



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 16, 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. Morgan, Mr. Broadwell, Mr. Minnella, Mr. Phipps and Mr. Beneke.

OTHERS PRESENT

Others Present: Mike Frankino (Fox Metro), Rick Williams (Griffin Williams), Michael Konopka (Cordogan Clark & Associates), Dave Burroughs (EEI), and Roxana Hoffaman (Scientel).

APPROVAL OF MINUTES

19-0305

Approval of the Minutes for the Planning Council meeting on April 9, 2019.

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

PUBLIC COMMENT

None.

AGENDA

[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)

Mr. Sieben said we should be getting comments to them within a couple of days. That

did not get out before Jill went to conference on Friday, but we'll get something out this week.

Mr. Phipps said we got our comments out already.

[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)

Mr. Sieben said we should be getting comments to them within a couple of days. That did not get out before Jill went to conference on Friday, but we'll get something out this week.

Mr. Phipps said we got our comments out already.

[19-0276](#)

Requesting approval of a Final Plat Revision consolidating Lots 25 through 120 of the Heritage Green Subdivision, Establishing Lot 1 of the Arbor West Subdivision for the property located at 1240 Nantucket Road (Arbor West, LLC - 19-0276 / AU09/3-18.153-Fsd/R/V - SB - Ward 6)

Mr. Sieben said this is the old Stone Crossing apartment complex, which is under new ownership by Arbor West, LLC and then they are going to rename it Arbor West.

[19-0277](#)

Requesting Approval of a Plat of Vacation for Public Right-of-Way for Coventry Place, Nantucket Road, and Huntington Drive, Along the Property Located at 1240 Nantucket Road (Arbor West, LLC - 19-0277 / AU09/3-18.153-Fsd/R/V - SB - Ward 6)

Mr. Sieben said this is the result of several meetings with the new owners. What they are going to do is vacate the public right-of-way. There will be some reconfiguration near the intersection at Indian Trail to better improve flow there at the traffic signal. They are also going to reconfigure the former public roadways to allow for perpendicular parking off of that, which will be a private drive. They are going to relocate the sidewalks, obviously, so they are pushed in a little bit where the perpendicular parking is. This will result in additional parking on site for the residents. As part of the intersection improvement at Indian Trail, they are going to be removing the access on the east side of Nantucket there to better improve flow, again, at that traffic signal. They are also making improvements to the apartment buildings with some updates and some remodeling and they are also adding a couple of new amenities with the clubhouse buildings in the middle of the site.

Mr. Phipps said Mary Garza from my staff sent out her review comment, I think, on Friday last week. Almost everything was straightforward and pretty typical. One item I wanted to at least mention is in the course of her review she realized that, at least it appears that, Indian Trail is in several outlots as opposed to being dedicated right-of-way, so she included a comment that we'd like to see that become dedicated right-of-way as part of this approval process.

Mr. Sieben said that would be a separate document typically, so I believe it would be the northerly 40 feet there of Indian Trail just to formerly dedicate that portion.

Mr. Phipps said yes.

Mr. Sieben said Herman, the Fire Marshall has sent out numerous comments on this. Do you want to go over what kind of the main items were?

Mr. Beneke said basically everything. We didn't get a fire plan. What they said was a fire plan wasn't anything. We just need to see all of our requirements and hydrant coverage. Anything that's sprinklered needs to show the requirements for the Fire Department Connection and the sprinkler room and all those kind of things, the widths of the fire lanes, access requirement, hose stretch requirements, all the typical things. Until we actually see something that shows all the criteria we really can't give more than general comment that everything needs to be covered. They might be fine, but we haven't see anything.

Mr. Frankino said I think the only issue we had, I think it's been resolved, was the discharge of main pool drains to a storm sewer. I think that's been resolved. The unpolluted main pool drain water just can't go into the sanitary sewer, but I assume there is storm sewer nearby and I think that's been taken care of.

Mr. Sieben said we are shooting for some time in May for this to go to Planning Commission, but obviously need especially the fire comments worked out.

Mr. Beneke said we really need to see something to see that it looks like it works.

[19-0284](#)

Requesting approval of a Final Plan Revision for property located at 245 N. Eola Road (Scientel Solutions, LLC - 19-0284 / NA08/1-19.051-Fpn/R - TV - Ward 10)

Mr. Sieben said Tracey Vacek is not here. She is at a conference today, but let me just touch on some of the highlights of the staff report for a little bit of background for the record. In January of 2018, the City Council approved a Special Use Planned Development Revision, a Preliminary Plat and Plan Revision and a Special Use Permit for a communication facility on the subject property. Then in May of 2018, the City Council approved a Final Plat for a 2 lot subdivision and a Final Plan Revision on Lot 2 for an office for Scientel Solutions, LLC, which included a 195 foot lattice communication facility. Since approval of the Final Plat and Plan, the Petitioner has secured and recorded all the required sanitary sewer easements needed to extend the sewer to their property. In addition, Scientel Solutions recently constructed the communication facility on the subject property. The Petitioner has been working with the adjacent property owners for the last year to secure the necessary easements, including an access easement to construct a shared private road between the property and the adjacent property to the south as shown on the approved Preliminary Plan for the Northbridge Subdivision and on their approved Final Plan. However, to date, the Petitioner has been unsuccessful in obtaining these easements. Additional information is in the packet. What's being proposed here is with this Final Plan Revision with minor modifications is to develop the property in phases. Option 2, Phase 1 and Option 2, Phase 2, unless they can secure the necessary easement prior to construction of the private road as shown in the original approved Final Plan, which we are calling Option 1, which was approved by Final Plan on May 25, 2018. So essentially what we have, I think what we show up here on the TV is Option 2, Phase 1. It includes relocation of a shared access road between their property and the adjacent property to the south entirely under the Scientel property and terminating in the parking lot on Lot 2 on an interim basis so that the Petitioner can get access to Lot 2. Then Option 2, Phase 2 includes relocating the shared access road between the 2 properties back to the original location and extending the drive to the far eastern

property line as approved on the Preliminary and Final Plan at such time the property to the south develops pursuant to the terms of the approved Annexation Agreement. If I can add one more discussion item, the Annexation Agreement specifically requires the owners of the property to grant cross access easements to each other at the time of the approval of the Final Plan. The agreement, however, does not specify which Final Plan triggers this obligation and the issue remains one of disagreement between the owners of the 2 properties, actually 3 properties, I guess. Rather than waiting for this issue to be resolved among the parties, staff does recommend the following two phase approach to facilitate development of the parcels. The revision to the Final Plan gives the Petitioner options to move forward with the development of this subject property.

Representatives Present: Richard Williams, Michael Konopka, Dave Burroughs and Roxana Hoffman

I'm Rick Williams, Griffin-Williams, attorney for Scientel. We're ready to go. The city has put some time limitations on when we need to get our building up and we are ready to go. I think we have the foundation permit.

Mr. Konopka said we do have the foundation permit and we'll probably be looking to go ahead and begin the excavation for the foundations on May 1st.

Mr. Williams said the beauty about this plan is it provides an interim solution so that we can proceed, fulfill our obligations to the city, but also meet our business needs of getting our headquarters here and then as such time as we get the easement from the property owners from the south, if it happens before we build the road, as Ed said, we'll comply with the plan from May of 2018. If we don't get it in time, we'll construct this road and when they develop the property to the south, we will cooperate in making the property comply with the plan from 2018. It is a solution for us to go forward. It doesn't affect our neighbors in any negative way and allows us to proceed.

Mr. Konopka said just one other thing with that with what we've done on the construction side is to amend the construction schedule and sequencing so we are going to delay on that road until hopefully things can work out. Hopefully things can work out and then we don't have to do double work. Hopefully everything comes together and we get the road balanced on the property line. Right now what we are going to do is we are going to try do as little as possible in that area in terms of anything, utilities, road construction, or whatever it may be and we'll hold on until we can get it resolved hopefully.

Mr. Sieben said does staff have anything else to add on this? I know we met a few times preliminarily on this to lay this out.

Mr. Thavong said I know you guys are doing utilities in terms of like the sanitary and the water main. Are you still constructing that?

Mr. Burroughs said yes.

Mr. Williams said the sanitary sewer is on the ComEd property and the Midwest Generation property so we don't have any constraints with our neighbors to the south.

Mr. Thavong said to the north there are temporary construction easements that may be needed Dave.

Mr. Burroughs and yes and Souts I didn't get a chance to talk to you yesterday, but we

did receive some of the comments back from that property owner regarding that plat. I am addressing those comments. One of the things is we were showing that as a public utility easement, just a standard city easement. He would like to limit that to water main at this time if possible. I haven't had a chance to talk to you about that, but that's what the owner would like to do, just limit it to water main for the majority of it because that's really what we need it for to loop that water main back.

Mr. Williams said there were some other legal requirements he wanted to see, restoration obligations, which we are fine with and no prohibition on encroachments, at least at this time. They say when they develop they'll grant the full city easement, but right now they just are willing to grant the water. It seems that they are willing to grant the water main easement.

Mr. Burroughs said the city, obviously, would have another bite at the apple when they come in to develop.

Mr. Thavong said worst case scenario, you could always adjust the water main location.

Mr. Burroughs said I could, yes I could.

Mr. Thavong said I sent review comments out last week. There is some minor stuff that just needs to be clarified. As we move forward in terms of Final Engineering, we still need the engineering fees and security. I'll determine that amount for you guys. I know we signed off on a foundation getting you guys going, but before formal engineering approval, those are the 2 things that I would need.

Mr. Burroughs said and we have both the sanitary and the water IEPA permit application signed back from the city so those have been sent down to Springfield, so here at the end of the month we'll have that in place and be able to get started on the sanitary. I was waiting until we got through this meeting today, but we still need to resubmit back to DDOT to let them know we moved the road 15 feet north.

Mr. Beneke said on our side, we have been working with them on the foundation. We did work together on a few tweaks for the fire plan and have signed off on the fire plan. We are good with this condition and we are good with working with the foundation also.

Mr. Frankino said I was asking Souts about the arrangement of the sanitary. I see sanitary going north and off-site yet, which would be beyond the area that we would need to see it for the future service area. Was there some arrangement with that? I think the property owner wanted to see it on there, but yet you don't intend on building it right now?

Mr. Burroughs said that was really ComEd, well actually between ComEd and the City of Aurora. We wanted to get the sanitary easement all the way up to Diehl Road and in order to do that ComEd wanted to see that profile, that sanitary sewer, but the application that I submitted down to the EPA does not include that last section. It only goes to our north property line.

Mr. Frankino said so what's on intending on being constructed now is what's on the IEPA?

Mr. Burroughs said right, but we did get the easement from ComEd all the way to Diehl, so we have that in place.

Mr. Thavong said and then the city wants that.

Mr. Burroughs said correct.

Mr. Thavong said we wanted to show that extension of the sanitary all the way up to Diehl.

Mr. Frankino said it is good to know it is secured.

Mr. Thavong said we don't want to walk back to ComEd.

Mr. Sieben said let me read the conditions that we had in the staff report, although I believe the landscaping has been resolved, but staff would recommend approval of the Planning and Development Committee Resolution approving a revision of the Final Plan on Lot 2 of the Scientel Solutions Subdivision located at 245 N. Eola Road with the following conditions:

The first condition had to do with revision to the landscape plan, but I believe I saw that was resubmitted Friday or Monday. I think it is fine, so we'll remove this condition on the landscaping provided that meets that. The other condition was that the Petitioner will cooperate with the property owner to the south to relocate the shared private road at such time as the property owner to the south fully complies with its obligation to dedicate the cross access easement as required by the Annexation Agreement.

Mr. Williams said and we state that in our qualifying statement that we will.

Mr. Sieben said I will make a motion to move this forward to the April 17th Planning Commission meeting with the conditions as read. Mr. Broadwell seconded the motion. The motion carried unanimously.

A motion was made by Mr. Sieben, 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.

PENDING

ANNOUNCEMENTS

ADJOURNMENT

Mr. Sieben adjourned the meeting at 10:18 a.m.

VISIT OUR WEB SITE FOR CURRENT AGENDAS:

<https://www.aurora-il.org/AgendaCenter>