



City of Aurora

44 East Downer Place
Aurora, Illinois 60505
www.aurora-il.org

Legistar History Report

File Number: 15-00375

File ID: 15-00375	Type: Petition	Status: Draft
Version: 2	General Ledger #:	In Control: Planning & Development Committee
File Name: Duke Realty / Plat of Vacation / portion of Duke Parkway & City Easements		File Created: 04/29/2015
		Final Action:

Title: An Ordinance Vacating a Portion of Dedicated Public Right of Way for Duke Parkway and Vacating a Portion of a City Easement, north of Ferry Road in DuPage County, Aurora, Illinois, 60502 (Duke Realty - L15-00375 / WI33/3-15.083-Fsd/Fpn - TV - Ward 10)

Notes:

Agenda Date: 06/11/2015

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Property Research Sheet.pdf, Land Use Petition and Supporting Documents - 2015-04-28 - 2015.083.pdf, Plat of Vacation - 2015-05-28 - 2015.083.pdf

Enactment Number:

Planning Case #: WI33/3-15.083-Fsd/Fpn

Hearing Date:

Drafter: tvacek@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	05/05/2015	Forward to Planning Council	DST Staff Council (Planning Council)	05/12/2015		
	Action Text: This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	05/12/2015					
	Notes: <i>Representative Present: Wil Freve</i>						
	<i>Mr. Freve said I don't have a lot to add to this other than this is kind of the final stage. We've already been through the Preliminary PDD Revision and are on track to receive the Preliminary Plan and Plat approval at tonight's City Council, so this is just a continuation of our project to get our Final Plat and Final Plan approved. Essentially, we are going to be creating 2 developable industrial lots within our Butterfield Park. Approval of this will allow us to continue, or complete the infrastructure which is there, which includes all roadways, utilities, stormwater retention facilities and associated piping and also to do mass grading on these 2 lots, so essentially we will be left with 2 pad ready lots. The northernmost lot, which is Lot 6, which is up actually contiguous to Butterfield Road on the north, we have a lease signed on that property and so we are eager to start construction.</i>						

Mrs. Vacek said it is my understanding that there is sewer?

Mr. Feltman said there is a storm sewer that is serving Ferry Road in existing Ferry, Old Ferry that is being vacated, so we are going to need an easement to put over that storm sewer. You are going to have to coordinate that with the County.

Mr. Freve said can you point out where that is? I'm not familiar with what you are talking about Dan.

Mrs. Vacek said it is this portion here.

Mr. Feltman said were you talking about what we were talking about in the pre-meeting?

Mr. Sieben said that was the other vacation.

Mr. Feltman said that was the other vacation?

Mr. Sieben said the little stub off Old Ferry.

Mr. Feltman said Old Ferry.

Mr. Vacek said I'm sorry.

Mr. Feltman said there is a storm sewer that is serving current Ferry Road. It is draining through Old Ferry Road's right-of-way, so we need an easement over that storm sewer as part of the vacation.

Mr. Seiben said it is not part of this project.

Mr. Freve said sure that's not a problem. The Old Ferry would actually be on Lots 1 and 2 of our other plat, right?

Mr. Feltman said correct, so it is not really part of this.

Ms. Phifer said so it is not this one. It is the one that has been up at City Council already and is going to public hearing at City Council at the next City Council meeting. That's the vacation you're discussing?

Mr. Feltman said yes, off Ferry.

Ms. Phifer said before we can record that vacation, you were confusing us because you were talking about it in conjunction with this vacation. It is the one that's already been drawn. So what we are going to need is it sounds like you just need to have a conversation with the County, but I'm assuming, right, that we're probably going to need a signature block on that vacation for DuPage County since they have utilities in there and we are assuming that they're going to request from you an easement prior to them signing that Plat of Vacation.

Mr. Freve said and you're just talking about a storm sewer right in that small area of right-of-way at that shared driveway?

Mr. Sieben said yes.

Mr. Freve said or the easternmost drive, I should say, as Unit 2.

Mr. Seiben said yes.

Ms. Phifer said I don't think we have any issue with the utilities remaining there. They are just going need to have an easement over it so they can continue to maintain it.

Mr. Freve said sure. I don't think that is a problem. We can add that to the plat easily.

Ms. Phifer said so if it is possible to get us a new plat and you have talked to them by the 26th that would be good just so when we have the formal approval by Council we kind of have a direction on that, but if not we can follow up later. I know you are looking to go, so we don't want to hold anything up.

1 DST Staff Council 05/19/2015
(Planning Council)
Notes: *Mrs. Vacek said I will be getting comments out this week in regard to this. This is tentatively set for the June 3rd Planning Commission.*

Mr. Feltman said Engineering sent out comments.

Mr. Beneke said I think fire has approved it.

Mr. Krientz said yes, we have.

1 DST Staff Council 05/26/2015 Forwarded Planning & 06/11/2015 Pass
(Planning Council) Development
Committee

Action Text: A motion was made by Mrs. Vacek seconded by Mr. Feltman, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 6/11/2015. The motion carried by voice vote.

Notes: *Mrs. Vacek said this is going to the June 3rd Planning Commission. There will be some conditions:*

1. *That the plans be modified pursuant to staff's comments dated May 21, 2015.*

I believe Engineering has some conditions also.

Mr. Feltman said we have 3 conditions:

1. *The installation of sanitary sewer to allow for the decommission of the FedEx lift station is to be completed before final occupancy permits will be issued for the building and construction of Lot 6. That's the Fellows. This includes obtaining any and all easements, permits, and license necessary for the construction of said sanitary sewer. They still need to cross the CN and they need to get permits from all the gas companies as well, so there is quite a bit of permitting that needs to be done.*

2. *All permits, easements, and approvals necessary for the construction of Unit 3 improvements shall be obtained from the City of Warrenville and/or any other involved parties prior to the City of Aurora's approval of the Unit 3 final engineering plans. It is my understanding they have submitted to Warrenville and Warrenville has made some comments and have kind of given them a preliminary approval, so I think we're okay there.*

Mr. Wiet said even if show that little roadway, that emergency access?

Mr. Feltman said yes. They are okay with that. I think there still needs to be final executed agreements with the property owners.

Mrs. Vacek said so my understanding is they already have the agreements with the property owners and I believe it is recorded. I asked them to get me a copy of that. There was a Memorandum of Covenants or something like that with the City of Warrenville. We got a copy of it, but Warrenville did not sign it, so I asked them for a recorded copy of that when they record that.

Mr. Feltman said the final detail we need to work out is what the deed's going to look like. Obviously, you guys are going to have a Knox box. It is a detail that needs to be worked out. I don't think it is a big deal.

3. *Contingent upon final engineering approval.*

Mrs. Vacek said I make a motion to move this forward. Mr. Feltman seconded the motion. The motion carried unanimously.
