	PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY				
	Project Title/Address:	Burger King Addition Subdivision			
ARR.	City Staff:	Russell Colby, Community Development Div. Manager			
ST. CHARLES	PUBLIC HEARING		MEETING 9/4/18	X	
APPLICATIONS:		Minor Subdivision - Final Plat			
ATTACHMENTS AND SUPPORTING DOCUMENTS:					
Staff Memo Final Plat		Final Plat	t		
Application Current site plan					
SUMMARY:					

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.

#### SUGGESTED ACTION:

Review the Final Plat of Subdivision.

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 in the Staff Memo.

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

### INFO / PROCEDURE ON APPLICATIONS:

- Final Plat is the actual plat document that will be recorded with the County to formally create new lots, dedicate streets, and provide easements, etc.
- Recommendation is based on compliance with all other code requirements (including Zoning & Subdivision Codes). Staff has provided an analysis in the Staff Report.
- A public hearing is not required for this type of application.
- No findings of fact are applicable to this application.

# Community & Economic Development

Phone: (630) 377-4443



### **STAFF MEMO**

**TO:** Chairman Todd Wallace

And the Members of the Plan Commission

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

**RE:** Burger King Addition Resubdivision

**DATE:** August 31, 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

Review the Final Plat of Subdivision.

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.

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 R.D	
		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 TLGCLMHDAT. COM	
Ow	Record Owner	Name GILL PROPERTIES LLC 17522	Phone	
	Information:	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

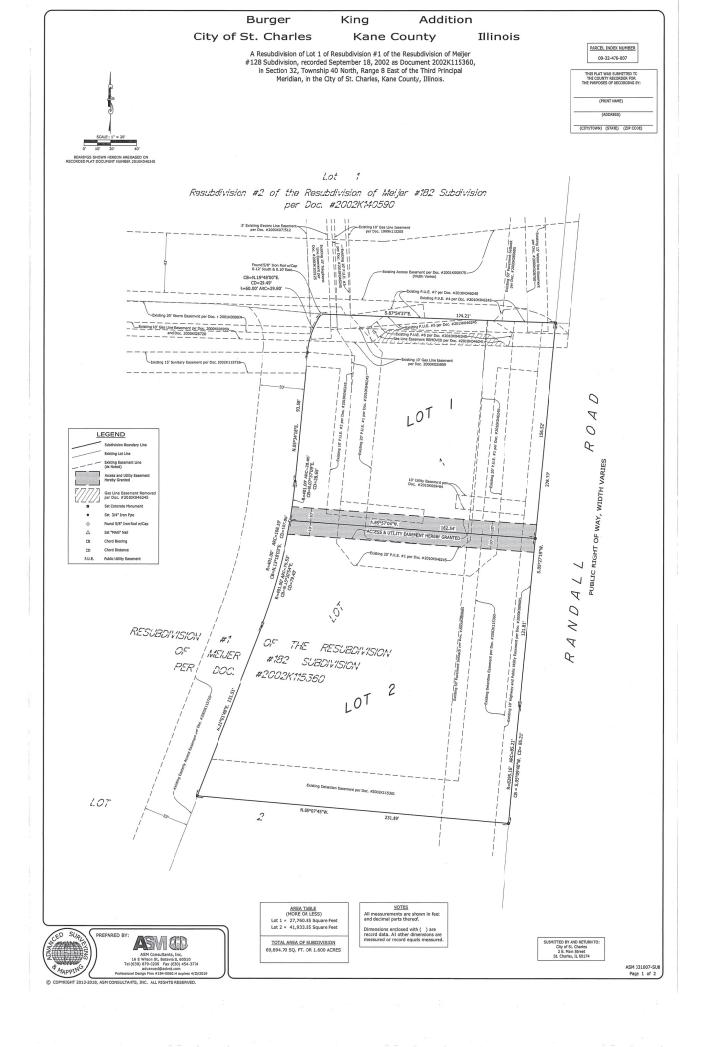
Date

Applicant of Authorized Agent

Date

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

State of Illinois ) \\SS.	
KANE COUNTY )	
4, William L. Cill, being first du	y swom on oath depose and say that I am
Manager of GILL PROPERTIES, LLC SE	
Company (L.L.C.), and that the following persons	
Company (L.L.C.), and hist as autowing persons	Commence of the second
	an entraggine in some ser stammer in som at a ser in terresistance. In our conservation in our colores ser in per a series den a conservation is
	process across in manufactures in consequence and officers to the process and in the consequence of the consequence and the co
	Secretary incomes a management discharge and a large a
	gand the tip years are the contributed to the first of the contributed to the contributed
	elication interpretation to the second of th
	Foregraphy property and the second section and the second section and the second secon
CAN LAST	
By: Managat , Managat	
	day of
ubscribed and Sworn before me this	necessary of the second
AUGUST 20 13	
001 / 41	
NORT PUBLIC	iglica miniminata di lago autoria significano contra intercensi pro se premi l'accommitte dell'app
CHAISTOPHER R HENDRICKS	
Dificial Seal	
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 MEDIER #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 ATTRICHED PLAT AND HAS COUSED THE SAME TO BE SURVEYED AND PLATTED AS FROWN BY THE PLAT FOR USES AND PURPOSES AS INDICATED THEERIN, AND DOES HEKERY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THESEON 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 AND FOR THE CONTY AND STATE AT THESE ARE NO DELINQUEST GENERAL TAKES, NO UNBAID CURRENT GENERAL TAKES, NO UNBAID CREMENT GENERAL TAKES, NO UNBAID CREMENT GENERAL TAKES, NO UNBAID CREMENT GENERAL TAKES AND NO REDERBAILET AN AGAINST AND OTHER LAND STATUSED IN THE FART. I FROM THE CREMENT AND THE STATE OF THE LAND STATUS OF THE LAND STATE OF THE STATE
GILL PROPERTIES, LLC	MAYOR	GI/EN UNDER MY HAND AND SEAL OF THE COUNTY AT GENEVA, ILLNOIS, THIS DAY OF, A.D., 20
440 SOUTH 3RD STREET ST. CHARLES, IL 60174	CITYCLERK	
DATED AT, ILLINOIS, THIS DAY OF, 20	CITCLERK	KANE COUNTY CLERK
BY: (PRINT NAME) (TITLE)	PLAN COMMISSION CERTIFICATE	
	STATE OF ILLINOIS)	
(MANAGER)	COUNTY OF KANE	
(SIGNATURE)	APPROVED THIS DAY OF A_D.	
NOTARY PUBLIC'S CERTIFICATE		KANE COUNTY RECORDER'S CERTIFICATE
STATE OF ILLINOIS )	CITYOF ST. CHARLES PLAN COMMISSION	STATE OF ILLINOIS) ) SS
) SS COUNTY OF KANE		COUNTY OF KANE)
COUNTY OF NOISE )	PLAN COMMISSION CHAIRMAN	THIS INSTRUMBNT NUMBER WASFILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, THIS DAY OF
I FORESAID, DO HEEBER CERTIFT THE A NOTARY FREIZ IN AND FOR THE COUNTY AND STATE AFFORESAID, DO HEEBER CERTIFT THE SAME PIESSONS WHOSE RAME(S) STATE SUBSCRIBED TO THE FORESCIONE WHO STARE SAME PIESSONS WHOSE RAME(S) STATE SUBSCRIBED TO THE FORESCIONE WHO STATE SAME PIESSONS WHOSE SAME OF THE PIESSON OF THE PIESSON OF THE PIESSON OF THE PIESSON OWN FREE AND VOLUNTARY ACT(S) FOR THE USES AND PIESSONS WHOSE SET OF THE PIESSON OWN FREE AND VOLUNTARY ACT(S) FOR THE USES AND PIESSONS WHOSE SET OF THE PIESSON OWN OWN OWN OWN OWN OWN OWN OWN OWN O		RECORDER'S OFFICE OF KAHE COUNTY, ILLINOIS, THIS
INSTRUMBIT AS THEIR/HIS/HER/THEY) OWN FREE AND VOLUNTARY ACT(S) FOR THE USES AND PURPOSES THEREIN SET FORTH.	CERTIFICATE AS TO SPECIAL ASSESSMENTS	COUNTY RECORDER
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS DAY OF , A.D.,	STATE OF ILLINOIS ) ) SS	COORTINECONDER
20	COUNTY OF KANE)	
NOTARY PUBLIC	THISIS TO CERTITY THAT 1,  ST. ORARLES, FIRM DO DELINQUENT OR UNIVALD CURRENT OR FORETITED SPECIAL  ASSESSMENTS ORANY DEFEREND INSTRUMENTS THEREOF AGAINST MY OF THE REAL ESTATE DESCRIBED IN THE FORECOMEGURENCY SCENTIFICATE.	
MY COMMISSION EXPIRES		SURVEYOR'S CERTIFICATE
	DATED AT ST. CHARLES, ILLINOIS, THIS DAY OF, A.D	STATE OF ILLINOIS ) ) SS
		COUNTY OF KANE )
		THIS IS TO CERTIFY THAT I, CHARLES S. MARSHALL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE SURVEYED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:
OWNER'S CERTIFICATE OF LOT 1 IN THE RESUBDIVISION #1 O* THE RESUBDIVISION OF MEDIER #182 PER DOCUMENT #2002K115580	COLLECTOR CITY OF ST. CHARLES	A RESUBDIVISION OF LOT 1 OF RESUBDIVISION #1 RECORDED SEPTEMBER 18, 2102 AS DOCUMENT 2002X115360 OF THE RESUBDIVISION OF "RELIER #128 SUBDIVISION IN SECTION 32, TOWNSHIP 40 NOXTH, BANGE I #517 OF THE THIND PRINCIPAL MERITIAN. IN THE "LTTY OF ST. OHARIES, KAMP
STATE OF) SS COUNTY OF) SS		COUNTY, ILLINOIS.  I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT IND 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.
DESCRIBED IN THE ATTACHED PLAT AND HAS CALSED THE SAME TO BE SURVEYED AND FLATTED AS SHOWN BY THE PLAT FOR USES AND TURPOSES AS INDICATED THEREIN, AND DOES HERREY ACKNOWLEDGE AND ACOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.		I FIRTHER CERTIFY THAT THE DESCRIBED PROPERTY LES WITHIN ZOUE X, AS DESIGNATED BY THE FLOOD INSURANCE RATE MAP FOR THE CITY OF ST. CHARLES, ILLINGS COMMUNITY PANEL HUMBER 17/330 0/264 H, THE FEDERAL EMPRICANCY MANAGEMENT AGENCY FROM MAP NUMBER 17/09/00/264H, WITH AN EFFECTIVE DATE OF AUGUST 3, 2009, ZONE X IS DEFINER AS AREAS D.TERMINED TO BE OUTSIDE THE 0.1% ANNUAL CHARGE PLOCAPION.
MEDER STORES LLIMITED PARTNERSHIP 2329 WALLER AVENUE B.W. GRAND RAYDS, MICHIGAN		I FURTHER CERTIFY THAT THE FOREGOING DESCRIBED TRACT IS LOCATED WITHII THE CORPORATE LIMITS OF THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS ARTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS WINDICHAE LOOP AS AMERICE.
BY MEDIER GROUP INC. GENERAL PARTNER DATED AT, THISDAY OF		GIVEN UNDER MY HAND AND SEAL THISTH DAY OF, A.D. 2018.
20		GIVEN ONDER RIT PARIO AND SEAL TILLS IN UNIT OF, A.U. 2018.
BY:		ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003377
		LICENSE EXPIRES NOVEMBER 30, 2018
(SIGNATURE)		ATE OF
		DESIGN FIRM LICENSE NO. 184-006014  LICENSE EXPIRES APRIL 30, 2319  (LICENSE EXPIRES APRIL 30, 2319
		Sour mo
NOTARY PUBLIC'S CERT-FICATE  STATE OF		
) SS COUNTY OF		
I, ANOTARY PAUL IN AND TO THE COUNTY AND STATE APPLICATION OF THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT WHO IS JAKEE THE SAME PRISONS WHOSE NAMED; SIARSE SUBSCRIBED TO THE FERECOING I DISTRIBUTED, AS OWNERS[S], APPEARED EFFORE ME THAT SO MY IN PRESON AND ACCOUNTEDGED THAT RESPECTIVET DID SIGN AND BUTKET THE SUD PROPERTY OF THE STATE OF T		
GIVEN UNCER MY HAND AND NOTARIAL SEAL THIS DAY OF, A.D.,		PUBLIC UTILITY BASEMENT PROVISIONS:
NOTARY PUBLIC		A PERMANENT, NON-EXCLUSIVE EASEMENT WITHIN THE AREA SHOWL BY DOLD DISHED LINES AND DOTTED HATCH ON THE RAT HEREOI DRAWN AND MARKED "ACCESS AND VILITY BISEMENT" IS PEREDY GRANTED TO THE CITY OF ST. CHARLES ANDTO ALL PUBL. CUTLITY COMPANIES OF ANY KIND OPERATING UNDER FRANCHISE GRANTING THE ASSEMBLY RIGHTS FROM SAID CITY OF ST. CHARLES, INCLUDING LIN TOT LITTLET COMPONIENT HE EDISON,

A PROMAINET, NON-EXCLUSIVE EASIBHET WITHIN THE AREA SHOWN OF FOLD OSHIDU LIVES A PROMAINET, NON-EXCLUSIVE EASIBHET WITHIN THE AREA SHOWN OF THE OLD SHOULD LIVE AND EXPENDED THE OLD SHOULD SHOULD LIVE AND EXPENDED THE OLD SHOULD SHOUL



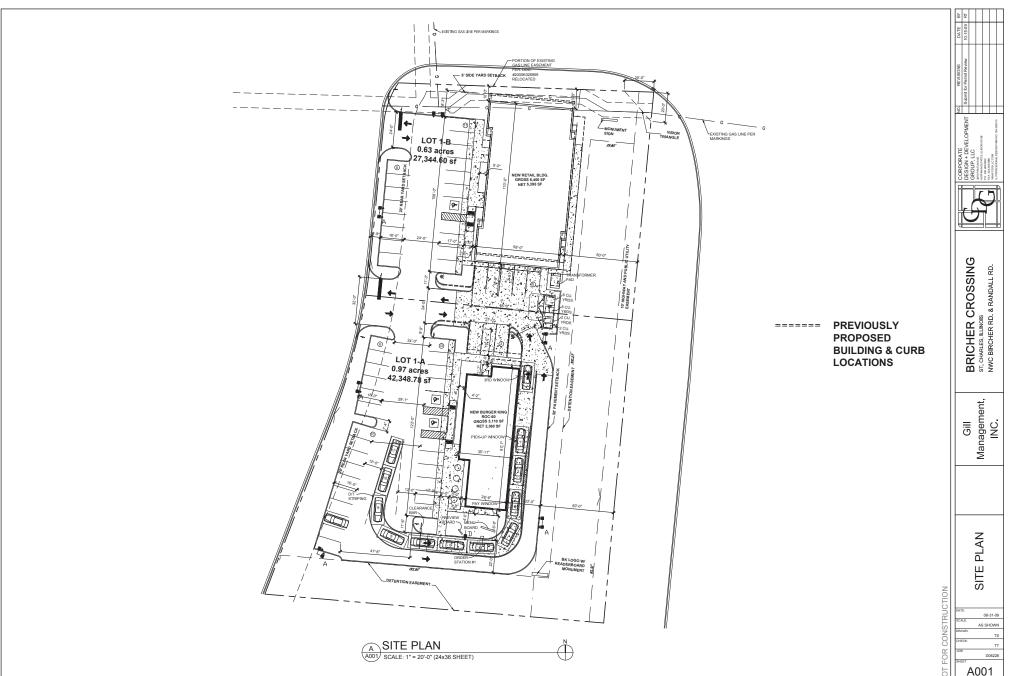
PREPARED BY:

ASN Cossultants, Inc.

15 6 Wisson St, Betavis It 60510

Tel (33) 99 Water St, Betavis It 60510

Forestand besign Firm 1184-006014 express 430/201



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

SITE PLAN

AS SHOWN

A001