



City of Aurora

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

Legistar History Report

File Number: 25-0776

File ID: 25-0776

Type: Ordinance

Status: Agenda Ready

Version: 2

**General
Ledger #:**

In Control: Building, Zoning,
and Economic
Development
Committee

File Created: 10/02/2025

File Name: Sheila M. Brown Trust / South of Sunrise Rd, East of
Frieder Ln / Annexation Agreement

Final Action:

Title: An Ordinance Providing for the Execution of an Annexation Agreement with the Owners of Record Providing for ORI(C) Office, Research, and Light Industrial District with a Conditional Use zoning for the territory which may be Annexed to the City of Aurora located south of Sunrise Road and east of Frieder Lane on Vacant Land in DuPage County, Aurora Illinois 60563

Notes:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Annexation Agreement - 2025-10-03 -
2025.244, Land Use Petition and Supporting
Documents - 2025-08-12 - 2025.244, Location Map
1K

Enactment Number:

Planning Case #: NA04/3-25.244 - AA/A/RZ/CUPD

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	Planning and Zoning Commission	10/08/2025	Forwarded	Building, Zoning, and Economic Development Committee	10/15/2025		Pass
Action Text: A motion was made by Mrs. Martinez, seconded by Mr. Gonzales, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 10/15/2025. The motion carried.							
Notes: See attached Court Reporter Transcript.							
RECOMMENDATIONS: Staff recommends APPROVAL of the Ordinance Providing for the Execution of an Annexation Agreement with the Owners of Record Providing for ORI(C) Office, Research, and Light Industrial District with a Conditional Use zoning for the territory which may be Annexed to the City of Aurora located south of Sunrise Road and east of Frieder Lane on Vacant Land in DuPage County, Aurora Illinois 60563.							

MOTION OF APPROVAL WAS MADE BY: *Mrs. Martinez*

MOTION SECONDED BY: *Mr. Gonzales*

AYES: *Chairman Pilmer, Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, Mr. Pickens, and Mr. Roberts*

NAYS: 0

ABSTAIN: 0

Aye: 7 Chairperson Pilmer, At Large Lee, At Large Chambers, At Large Pickens,
At Large Roberts, At Large Martinez and At Large Kuehl

Text of Legislative File 25-0776

CITY OF AURORA
PLANNING AND ZONING COMMISSION

October 8, 2025

Proceedings held before the following
Members of the Planning and Zoning Commission:

CHAIRMAN DON PILMER

COUNCIL MEMBER PEDRO GONZALEZ

COUNCIL MEMBER BRUCE KUEHL

COUNCIL MEMBER ANDERSON LEE

COUNCIL MEMBER NANCY MARTINEZ

COUNCIL MEMBER ROBERT PICKENS

COUNCIL MEMBER BRENNEN ROBERTS

STAFF MEMBERS: TRACEY VACEK and JILL MORGAN

CHAIRMAN PILMER: Good evening. I'd like to call to order the City of Aurora Planning and Zoning Commission for October 8, 2025. Please call the roll.

(Roll call.)

CHAIRMAN PILMER: Before you are the minutes from our last meeting held on September 24, 2025. Are there any additions or corrections? Hearing none, is there a motion?

COUNCIL MEMBER: Move to approve.

COUNCIL MEMBER: Second.

CHAIRMAN PILMER: Motion has been made and seconded please call the roll.

(Roll call.)

CHAIRMAN PILMER: Motion carries. And before we begin tonight's agenda, in accordance with the Illinois Open Meetings Act, if anyone in the audience would like to address the Commission regarding an item that's relevant that's not on the agenda, they will have three minutes to do so. I'll just state for the record that no one has come forward. So we will move to our agenda items this evening.

The first three items I will read in

1 our next two agenda items which are related. Agenda
2 item number 25-0776, an ordinance providing for the
3 execution of an annexation agreement with the owners
4 of record providing for ORI Office, Research, and
5 Light Industrial District with a conditional use
6 zoning for the territory which may be annexed to the
7 City of Aurora located south of Sunrise Road and
8 east of Frieder Lane on vacant land in DuPage
9 County, Aurora, Illinois, Sheila M. Brown
10 Declaration of Trust date September 6, 2017, ward
11 10. This item is a public hearing.

12 Agenda item number 25-0778, an ordinance
13 establishing a conditional use planned development
14 approving the Sheila Brown Trust property plan
15 description and amending Chapter 49 of the Code of
16 Ordinances, City of Aurora, by modifying the zoning
17 map attached thereto to an underlying zoning of ORI,
18 Office, Research, and Light Industrial district for
19 the property located south of Sunrise Road and east
20 of Frieder Lane, in the Sheila M. Brown Declaration
21 of Trust dated September 6, 2017, ward 10. This
22 item is also a public hearing.

23 MS. MORGAN: Jill Morgan, senior planner. I am
24 going to go ahead and start presenting and Tracey

1 will bring up the two documents I was going to have
2 her bring up.

3 The Petitioner is requesting approval for
4 an annexation agreement for 6.3 acres which includes
5 provisions of the property we'll be annexing ORI(C)
6 Office, Research, and Light Industrial District with
7 a conditional use for potential future development.
8 The details of which are currently unknown.

9 The details of the request include an
10 agreement that outlines that upon annexation the
11 property will have an underlying ORI, Office,
12 Research, and Light Industrial District zoning, and
13 outline that the developer would extend the existing
14 curb, gutter, and payment on the north and south
15 side of Sunrise to the easterly property line. And
16 here is the location map of the property. Looking
17 at the large parcel and a small parcel as well which
18 is south of Sunrise Road.

19 Currently with this proposal the
20 Petitioner is requesting the annexation of this
21 property which will meet up with the annexation
22 agreement at the Building, Zoning, Economic
23 Development Committee.

24 The Petitioner is also requesting the

1 establishment of a conditional use planned
2 development pursuant to the annexation agreement
3 with the underlying ORI zoning. The planned
4 description provides for a standard ORI bulk
5 restrictions with no modifications.

6 And additional elevations to be approved
7 with a final plan and would be evaluated based on
8 the quality of writing of the building material. It
9 also allows for only one full access to the eastern
10 most entrance and a restricted right in and left out
11 access on the western most entrance for semi-trucks
12 and signs indicating should be posted. Agency use
13 should be concept plan. No development is being
14 approved at this time. It is strictly the
15 annexation agreement, annexation and the planned
16 development.

17 Tracey, can you share the concept plan?
18 The owner provided a concept plan to describe a
19 general idea how the site could be developed. The
20 plan does adhere to the standard ORI bulk
21 restrictions including setbacks, a large setback to
22 the east which abuts the residential and the
23 parking, et cetera.

24 Once a specific development is proposed,

1 the developer will have to submit for approval. Any
2 variations to the ORI requirements will require
3 revision to the plan description which would
4 necessitate a public hearing and final approval by
5 City Council.

6 The ultimate goal is eventually
7 incorporate the properties to the east to allow for
8 the entire area to be developed. So the Petitioner
9 is willing to bring it in to go ahead and have that
10 zoning to identify it as future ORI. Any questions
11 for staff?

12 CHAIRMAN PILMER: Questions at this time?

13 COUNCIL MEMBER PICKENS: Yeah, I have one -- or
14 a couple actually. So this is being annexed to
15 Aurora. I understand there's Naperville properties
16 nearby. Is there a city line somewhere near this
17 property that we should be aware of or is this
18 becoming an island of City of Aurora?

19 MS. MORGAN: Tracey, could you go back to the
20 other location map. So the property to the north of
21 this all along Sunrise, all that property between
22 Meridian Road to Frieder Lane is all in the city of
23 Aurora. The boundary between City of Aurora and
24 Naperville basically goes down Meridian. And all

1 that property from that line where Tracey is
2 pointing west is going to be City of Aurora. That
3 bottom property along the tollway is currently the
4 city of Naperville. So the City of Aurora has kind
5 of north Sunrise. Naperville will eventually annex
6 everything to the east of Meridian according to our
7 agreement with Naperville. This is kind of the
8 last -- this parcel and there's three other lots are
9 kind of the last parcels that would be annexed to
10 the City of Aurora.

11 COUNCIL MEMBER PICKENS: Another question.
12 Regarding the current utilities in the area, is
13 there sufficient utilities that would serve the
14 proposed facility and are they Aurora owned
15 utilities?

16 MS. MORGAN: Yes. Aurora does have utilities
17 that would serve this parcel. We currently -- There
18 is a building to the north of Sunrise that is being
19 served within Aurora and being served by Aurora
20 utilities. This area, just to note, a little sliver
21 portion of the area that was north of Sunrise has
22 been zoned for part of that Butterfield PDD since
23 1970s.

24 The area has been kind of been --

1 Originally at one point it was going to go to
2 Naperville. Naperville has identified in their
3 comprehensive plan for ORI type of uses. And then
4 we changed the boundary agreement to the property
5 west of Meridian would go to the City of Aurora. So
6 the area in general has been coming to ORI. That
7 would eventually annex into Aurora or Naperville or
8 some type of ORI type zoning.

9 COUNCIL MEMBER PICKENS: My last question is it
10 currently appears to be like farmland. And once
11 it's annexed in, can it still remain farmland until
12 they decide to actually develop it or is it going to
13 just be abandoned and become a weed crop?

14 MS. MORGAN: It can remain -- I'm not sure if
15 the Petitioner knows if there is -- if they're
16 considering continuing farming or not. They should
17 have the answer to that.

18 COUNCIL MEMBER PICKENS: Thank you. That's all
19 I have.

20 CHAIRMAN PILMER: Any other questions of Staff?
21 Thank you. At this time I'd ask the Petitioner to
22 come forward. I'll swear you in.

23 (Petitioner sworn by Chairman.)

24 ATTORNEY PHILIPCHUCK: Good evening. My name is

1 John Philipchuck. I am an attorney with offices at
2 111 East Jefferson Avenue in Naperville, Illinois.
3 I'm here this evening representing the Sheila Brown
4 Trust. With me is Matt Warline, our civilian
5 engineer from Semcon Engineering, and Nigel Brown
6 and Malcolm Brown who are trustees of the Sheila
7 Brown Trust.

8 Staff has done a nice job with their
9 reports and summarization. Bottom line is the
10 property, as was pointed out, is adjacent to the
11 southerly line of a property is the boundary
12 agreement between Aurora and Naperville.

13 My clients are not developers. And what
14 they are trying to do is get as many of the
15 entitlements as they can now to make it a more
16 attractive parcel for a buyer to come in. They
17 would then spend less time in the process of going
18 through the development.

19 So what we try to do is have Mr. Warline
20 give us kind of a concept plan that would meet the
21 requirements of the ORI district. And the comp plan
22 of Aurora calls for this area to be ORI, light
23 industrial also. Then we agreed to the conditional
24 use that it would be developed as a planned

1 development.

2 So depending on what we have in the way of
3 a user, ultimately they would have to come back with
4 their final engineering, final plan and get approval
5 from the city landscape plan, you know, the normal
6 things. So we wanted to give you an idea of how it
7 would possibly look under the conditions.

8 But the nice thing is that we have a good
9 road that's been designed for this type of traffic
10 to exit out onto Frieder Lane which then gets them
11 out to Ferry Road. And we are able to connect to an
12 existing sanitary sewer. You asked about that.
13 And, of course, to be able to bring into the city.
14 We are next to Fox Metro. So we get that step taken
15 care of as part of what we are going to be doing
16 here.

17 We will be next to -- in this case it will
18 the Warrenville Park District. So we will do that
19 annexation and the library district. All those
20 things will be taken care of. So a buyer is going
21 to have a minimal amount of things that they would
22 have to do. That's the reason why we're in
23 petitioning for the annexation, this underlying
24 zoning. And as the report that the Staff prepared

1 states this has been designed in this area for these
2 types of uses since the 1970s. And we are finally
3 out there and things are happening.

4 Just a couple of years ago, we annexed the
5 portion of the property to the north. And there's a
6 big warehouse building that was approved and put on
7 that site. You might remember that. So yes, we
8 will be doing some additional street improvements in
9 the future just to extend the street to our easterly
10 property line. We will be extending the connection
11 to the sanitary sewer. And, of course, putting in
12 our own storm water management.

13 That's the thought process behind what
14 we'd like to do. And we would ask that the Planning
15 Commission would recommend approval and allow us to
16 go to City Council with this proposal. Happy to
17 answer any questions that you might have.

18 CHAIRMAN PILMER: Thank you. Any questions of
19 the Petitioner?

20 COUNCIL MEMBER PICKENS: I guess go back to my
21 last question about the farmland. Would it remain
22 farmland?

23 MR. PHILIPCHUCK: Yeah, we have a current lease.
24 Obviously we will continue to keep it farmed. There

1 is a small residence and a couple of out buildings
2 on the property. Those are going to remain for now.
3 Again, we didn't want to tear anything down or get
4 involved in anything other than getting it annexed
5 zone. So yes, it will continue to be a farm. Beans
6 this year, maybe corn next year.

7 CHAIRMAN PILMER: Thank you. This is public
8 hearing. If anyone in the audience would like to
9 address the Commission, they will have the
10 opportunity to do so. Anyone that wants to speak
11 has the right to. I might have everyone stand up
12 who wants to speak and I'll swear you in and then we
13 will bring you forward.

14 (Participants sworn by Chairman.)

15 CHAIRMAN PILMER: Again, I'll have you state
16 your name and address for the record. And then we
17 will listen to all your questions and testimony and
18 then once complete, we will ask either Staff and try
19 to get answers from the Staff or the Petitioner.

20 MR. PETERSON: Arno Peterson. Address is 4S, as
21 in south, 271 Meadow Road Naperville.

22 As I stated my name is Arno Peterson. I
23 live on Meadow Road. I've lived there for 38 years.
24 We are part of the Ferry Road subdivision. It's

1 been a great place to raise our children, quiet,
2 close to the prairie path, and you knew everyone
3 that drove past your house. As time passes, things
4 change and it is not quite so serene as it was then.

5 Are any of you familiar with the area of
6 our subdivision with respect to that? Okay.

7 By re-zoning this property to ORI, that
8 would open the door to about anything being built
9 commercially. And as stated -- I guess one question
10 I'd like to confirm is it sounds like since this is
11 a concept plan, would we be invited back when there
12 would be a real or final plan for that being
13 developed is one of the questions.

14 Another question is with relationship to
15 this property, is there anything specific that the
16 City of Aurora would like to be developed there?
17 That would be another question.

18 All of Aurora's developments bordering our
19 subdivision to the west and to the north have been
20 warehouses. To name a few there's two Amazon
21 fulfillment centers; U.S. Foods is just finishing
22 up; there's Fellowes; there's Baxton Studio
23 Furniture; there's Shorr Packaging; USPS Chicago;
24 and a warehouse at 4275 Ferry Road which was just

1 built recently but it is nameless. There's no sign
2 on that facility.

3 Since the building of the two warehouses
4 the most recent ones to the west of our subdivision,
5 the USPS Chicago at 2350 Frieder Lane and the other
6 one at 4275 Ferry Road which is bordering Meridian
7 Road, we've had more traffic through our
8 neighborhood, both commercial trucks and personal
9 vehicles.

10 We've had trucks parked overnight while
11 idling on Sunrise Road, on Meridian, as well as
12 Meadow Road which is far to the east side of our
13 subdivision. And all of these are posted no
14 parking. But it goes to show even though the
15 posting of signs, that doesn't stop the traffic from
16 coming through. We've had trash thrown along the
17 streets including bags with human waste.

18 The other thing is noise from the trucks
19 mainly leaving and entering these facilities and
20 getting onto Ferry Road. These developments need to
21 allow adequate parking, need to include overnight
22 parking for trucks, as well as washroom facilities
23 for the drivers.

24 To be a little more specific with the

1 traffic issues, an example is the Ryder warehouse at
2 2800 Diehl Road which is near the corner of Eola and
3 Diehl Road. Its entrance is gated outside of normal
4 operating hours. Therefore, we have Ryder
5 semi-trucks overnight in our neighborhood waiting
6 for the facility to open.

7 It's not just trucks within the
8 neighboring warehouses, it's others slightly away
9 from there. This is also true for the Amazon trucks
10 with the two Amazon warehouses, the one on Ferry
11 Road directly north of this property and the other
12 one on Duke Parkway directly north of Meadow Road.

13 They're allowed to gate the entrances to
14 their warehouses. But there was a gate on Sunrise
15 just west of Meridian prior to the building of the
16 warehouse at 4275 Ferry Road. When that was built,
17 the gate was removed and never put back up. So
18 where is the gate to protect our neighborhood from
19 this traffic? As planners we hope that you can help
20 control these problems for us.

21 Another concern arises long after the
22 planning stage when the facility is completed. What
23 is being stored in these facilities? Right now it's
24 warehouses around us. The latest warehouse, as I

1 stated before, 4275 Ferry Road, it doesn't even have
2 a sign up for what their business is. What do they
3 have to hide if they're not willing to put up a sign
4 on their business? It's a huge warehouse. You
5 know, what's in there? Are there dangerous
6 chemicals being stored that could impact our
7 neighborhood in the event of a disastrous spill or a
8 fire with deadly fumes?

9 An example I raise to you is the June 29,
10 2021 lithium battery fire at Morris, Illinois where
11 approximately 184,000 pounds of lithium batteries
12 were stored in that warehouse with close proximity
13 to a residential neighborhood. City of Aurora had
14 no idea this large amount of lithium batteries were
15 stored there. A half mile evacuation of the nearby
16 residents was ordered by the Grundy County Emergency
17 Management Agency due the presence of the hazardous
18 substances within that building.

19 The evacuation order was lifted after five
20 days on July 3rd allowing the residents to go back
21 home. The EPA had been monitoring every day the air
22 quality to be able to let them to go back in. A
23 half mile evacuation from any of the warehouses
24 along Ferry Road would impact our entire

1 subdivision. It's just a scary thing to think
2 about.

3 what is the City of Aurora doing to
4 protect the safety right across the street from many
5 of residences from a warehouse like the one at 4275
6 or on the property in question that's being
7 re-zoned? Do you know what is being stored in any
8 of the current warehouses there?

9 You as planners may say or think that you
10 don't have any control of that. But when you allow
11 the property in question to be re-zoned to ORI, that
12 opens the door to any commercial development
13 bordering our residential area. You do have the
14 control and it's your job to protect us.

15 It's a disheartening thing is that these
16 decisions are always only about money and not about
17 the people. I repeat, these decisions are always
18 about money and not about the people.

19 Four years ago during a public hearing for
20 the warehouse of 4275 Ferry Road, Mr. Philipchuck
21 representing logistics for that development had
22 written off our subdivision like it didn't exist
23 since our area was planned for new development. We
24 are still there slowly turning over to another

1 generation of families and we are not going anywhere
2 any time soon. As a matter of fact, we had one of
3 the largest houses in our subdivision, a new family
4 move into it this July.

5 I ask you to take our subdivision in
6 consideration and make decisions on the development
7 next door to our neighborhood and think about how it
8 will impact us; traffic on our streets, our
9 environment, our environmental safety and health and
10 quality of life. Thank you.

11 CHAIRMAN PILMER: Thank you. Who is next? I
12 might just ask if everyone -- if you haven't signed
13 in, make sure we have you sign in before or after
14 you have speak.

15 MR. WITTNEBE: Good evening. My name is Jim
16 Wittnebe. I live at 4S300 Meadow Road, across the
17 street from Arno Peterson. And I had planned a real
18 quick talk about just all the topics that impact us.
19 But then I also see that there's been some stuff
20 that I don't agree that's been said already or
21 doesn't make sense to me. So I wanted to add that.

22 I live 1,100 feet away from the corner of
23 the Browns' property. It's in Mackintosh Ferry Road
24 Farm subdivision which was created before the

1 Butterfield PDD. So anyway the key is that we have
2 anywhere from 1 to 6 and a half acre lots. There
3 are 16 homes that have people in them right now.
4 There's also some vacant. One of the people here
5 tonight is planning on building another home. And
6 the original purpose of zoning, which is what you're
7 planning and zoning, is to protect the existing
8 people from new things that come in that could
9 impact them. And so that's the whole reason why
10 zoning was created to begin with. It sort of
11 changed a little bit over time but we'd like to get
12 back to that.

13 And we know that after the annexation and
14 the change to ORI, that with the magic of
15 Butterfield PDD anything can be built on that
16 property. So if you are allowing that to happen,
17 you're allowing anything to occur.

18 And what doesn't make logical sense is
19 that the estate of Sheila Brown is getting this done
20 without having it being sold because they're going
21 to incur some expenses. My understanding is they're
22 going to fix and put roads and curb on that side of
23 the road. Right now that last warehouse only did
24 one side of the road. So now they're going to have

1 to do the south side. And if they don't sell it,
2 they have an expense. They are renting it out for
3 farm. But because it's such a small six acre area,
4 you don't get much rent. In fact in some cases, you
5 have to pay the farmer so you can have such low
6 taxes.

7 So now this comes to the City of Aurora.
8 They're telling you they don't have any plans to
9 necessarily build right away. What tax base revenue
10 are you going to get from this property if you
11 annexed and its farmland? Which is what they said
12 they were going to do. So it is something that is
13 going to cost you money because you have just a
14 little bit of lane miles of road and you have to
15 take care of the water and the sewer and stuff like
16 that.

17 Plus this property is currently serviced
18 -- there's three different fire departments that
19 service our subdivision. But that property I think
20 is serviced by Naperville because the Naperville
21 land that's behind it which we call the bowling
22 alley. That's the 17 acres. Then there's also the
23 Meridian Road extension is also City of Naperville.
24 So we just have these five parcels that everyone is

1 waiting to get into the City of Aurora.

2 And by the way, the sum of those five
3 parcels is less than ten acres. Plus two of the
4 residents that have no intention of going anywhere
5 that aren't selling are here tonight. So might be
6 hearing from them what you're doing. Plus ten acres
7 is not that much of an area.

8 In other words, this big warehouse that
9 got built across the street was on 17 acres. The
10 other warehouses that were talked about by Mr.
11 Peterson are 16 acre, 18 acre, 23 acre, 22 acre, and
12 23 acres sites. Now you're talking about something
13 that's a little bit less than ten acres and besides
14 that you have a moratorium on warehouses. So what's
15 going to go in there?

16 And if you say, oh, well, we'll put a
17 truck servicing department or something like that,
18 that's going to impact us more than a warehouse
19 would. So anyway it doesn't -- there's something
20 not adding up to this right now when we don't know
21 what's going in there.

22 So anyway the other thing is the previous
23 statement about the services that are going in that
24 you just voted for, they had a big thing about the

1 fact that was it consistent with land use around it.
2 And in this particular case, on one side it's
3 consistent because there's warehouses. But on our
4 side, we were there before those warehouses were
5 built and we are impacted a lot by having this
6 commercial property in our neighborhood.

7 As Mr. Peterson said, actually our little
8 area we used to call it little Wisconsin when we
9 first got there. There was 13 head of cattle back
10 in '88 when I moved in. And there were four
11 different places that had horses. Now we just have
12 one place with horses. The roads are only 21 feet
13 wide. They are paved but no curbs, no sidewalks, no
14 street lights. So it ends up being more of an issue
15 for us. But when we were quiet, it wasn't -- we
16 liked that, having that little bit of an area.

17 So then the last thing is right now we are
18 doing -- the previous three times I've been here in
19 the past years, there was always a four-part plan.
20 Part one, annex; part two, re-zone; part three, put
21 it into the Butterfield PDD; then part four, get the
22 approved of the site plan. Those were four things
23 in a row. And Mr. Philipchuck was involved with the
24 last one of those that did go through.

1 So I'm trying to figure out why we are not
2 waiting. Why is it going to cost Aurora more money
3 than what the real estate taxes that they would get?
4 why is it not doing the way that the previous ones
5 have been done with the four-part thing and get the
6 whole thing together? Furthermore, they said they
7 might wait for these other properties to come
8 available. I think you might find out they're not
9 coming available soon.

10 So anyway the last list of things just so
11 it's on record is the issues and problems that we
12 have are safety is one category and that's with the
13 traffic. Residents have to walk on the road. They
14 walk their pets, ride horses, kids, and also a
15 disabled person in the neighborhood have to use the
16 roads.

17 Hazardous materials, as Mr. Peterson said,
18 we don't know what's in those warehouses. I don't
19 know what Aurora has. I would make sure my fire
20 department know when they went in a building what
21 they were going into. So there should be
22 intermittent or intervals for inspections of what's
23 inside the buildings so I don't send my firemen into
24 a dangerous hazardous situation.

1 Furthermore, we all have well and septic.
2 Our wells they go about 150 to 200 feet deep. Any
3 of these warehouses could impact -- if they end up
4 polluting our wells, it would end up being a problem
5 for us and we might end up with having issues with
6 that.

7 So then the quality of life, we have
8 talked about the noise pollution with the traffic,
9 the engines, the fans, compressors; light pollution,
10 not only from the building, the parking lot lights,
11 but also the vehicle traffic where the headlights of
12 the vehicles are pointing at us; vibrations, which
13 is one of the reasons why the latest moratorium has
14 come in with the (inaudible) centers; odors, there
15 is one building across the tollway that does provide
16 a nice bad odor every once in a while.

17 If one of these places, depends on how --
18 are they open just during the day, evenings,
19 weekends? If we lose our evening and weekends, it's
20 quality time because of traffic or because of noises
21 or whatever, that impacts us. Financial losses and
22 trash on our road, as we have talking about. The
23 other thing you always hear is sight lines.
24 whatever is built there is going to block out our

1 sunset. That's not -- I think I'm trying to get
2 everything covered that can possibly come in the
3 future.

4 And I'll say thank you for letting me
5 talk, even though it was a little bit back and forth
6 on things. And please consider this in your
7 decisions and adding any contingencies that you may
8 have. Thank you.

9 CHAIRMAN PILMER: Thank you. Who is next?

10 MR. SAVAGLIO: My name is Ben Savaglio. I live
11 at 30W651 Sunrise Road. That's the southwest corner
12 of Meridian and Sunrise, not too far from the
13 Browns' property.

14 I understand that they want to sell the
15 property, get the money for the property. I
16 completely understand that. I don't agree with the
17 annexation of the land to you guys, the City of
18 Aurora, because there's an ongoing issue with the
19 warehouse in front of my house due to all the
20 lighting and constant semis that come up and down
21 Sunrise. I get it all the time.

22 I told the City of Aurora the last time
23 when I was here that there was going to be a problem
24 with truck traffic. They said no, we are going to

1 have enough signage over there that they won't use
2 Meridian or they won't use Sunrise, they'll
3 certainly use Frieder. That's not the case. I call
4 like every other day the Aurora police to get these
5 semis off of Sunrise Road. You guys got no parking
6 signs, there's no truck signs on these roads. And
7 yet these guys still drive these trucks, park these
8 trucks on Sunrise. They'll be on Meridian every
9 once in a while. If it's not every other day, I'm
10 calling every day to get these guys off the road.
11 It's terrible.

12 Like I said, I understand they want to
13 sell the property. They have a farmer farming it
14 right now kind of the same farmer that farms all the
15 land that's behind their house and the same farmland
16 that's to the east of me. I say keep it deemed all
17 farmland. It's great. It's all soybean out there.
18 It's great. There's deer. We got wildlife all over
19 the place. It's beautiful.

20 We don't need to cram another warehouse in
21 that area. That would be three warehouses there.
22 That's going to add more semi traffic through that.
23 If they're only supposed to use Frieder Lane, which
24 they should be, you're going to cram up three

1 warehouses that run trucking through three
2 warehouses that use Frieder Lane. That won't
3 happen. They're going to turn east and take Sunrise
4 up that way, then up Meridian; not only the semi
5 drivers but all the workers that are working at
6 these warehouses. It just can't be.

7 I say deem it all agriculture land. That
8 would be great. Like I said, the light pollution
9 from that warehouse across from me, it's an ongoing
10 issue. They never can dim it down at nighttime. I
11 don't understand why it can't be dimmed down at
12 night. Thanks.

13 CHAIRMAN PILMER: Thank you.

14 MR. JONES: Hi, I'm Robert Jones. I have the
15 property at 4S366 Meadow. And we were here before
16 for them building another warehouse. We were told
17 they were going to put up big trees to block out the
18 light. But the trees and shrubs that they put in,
19 it's going to take at least 30 years for them to
20 grow to block any sort of light. It's ridiculous
21 the amount of light.

22 I agree with everything that my neighbors
23 have said. And then also what they also did -- and
24 everybody is on well and septic -- is that they took

1 the water that fills up on their side of the road
2 and transports it to the east side of the road on
3 Meridian. So the pool of water that we had on our
4 side that wasn't contaminated from runoff on their
5 property is now contaminates our properties and is
6 going to go into the well water. That's ridiculous.

7 You know, they have a water problem, they
8 need to take care of their own water problem instead
9 of shoving it off onto other properties. It's a one
10 way. If you look at the way the sewer is setup,
11 it's set up to go one direction only to the east
12 side, nothing flows back. It's only to the east
13 side. That's not right.

14 As far as the traffic, it's terrible. I'm
15 constantly cleaning up garbage and human waste.
16 It's terrible. I shouldn't have to have that on my
17 property every single week when I go to mow my lawn,
18 spending 20 minutes picking up garbage. It's all
19 from trucks laying there. We don't get too much
20 foot traffic through our neighborhood. It's either
21 people live there or it's from the warehouse. There
22 was nothing before the warehouse. We had no
23 problems with garbage before the warehouse.

24 Now, I mean -- and this doesn't make any

1 sense. On everything else that we have had as far
2 as them building properties, they had someone else
3 to be saying we're going to build this on here
4 before they come to the city to try to switch
5 anything over. And now they want to just blanket
6 switch it over so we don't know what's going to be
7 there.

8 I mean, the whole idea of this being
9 formed as a subdivision back in 1940 was to protect
10 us. Subdivisions are to protect residents. They're
11 to keep chemicals from going from outside business
12 into residential areas. They're for our protection.
13 We are supposed to have protection from any of this,
14 from your annexing, whatever. You're PDD, that came
15 after the fact of the subdivision was established.
16 So once the subdivision was established, you had no
17 business changing anything.

18 That warehouse that was there shouldn't
19 have been built. It's just a nuance for everybody.
20 It makes it unsafe condition for everybody in the
21 neighborhood. They don't care. They don't keep up
22 their lawn. I mean half the time their lawn in that
23 warehouse is all full of weeds and looks terrible.
24 It's ridiculous. The trees look like they're half

1 dying.

2 I mean, we were told they were going to
3 block out the light, it was going to be safe, we
4 will hardly notice they're there. That's not true
5 whatsoever. So all we've been is lied to. They say
6 they're going to take care of everything. Nothing
7 has been done. Now you want to add something else.
8 That's not fair to people -- to everybody who lives
9 around there. It's ridiculous.

10 So that's all I have to say. Once again,
11 I want to reiterate I agree with what my neighbors
12 have said. Thank you.

13 CHAIRMAN PILMER: Mr. Jones, just a question.
14 You said the water drains east over Meridian Road.

15 MR. JONES: No, it's under. They dug a tunnel
16 under the road.

17 CHAIRMAN PILMER: To the existing properties to
18 the north of Sunrise?

19 MR. JONES: To the existing properties to the
20 east of Meridian. So they have their pool of water
21 that parallels Ferry Road there and they put a drain
22 to drain into the east side. And as the City of
23 Aurora knows, because they went through this with
24 the Illinois EPA 15 years ago about the runoff from

1 businesses is as dirty as sewage water. That's what
2 they're contaminating our water which then leads to
3 everybody's drinking water in the area.

4 CHAIRMAN PILMER: Thank you.

5 MR. JONES: So I want to know where their fines
6 are for that?

7 CHAIRMAN PILMER: Thank you.

8 MR. JONES: Thank you.

9 CHAIRMAN PILMER: I think there was one more
10 that was going to speak. Anyone else? Does anyone
11 else want to talk at this time? If not, I'm going
12 to close the public hearing. Actually I might ask
13 the city staff --

14 MS. TULLES: I have one question.

15 CHAIRMAN PILMER: I'll need to swear you in and
16 have you come forward. I'll reopen the public
17 hearing. If you can raise your right hand.

18 (Participant sworn by Chairman.)

19 CHAIRMAN PILMER: I'll need you to state your
20 name and address for the record.

21 MS. TULLES: Sure. Jacqueline Tulles. I'm at
22 4S371 Meridian, right on the corner of Meridian and
23 Sunrise. My question is safety. I've had people
24 trespassing from the warehouse that's already there

1 across the street onto my property about 20 feet in,
2 which I'm sure is beyond the easement and smoking
3 and doing who knows what else. And what is my
4 rights for safety?

5 CHAIRMAN PILMER: Okay.

6 MS. TULLES: My partner just passed in April so
7 I'm currently alone.

8 CHAIRMAN PILMER: I will try to get that
9 addressed. Thank you.

10 MS. TULLES: Thank you.

11 CHAIRMAN PILMER: I'll close the public hearing.
12 I might -- I'm sorry. Go ahead. Reopening the
13 hearing. Go ahead. Does anyone else want to say
14 anything else? I think I already swore you in.

15 MR. WITTNEBE: Yes. So I did see a sign. I
16 didn't get a --

17 CHAIRMAN PILMER: If I can just get your name
18 again. I'm sorry.

19 MR. WITTNEBE: My name is Jim Wittnebe, 4S300
20 Meadow Road. I did see a sign posted on one of the
21 two parcels that you're trying -- my understanding
22 is that -- and the sign says that this parcel is up
23 for zoning. There's no sign on the other parcel.
24 And that's a technicality. I just want to make sure

1 it's on record.

2 CHAIRMAN PILMER: Thank you. Anyone else? I'll
3 close the public hearing. I do have a question of
4 staff and I might ask if they can -- before we go
5 back to the petitioner. So maybe we have heard a
6 lot of testimony regarding truck idling which then
7 leads to potential human waste and trucks on
8 streets. Isn't there a recent ordinance?

9 MS. MORGAN: There is. The City does have that.
10 There was issue with trucks parking on city streets
11 or these types of areas. The City passed an
12 ordinance prohibiting truck parking on city streets.
13 That would apply to -- we have started ticketing and
14 eventually we'll be towing for that. That does
15 apply to only the city portion of Sunrise. But we
16 did have that issue throughout some of these areas
17 when we passed that ordinance.

18 CHAIRMAN PILMER: I thought that was recent. It
19 sounds like it's ongoing and probably daily. Maybe
20 talk to the alderman.

21 MS. MORGAN: Yes, I'll talk to the alderman of
22 the ward, make sure they also know that this area is
23 having that issue as well.

24 CHAIRMAN PILMER: Thank you. If the

1 Petitioner -- or actually can Staff also address
2 ORI, what can be built there, building height?

3 MS. MORGAN: So the ORI restrictions is actually
4 more restrictive than the Butterfield PDD. So the
5 Butterfield PDD does allow more even manufacturing
6 type uses than the ORI. So it's more restrictive.
7 The setback requirement of the ORI, particularly to
8 residential, is more restrictive than the PDD, which
9 is what the north and the west uses.

10 It is light industrial type uses. Like a
11 truck -- working on trucks like on the term wouldn't
12 be permitted and the ORI actually are aware. We do
13 have warehouses currently. So there might be some
14 additional restrictions to that. We are doing
15 moratorium on data centers. I mean, I don't think
16 that would be a use that would even be able to go
17 here with the noise restrictions. That's limited by
18 the Illinois state requirements.

19 CHAIRMAN PILMER: But to be clear, the
20 moratorium is on data centers.

21 MS. MORGAN: And warehouses.

22 CHAIRMAN PILMER: And warehouses.

23 MS. MORGAN: Anything that passes comes out of
24 that moratorium would apply to this property.

1 CHAIRMAN PILMER: Thank you. I might ask the
2 petitioner -- I know Mr. Philipchuck took notes as
3 well.

4 ATTORNEY PHILIPCHUCK: Yes. We heard some of
5 these same arguments back a couple of years ago when
6 we came in before the planning commission with our
7 petitioner for annexation and zoning. That was a
8 large warehouse building. I never mentioned the
9 word warehouse tonight. Now, is it possible that
10 after the moratorium that someone would consider? I
11 don't know. But at this point in time, we didn't
12 design this for a warehouse. We designed it for ORI
13 use.

14 And we are not part of the Butterfield PDD
15 like a couple of the gentlemen said. There's four
16 or five processes. One of them is Butterfield PDD.
17 That's not the case here. We are not part of that.
18 There's another gentleman was concerned about the
19 signage. But this is one lot. It has two parcel
20 numbers but it's one lot in the Mackintosh
21 subdivision. There was only a requirement that we
22 need to put up one sign in front of the property.
23 That other parcel, as you called it, is strictly for
24 tax purposes tax parcel number. That's the only

1 difference. But it's one subdivided lot in that
2 little subdivision.

3 We certainly are in an area that has taken
4 over with warehouses and large users but that's
5 been, you know, the plans for the City since
6 Butterfield Development came to the City and that
7 just took time to develop. The Naperville property
8 to the south of the subject property that goes down
9 to the tollway, as Staff mentioned, their
10 comprehensive plan calls for it to be employment
11 center and they've got industrial zoning on it.

12 So the City of Aurora can serve some of
13 those properties. So far the boundary agreement has
14 not been amended. I think it goes up Meridian Road,
15 the boundary agreement does. So the one gentleman I
16 think his home at the southwest corner of Meridian
17 and Sunrise, I think he's probably on the future
18 Aurora side of that boundary agreement. There's two
19 homes there and then there's a vacant parcel that
20 are on the south side of Sunrise.

21 Otherwise north of our property and west
22 of our property has all been developed with ORI type
23 uses and many warehouses. There are fire
24 inspections that are made. I know the one resident

1 mentioned the concern about what goes in them.

2 Mr. Curley is still here. He can certainly address
3 that as to the involvement of the building and the
4 fire department when buildings are constructed and
5 what the uses are that it's going to be to. It's
6 not that we are totally oblivious to the health and
7 safety, not only the occupants of the building but
8 obviously the neighboring properties also.

9 what's Aurora getting out of this? well,
10 quite frankly right now, Aurora doesn't get anything
11 out of it because we don't pay taxes to Aurora
12 because we are not in the city of Aurora. But
13 annexing the property, the City will get taxes.
14 Certainly once we get done with the ag use and a
15 building goes on, the assessed valuation, as you all
16 know, will be considerably higher and the City of
17 Aurora will get more and more in property taxes.
18 Plus we would anticipate bringing more jobs to the
19 community. And so those are the positives things
20 that come from this.

21 And the access to, you know, having these
22 things in place is a benefit. We are not putting in
23 improvements at this time. We are just setting the
24 stage for that. In other words, as I mentioned, we

1 will be annexing to the park district. We will be
2 annexing to the library district. We will be
3 annexing to Fox Metro. We are not putting the pipes
4 in the ground at this point. That will be the
5 future user, the buyer, and the developer of the
6 property.

7 I think I stated that we are owners of the
8 property. We are not developers. But obviously the
9 highest and best use of the property is not
10 agriculture. And the time has come with that area
11 as it's built and built and built up for this
12 property to be the next in line to follow the
13 Aurora's comprehensive plan which shows this as ORI
14 property.

15 So I understand that for many, many years
16 folks out there lived in a rural area. But over
17 time it has developed and nonresidential uses. If
18 someone comes out and buys a home, God bless them.
19 But they certainly can stand and look around to see
20 what the trend and development has been in this
21 area. The trend and development has been for
22 industrial and warehouse uses. So this is nothing
23 out of the ordinary. It's planned to be in Aurora.
24 It's on the Aurora side of the boundary agreement.

1 We are contiguous to the City of Aurora. And there
2 are benefits to Aurora for this property to be
3 annexed to Aurora and developed with ORI type of
4 uses.

5 The plan that you saw, I know it's just a
6 concept plan, but, again, we showed how we can
7 address parking and how we can meet the setbacks
8 even with the property to the east of us. It's
9 zoned residential in the county. So mindful of
10 that, there is the requirement because we are doing
11 this as a PUD, we are putting that zoning in place.
12 That buyer, that user will come back before you with
13 final plans and developments, plans for what the
14 buildings will look like, the height, et cetera, et
15 cetera.

16 So that's all to come but this is the
17 first stage. If I can answer any other questions.
18 I was confused about the water issue because the
19 storm water goes west out here. There is a
20 detention facility on that warehouse property north
21 of us and on the west side. And our detention
22 facility will be on the west side of our property
23 also. So I don't understand where there's an issue
24 with where -- that there's water coming somehow --

1 going to the east.

2 But our plan is not with our development
3 as Mr. Warline has designed it, the water is not
4 designed to go anywhere east. Our water will go to
5 our detention facility that's west of us and then it
6 moves on from there and goes further to the west.

7 CHAIRMAN PILMER: Thank you. Mr. Curley, if you
8 can assist.

9 MR. CURLEY: I can speak to the -- Just looking
10 at the storm sewer map. What happens -- So the
11 property that's bounded by -- or the property that's
12 to the west of Meridian and north of Sunrise south
13 of Ferry has a detention facility -- a triangular
14 detention facility on the north side of that
15 building along Ferry Road. That detention facility,
16 when it overtops -- not daily but if you had a
17 hundred year storm, a 500-year storm, that water
18 needs to follow the overland flood route that
19 existed prior to the development occurring.

20 So what happens in developments we're
21 responsible to follow with respect to storm water is
22 to detain more water than the property had before.
23 So we are releasing -- The release rate is lower
24 than was before. But ultimately if a storm overtops

1 the storm water facility, it needs to follow the
2 overland flood route.

3 what happens is that particular triangular
4 detention facility on the north side of that parcel
5 ends up going underneath Meridian Road, as the
6 gentleman mentioned, to another detention facility.
7 That same detention facility is almost also filled
8 with catch basins off of Ferry Road. I don't know
9 the history here but I'm presuming it was developed
10 or at least added to when Ferry Road was initially
11 developed.

12 That detention facility then overflows to
13 another detention facility which is to the north of
14 Ferry Road. And that detention facility, which is a
15 big swamp land, actually comes back around all of
16 these homeowners' property and then back on the
17 other side of Ferry Road. So what the gentleman is
18 describing -- I understand what he's suggesting but
19 we do need to follow the requirements of both the
20 county and the state for maintaining the overland
21 flood routes for storm water should we get a
22 500-year event. So that's what he's saying.

23 CHAIRMAN PILMER: Thank you. Can you just
24 touch -- I think Mr. Philipchuck did. Can you touch

1 on -- we have heard a lot of questions regarding
2 permitted use as far as hazardous materials. I
3 think there's fire inspections. Can you just touch
4 on that?

5 MR. CURLEY: Yeah, so the next part for the
6 development process that would occur after
7 entitlement is obtained through your assistance in
8 our process would be to obtain a building permit.
9 The building permit process includes fire reviews,
10 as well as building reviews. That would ensure that
11 what's being developed meets all the safety
12 requirements for both local, state, and federal law.

13 Aurora has the highest iso rated building
14 department in the state. So we are more certified
15 than any other department in the state, any other
16 building department in the state. We also have a
17 stellar fire department as well. So I would be
18 proud to show anybody how we handle ensuring safety
19 for our developments when they're being built and
20 obtaining their certificate of occupancy.

21 But beyond that, what occurs is there's a
22 state -- the State Fire Marshal cedes the authority
23 for its annual inspections to local municipalities.
24 Aurora's fire department does annual inspections.

1 They would be verifying that what's there is what
2 was permitted and verifying that the storage
3 practices still meet code. If they're not, they are
4 cited and required to become code compliant.

5 CHAIRMAN PILMER: Thank you. Maybe I know I
6 asked Staff a little bit about the zoning -- or the
7 city ordinance regarding trucking. But I know we
8 talked about this several years ago. I think trucks
9 are directed to Frieder Lane. But based on what we
10 heard tonight, that doesn't appear to always be the
11 case. There's safety issues, as well as
12 trespassing. But can maybe either you or Staff
13 state to us recommendations? I know there's signage
14 out there but it doesn't appear to be working.

15 MR. CURLEY: Yeah. Again, what this is right at
16 the boundary of our boundary agreement in an
17 unincorporated area that's not annexed into
18 Naperville. For the roadways they're in Aurora, as
19 you mentioned. There was a recent ordinance passed
20 because we've had some issues with idling trucks in
21 areas in Aurora, not just here. So there has been a
22 relatively recent change. I want to say within the
23 last six months where the police now have the
24 authority to do more than they had, let's say, a

1 year ago. And I would encourage people to pursue
2 that in order to deal with idling trucks.

3 with respect to the signage, I think most
4 of it was here but I believe the last time we talked
5 about this in front of you all, we had the city
6 engineer here talking about the residents' desire
7 for a barricade more or less at the eastern side of
8 Meridian, so on Sunrise on the east edge of
9 Meridian. And essentially both -- well, at least
10 our City engineer finds that to be a hazard for
11 drivers and an issue for plowing. And I believe
12 that the residents talked with the township
13 commissioner about the possibility of the township
14 providing a barricade on their side. And I don't
15 know the result of that discussion.

16 CHAIRMAN PILMER: Thank you. I believe --

17 COUNCIL MEMBER PICKENS: I have a question. A
18 lot of comments about lighting. I mean, the
19 property that's being built or has been built, I
20 presume there was photometric plan submitted and
21 they were supposed to have less than a foot candle
22 beyond their property line. Can we go back and
23 check these foot candles after occupancy to bring
24 them -- put blinders on their lights or whatever.

1 MR. CURLEY: We have done that when we have
2 gotten complaints in the past. I'm unaware that
3 we've had complaints specifically about this solely.
4 But we can make those inspections and validate that
5 that's true. But you're correct, that's how we
6 handle it on the front end with photometric drawings
7 indicating what the foot candles will be at the
8 perimeter of the property. And you're right, it's
9 one foot candle.

10 MS. MORGAN: I was going to add we could add --
11 as far as like one of the issues with the gate, we
12 can add to the plan description that they can't gate
13 their entrance during off hours to negate idling,
14 waiting for the entrance to open. That's a
15 possibility. We can also require a fence, at least
16 for the lighting along the eastern property side of
17 the plan description. We can add that a six-foot or
18 eight-foot fence even has to be built on the eastern
19 property line. At least the fence has been
20 something we have done in previous plan
21 descriptions.

22 CHAIRMAN PILMER: I think might be based on what
23 we heard in the neighborhood. I think we've seen
24 that elsewhere in the city, but it would be helpful

1 to allow for trucking off the street and in their
2 lots. So if we can add a condition they can't have
3 access to trucks at off hours, I think it would be
4 beneficial or at least consideration for that. It
5 might present security issues.

6 ATTORNEY PHILIPCHUCK: Mr. Chairman, if I might,
7 I think it would be premature to put something in at
8 this point in time let's see what our user is and
9 then let's look --

10 CHAIRMAN PILMER: Come back for plan and plat.

11 ATTORNEY PHILIPCHUCK: Exactly. If you think
12 it's a fence or there may be minimal truck
13 deliveries. If it's an industry, could be equipment
14 sales. There are a lot of things that I can
15 anticipate that could be located out there that
16 wouldn't involve that kind of truck traffic and
17 those kinds of things.

18 CHAIRMAN PILMER: I think it would make sense,
19 just to note for the record, that should be
20 addressed at the plan and plat.

21 ATTORNEY PHILIPCHUCK: Just be aware of it and
22 take a look at it, yeah, at final plan.

23 MS. MORGAN: The only issue is so it does have
24 to come through preliminary and final. If they meet

1 the ORI bulk restrictions, the preliminary comes
2 before Planning and Zoning Commission through City
3 Council. It's not a public hearing. There aren't
4 public notifications if they meet the ORI bulk
5 restrictions. For the gate and the fence, if they
6 push back and say no, we don't want to do that, I
7 don't know if there's anything at the city ordinance
8 that we can make them do it. That's why if you put
9 it in the plan description, they would have to be --

10 CHAIRMAN PILMER: I'd ask the Commission how
11 they feel. I mean, it is preliminary. There could
12 be a user in six months or there could be a user in
13 six years. It is a lesser zoning classification
14 than what is to the west and to the north.

15 MS. MORGAN: You can also add unless waived by
16 the planning and zoning director to allow if there's
17 a use.

18 MS. VACEK: I mean, I intend to think that
19 probably we should wait until the final plan of
20 plat. We do have in our landscape regulations, that
21 we can require a fence instead of including
22 landscaping. So we can do both. So I mean, we can
23 do that. If you guys feel that you would rather see
24 the fence than additional landscaping --

1 CHAIRMAN PILMER: I'll probably fine with that
2 because the more I think about it, it might be a
3 business with limited hours that doesn't have high
4 use of trucks. And require them to leave a gate
5 open, might be a security issue. So I think that
6 has to be looked at in the future. I mean there is
7 the City ordinance. It also requires -- while it
8 doesn't sound like it's being enforced as much as
9 the neighborhood would like, it does need to be
10 enforced to --

11 MS. MORGAN: We'll make note of that and we will
12 talk to the police department and make sure they are
13 enforcing that area down on the south side too.

14 CHAIRMAN PILMER: Thank you. So with that would
15 staff like to read into the record the findings of
16 fact. We will do each of these one at time.

17 MS. MORGAN: So there's no findings of fact for
18 the annexation agreement. So it should be the
19 conditional plan development.

20 The Staff has the following comments
21 regarding findings of fact: One, the project will
22 not be detrimental to or endanger the public health,
23 safety, morals, comfort or general welfare as the
24 development is consistent with surrounding

1 developments to the north and west and is consistent
2 with the comprehensive plans for the area to the
3 east and south.

4 Two, the conditional use will not be
5 injurious to the use and enjoyment of other property
6 in the immediate vicinity or diminish or impair
7 property values significant industrial, warehouse,
8 and manufacturing uses exist in the general area.
9 where the interfacing exists with county residential
10 properties, the final plan requirement will ensure
11 design standards, landscaping, and traffic planning
12 will be implemented to protect this area.

13 Three, the development will not impede the
14 normal and orderly development and improvement of
15 surrounding properties for uses permitted in this
16 district as the surrounding are developed for
17 similar uses. The area has been planned for light
18 industrial uses since 1970s. The future plans for
19 the current residential to the east are to annex
20 into Aurora with office, research, and light
21 industrial uses.

22 Four, the area has adequate water and
23 sewer capacity to serve the project.

24 Five, Sunrise Road will be improved fully

1 along the property frontage. The site can have two
2 access points off of Sunrise Road. The plan
3 description outlines limiting access for semi-trucks
4 to the western access point and restricting the
5 access to a right in and left out to have
6 semi-trucks use Frieder Lane.

7 Six, the conditional use in all other
8 respects conforms to the applicable regulations of
9 the various zoning districts.

10 Seven, not applicable it's for hotels.

11 Eight, the uses are necessary, desirable,
12 and appropriate with respect to the primary purpose
13 of the development as the petition is to annex the
14 property for future development and the uses
15 outlined in the plan description are the by-right
16 uses in the ORI Office, Research, and Light
17 Industrial zoning district, which is the surrounding
18 area to the north and west has been developed with
19 and what the area was identified as in land use
20 plans.

21 Nine, the uses are of a nature and so
22 located as to not exercise an undue detrimental
23 influence on the surrounding neighborhood as the use
24 is adjacent to light industrial uses to the north

1 and west and the final plan will have developmental
2 setback from residential property to the east with
3 landscaping for screening.

4 Ten, the exception so allowed are
5 reflected by the appropriate zoning district symbols
6 and are so recorded on the zoning district map.

7 Eleven, there are no additional uses being
8 permitted that are not allowed by-right in the ORI
9 Office, Research, and Light Industrial zoning
10 district.

11 Re-zoning: One, staff has noted below the
12 physical development policies that the proposal
13 meets.

14 Two, the proposal represents the logical
15 establishment and is consistent extension of the
16 requested classification in consideration of the
17 existing land uses, existing zoning classifications,
18 and character of the area as the general area has
19 been planned for office, research and light
20 industrial uses since the 1970s.

21 Three, the proposal is consistent with a
22 desirable trend of development in the area as it
23 continues the trend for office and light industrial
24 uses that the area has been planned for and which

1 has come to fruition of surrounding properties in
2 the past several years. The property's location
3 being adjacent to the tollway and off a major
4 regional collector, makes it a good location for
5 these types of uses.

6 Four, the re-zoning will allow for more
7 suitable uses. As it is, the area is identified for
8 light industrial uses and is adjacent to similar
9 uses.

10 Five, the re-zoning is consistent with
11 existing land uses, zoning classifications, and
12 general character as the properties to the north,
13 west, and south are of similar land uses.

14 CHAIRMAN PILMER: Thank you. You want to
15 provide a recommendation for the annexation?

16 MS. MORGAN: Staff recommends approval of an
17 ordinance providing for the execution of an
18 annexation agreement with the owners of current
19 providing for ORI(C) Office, Research, and Light
20 Industrial district with a conditional use for the
21 territory which may be annexed to the City of Aurora
22 located south of Sunrise Road and east of Frieder
23 Lane in DuPage County, Aurora, Illinois 60563.

24 CHAIRMAN PILMER: We have Heard staff's

1 recommendation. Is there a motion?

2 COUNCIL MEMBER: Motion to approve
3 recommendations.

4 COUNCIL MEMBER: Second.

5 CHAIRMAN PILMER: Motion has been made and
6 seconded. Please call the roll.

7 (Roll call.)

8 CHAIRMAN PILMER: Motion carries. The Staff
9 will provide a recommendation for the conditional
10 use planned development.

11 MS. MORGAN: Staff recommends approval of the
12 ordinance establishing a conditional use planned
13 development approving the Sheila Brown Trust
14 Property Plan Description and amending Chapter 49 of
15 the Code of Ordinances, City of Aurora by modifying
16 the zoning map attached thereto to an underlying
17 zoning of ORI Office, Research, and Light Industrial
18 District for the property located south of Sunrise
19 Road and east of Frieder Lane.

20 CHAIRMAN PILMER: You've heard Staff's
21 recommendation. Is there a motion?

22 COUNCIL MEMBER: Motion.

23 COUNCIL MEMBER: Second.

24 CHAIRMAN PILMER: Motion has been made and

1 second. Please call the roll.

2 (Roll call.)

3 CHAIRMAN PILMER: Motion carries. Staff did
4 read into the record 11 findings of fact related to
5 the conditional use and five findings of fact
6 related to the re-zoning of property. Are any
7 additions or corrections? Hearing none, is there a
8 motion to accept those findings of fact as read into
9 the record?

10 COUNCIL MEMBER: Motion to accept.

11 COUNCIL MEMBER: Second.

12 CHAIRMAN PILMER: Motion has been made and
13 seconded. Please call the roll.

14 (Roll call.)

15 CHAIRMAN PILMER: Motion carries. The Staff
16 will state where these two cases will next be heard.

17 MS. MORGAN: They will next be heard at the
18 Building and Zoning Economic Development Committee
19 meeting Wednesday, the 15th at 4:00 o'clock.

20 CHAIRMAN PILMER: Good luck. Any announcements
21 for the Commission?

22 MS. MORGAN: No. We will be having the meeting
23 in two weeks.

24 CHAIRMAN PILMER: October 22nd is our next

1 meeting. Is there a motion to adjourn?

2 COUNCIL MEMBER: Move to adjourn.

3 COUNCIL MEMBER: Second.

4 CHAIRMAN PILMER: Motion has been made and
5 seconded. All those in favor say aye.

6 THE COMMITTEE: Aye.

7 CHAIRMAN PILMER: Opposed? We will stand
8 adjourned.

9 (End of hearing.)

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2 I, MaryJo D'Avola, a Court Reporter for
3 the State of Illinois, do hereby certify that the
4 foregoing Report of Proceedings was reported in
5 machine shorthand by me and is a true, correct, and
6 complete transcript of my machine shorthand notes so
7 taken at the time and place hereinabove set forth to
8 the best of my ability.
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MaryJo D'Avola

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19 MARYJO D'AVOLA
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Dated October 12, 2025