS		I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT AND ACCURATE REPRESENTATION
THIS IS TO CERTIFY THAT THE UNDERSIGNED IS / ARE THE OWNER(S) OF THE LAND		OF SAID SURVEY AND PLAT. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF,  I FURTHER CERTIFY THAT THE DESCRIBED PROPERTY LIES WITHIN JONE X, AS DESIGNATED BY TH
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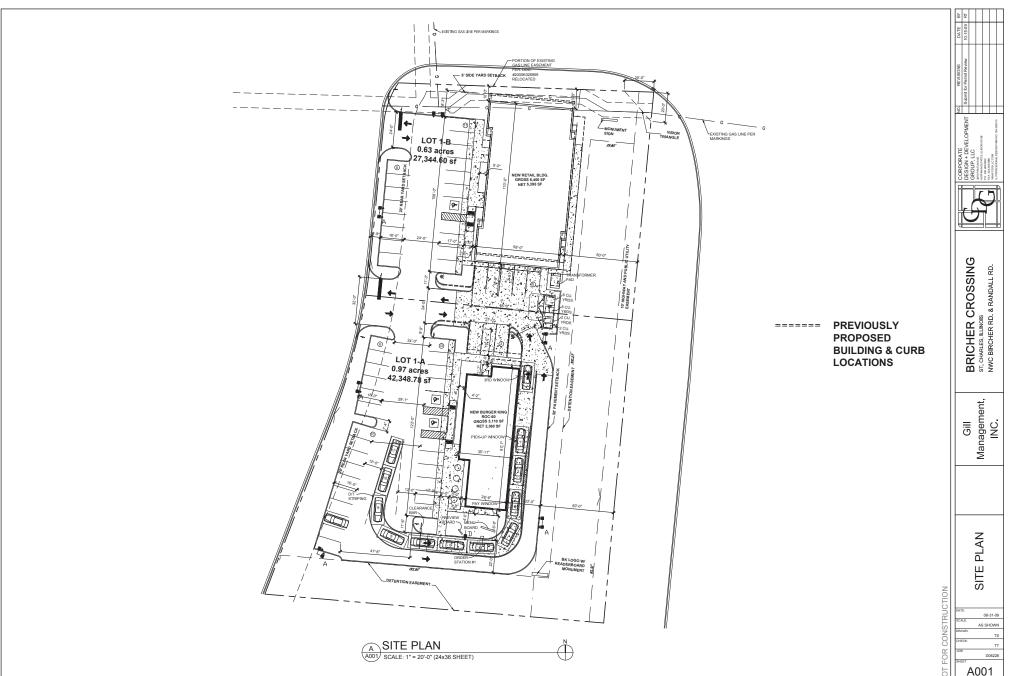
PREPARED BY:

ASN Cossultants, Inc.

15 6 Wisson St, Betavis It 60510

Tel (33) 97 Wisson St, Betavis It 60510

Forestandon besign Firm 1184-006014 express 4130/201



BRICHER CROSSING ST. CHARLES, ILLINOIS NWC BIRCHER RD. & RANDALL RD.

SITE PLAN

AS SHOWN

A001