



City of Aurora

44 E. Downer Place
Aurora, IL 60505
www.aurora-il.org

Legistar History Report

File Number: 23-0601

File ID: 23-0601	Type: Ordinance	Status: ATS Review
Version: 2	General Ledger #:	In Control: Building, Zoning, and Economic Development Committee
File Name: Omega Equipment Sales LLC / 1995 Melissa Lane / Conditional Use		File Created: 07/28/2023
		Final Action:

Title: An Ordinance Granting a Conditional Use Permit for a Vehicle Repair, Minor (2834) Use on the Property Located at 1995 Melissa Lane.

Notes:

Sponsors:

Enactment Date:

Attachments: Exhibit A - Legal Description - 2023-08-21 - 2023.377, Exhibit B - Memorandum of Agreement - 2023-09-06 - 2023.377, Land Use Petition and Supporting Documents - 2023-07-26 - 2023.377, Qualifying Statement - 2023-08-28 - 2023.377, Property Parcel Maps - 2023-09-06 - 2023.377

Enactment Number:

Planning Case #: SG12/2-23.377-FPN/CUPD
Drafter: sbroadwell@aurora-il.org

Hearing Date:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning and Zoning Commission	09/20/2023	Forwarded	Building, Zoning, and Economic Development Committee	09/27/2023		Pass
Action Text: A motion was made by Mr. Chambers, seconded by Mr. Gonzales, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 9/27/2023. The motion carried.							
Notes: <i>Mr. Sodaro said thank you. It's good to see everyone. My name is Stephen Broadwell. I'm here with the City of Aurora Zoning Division. As we've heard this is the Conditional Use for the Vehicle Repair Minor Final Plan at 1995 Melissa Lane. So, Ed's got the property map up on the screen there for you. A little bit of background; the subject property is zoned ORI, which is the Office/ Research/ Light Industrial zoning district. The Land Use Comprehensive Plan designates the subject property as Office/Research/Light Industrial and Melissa Lane is a local street. The property itself is approximately 3 acres. It's vacant and fronts on Melissa Lane, with rear frontage on the I-88 Toll Road. We do have representatives here from...for Omega LLC...Omega Equipment Sales LLC, excuse me. So, they're requesting approval of this Conditional Use for this Vehicle Repair, Minor use. The details of the request include dedicating approximately 8,000 square feet of their building for light vehicle maintenance, which typically includes services such as oil changes, tire rotations, tire replacements,</i>							

and windshield wiper replacements. The Vehicle use... the Repair use will otherwise comply with the standards of the ORI zoning district. In addition to the Conditional Use, the Petitioner is also requesting approval of a Final Plan, which you can see up on the screen there, for a Business and Professional Use, the Vehicle Minor Repair, which is included in the Conditional Use, and then the Warehouse, Distribution, and Storage Services Use. As you can see on the plan there, details include approximately a 14,200 square foot building which will have a total of 6 bay doors: 4 of the bay doors will be for the vehicle repair services and 2 for the warehouse services. The Final Plan is showing 25 passenger vehicle parking spaces, which meet the minimum requirement for the Zoning Ordinances. Those would just be like passenger vehicles, like they would drive to the office, I guess. And then there's some additional trailer parking stalls and bob-tail semis. The building itself is about 29 feet tall and is a CMU block masonry design with framed aluminum composite material facing the...on the office portion of the building, kind of facing toward the toll road. So, that's really the scope of the project. I don't know if there are any questions for Staff. Otherwise, we can let the...have the Petitioner come up and speak.

Acting Chair Owusu-Safo said any questions for Staff? Okay. Will the Petitioner please come up?

(Inaudible speaking from audience)

Acting Chair Owusu-Safo said please...yes.

Mr. Sieben said (inaudible) swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth?

Mr. DeSerto said I do.

Mr. Sieben said thanks. And then you name and address please.

Mr. DeSerto said I'm Mike DeSerto from Entre Commercial Realty, 3550 Salt Creek Lane, Arlington Heights, Illinois. I'm here on behalf of the Petitioner, Omega Equipment Sales LLC. I want to first start by thanking Staff very much for walking us through this process. It's been a little over our heads with some of the steps that we've had to do, but we were helped out tremendously by Steve and Ed. You know, if there are any particular questions in regards to the actual site design or layout, I know that we didn't really breeze through the landscaping but we tried to be cognizant so Entre has specialized the last 7 years in what we consider to be a new asset product within the industrial world. Most of the developers for the last 30 years have maxed out these sites with a building footprint because rents usually are only done on a building footprint. On these small sites, these have been around...I don't know exactly...I think it was 2005 that the Orchard 88 Business Park was created and there's 3 vacant sites still on there that are all under about that 4-acre size range. They're extremely difficult to build 40,000 square foot buildings with today's construction pricing. It just doesn't really make sense. You need an economy of scale which is why you see people building 150 to 1,000,000 square foot type buildings. We realized that there was a problem and we also saw a need in the marketplace for trucking companies. These transportation companies needed what we call trailer parking, right? This was a huge negative connotation to many municipalities that we've approached. We've built 18 of these over the last 36 months in surrounding neighborhoods like Elgin, Streamwood, Huntley, East Dundee, Hampshire, a few more. And they all had that same kind of wall up and then we started showing them these designs. These are class A type buildings, these are owners that have pride in their ownership, they're not wrenching on vehicles. We build maintenance bays; we have the office, and we have the parts and storage and warehouse area. This allows a maximum efficiency for these types of groups. Before they had an office in Des Plaines, they had a shop down in the southern part of Matteson. You know, there was just so much inefficiency with that business so, again, we thought that we'd kind of start creating these micro-buildings and it allows them to maximize their business while taking advantage of a small lot, which is curing that problem for these municipalities by having the trailer parking because that's value to them whereas most developers wouldn't find the value in collecting rents off a 40,000 square foot building when it costs, you know, \$250 a square foot to build these days. So, that's kind of how our story of getting into this. Omega has chosen Aurora to put their investment and plant their flag in. They really like the exposure of I-88. It's very central to many of their customers and it was very conducive to a lot of their employees from a relocation. They're currently operating out of two locations: one in Elk Grove Village, one in Beecher. This will allow them to operate their facility under one roof. And we hope that we're able to welcome them here to Aurora. And if there's any questions in regards to the, you know, building construction, we do have our building team here. They could answer some of those questions. If there's any questions in regards to landscape, we try to over-embellish our landscape to raise any type of concerns. This is a class A business park. We've been in high dialogue and conversation with the association to make sure that

we're keeping to their park-like setting, so to speak. We do have a fence on 2 sides of the facility that will be screening the trailer area, but that's also going to be also very heavily landscaped to, you know, not have a fence just sticking out there as well. So, we try to be cognizant of our neighbors and good neighbors. But as far as all the maintenance, all of that is inside the building. None of it will be outside of the building. We comply with all of the IEPA regulations with triple catch basins, floor drains, everything like that. And again, we've been put through the ringer through a number of municipalities, not that Aurora's any different but, again, happy to answer any questions that there might be.

Acting Chair Owusu-Safo said any questions for the Petitioner?

Mr. Chambers said yeah, I just have a quick question. What would be the hours of operation for this?

Mr. DeSerto said so, hours of operation for this facility are typically going to be from 8:00 am to 6:00 pm and that would be all office staff and the traffic coming in and out, would be between 8:00 am and 6:00 pm.

Acting Chair Owusu-Safo said I have one question. What kind of trailers...content in the trailers that will be parked there in general?

Mr. DeSerto said so typically, these are dry van trailers which are your typical semi-box trailer, and they're going to be empty. If they're full, they're out for distribution and going out. The transportation company does operate 150 trucks, so obviously not parking their entire fleet there. If their entire fleet was parked there, then they're not making money to afford this big, beautiful building.

Acting Chair Owusu-Safo said any questions?

Mr. Gonzales said I have a quick question. The exchanging of tires; where's the storage going to be for the used tire before they're shipped out?

Mr. DeSerto said so the used tires, I believe, will be stored within the warehouse component and then, I believe they're picked up weekly. I can confirm that and get back to Staff on that, but I believe they're picked up weekly by a recycler.

Mr. Gonzales said okay, so they're not going to be held outside? I know there's some storage drain, and you have the pond right next to it in the close proximity, so nothing will be stored outside? It might rain and drain...

Mr. DeSerto said no, not only do we...we're not looking for outside storage, we're looking for just trailer parking, but the association themselves would never allow the outside storage of that. We'd be slapped on the wrist pretty quick.

Mr. Sieben said and the City would not allow that either.

Mr. Gonzales said just want to make sure.

Mr. DeSerto said and like I said, this group and amongst the other ones that we've built, and I encourage...you know, I'm sure guys have better things to do than go drive past our buildings that we've built...but they have such a pride in ownership. These are extremely clean lots; there's no trash, there's no garbage, there's no...you know, everybody thinks this negative connotation of chassis and all this...they don't operate that way. You know, again, this is a new asset class that we're trying to change the mentality and by proving it out time and time again so far.

Acting Chair Owusu-Safo said this is probably left field, but you guys consider any sustainability components like bioswales since you're doing a lot of landscaping around there? How is storm water being treated there?

Mr. DeSerto said that would be more of a build question. But I do know that we are berming some of it and I know that that park is master planned for our detention. I don't know about sustainability, the design. I was just the real estate guy, but actually our engineering company is not...

Acting Chair Owusu-Safo said have you consider, you know they have sometimes permeable pavers in some areas or some kind of cut outs and curves to, you know, somehow do a little bit more. This is a fresh, virgin area that you are developing...

Mr. DeSerto said yeah, we...

Acting Chair Owusu-Safo said so it's always nice to consider some of those components whenever possible.

Mr. DeSerto said we have done permeable pavers in some of our sites, primarily because of water detention requirements and that was one way to hit those requirements versus, you know, putting in underground detention or adding detention areas. That's very costly product, but I understand your concern for the environment as well.

Mr. Sieben said so I put up the landscape plan, so there is a 50-foot landscape buffer along I-88 that's to the north there. And then it...it's a total of 75 feet to the building, so we've held that on all developments along I-88. So that is I-88 to the north there and like Mike said, there is a berm of, I believe, at least 4 to 5 feet so you'll have a 4-to-5-foot berm plus that landscaping there. So, detention is already provided for this site as part of what was done for the whole park.

Acting Chair Owusu-Safo said okay, thank you. This is a public hearing so I now open it up to anyone who would like to have a comment. Please step up. Okay, I guess nobody's stepping up. Can we have the Staff's...

Mr. Sieben said you have to close the public hearing.

Acting Chair Owusu-Safo said alright, now we close the public hearing. We have no one coming up. We can close the public hearing. Can we get Staff's recommendation?

Mr. Sieben said oh yeah, we need the...he'll do the recommendation and the Findings of Fact.

Acting Chair Owusu-Safo said and the Findings of Facts, okay.

Mr. Broadwell said read Findings of Fact first?

Mr. Sieben said yeah.

Mr. Broadwell said okay, so I'll do the Findings of Fact:

1) Will the establishment, maintenance or operation of the conditional use be unreasonably detrimental to or endanger the public health, safety, morals, comfort of general welfare?

Staff does not believe that the Conditional Use will be unreasonably detrimental to or endanger the public health, safety, morals, comfort of general welfare.

2) Will the conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood; factors including but not limited to lighting, signage and outdoor amplification, hours of operation, refuse disposal areas and architectural compatibility and building orientation?

Staff does not believe that the Conditional Use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood. The surrounding area is already developed and planned for industrial use.

3) Will the establishment of the conditional use impede the normal and orderly development and improvement of surrounding property for uses permitted in the district?
Staff feels that the establishment of the Conditional Use will not impede the orderly development and improvement of surrounding property for uses permitted in the district.

4) Will the proposal provide for adequate facilities, access roads, drainage, and/or other necessary facilities as part of the conditional use?

Staff feels that because the subdivision is already built out, the adequate facilities are already in place for this Conditional Use.

5) Does the proposal take adequate measures, or will they be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets?

Staff feels that the Petitioner's proposal takes adequate measures to provide ingress and egress so designed to minimize traffic congestion in the public streets. As noted in the Petitioner's Qualifying Statement, the Qualifying Statement also clarifies that the trucks will only travel to and from the subdivision via Deerpath Rd to the northeast, connecting from there to the I-88 Toll Road via N Orchard Rd in North Aurora. This route of travel is crucial, as the trucks will avoid traveling through the areas to the east that are built or planned for residential or commercial uses.

6) Does the conditional use in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city council pursuant to the recommendations of the commission?

Staff believes that the Conditional Use, in all other respects, conforms to the applicable regulations of the ORI zoning district in which it is located. The Petitioner is not requesting any additional Zoning changes.

Acting Chair Owusu-Safo said alright. Any...do you want to read in the Staff's Recommendation?

Mr. Broadwell said yeah, I'll do that. So, for the Conditional Use, Staff would recommend Conditional Approval of the Ordinance granting a Conditional Use permit for a Vehicle Repair, Minor (2834) use on the property located at 1995 Melissa Lane, with the following conditions:

1) That, prior to final occupancy being issued, Final Engineering be fully approved.
And just to clarify that, we did work with the Petitioner. They wanted to secure the Zoning Entitlements prior to, you know, the time and money and effort required, you know, for Engineering so they'll just have to have that completed before occupancy is issued, which is a pretty standard comment, I think.

Acting Chair Owusu-Safo said alright, okay. Now can we have an approval and motion for the Findings of Fact?

MOTION OF APPROVAL OF FINDINGS OF FACT WAS MADE BY: Mrs. Martinez

MOTION SECONDED BY: Mr. Kuehl

AYES: Acting Chair Owusu-Safo, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, and Mrs. Martinez

NAYS: 0

ABSTAIN: 0

Motion carried.

Acting Chair Owusu-Safo said alright, is there a motion for Staff Recommendations?

MOTION OF APPROVAL OF CONDITIONAL USE PERMIT WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mr. Gonzales

AYES: Acting Chair Owusu-Safo, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, and Mrs. Martinez

NAYS: 0

ABSTAIN: 0

Motion carried.

Acting Chair Owusu-Safo said so where will this next be heard?

Mr. Broadwell said I still have to read the Recommendation for the Final Plan.

Acting Chair Owusu-Safo said oh, please, can you provide the Recommendation for the Final Plan.

Aye: 5 At Large Chambers, At Large Gonzales, At Large Owusu-Safo, At Large
Martinez and At Large Kuehl

Text of Legislative File 23-0601