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. Sodaro, Mr. Minnella, Mr. Phipps and Mr. Beneke.

OTHERS PRESENT

Others Present: Mike Fankino (Fox Metro), Jon Monsma (Invest Aurora), Neal Driscoll (Liberty Property Trust), Bill Perry (Watermark Engineering), Haley Wittenkeller (Designer for Liberty Property Trust), Mike Elliott (Kluber Engineering), Ryan Martin (Mackie Consultants) and Michael Poulakidas (Fox Valley Developers).

APPROVAL OF MINUTES

19-0922 Approval of the Minutes for the Planning Council meeting on October 8, 2019.

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

PUBLIC COMMENT

None.

AGENDA

19-0825 Requesting approval of a Final Plan for Lot 3 of Citizens First National Bank Business Park Subdivision located at 1521 Ogden Avenue for a mixture of Business and Professional, Office (2400), Retail Sales or Service (2100), and Restaurant with a drive-through facility (2530) uses (Param Vijay - 19-0825 / OS01/1-19.054-Fpn - JM - Ward 9)

Mrs. Morgan said staff sent out comments. We also had a meeting subsequently with
the developer and the architect. We are waiting for a resubmittal. We have some additional research we’re going to get back to them on to move their landscaping as well.

Mr. Sieben said the one thing we’re still researching is that south setback line. It’s standard 15 foot with B-2, but we’re researching whether there’s a larger landscape easement there with the berm. We hope to have that answer by tomorrow.

Mr. Phipps said there is nothing new to report. Engineering is still waiting for a response to the review comments we sent out a few weeks ago.

Mr. Sieben said Herman we had talked with them. I think they were making some changes. We haven’t seen those revisions yet.

Mrs. Morgan said and Herman what was the height did they think their 3 story office building was going to be?

Mr. Sieben said was that over 30? I would think yes.

Mr. Beneke said I think yes too, but I’m not sure. I think the architect was trying to say he thought it was less than 30. We just need the information.

Mr. Sieben said because all we had was the two dimensional square on the map.

19-0901

Requesting approval of a Revision to the Final Plat for West Ridge Corporate Center Phase III 1st Resubdivision generally located at the southeast corner of Bilter Road and Mitchell Road (Liberty Property Trust - 19-0901 / AU02/1-19.118-Fsd/Fpn/R - JS - Ward 1)

Representatives Present: Bill Perry, Haley Wittenkeller and Neal Driscoll

I’m Bill Perry with Watermark Engineering, the Civil Engineer.

I’m Haley Wittenkeller. I’m one of the designers for the project.

I’m Neal Driscoll with Liberty Property Trust, the owners and developers.

Mr. Perry said so we are here for 701 Bilter. It is part of the Liberty Business Center. Liberty Business Center has been around since I think I started working on it in 2001. So this actually, I think, is the final building that will be built in the development. Liberty also has a development in North Aurora on the west side of Mitchell Road that still has some vacancies, but that we are still working on, but this is the last piece in this. We are coming in. We are really building the building that was planned all the way along to be in this spot. The building itself did shrink a little bit in order to have some additional truck parking on the south side just because that’s what the demand is nowadays versus what we thought it was 10 years ago and so we are allowing for that and admit that the building actually got smaller from what was initially proposed. The perimeter conditions are really all in. There’s a ring road on the east side and west side of the building that are in. They are serving the existing PPG building that is south of here that is currently vacant.

Mr. Driscoll said so it is a vacant 200,000 square foot building that utilizes both the existing drive lanes that are already there. We’re doing our best to try to keep the building landscaped and shielded from the building behind us. It has been a great
park for us and we’d love to get this building vertical as quickly as we can.

Mr. Perry said so the plan is that it is going in as a spec building. They don’t have a proposed tenant at this point. Like a lot of the other buildings that we’ve done in this park, they are going in spec and hope to get a tenant within a year or less. We’ve set it up with parking and truck parking and docks and whatnot as a spec building and would do any tweaks from there. We are showing a number of land banked parking spaces and that is to meet the code, although from a word on the street and what Neal is looking at as far as tenants are concerned, we don’t think that we need all those parking spaces, so we are proposing a number on the north and Planning has actually commented on that and would like us to put in some additional ones and the ones that would probably make sense are the ones that are dashed in the northwest corner and Liberty doesn’t have an objection to that.

Mr. Sieben said and just the reason for that, if I can just give the history, so we modified our parking for warehouse/industrial buildings about 10 years ago. Prior to that it was kind of a hit or miss. It was based on the assumed employment base during the shift where there was the most employees. It was kind of hard to regulate, so we went to a kind of a little bit of a flexible based on square footage and then the bigger the building is then the number starts to go down as you get higher square footage and then whatever the office portion is, and again, we’ve got to kind of guess that too. We have been flexible allowing banked for “X” amount of it. However, you guys were really at about 48% of your proposed car parking was banked. You were building 52/48 banked. We looked at what we have been allowing in other developments and we really were not above 40% banked, so we were trying to get it maybe a little bit closer to that so we suggested if those 13 there getting closest to the actual office area were built, I think that would satisfy or would come pretty close to that. That’s where that comment is coming from. I know landscaping was sent. Do you have a comment on that?

Mr. Perry said landscaping was sent and we can talk about this off-line if that’s the way you want to do it. It is a business park that has been established and was approved with the original development. We are coming in and really just operating inside the envelope that we were given. Again, the perimeter roads were established and landscaping was established on the east side and west side of those roads when the original park was developed. The way we looked at the code was just inside of that.

Mr. Sieben said right.

Mr. Perry said so we are providing the adequate landscaping for the parking lot per code, for the north setback per code, for the south setback per code and for the foundation landscaping per code. We’re just not looking at the east and west because the east and west are already developed.

Mr. Sieben said so I have not looked at that, but Jake did review that per our standards. I know sometimes there are unique situations. Why don’t we discuss that after here today? Let’s take a look at that because sometimes with an infill there are some unique circumstances where, like you said, those 2 drives are already built on the edge there. Jake and I can sit down with you later this week and take a look at that.

Mr. Perry said the only other comment was with regard to a sidewalk. Right now, we have it shown with sidewalks coming from what would be 3 different options for entrances where offices could be, depending upon how this is leased out; one on the
far west, one in the middle and one on the far east, all on the north façade of the building. We show sidewalks that are coming from those locations to the parking lot. The request was 2 different pieces. One is to get an ADA accessible pad from the public sidewalk along Bilter Road to those entrances.

Mr. Sieben said so we’re thinking maybe like right up here might be the best bet. It is up to you guys where you think you might want to put that, but we were kind of thinking connecting it kind of in that area.

Mr. Perry said and I think that’s really the logical place to put it. On the far east, we wanted to do that as well, but there’s so much grade change that to do an ADA accessible…

Mr. Sieben said we were thinking at least just get one to the public walk on Bilter. I think that’s what we were looking for.

Mr. Perry said then the other request was to put a sidewalk in front of the parking stalls running east/west that would really connect all of the doors up.

Mr. Sieben said it would be kind of like this one that runs left to right, but extended across that curbing there.

Mr. Perry said yes, and going all the way to the east really to the other entrance, correct?

Mr. Sieben said correct.

Mr. Perry said and Liberty has questioned that. If this were a retail use that people were going for multiple doors that that would make sense, but for an industrial use and a use where there are separate tenants…

Mr. Driscoll said right. Typically the way the parking ends up getting allocated between tenants, they are allotted the spaces essentially in front of their entrance. We as a company have sort of used this as our best practice across the country because we’d prefer to have the green space there versus more hard surface.

Mr. Sieben said do you guys just want to king of respond to that then in the response back? So you guys think multiple tenants and then they would come in at that…

Mr. Driscoll said that’s generally the way it works out.

Mr. Sieben said maybe we could get a few more bushes then.

Mr. Driscoll said we’ll work on that.

Mr. Sieben said so if you could just respond on that.

Mr. Perry said not a problem. Other than that, they would like to get a mass grading permit still this fall to try to get in the ground to see what mass grading we can get in and possibly foundations. A lot of that is based upon the construction schedule with regard to panels coming.

Mr. Driscoll said there is a very, very small window of season left here where we can do this before the entire project slides into the spring and now we are not delivering a
building until late in 2020. The grading permit would be significant help to keep this moving.

Mr. Phipps said the Engineering Division is open to that. In our review letter, we identified a few items that would need to be addressed before then. Mainly it is a permit from Kane-DuPage Soil and Water Conservation District and it's getting the notice of intent filed with the IEPA and then squaring away the permit fee and security with Engineering. So just a few items and then we could issue a mass grading permit.

Mr. Perry said and we're very close to being able to do that. I think with a couple of these answers will be revised sets and those little pieces. Mike, as l talked before, the Fox Metro submittal will be pretty quick, but it is a spec building and so inside the building really is just floor drain and then outside the building it was very minimal.

Mr. Frankino said one question. The sanitary sewer that's existing that runs along the west side of the property I noticed goes to another building. Is that public main?

Mr. Perry said it is. When we did some research here with this development, we found that there were some easements, there's a platting issue that really occurred with it. At one time we talked about and we made a plat to subdivide this into 2 separate lots and that didn't get recorded for some reason and it still is today 1 lot. On that plat there were easements that were proposed. Well those easements never got recorded.

Mr. Sieben said we are doing a plat now, so we are trying to clean up those issues.

Mr. Perry said so we determined what easements were not platted at that time and then we are platting now a 2 lot subdivision, so it is going to the existing building, the existing PPG building, and this building are 2 separate lots and then we will be creating those easements at the same time. The lines were put in as mains. It turns out we're not (inaudible).

Mr. Frankino said we just want to make sure that it first wasn’t 6 inch and that second if it was 8 if was public.

Mr. Perry said it was 8 and it was meant to be public, yes. It was set up on the EPA permits and everything initially to be public.

Mr. Sieben said I think we had a tentative date we were shooting for. Is that November 6th?

Mr. Sodaro said November 6th.

Mr. Sieben said so November 6th Planning Commission, not a public hearing, just general discussion item. Then the following Wednesday, which would be the 13th would be hopefully your final vote at BZE Committee, which is the old P&D Committee. Then there is a 5 day appeal period, so it would be the following Tuesday that the full permit could be issued. But if you want to go for grading and stuff before that, that would be fine.

Mr. Beneke said Fire did have a few comments out there, so we'll need a resubmittal. There were a couple of hydrants you were using that’s on the other property. You’ve got to have the hydrants on the property on a fire access easement. You need to look at that. Also, the fire apparatus lane, there needs to be one fire apparatus lane along the entire side of the building, which has got to be at least 15 away and no more than
30 feet away.

Mr. Phipps said I think you've got that on all sides of the building.

Mr. Beneke said they are over 30 feet on those areas and then the sides are less than 15. They've got to be at least 15 feet away and nor more than 30 feet.

Mr. Perry said well 30 feet away encompassing the whole lane?

Mr. Beneke said no, to the edge of the fire lane.

Mr. Perry said to the front edge of the building?

Mr. Beneke said yes. To the face of curb by the fire lane to the building. So like on this side, I think you have maybe 13½ feet or something. If you make that 15 you’d have it covered.

Mr. Perry said well what about the north side?

Mr. Beneke said the north side is over 30 feet away.

Mr. Perry said the stalls are 20 feet and you’ve got…

Mr. Beneke said you’ve got to be outside the stalls. You’ve got to be at the drive lane.

Mr. Perry said right, so 20 feet plus, I guess if that’s 10 feet…

Mr. Beneke said you can only be 10 more feet, right. Look at it and you’ll see where we are talking about. If you have any questions, feel free to contact us on it. Also, the fire lane designation should be face to face for 26 foot wide lanes. I think it is just a matter of labeling them and making sure that we have what we need. We also noticed that you did a combined, or you need to combine your water and fire service together. The State plumbing code changed to require combined services. On the other side, if you are interested in grading and you want to get in for a foundation only permit, that is also okay.

Mr. Perry said can we talk about the hydrants for a second? On this plan that you can see in front of you, there is a hydrant like on the east of the eastern property line. It is in an easement. It is in the center just in the building next to us that Liberty also owns, but it is in a public easement and so we are counting that as one of our hydrants.

Mr. Beneke said that’s too far from the lane. It’s got to be no more than 5 feet from the fire lane, so that one would not count unless you move it closer to the fire lane. I think there was something further down, if I recall right, that might be able to be used.

Mr. Perry said there is, but we do need that eastern one in order to count because you need 2 hydrants within 400 foot circles of the hydrant.

Mr. Beneke said correct. You’ve got to encompass all building within a 400 foot radius. I think with losing the one down south, which is on the other property, I think that made a dead space in your building and you may need to add something in there.

Mr. Perry said did that change Herman because this is the approved Fire Plan from
when we originally did PPG. This was part of it and I have the original approved Fire Plan at that time.

Mr. Beneke said that hydrant needed to work for PPG, but you can’t use a hydrant on somebody else’s property because that could end up changing.

Mr. Perry said it is in an easement.

Mr. Beneke said if you have it on a fire easement that will never change, the lane or nothing will ever change, which is complicated to do and buildings and things change, we would accept that.

Mr. Sieben said your question Bill when the original got approved, which was what, 2004, but there has been some changes on their entrance.

Mr. Perry said okay. It was part of that approved plan at that time and we had all the hydrant coverage that was approved at that time.

Mr. Beneke said which covered that building.

Mr. Perry said no, it covered both.

Mr. Sieben said at the time they had approval for 2 buildings.

Mr. Perry said I didn’t bring the old F-1 plan, but I brought the old P-4 plan, which showed both buildings and that fire plan did show the hydrants for them and the one hydrant is right here, but I had a fire plan that was part of approved package for this building.

Mr. Beneke said well send it to me and I’ll look at it, but that’s what we are looking for.

Mr. Sieben said what year was the Bill?

Mr. Perry said 2006.

Mr. Sieben said well you guys can, again, talk off-line afterwards

Requesting approval of a Revision to the Final Plan for Lot 1A of West Ridge Corporate Center Phase III 1st Resubdivision located at 701 Bilter Road for a Warehouse, Distribution and storage services (3300) Use (Liberty Property Trust - 19-0902 / AU02/1-19.118-Fsd/Fpn/R - JS - Ward 1)

Representatives Present: Bill Perry, Haley Wittenkeller and Neal Driscoll

I’m Bill Perry with Watermark Engineering, the Civil Engineer.

I’m Haley Wittenkeller. I’m one of the designers for the project.

I’m Neal Driscoll with Liberty Property Trust, the owners and developers.

Mr. Perry said so we are here for 701 Bilter. It is part of the Liberty Business Center. Liberty Business Center has been around since I think I started working on it in 2001. So this actually, I think, is the final building that will be built in the development.
Liberty also has a development in North Aurora on the west side of Mitchell Road that still has some vacancies, but that we are still working on, but this is the last piece in this. We are coming in. We are really building the building that was planned all the way along to be in this spot. The building itself did shrink a little bit in order to have some additional truck parking on the south side just because that’s what the demand is nowadays versus what we thought it was 10 years ago and so we are allowing for that and admit that the building actually got smaller from what was initially proposed. The perimeter conditions are really all in. There’s a ring road on the east side and west side of the building that are in. They are serving the existing PPG building that is south of here that is currently vacant.

Mr. Driscoll said so it is a vacant 200,000 square foot building that utilizes both the existing drive lanes that are already there. We’re doing our best to try to keep the building landscaped and shielded from the building behind us. It has been a great park for us and we’d love to get this building vertical as quickly as we can.

Mr. Perry said so the plan is that it is going in as a spec building. They don’t have a proposed tenant at this point. Like a lot of the other buildings that we’ve done in this park, they are going in spec and hope to get a tenant within a year or less. We’ve set it up with parking and truck parking and docks and whatnot as a spec building and would do any tweaks from there. We are showing a number of land banked parking spaces and that is to meet the code, although from a word on the street and what Neal is looking at as far as tenants are concerned, we don’t think that we need all those parking spaces, so we are proposing a number on the north and Planning has actually commented on that and would like us to put in some additional ones and the ones that would probably make sense are the ones that are dashed in the northwest corner and Liberty doesn’t have an objection to that.

Mr. Sieben said and just the reason for that, if I can just give the history, so we modified our parking for warehouse/industrial buildings about 10 years ago. Prior to that it was kind of a hit or miss. It was based on the assumed employment base during the shift where there was the most employees. It was kind of hard to regulate, so we went to a kind of a little bit of a flexible based on square footage and then the bigger the building is then the number starts to go down as you get higher square footage and then whatever the office portion is, and again, we’ve got to kind of guess that too. We have been flexible allowing banked for “X” amount of it. However, you guys were really at about 48% of your proposed car parking was banked. You were building 52/48 banked. We looked at what we have been allowing in other developments and we really were not above 40% banked, so we were trying to get it maybe a little bit closer to that so we suggested if those 13 there getting closest to the actual office area were built, I think that would satisfy or would come pretty close to that. That’s where that comment is coming from. I know landscaping was sent. Do you have a comment on that?

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Mr. Sieben said what year was the Bill?

Mr. Perry said 2006.

Mr. Sieben said well you guys can, again, talk off-line afterwards

**19-0907**

Requesting the Establishment of a new Special Use Planned Development, and to change the underlying zoning district from R-4(S) Two Family Dwelling District, R-4 Two Family Dwelling District, R-3(S)
One Family Dwelling District, and R-3 One Family Dwelling District to R-4(S) Two Family Dwelling District and P(S) Park and Recreation District with a Special Use Planned Development on the property located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th Street and commonly known as Copley Hospital (Fox Valley Developers, LLC - 19-0907 / AU27/1-19.063-SU/PD/Ppn/Psd - JM - Ward 4)

Representatives Present: Michael Poulakidas, Ryan Martin and Mike Elliott

I’m Michael Poulakidas, managing member of Fox Valley Developers.

I’m Ryan Martin with Mackie Consultants, Site Civil.

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Mr. Poulakidas said so 2 years ago we formed a group that undertook to redevelop and repurpose the old abandoned Copley Hospital. It’s worked out in two phases. The first phase was to remediate and selectively demo the inside of the building. That allowed us two things. One is to show that we have the capacity to do that. The other was to allow us to get started on our financing, which a major portion of the project is financed using Historic Tax Credits. All of those wheels have been put into motion. One of the issues with the property, as everyone at this table I’m sure is well aware, there were no drawings on this building and you couldn’t access the building to get drawings. For that matter, we couldn’t access the building to get complete structural reports. Since we’ve demoed and remediated the building completely, Kluber Architects has gone in and given us a full structural report showing that the building is sound. They’ve also redrawn the entire building. The proposed uses for the buildings, and if it’s okay I’m going to reference them by year number, so the 1888 building is being repurposed into an old pharmacy with a deli. The 1916 building, the 1932 building and the 1947 building are being repurposed into senior living, of which we have engaged Garden Management Solutions. They are the 10th largest assisted living senior care management provider in the country. We’ve signed them on to manage the property. Those three buildings we like to informally call the “U” in our circle. Then in the middle of that where there used to be just really the old laundromat and I believe what was back of the house sections for the old hospital is now going to be used as a courtyard, or the proposed use is going to be a courtyard. Then going to the 1950’s nurses addition, we have agreements with the East Aurora School District that they will be repurposing that building as their School Administration building and we’re also proposing to build them a one story meeting/training facility. Those plans are actually drawn. We have gone in for foundation and remainder of demo permit on those two buildings and I just found out this morning from Cordigan and Clark that their drawings are 100% complete and Conrad Construction will be submitting for permits within the next two days for those buildings. That takes us to the 1970’s building and we have broken that up into two portions, if you will. The first two floors will be used, or the proposed use is, a health care center. The first floor would be an urgent care with physical therapy, labs, imaging, as well as a small workout facility for the campus. The second floor we are earmarking for a surgery center. Of course, the surgery center is subject to a Certificate of Need. However, our plans are moving forward with the full expectation that the group that is interested in obtaining the CON would obtain the CON. Then the upper four floors would be an apartment complex for adults with cognitive and developmental disabilities that have low support needs. It is an emerging concept. It is one that is slowly growing across the country, but it is a very successful model. Little by little, developers are becoming more aware of these.
There is one in St. Louis. There are two in Phoenix, Arizona. There are two in California. There is one that just opened up in Vancouver, Washington. There is a smaller model that’s similar to ours that’s in Highland Park, Illinois that has 14 units. Ours is proposed for 53 units. Then we obtained the approvals for the demolition of the 1980 cancer center and the powerhouse, which because of the tax credits, was no small feat, but we believe really squared off the campus. Being an attorney, I really like squares. We all feel and I think everyone agreed as soon as that came down that it really cleaned up the site. The other exciting thing is that, of course, subject to all these approvals that where typically the Historic Society, or SHPO, State Historic Preservation Office and National Park Service, does not allow for many exterior changes, they have in this instance on the two story building that right now is just the brown brick, they are allowing us to put windows in that would mimic the upper floors to open up that area and not just make it look like a brick face. Then, of course, working with the Park District we are very excited to be adding in green space to this area that hasn’t had green space before. They feel our frustration in dealing with the current property owner that owns some of the parcels that we don’t currently own. The park is going to start out at one size, which right now we are showing that they would own the rain garden. We’re actually going to be adjusting that and taking that out where we would own that. I’m very confident that it is going to look fantastic between us and what the park is going to be doing and it will look like it fits, but we will be maintaining the rain garden and not leaving that to the responsibility of the Park District. As some of you already know here, as we obtain the rest, God willing, once we obtain the rest of the lots that we don’t own, we will be giving some of those to the Park District to be able to expand that park size. The idea for us would be to satisfy the city’s needs for parking while giving as much green space as we can to the area. Then the other exciting part of all this, which is wrapped up into these three different numbers, is that we are proposing to close down Seminary near Lincoln, make that a park that would be owned by East Aurora and then we would then expand the alleyway so that the public can access that area and also the school buses can now put their traffic through there to have the kids dropped off in the area behind the school as opposed to Lincoln. I think this is a win/win in a lot of ways, not only because it will clean up, it eliminates the traffic jam that is on Seminary, but it frees up Lincoln where people aren’t avoiding that during the day at certain points of the day. My opinion as a homeowner, I would much rather live in an area where it is kind of blocked off and not a through way than the alternate. We feel as though our team has come up with a super exciting concept. We have uses that are backed by providers that have a story of success and are super excited to take the next steps. I know I get wordy at times, so I apologize. I hope that gives everyone a nice little overview and an up to date of what we are doing.

Mr. Sieben said Jeff Palmquist is here with the Park District. Jeff, you are eventually party to this. Do you want to state any comments you have?

Mr. Palmquist said I don’t know if it relates to this or the other item down there, which is the plat we’re initiating.

Mr. Sieben said we are talking about all three.

Mr. Palmquist said we can talk about all three. So the park site, my understanding is going to be Lot 7.

Mr. Sieben said let me pull up the plat.

Mr. Palmquist said so Lot 7 on the Preliminary Plat is indicated at 1.34 acres and so
that would extend all the way up to the alley and include the right-of-way.

Mr. Phipps said correct.

Mr. Palmquist said that was my understanding and just so everyone else at the table understands where the park site is going to be initially located. That, of course, triggers a number of considerations that we would all have them, you know, the vacation of a right-of-way that's obviously part of the plat consolidation. The accommodation for the underlying utilities. It would be certainly in the best interests of the park to have those contained over the utilities rather than keeping it wide just in terms of giving us a little more flexibility in terms of what we can do with utilities, obviously not putting anything over. We wouldn't put a playground over any pipes in the ground. Then ask about a plan, so the site's not real big and this project is actually funded with IDNR grant money. The initial plan we had actually had a different configuration up there at the northern parking lot because we were dealing with what Fox Developers had ownership of and the primary feature was a playground and we wanted open space, both for the development and for the surrounding area with rather dense small yards a chance to play, so 1.34 acres gives us a little more than what we had originally. That's why I thank you for moving the rain garden. I understand why that was an initial proposal. I'm not sure whether it was going to be seen as an asset or a liability. Ultimately, it would have been a liability for the park, so working with engineering, it appears that we will be able to have a solution that wouldn't encumber the park with a rain garden. So I addressed the vacation, the plat, and utilities as we get into the final platting. Then the other question or issue would be the hammerhead at Weston. I appreciate the effort to make that functional, but as tight as possible so we are not spreading out into the park. The side garages on either side of Weston may prevent it, but in a perfect world that hammerhead could even slide to the east and be totally off the park property. I don't know if that's possible or not Mark.

Mr. Phipps said I think in order to do that then if a snow plow needed to turn around, they would be using the private property owner's driveways.

Mr. Palmquist said those driveways right there at the back?

Mr. Phipps said yes, I think so. The city actually would prefer to have a cul-de-sac there, but we realize that would be cutting into your park.

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Mrs. Morgan said and we are wanting that dedicated, correct Mark?

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Mr. Poulakidas said that's what I thought we were doing.

Mr. Martin said it's an option. We have to kind of look at rain gardens pretty holistically.

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Mr. Phipps said the flexibility that the city can provide is that what we'd like to see is the Kane County Stormwater Ordinance has a requirement for there to be best management practices as a part of a development like this and so we'd like to see as much of the required stormwater treatment volume provided on-site as we can, but the Kane County Ordinance allows for there to be a fee in lieu of stormwater best management practices, so realizing that all the constraints and the challenges, we'd like to see the effort made to get as much as that retention volume on-site as possible and then if there is a portion of it that can't be relocated or squeezed in somewhere where everybody can be satisfied with it, then we could consider whether paying a fee in lieu of that would be possible. Then the city uses that to put best management practices in other locations in the city.

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Mrs. Morgan said so the road is already vacated. Do we have easements already, or is that being granted?

Mr. Martin said Weston Avenue is vacated and easements are granted along with that vacation.
Mrs. Morgan said okay, so the easement currently then is over the entire road?

Mr. Martin said correct.

Mrs. Morgan said so the park prefers it just be running along where the actual lines are?

Mr. Palmquist said that would be greatly appreciated to get those easements over the utilities.

Mr. Martin said that would be a vacation then.

Mrs. Morgan said so we need to vacate and then dedicate?

Mr. Martin said correct. The dedication would be part of the Final Plat.

Mrs. Morgan said and they would need a separate vacation of city easements.

Mr. Martin said correct, city easements and any utilities that have rights to those easements.

Mr. Phipps said I would think the easement wouldn’t need to be as wide as the right-of-way is, but it would need to be wider than, it wouldn’t just be over the top…

Mr. Palmquist said oh no you need some area, of course.

Mr. Phipps said so we can take a look at the depth of the sewer in that area and see what would be appropriate.

Mr. Palmquist said and you’ll have to put that diagonal in an easement anyway. You’re kind of at the drawing board anyway.

Mrs. Morgan said so for Planning, we were planning on just kind of keeping the R-4, but then after looking at it, it made more sense to try to zone it a little closer to what the uses are. As you can see, there are three items coming from Legistar, so the Special Use Planned Development will be over just the portion Avalon Heights owns. So we are doing a Plan Description, which changes the underlying zoning to R-5 with a Special Use on the majority of the parcel. The school portions, the old building as well as the addition, we are going to zone Office with a Special Use and then the park will be Park with a Special Use. The Preliminary Plan, we did ask them to show south of what Avalon Heights owns to show that connection, so the Preliminary Plan does encompass a little more and then the Plat is just, again, the Avalon Heights portion that is part of the rezoning through the Special Use. We are in the process of doing the notifications for that. We are going to go to the November 6th Planning Commission meeting with the Special Use and Preliminary Plan and Plat. We’ve been back and forth with general comments, but we’ll get some additional comments out, nothing major. I think we’ve touched on most of the major stuff. It sounds like between us and Engineering comments, there are going to be some plating changes and Building’s comments about crossing a lot line with a building, so the plat will be kind of altered. We are working on the Plan Description. I hope to get that out soon. I’ll send that to you guys. I would recommend, I believe you have a lawyer now too, to have him look at the Plan Description and look at the base zoning because anything that’s not altered specifically in the Plan Description, it goes by whatever is in the base zoning, the underlying, so just making sure that staff caught anything that needs to be
changed, or changing setbacks, or changing parking requirements, and lot coverage requirements. I’m thinking minimum square footage requirements will be altered.

Mr. Sieben said so we are trying to make everything conforming with what your final project is in the zoning document.

Mrs. Morgan said in addition to uses.

Mr. Sieben said Mark, I know Tim got comments out a while ago.

Mr. Phipps said we’ve been in touch with Mackie and the team and we are waiting to see how they want to address those items. A number of the items that we put in our review letter are items that would be addressed at final engineering. This doesn’t need to be voted out today, is that correct?

Mr. Sieben said no.

Mr. Martin said there was nothing that we were looking at too that I don’t think we can’t work through either. It is all very straightforward.

Mr. Beneke said we had a phone conversation yesterday. We just got a revision to our original comments from the Fire Plan, so we’ll be looking at those. I haven’t had a chance to sit down with the Fire Marshall yet, but I kind of gave you a few heads up on a couple of things, you know, keeping hydrants within 5 feet of the fire lanes and trying to get the 26 foot fire lanes where we are doing new work and some turning requirements and aerial apparatus things. I think that we recognize the difference between existing that’s not changing and new and we will work within those guidelines, but we just need to have that delineated well enough. We’ll take a look at it. As soon as I can get with the Fire Marshall, we’ll get right back to you on anything we may have.

Mr. Frankino said heard mention of a food service area that might just need to have a grease trap, which I’m sure you’re expecting anyway. Other than that, it looks like most of the infrastructure on the sanitary side seems to be staying in place, unless you are tearing down a building and rebuilding it doesn’t necessarily need to be rehabbed. That would be probably a city spec if that would be more stringent than ours if you had it regarding existing sanitary rehabbing, but we wouldn’t require it unless the building was razed and reconstructed. Other than that, it’s just a grease trap inside for the food service area.

Mr. Martin said it can be outside, exterior?

Mr. Frankino said we actually prefer it. I’m sure a lot of food service people do as well. You don’t want your pumper guy in the middle of the kitchen.

Mr. Poulakidas said exactly. We’ll probably push the limit.

Mr. Frankino said we’ll help you with sizing on that.

Mr. Poulakidas said yes, perfect.

Mr. Frankino said we’ll use a comparable type project.

Mr. Palmquist said the only other thing I wanted to mention, Michael mentioned in his presentation about ownership and assembly and open space and we’ve been talking...
for some time and I really appreciate the challenges that they’ve had in trying to put this together and also help the Park District and the park. You had mentioned about some potential future open space depending on property. I believe if you go up to the upper right, it would be the third parcel over, so that one you don’t currently own, correct?

Mr. Poulakidas said we do not.

Mr. Palmquist said and that’s one of the reasons why we end up shifting over here because the park was just to the west of that originally shown and that was what our application to DNR was, but we love to add that to the park. I know that there’s this challenging question and Special Use that you have to wrestle with and what the parking requirements are. If you are on the fence, know that if it went open space it would be an asset and it would be rolled into the park.

Mr. Sieben said we agree if we feel that we’re comfortable with the parking as is and don’t need to add that other road if you add this it could go to the Park District.

Mr. Poulakidas said and the reason, so that everyone knows for that change, is there were certain parcels that there was actually a tax buyer and we fully engaged those tax buyers, fully engaged their attorneys and then as we did our due diligence it came out that they didn’t do what they were supposed to do. One of the, we actually tracked them through court, and it, in fact, got kicked out by the judge because they couldn’t verify and document how it needed to be done, or they couldn’t document that it was done properly. We had gone in with this excitement that we’re in negotiations because we obtained several other parcels through tax buyers who did it the right way and the other parcels, unfortunately, we ran into tax buyers who didn’t have their I’s dotted and their T’s crossed and we kind of hit a brick road and we’re now starting the process all over again. We’re comfortable that at least a couple of the parcels will come. We’ll see how that plays out in the next year or so.

19-0908

Requesting approval of a Preliminary Plat for Avalon Heights located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th Street (Fox Valley Developers, LLC - 19-0908 / AU27/1-19.063-SU/PD/Ppn/Psd - JM - Ward 4)

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Mrs. Morgan said in addition to uses.

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Mr. Palmquist said and that’s one of the reasons why we end up shifting over here because the park was just to the west of that originally shown and that was what our application to DNR was, but we love to add that to the park. I know that there’s this challenging question and Special Use that you have to wrestle with and what the parking requirements are. If you are on the fence, know that if it went open space it would be an asset and it would be rolled into the park.

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Mr. Poulakidas said and the reason, so that everyone knows for that change, is there were certain parcels that there was actually a tax buyer and we fully engaged those tax buyers, fully engaged their attorneys and then as we did our due diligence it came out that they didn’t do what they were supposed to do. One of the, we actually tracked them through court, and it, in fact, got kicked out by the judge because they couldn’t verify and document how it needed to be done, or they couldn’t document that it was done properly. We had gone with in with this excitement that we’re in negotiations because we obtained several other parcels through tax buyers who did it the right way
and the other parcels, unfortunately, we ran into tax buyers who didn’t have their I’s
dotted and their T’s crossed and we kind of hit a brick road and we’re now starting the
process all over again. We’re comfortable that at least a couple of the parcels will
come. We’ll see how that plays out in the next year or so.

19-0909

Requesting approval of a Preliminary Plan for Avalon Heights located
along Weston Avenue and Seminary Avenue between S. Lincoln Avenue
and S. 4th Street for a mix used development (Fox Valley Developers,
LLC - 19-0909 / AU27/1-19.063-SU/PD/Ppn/Psd - JM - Ward 4)

Representatives Present: Michael Poulakidas, Ryan Martin and Mike Elliott

I’m Michael Poulakidas, managing member of Fox Valley Developers.

I’m Ryan Martin with Mackie Consultants, Site Civil.

I’m Mike Elliott with Kluber Architects, Engineers.

Mr. Poulakidas said so 2 years ago we formed a group that undertook to redevelop and
repurpose the old abandoned Copley Hospital. It’s worked out in two phases. The first
phase was to remediate and selectively demo the inside of the building. That allowed
us two things. One is to show that we have the capacity to do that. The other was to
allow us to get started on our financing, which a major portion of the project is financed
using Historic Tax Credits. All of those wheels have been put into motion. One of the
issues with the property, as everyone at this table I’m sure is well aware, there were no
drawings on this building and you couldn’t access the building to get drawings. For
that matter, we couldn’t access the building to get complete structural reports. Since
we’ve demoed and remediated the building completely, Kluber Architects has gone in
and given us a full structural report showing that the building is sound. They’ve also
redrawn the entire building. The proposed uses for the buildings, and if it’s okay I’m
going to reference them by year number, so the 1888 building is being repurposed into
an old pharmacy with a deli. The 1916 building, the 1932 building and the 1947
building are being repurposed into senior living, of which we have engaged Garden
Management Solutions. They are the 10th largest assisted living senior care
management provider in the country. We’ve signed them on to manage the property.
Those three buildings we like to informally call the “U” in our circle. Then in the middle
of that where there used to be just really the old laundromat and I believe what was
back of the house sections for the old hospital is now going to be used as a courtyard,
or the proposed use is going to be a courtyard. Then going to the 1950’s nurses
addition, we have agreements with the East Aurora School District that they will be
repurposing that building as their School Administration building and we’re also
proposing to build them a one story meeting/training facility. Those plans are actually
drawn. We have gone in for foundation and remainder of demo permit on those two
buildings and I just found out this morning from Cordigan and Clark that their drawings
are 100% complete and Conrad Construction will be submitting for permits within the
next two days for those buildings. That takes us to the 1970’s building and we have
broken that up into two portions, if you will. The first two floors will be used, or the
proposed use is, a health care center. The first floor would be an urgent care with
physical therapy, labs, imaging, as well as a small workout facility for the campus.
The second floor we are earmarking for a surgery center. Of course, the surgery
center is subject to a Certificate of Need. However, our plans are moving forward with
the full expectation that the group that is interested in obtaining the CON would obtain
the CON. Then the upper four floors would be an apartment complex for adults with
cognitive and developmental disabilities that have low support needs. It is an
emerging concept. It is one that is slowly growing across the country, but it is a very successful model. Little by little, developers are becoming more aware of these. There is one in St. Louis. There are two in Phoenix, Arizona. There are two in California. There is one that just opened up in Vancouver, Washington. There is a smaller model that’s similar to ours that’s in Highland Park, Illinois that has 14 units. Ours is proposed for 53 units. Then we obtained the approvals for the demolition of the 1980 cancer center and the powerhouse, which because of the tax credits, was no small feat, but we believe really squared off the campus. Being an attorney, I really like squares. We all feel and I think everyone agreed as soon as that came down that it really cleaned up the site. The other exciting thing is that, of course, subject to all these approvals that where typically the Historic Society, or SHPO, State Historic Preservation Office and National Park Service, does not allow for many exterior changes, they have in this instance on the two story building that right now is just the brown brick, they are allowing us to put windows in that would mimic the upper floors to open up that area and not just make it look like a brick face. Then, of course, working with the Park District we are very excited to be adding in green space to this area that hasn’t had green space before. They feel our frustration in dealing with the current property owner that owns some of the parcels that we don’t currently own. The park is going to start out at one size, which right now we are showing that they would own the rain garden. We’re actually going to be adjusting that and taking that out where we would own that. I’m very confident that it is going to look fantastic between us and what the park is going to be doing and it will look like it fits, but we will be maintaining the rain garden and not leaving that to the responsibility of the Park District. As some of you already know here, as we obtain the rest, God willing, once we obtain the rest of the lots that we don’t own, we will be giving some of those to the Park District to be able to expand that park size. The ideal for us would be to satisfy the city’s needs for parking while giving as much green space as we can to the area. Then the other exciting part of all this, which is wrapped up into these three different numbers, is that we are proposing to close down Seminary near Lincoln, make that a park that would be owned by East Aurora and then we would then expand the alleyway so that the public can access that area and also the school buses can now put their traffic through there to have the kids dropped off in the area behind the school as opposed to Lincoln. I think this is a win/win in a lot of ways, not only because it will clean up, it eliminates the traffic jam that is on Seminary, but it frees up Lincoln where people aren’t avoiding that during the day at certain points of the day. My opinion as a homeowner, I would much rather live in an area where it is kind of blocked off and not a through way than the alternate. We feel as though our team has come up with a super exciting concept. We have uses that are backed by providers that have a story of success and are super excited to take the next steps. I know I get wordy at times, so I apologize. I hope that gives everyone a nice little overview and an up to date of what we are doing.

Mr. Sieben said Jeff Palmquist is here with the Park District. Jeff, you are eventually party to this. Do you want to state any comments you have?

Mr. Palmquist said I don’t know if it relates to this or the other item down there, which is the plat we’re initiating.

Mr. Sieben said we are talking about all three.

Mr. Palmquist said we can talk about all three. So the park site, my understanding is going to be Lot 7.

Mr. Sieben said let me pull up the plat.
Mr. Palmquist said so Lot 7 on the Preliminary Plat is indicated at 1.34 acres and so that would extend all the way up to the alley and include the right-of-way.

Mr. Phipps said correct.

Mr. Palmquist said that was my understanding and just so everyone else at the table understands where the park site is going to be initially located. That, of course, triggers a number of considerations that we would all have them, you know, the vacation of a right-of-way that's obviously part of the plat consolidation. The accommodation for the underlying utilities. It would be certainly in the best interests of the park to have those contained over the utilities rather than keeping it wide just in terms of giving us a little more flexibility in terms of what we can do with utilities, obviously not putting anything over. We wouldn't put a playground over any pipes in the ground. Then ask about a plan, so the site's not real big and this project is actually funded with IDNR grant money. The initial plan we had actually had a different configuration up there at the northern parking lot because we were dealing with what Fox Developers had ownership of and the primary feature was a playground and we wanted open space, both for the development and for the surrounding area with rather dense small yards a chance to play, so 1.34 acres gives us a little more than what we had originally. That's why I thank you for moving the rain garden. I understand why that was an initial proposal. I'm not sure whether it was going to be seen as an asset or a liability. Ultimately, it would have been a liability for the park, so working with engineering, it appears that we will be able to have a solution that wouldn't encumber the park with a rain garden. So I addressed the vacation, the plat, and utilities as we get into the final platting. Then the other question or issue would be the hammerhead at Weston. I appreciate the effort to make that functional, but as tight as possible so we are not spreading out into the park. The side garages on either side of Weston may prevent it, but in a perfect world that hammerhead could even slide to the east and be totally off the park property. I don't know if that's possible or not Mark.

Mr. Phipps said I think in order to do that then if a snow plow needed to turn around, they would be using the private property owner's driveways.

Mr. Palmquist said those driveways right there at the back?

Mr. Phipps said yes, I think so. The city actually would prefer to have a cul-de-sac there, but we realize that would be cutting into your park.

Mr. Palmquist said thank you for that. There's only those two driveways too. There will be no park structures there or anything. Obviously, the fire trucks would have those two houses, but nothing beyond it from a park standpoint.

Mrs. Morgan said and we are wanting that dedicated, correct Mark?

Mr. Palmquist said that was going to be my next question is how any portion of the hammerhead that falls on the park, is that going to be part of a right-of-way? So the final platting should show that as part of right-of-way, so the 1.34 acres is going to be 1.28 or something like that.

Mr. Phipps said I was thinking that would be right-of-way. If there is a reason that you think it can't be…

Mr. Palmquist said I would prefer that. That's cleaner with DNR. I don't want to
represent that we’re getting 1.34 acres and then they see infrastructure, city infrastructure. They may have a problem with that.

Mr. Sieben said so the hammerhead will be right-of-way then, so that’s a comment. I think you guys have already made that Mark, I believe. Just to clarify Jeff and Michael, the existing rain garden, which is shown at the south end of the park site, Michael I believe you said you would carve that out and that would not go to the Park District. Is that what I’m hearing?

Mr. Poulakidas said that’s what I thought we were doing.

Mr. Martin said it’s an option. We have to kind of look at rain gardens pretty holistically.

Mr. Palmquist said we need it off the park site.

Mr. Sieben said but then you are getting less land.

Mr. Palmquist said we need the same amount of land. It has to go somewhere else on the property.

Mr. Sieben said that’s what I thought you said, so you guys will have to discuss that.

Mr. Palmquist said and just with the sequence of DNR, I appreciate there may be some land or not in the future and where it is it would preclude a good pedestrian access from the south. That’s the beauty of this park is we can get better direction north and south. We just need to assume that.

Mr. Phipps said the flexibility that the city can provide is that what we’d like to see is the Kane County Stormwater Ordinance has a requirement for there to be best management practices as a part of a development like this and so we’d like to see as much of the required stormwater treatment volume provided on-site as we can, but the Kane County Ordinance allows for there to be a fee in lieu of stormwater best management practices, so realizing that all the constraints and the challenges, we’d like to see the effort made to get as much as that retention volume on-site as possible and then if there is a portion of it that can’t be relocated or squeezed in somewhere where everybody can be satisfied with it, then we could consider whether paying a fee in lieu of that would be possible. Then the city uses that to put best management practices in other locations in the city.

Mr. Palmquist said and I appreciate the city’s understanding of just how tight the space is and the value of usable open space. It is a great project and one of the highlights is that this is an asset to the neighborhood and having something over an acre for open space. It’s not going to be unlike Palace Street when we took the parking lot and converted that to a park and you can envision that over here, but now if you are encroaching on half of that green space with a rain garden that really limits the benefit for both the project and the neighborhood, so understanding there may be a fee in lieu of portion or some other openness to a few other areas is really appreciated by me and I’m sure all the residents.

Mrs. Morgan said so the road is already vacated. Do we have easements already, or is that being granted?

Mr. Martin said Weston Avenue is vacated and easements are granted along with that
Mrs. Morgan said okay, so the easement currently then is over the entire road?

Mr. Martin said correct.

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PENDING

ANNOUNCEMENTS

ADJOURNMENT

Mr. Sieben adjourned the meeting at 10:50 a.m.

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