



City of Aurora

5th Floor Conference
Room of City Hall
44 East Downer Place
Aurora, Illinois 60505
www.aurora-il.org

Planning Council Meeting Minutes

Tuesday
April 09, 2019
10:00 AM

CALL TO ORDER

Mr. Sieben called the meeting to order at 10:00 a.m.

ROLL CALL

The following members were present: Mr. Sieben, Mrs. Vacek, Mrs. Morgan, Mr. Broadwell, Mr. Minnella, Mr. Dick, Mr. Phipps and Mr. Beneke.

OTHERS PRESENT

Others Present: Mike Frankino (Fox Metro), Russ Whitaker (Rosanova & Whitaker), Rob Getz (Pulte Homes) and Dwayne Gillian (V3 Companies).

APPROVAL OF MINUTES

19-0287 Approval of the Minutes for the Planning Council meeting on April 2, 2019.

A motion was made by Mrs. Morgan, seconded by Mr. Phipps, that the minutes be approved and filed. The motion carried by voice vote.

PUBLIC COMMENT

None.

AGENDA

19-0227 Requesting a Plan Description Revision to the Special Use Planned Development on the property located north of Hafenrichter Road, east of Barrington Drive, and west of Whitethorn Drive (Pulte Group - 19-0227 / WH05/1-18.151-PD/R/Ppn/Psd - JM - Ward 9)

Representatives Present: Dwayne Gillian, Russ Whitaker and Rob Getz

Mr. Sieben said this is the Pulte development, the former New Highlands Subdivision. They are finishing it out to be called Laurelton Park.

Mrs. Morgan said staff has sent out comments. They have submitted a resubmittal. I'm taking a look at that. I don't envision on the Planning side anything major. Fire does need a resubmittal for their comments.

Mr. Sieben said are you guys aware of that? It had to do with the spacing. I'm not sure why Fire is not here, but we're relaying that.

Mrs. Morgan said so we are going to condition that to vote out. I think Engineering had some comments as well.

Mr. Phipps said Mary Garza put together a full detailed review letter that I think your staff has received, so we expect to see those comments addressed. Two that I'd like to mention, one is that the Preliminary Plan shows stormwater easements where overland flow would be coming from another property in the subdivision and from this subdivision into another property, specifically between lots 1 and 2, lots 40 and 41 and lots 16 and 17. We would like to see those as outlots, not easements. I think that's a much better way to make sure that property owners don't build fences across them and sheds in them and things like that. As a condition of approval, we'd like to see those converted to outlots and not easements. Then also I would like to mention that before we could give final approval for engineering, we'll have to have an approval from FEMA on the Conditional Letter of Map Revision, the CLOMR, so I just wanted to remind you because it is a time consuming process. As you guys are moving along with your final engineering for city approval hopefully you are making progress on the Conditional Letter of Map Revision, which would have to be approved by FEMA before we can approve the final engineering.

I'm Dwayne Gillian with V3. For FEMA, if we could make approval contingent upon receiving that CLOMR, which is not unusual.

Mr. Phipps said obviously you couldn't start construction without the Conditional Letter of Map Revision, so how does it benefit you to have final engineering approved.

Mr. Whitaker said I think just from a process standpoint of knowing that we've got the ordinances approved, everything set and then we obviously have permit issues that we've got to tackle moving forward, but it allows us to continue to work through the corporate process with approvals. It allows us to satisfy contract contingencies with respect to the purchase of the property, which are obviously deadline dates built into a contract. We've always considered that the CLOMR had to come as part of the process, but it allows us to continue working through the project without that CLOMR being an effective stop on the project.

Mr. Phipps said that's understood. Yes we could approve final engineering with the condition that the CLOMR has to be approved before any construction starts.

Mr. Whitaker said on the other issue with respect to the stormwater conveyance areas being non-easements but being in outlots, that's actually the first I'm hearing of that. I'm not saying it hasn't been conveyed, but we haven't had a chance to look at that. If it is in dedicated outlots I think the issue, or the concern, is going to be that with it being in an outlot it is going to reconfigure all of the setbacks within the property. So instead of having the setback measured from the property line, well it would still be measured from the property line, but I now have a 10 foot area that we weren't, assuming it is a 10 foot easement...

Mr. Sieben said are you talking about these pipes right here?

Mr. Phipps said between lot 16 and 17 would be one example.

Mr. Sieben said this is the first time I've heard about it, but I would concur with Pulte a little bit because that could greatly affect some of the issues with lot size and setback and things like that. Maybe if you guys had something in mind, but I'd like to take a look at that.

Mr. Phipps said we did make the comment at a previous Planning Council meeting that one of the items that we were very concerned as the Preliminary Engineering plans were coming in is that we were concerned about overland flow into the property and out of the property. So this is an item that was put into our review comments. I can appreciate that this creates some other problems potentially, but one of things that we've seen when overland flow paths, which are critical for flood control, are not put in outlots and are left in easements is that the property owners encroach upon those and then it becomes a long term problem for the property owners and for the city because fences are up and sheds are up.

Mr. Sieben said no, I totally understand it, but to me based on the design they've got, they may very well lose a lot to make that work, so I think that's something that we need to kind of identify.

Mr. Getz said on depending on the locations, we are talking about a couple of different areas, it could be more than one lot.

Mr. Sieben said is it more than just these two pipes that I see here on both sides of 17?

Mr. Phipps said it is between lot 16 and 17, not between lot 17 and 18, but at the southeast corner, the lower left corner of this drawing between lots 1 and 2 and then across the street from there between lots 40 and 41 you have the same issue where you have overland flow coming from the south. It needs to be able to go between those houses between lots 1 and 2 and in between lots 40 and 41 to get into that detention basin.

Mr. Sieben said how big of a width are you looking for do you think?

Mr. Phipps said it would depend on their engineer's calculations, what cross sectional area they would need to have, but something like 20 feet.

Mrs. Vacek said probably a minimum of 20 feet and it would probably go up from there depending on what...

Mr. Sieben said so it is going to be more than 20 feet?

Mrs. Vacek said a minimum of 20 feet. It could go up.

Mr. Sieben said well they're going to lose a lot of lots, so I think we need to take a look at this. It is kind of a big issue.

Mrs. Vacek said but they were gaining 7 lots to begin with, right? So even if they lose 1 or 2 lots, they are still gaining 5 lots from what they had. So that's something that we should just take a look at.

Mr. Phipps said the Preliminary Plan that was approved before this project came back live had those as outlots, not as easements. This isn't a change from what was previously approved. If we were to approve this, it would be a change. It would be one of the other changes that is new with this Preliminary Plan.

Mr. Getz said and just so I understand it, is it because of the overland flow or is it because of the storm sewer in the ground?

Mr. Phipps said the overland flow. There are other places where there are storms proposed in between houses that this isn't a concern for us. It is because of the necessity of the overland flow path. The water has to continue to be allowed to come from an offsite property into this one and you guys have made that part of the overland flow path in your subdivision design.

Mr. Whitaker said and I totally get that and I certainly appreciate the concern. I think the question becomes, it is sort of a unique issue I don't see in a lot of places where it is a dedicated outlet for the overland flow. Typically we would handle something like that with a declaration. In the covenants we could place conditions on a plat, conditions in the covenants. For that matter, we could put deed restrictions that would show on title that would be specific to the lots that would, for example, prohibit fencing, landscaping, etc. within that defined easement showing on the lot. I guess I would ask that we look at alternative mechanisms for solving that same problem. I completely understand and appreciate the problem. I think other than just putting it in a dedicated outlet though, there are more efficient means of tackling the same issue.

Mr. Phipps said Ed, do you see any other way forward?

Mr. Sieben said well again, this is a Preliminary, but I think we have to really identify the issue. We are going to have to, obviously, finalize it before the Final. The Final is going to come right behind this, but I think we have to put pencil to paper and see how it is going to affect the layout here.

Mr. Whitaker said I think we can work on that immediately following this meeting and be able to follow up with staff on some very specific detail for the implications of that and then propose an alternative solution how we think we can tackle the problem.

Mr. Sieben said so we need to vote it out today because we've already published for next Wednesday. This is, though, kind of a major issue still out there, but again, keep in mind this is Preliminary, but it is something we want to put on the record that it may impact lot count. Like Tracey did say, you did add 7 lots, but this maybe could affect that number. Let's try to circle back after this. We'll still have it for the 17th, but let's see if we can come to some agreement before the 17th so at least we can give Planning Commission some indication where we are going.

Mr. Getz said just so I can understand, maybe just to rephrase, or restate things, there's nothing, the physical conditions, the way we've got it graded, the way the storm sewers are in the ground, the spacing between the houses, none of the physical conditions out there are at issue. What's at issue is more of an enforcement issue that the city is concerned that people are going to build things on their lot where they are not supposed to. You don't have any issues with the way the site is designed. It's more the concern is a regulatory issue as far as can we keep people from building fences on their lots where they are not allowed to and how do we enforce that.

Mr. Phipps said I would agree with that.

Mr. Getz said I just wanted to make sure because we were talking getting the pencil to paper. If there is nothing wrong physically, we're just focusing on the regulatory aspect of this and how do we keep fences out of there, right?

Mr. Whitaker said I think it is understanding the impact of what would happen if we did put them in outlots. I think you and I can look at that and know that.

Mr. Getz said I appreciate the concept that there were less before, there are more lots now, but the deal, and the financial deal with the seller, was predicated on the number of lots that we had out there now. I understand that there were less before and more now, but Nick is getting more money now because there are more lots now. It is just the way it is. We are locked into that as well.

Mrs. Vacek said unfortunately you have an approved Preliminary Plan that shows less lots.

Mr. Getz said absolutely.

Mrs. Vacek said we will obviously work with you, but we do want to make sure that we get this right.

Mr. Getz said that's why I was kind of focusing on whether it was the physical attributes of the site or it was just the matter of how we keep fences out of that area.

Mr. Sieben said can I clarify? We are talking between lot 1 and 2 and 40 and 41. Is that accurate Mark?

Mr. Phipps said yes.

Mr. Sieben said and then there is only one other one, which is between 16 and 17?

Mr. Phipps said that's correct.

Mr. Sieben said that it? There are no others?

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Mr. Beneke said so one thing in the Fire side of this one is that we never received the revised Fire Plan showing the hydrant coverage meets the 300 foot spacing. We will need to see that.

Mr. Gillian said that we won't have a problem with at all.

Mrs. Morgan said so this will be going to the April 17th Planning Commission. I do make a motion that we vote this out with the conditions of the Fire Access comments and the conditions that Mark mentioned about engineering for overland flood routes between lot 16 and 17, 1 and 2 and 40 and 41, as well as the CLOMR condition. Mr. Minnella seconded the motion. The motion carried unanimously.

A motion was made by Mrs. Morgan, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 4/17/2019. The motion carried by voice vote.

portion of the New Song Highlands Subdivision located north of Hafenrichter Road, east of Barrington Drive, and west of Whitethorn Drive for an One Family Dwelling (1110) Use (Pulte Homes -19-0170 / WH05/1-18.151-Ppn/Psd - JM - Ward 9)

Representatives Present: Dwayne Gillian, Russ Whitaker and Rob Getz

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A motion was made by Mrs. Morgan, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 4/17/2019. The motion carried by voice vote.

19-0213

Requesting approval of a Special Use for a Liquor License within 500 feet of residential property use on Part of Lot 12 of The George Acres Subdivision located at 1271 N. Lake Street (Arechiga Group 1, Inc., DBA El Jefe - 19-0213 / AU10/3-18.104-Su - JM - Ward 6)

Mrs. Morgan said this is going to the April 17th Planning Commission. There weren't a whole lot of comments from staff. Everything has been addressed. They've advertised. I make a motion to move this forward to the Planning Commission meeting on April 17th. Mr. Broadwell seconded the motion. The motion carried unanimously.

A motion was made by Mrs. Morgan, seconded by Mr. Broadwell, that this agenda item be Forwarded to the Planning Commission, on the agenda for 4/17/2019. The motion carried by voice vote.

19-0239

Requesting the Establishment of a Special Use Planned Development on the property located at 1500 Southlawn Avenue and 1501 Southlawn Avenue, to be incorporated under the existing Aurora University Special Use Planned Development (Aurora University - 19-0239 / AU20/3-19.037-SUPD - TV - Ward 5)

Mrs. Vacek said this is going to the April 17th Planning Commission. I do make a motion to move this forward. Mr. Minnella seconded the motion. The motion carried unanimously.

A motion was made by Mrs. Vacek, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 4/17/2019. The motion carried by voice vote.

19-0240

Requesting approval of a Final Plan for a 1,090 sq. ft. addition to the Parolini Music Center located at 1330 Marseillaise Place (Aurora University - 19-0240 / AU20/4-19.047-Fpn - TV - Ward 4)

Mrs. Vacek said this is going on April 17th. They are supposed to be revising their plans and getting them back into us today. I hope to see that. I think that they are making some changes to the original plan, but I don't think it will be significant. I think that they should meet everything. I make a motion to move this forward. There may be some conditions on this, depending on what the resubmittal is.

Mr. Beneke said the conversation that Bruce is having with the Fire Marshall is going to require a revision if they end up taking that whole thing out of there. I don't know they are going to be able to comply with fire access requirements for existing buildings. As it is currently, we are okay. If they make this change, we are going to have to see a revised Fire Plan showing the whole development.

Mrs. Vacek said it sounded like they were going to maybe make a change, but it might not be the entire thing.

Mr. Sieben said they need to get you a new Fire Plan.

Mr. Beneke said like I said, if the fire lane stays in place, not a problem. But it sounds like they may do it. Then we've got to look at the other surrounding buildings.

Mr. Minnella seconded the motion. The motion carried unanimously.

A motion was made by Mrs. Vacek, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 4/17/2019. The motion carried by voice vote.

[19-0262](#)

Requesting a revision to the Plan Description for the Ocean Atlantic Woodland Corporation Special Use Planned Development Amending the Land Use Parcel on the property located at southwest corner of Meadowridge Drive and 75th Street, being 11.30 acres, to the Multiplex Parcels with R-4A(S) zoning (Pulte Home Company, LLC - 19-0262 / NA28/3-17.234-PD/R/Ppn/Psd/R - JM - Ward 8)

Representatives Present: Dwayne Gillian, Russ Whitaker and Rob Getz

Mr. Whitaker said like Ed mentioned, the original plan approval was from 1998 for Ocean Atlantic. The property here that we are looking at consists of roughly 11 acres. As we are looking at it here, north is the top of the screen, so you can see 75th Street at the top of the screen and then Meadowridge Drive off of the right. It's zoned B-2 since it annexed in 1998. It is sort of set between an office park that is located east and a separate office park that is located to the west. It has not been developed in the 20 years it's been annexed and zoned. There is really no interconnection between either of those adjacent developments and so the property kind of sits on an island. In the Route 59 Corridor Plan that was recently approved by the city, this property is designated medium density residential, so the townhome plan is and the change to the zoning is consistent with the update Master Plan comments. We are proposing townhomes. It is two story homes with options that are not depicted here in the floor plan, but options for sunrooms and options for habitable attics. So the base floor plan is roughly 1,800 square feet. That could be increased to 2,500 square feet if all of the options were selected. As Ed mentioned, we are proposing R-4A zoning. There are 18 buildings consisting of 4 unit, 5 unit and 6 unit buildings. Architecture is sort of Traditional American, brick wainscot, traditional lap siding, board and batten detail to add some architectural interest. We have a couple of code related issues that we are looking to address. We are proposing a 60 feet right-of-way throughout the development here. It is an efficient design with it being a double loaded road throughout. All of the pavement sections and widths are per code, it is just the reduction in the overall right-of-way from 66 to 60.

Mr. Sieben said what's your back to back on the pavement?

Mrs. Morgan said 31.

Mr. Whitaker said so 31 foot back to back roadway surface, but 60 foot right-of-way. In addition to that, given the sort of unique configuration of the site, there is an issue with the turning radius at each of the four corners. So we've got a horizontal curvature of 40 feet instead of the typical code requirement. We think the reduced right-of-way

and the horizontal curvature are appropriate in this situation because there is really no interconnectivity to any other property. It will really be just residents and guests within the subdivision. It will be a very low traffic subdivision with Meadowridge being the collector heading out to 75th. Aside from those two issues, the R-4A code doesn't really address the townhome situation real easily, so we proposed in our petition for zoning relief a set of bulk standards that would be applicable to the property with a 30 foot setback to any exterior property line. We are holding 20 feet between buildings. I think we have a 19 foot side yard setback in some instances to the external property, but we are trying to maximize those setbacks. I would call out though that this is the base floor plan. We do have options for a sunroom. The sunroom would add 6 feet onto the rear of the base floor plan and so as we platted out, that sunroom option would be a 6 foot permitted encroachment in the 30 foot rear yard. All of the setbacks and standards are set forth in our petition that we are looking to adopt as part of the Plan Description on this one. I think that kind of summarizes where we are at.

Mr. Sieben said did you mention you were asking for a variance on the radius on the curve of the street? Is that what I heard?

Mr. Whitaker said correct. We have a horizontal curvature of 40 feet, so the curves at each of the four corners on the loop internal to the site is shaper than what would be permitted by code. You can see Meadowridge obviously has a curve to it, but it is a much gentler curve on a collector that you've got a lot of people traversing. Internal to this site, we have what are effectively right hand turns. We just don't have a T intersection, so it is a little sharper curve.

Mr. Sieben said I have a couple of general comments before Jill comments. You mentioned that the city just approved the Route 59 Corridor Study where this is shown as medium density residential. We had Pulte contact School District 204 early on, I want to say maybe a year or so ago. Do you want to just discuss briefly what that correspondence has been?

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[19-0263](#)

Requesting approval of a revision to the Preliminary Plan and Plat for the property located at the southwest corner of Meadowridge Drive and 75th Street for a ROW Dwelling (Party Wall) (1130) Use (Pulte Home Company, LLC - 19-0263 / NA28/3-17.234-PD/R/Ppn/Psd/R - JM - Ward 8)

Representatives Present: Dwayne Gillian, Russ Whitaker and Rob Getz

Mr. Whitaker said like Ed mentioned, the original plan approval was from 1998 for Ocean Atlantic. The property here that we are looking at consists of roughly 11 acres. As we are looking at it here, north is the top of the screen, so you can see 75th Street at the top of the screen and then Meadowridge Drive off of the right. It's zoned B-2 since it annexed in 1998. It is sort of set between an office park that is located east and a separate office park that is located to the west. It has not been developed in the 20 years it's been annexed and zoned. There is really no interconnection between either of those adjacent developments and so the property kind of sits on an island. In the Route 59 Corridor Plan that was recently approved by the city, this property is designated medium density residential, so the townhome plan is and the change to the zoning is consistent with the update Master Plan comments. We are proposing townhomes. It is two story homes with options that are not depicted here in the floor plan, but options for sunrooms and options for habitable attics. So the base floor plan is roughly 1,800 square feet. That could be increased to 2,500 square feet if all of the options were selected. As Ed mentioned, we are proposing R-4A zoning. There are 18 buildings consisting of 4 unit, 5 unit and 6 unit buildings. Architecture is sort of Traditional American, brick wainscot, traditional lap siding, board and batten detail to add some architectural interest. We have a couple of code related issues that we are looking to address. We are proposing a 60 feet right-of-way throughout the development here. It is an efficient design with it being a double loaded road throughout. All of the pavement sections and widths are per code, it is just the reduction in the overall right-of-way from 66 to 60.

Mr. Sieben said what's your back to back on the pavement?

Mrs. Morgan said 31.

Mr. Whitaker said so 31 foot back to back roadway surface, but 60 foot right-of-way. In addition to that, given the sort of unique configuration of the site, there is an issue with the turning radius at each of the four corners. So we've got a horizontal curvature of 40 feet instead of the typical code requirement. We think the reduced right-of-way and the horizontal curvature are appropriate in this situation because there is really no interconnectivity to any other property. It will really be just residents and guests within the subdivision. It will be a very low traffic subdivision with Meadowridge being the collector heading out to 75th. Aside from those two issues, the R-4A code doesn't really address the townhome situation real easily, so we proposed in our petition for zoning relief a set of bulk standards that would be applicable to the property with a 30 foot setback to any exterior property line. We are holding 20 feet between buildings. I

think we have a 19 foot side yard setback in some instances to the external property, but we are trying to maximize those setbacks. I would call out though that this is the base floor plan. We do have options for a sunroom. The sunroom would add 6 feet onto the rear of the base floor plan and so as we platted out, that sunroom option would be a 6 foot permitted encroachment in the 30 foot rear yard. All of the setbacks and standards are set forth in our petition that we are looking to adopt as part of the Plan Description on this one. I think that kind of summarizes where we are at.

Mr. Sieben said did you mention you were asking for a variance on the radius on the curve of the street? Is that what I heard?

Mr. Whitaker said correct. We have a horizontal curvature of 40 feet, so the curves at each of the four corners on the loop internal to the site is shaper than what would be permitted by code. You can see Meadowridge obviously has a curve to it, but it is a much gentler curve on a collector that you've got a lot of people traversing. Internal to this site, we have what are effectively right hand turns. We just don't have a T intersection, so it is a little sharper curve.

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ANNOUNCEMENTS

ADJOURNMENT

Mr. Sieben adjourned the meeting at 10:38 a.m.

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