



City of Aurora

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Legistar History Report

File Number: 17-00486

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In Control: Planning & Development Committee

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File Name: Femi Oshikanlu / Final Plat / Elder Drive

Final Action:

Title: A Resolution Approving the Final Plat for Femosh Subdivision, being Vacant Land, located on the west side of Elder Drive between Birch Lane and Foxcroft Drive

Notes:

Agenda Date: 06/29/2017

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Final Plat - 2017-05-25 - 2016.192.pdf, Land Use Petition and Supporting Documents - 2017-05-25 - 2016.192.pdf, Property Research Sheet - ID 54023 - 2016-09-16 - 2016.192.pdf, Plat of Survey - 2017-05-25 - 2016.192 .pdf, Address Plat -2017-05-25 - 2016.192.pdf, Legistar History Report (Final Plat) - 2017-06-22 - 2016.192.pdf

Enactment Number:

Planning Case #: AU07/4-16.192-Fsd/Fpn

Hearing Date:

Drafter: jmorgan@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	06/06/2017	Forward to Planning Council	DST Staff Council (Planning Council)			
	Action Text: This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	06/13/2017	Forwarded	Planning Commission	06/21/2017		Pass
	Action Text: A motion was made by Mrs. Morgan, seconded by Mr. Beneke, that this agenda item be Forwarded to the Planning Commission, on the agenda for 6/21/2017. The motion carried by voice vote.						
	Notes: <i>Representatives Present: Oluwafemi Oshikanlu and Matt Cargill</i>						
	<i>My name is Oluwafemi Oshikanlu and I'm the owner of the two lots that we're subdividing. The project is to build a duplex in the Foxcroft Townhome neighborhood.</i>						
	<i>My name is Matt Cargill. I'm doing the drawings for this project.</i>						
	<i>Mr. Sieben said do you want to give us a little background of it? I know we had an initial DST meeting.</i>						

We had a lot of back and forth. Jill's been very good working with you on the project and then with the HOA out there, so do you want to give us just a little bit more detail, kind of the background, and then specifically the actual product you are going to build there?

Mr. Oshikanlu said the lots were purchased in late November of 2016. It actually had 3 parcels that we wanted to build on, but out of the DST we were told that it would have to be subdivided into 2 and the max we could build on there was a duplex with a 2 car garage, 3 bedrooms and 2 bathrooms. That's pretty much it.

Mr. Sieben said and you've had some contact with the HOA, correct?

Mr. Oshikanlu said yes. I've been working very diligently with the Homeowner's Association just for the designs and layouts and they've approved all the designs that we proposed to them. They also gave us an approval to extend the deck into the common area.

Mr. Sieben said and many of the other townhomes in that area do have that same scenario.

Mr. Oshikanlu said correct. They all have decks.

Mrs. Morgan said staff has reviewed it. They really kind of tried to match the infill design. They are located about half way between. One elevation hits the lot. The one on the north is set for the back and the one to the south is closer, so they are kind of in the middle. Staff has had really no comments once we worked out some of the formatting issues. Just one thing to note for the Final Plat, we'll take it through and we'll approve it and you will go and get your building permit, but usually Homeowner's Associations don't let you build across lots until it is actually recorded, but they said they agree to wait for you to record it until you build it. You'll have to identify exactly where the fire wall is and then you'll record it. That way the Plat is exactly where the building is.

Mr. Beneke said only because in case it doesn't go right exactly where you need it to be that gives you that to make sure you've got it right.

Mr. Oshikanlu said that makes sense.

Mrs. Morgan said some landscaping is required for the infill, 2 canopies and 20 foundation shrubs. That will be required once you come in for a building permit.

Mr. Cargill said right now we are in the bidding process and funds that we get might influence changes in the elevation for example. I was wondering to what extent can we make changes? Do we have to request re-approval?

Mr. Sieben said what kind of changes?

Mr. Cargill said right now for the elevation we have brick in the front of the building. Let's say that the numbers came in and we have to get rid of the brick. Do we have to send it back to staff?

Mr. Sieben said do we have an elevation of this too? So you've got brick kind of on the lower quadrant?

Mr. Cargill said right.

Mr. Sieben said that's not a lot of brick.

Mr. Cargill said just for an example, the skylights might get knocked out.

Mr. Sieben said I don't know that the skylights are a big deal. I think we'd like to keep that brick. There is not a lot there, but I think we'd like to keep that. That is being approved as part of this project. Maybe it could be some other things like you said, the skylight or something.

Mr. Cargill said but if we had to shrink the deck or...

Mr. Sieben said the deck is something you are doing in addition to this, right? We don't show the deck on here, right? That would be done as a separate permit.

Mrs. Morgan said but it is shown in kind of a lighter grey on the Final Plan.

Mr Sieben said see what you can do. I think they all have decks to some degree. We can talk about that, but I think the brick we would like to keep there.

Mrs. Morgan said we are going to actually vote this out. I make a motion to vote this out to go to the June 21st Planning Commission meeting. Mr. Beneke seconded the motion.

Mr. Feltman said I just had a couple questions. The common space area, there aren't any easements in that?

Mr. Cargill said there are some utilities. Right by the asphalt path there is a running path where the Vaughan Athletic Center is.

Mr Sieben said but that's off-site.

Mr. Cargill said the wetland area.

Mr. Sieben said I understand, but I said that's off-site. That path is off the property.

Mr. Cargill said so everything is clear from where our civil engineer said.

Mr. Feltman said because you said you are building a deck into that common area, right?

Mr. Cargill said right.

Mr. Beneke said so are there any utilities in the common area itself is what Dan is asking.

Mr. Cargill said see those 2 boxes to the left, those darker boxes just to the right of the asphalt path?

Mr. Feltman said yes.

Mr. Cargill said those are utilities. They run parallel to the path.

Ms. Phifer said they are not encroaching on the easements.

Mr. Cargill said correct. Everything should be clear.

Mr. Feltman said okay. I guess now that we zoomed in my other question was answered too because we are going to need to see some grades, but it looks like your engineer did give us a grading plan, so we'll just take a look at that as part of the building permit.

Mr. Beneke said just one thing since we are mentioning it, as far as a building permit, you can submit it at any time, so if you want to submit it while you are doing your bidding we can be looking at it.

The motion carried unanimously.

2	Planning Commission	06/21/2017	Forwarded	Planning & Development Committee	06/29/2017	Pass
Action Text:	A motion was made by Mr. Bergeron, seconded by Mr. Chambers, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 6/29/2017. The motion carried.					
Notes:	See Attachment for Items 17-00486 and 17-00487.					
	Aye: 10 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer, At Large Anderson, Fox Metro Representative Divine, SD 131 Representative Garcia, Fox Valley Park District Representative Chambers, At Large Owusu-Safo and SD 129 Representative Head					

Attachment for Items 17-00486 and 17-00487:

17-00486 A Resolution approving the Final Plat for Femosh Subdivision, being vacant land located on the west side of Elder Drive between Birch Lane and Foxcroft Drive (Femosh Concepts, LLC – 17-00486 / AU07/4-16.192-Fsd/Fpn – JM – Ward 5)

17-00487 A Resolution approving a Final Plan on Lot 1 and Lot 2 of Femosh Subdivision located on the west side of Elder Drive between Birch Land and Foxcroft Drive (Femosh Concepts, LLC – 17-00487 / AU07/04-16.192-Fsd/Fpn – JM – Ward 5)

Mrs. Morgan said this is for a Final Plan and Plat for Lots 1 and 2 of the Femosh Subdivision located on the west side of Elder Drive between Birch Lane and Foxcroft Drive for a two family dwelling use. The current property is vacant/open space. It is between other residential properties. They are proposing the construction of a 4,528 square foot duplex. These homes will include 2 car garages per unit and a rear deck. The building elevations have brick on the first story with siding on the second story and the rest of the remaining elevations. You can see here the layout. It is an infill development. It is being set back approximately an average of what's to the south and what's to the north setbacks. We do have the Petitioners here if you don't have any questions for staff.

Mr. Cameron said there was a mention in here on the possibility of removing skylights and removing the brick depending on conditions. Isn't the approval from the Homeowner's Association contingent on the exteriors being built the way they are show in this document?

Mr. Sieben said that's very possible. I know they have approval from the HOA right now. I believe that was discussed at Planning Council with staff. I think my response was we would encourage you to continue with the elevation as shown. I can let them maybe explain that in more detail.

Mr. Cameron said my view would be that that approval from there is dependent on maintaining that existing what's shown.

Mr. Sieben said I would agree.

My name is Femosh Oshikanlu. I'm the proud owner of the vacant lot on Elder Drive, and here is my architect, Matt Cargill. I don't have any additional information to add, but I'm happy to answer your question. I think Ken you had asked about approval from the HOA for the skylights and the brick. Yes, as Ed mentioned, we got approval from the HOA to do that, but after we got bids from contractors we were trying to shave down on some of the cost and that's why we started considering potentially taking off some of the brick and the skylights. But it sounds like the city prefers for us to have the brick in place, which is fine, but if we decide to take that off, if the city is okay to do that, we would definitely seek approval from the HOA before we do so.

Mr. Cameron said I would think that it would be required to have their approval because the approval for doing that is contingent on that. It is a lot better to find out before you don't do it than after you do it and you end up in court somewhere for a long period of time, which messes up the cash flow.

Mr. Sieben said just one comment on that. The brick is shown as part of this Final Plan. We are trying to match some of the elements. This is an infill of Foxcroft, which goes back in different phases. I think we would really like you to continue with the brick. I don't think we have an issue if the skylights were taken away. To me, if the HOA is oaky with that, I don't think the city would have a major problem with that. That is something that is really not an exterior aesthetic. Again, if you were going to look at something, I think that would be the one that would be acceptable.

Mr. Femosh that sounds good. We accept the city's recommendation.

Mr. Cameron said and I understand the need to meet where you've got to be on price.

Mrs. Morgan said we'll take these separately. The first item, the Final Plat, staff would recommend conditional approval of the Resolution approving the Final Plat on Lot 1 and Lot 2 Femosh Subdivision located on the west side of Elder Drive between Birch Lane and Foxcroft Drive with the following condition:

1. That it is recognized that the Final Plat will be recorded prior to the issuance of an Occupancy Permit.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mr. Chambers

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mr. Garcia, Mrs. Head, Mrs. Owusu-Safo, Mr. Pilmer

NAYS: None

Chairman Truax said we also have a Final Plan.

Mrs. Morgan said staff would recommend conditional approval of the Resolution approving a Final Plan on Lot 1 and Lot 2 of Femosh Subdivision located on the west side of Elder Drive between Birch Lane and Foxcroft Drive with the following condition:

1. That a landscape implementation plan will be submitted at the time of building and permits reflecting the 3 CTE requirements of Section 7.3-4 Infill Housing Standards.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mrs. Cole

MOTION SECONDED BY: Mr. Cameron

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mr. Garcia, Mrs. Head, Mrs. Owusu-Safo, Mr. Pilmer

NAYS: None

Mrs. Morgan said this will next be heard at the Planning and Development Committee on Thursday, June 29, 2017, at 4:00 p.m. on the fifth floor of this building.