



City of Aurora

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

Legistar History Report

File Number: 17-00654

File ID: 17-00654	Type: Ordinance	Status: ATS Review
Version: 3	General Ledger #:	In Control: Planning & Development Committee
File Name: CyrusOne LLC - Variance (Lot 1 of CyrusOne Subdivision, Phase 2)		File Created: 09/07/2017
		Final Action:

Title: An Ordinance Granting a variance for Lot 1 of CyrusOne Subdivision, Phase 2 located at south of Diehl Road and west of Eola Road to allow two principal buildings on a zoning lot.

Notes:

Agenda Date: 09/14/2017

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description.pdf, Land Use Petition and Supporting Documents - 2017-07-13 - 2017.134, Preliminary Plan - 2017-08-07 - 2017.130.pdf, Property Research Sheet 62154.pdf, Property Research Sheet 62155.pdf, Property Research Sheet Location ID 70958 - 2016-08-26 - 2016.038.pdf, Legistar History Report - 2017-08-23 - 2017.134.pdf

Enactment Number:

Planning Case #: NA07/2-17.134-V

Hearing Date:

Drafter: tvacek@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	07/18/2017	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)	07/25/2017					
	Notes: <i>Representatives Present: Juan Vasquez, Payman Homayouni and Matt Letson</i>						
	<i>Mr. Vasquez said we are annexing some property that was purchased. The property is to be 3 lots. Lot 1 is the existing building. What we are calling Lot 2 is the new building we are having and Lot 3 is the future site, which is at the bottom of that corner. That has been an unincorporated piece of property and we are incorporating that into the city.</i>						

Mr. Homayouni said just a quick overview as just a continuation, so the proposed project is the second phase of the data center. The building is located at the far southwest corner of the proposed to be annexed property. The access for this building is going to come from the ring road of the Phase 1, basically at 2 locations as far away as possible for the fire access. The drainage from the site itself is basically everything is gravity toward the north side of the site. Now with the proposed stormwater management facility and just north of that we are trying to basically preserve as much trees and existing wetland there as much as possible. Basically we'll leave the northern portion the same and preserving all the trees along side of the ComEd easement and the electric lines. The sewer for the site is going to come from the northwest corner of the proposed building and just goes along side parallel to the west property line all the way north and connect to the existing sanitary sewer on Diehl Road. The water for the building is just basically going to get connected to the loop, the water main loop that's being installed as part of Phase 1. As part of this basically annexation, the site actually consists of the triangle that we see on the west side of the ComEd easement and also there is a piece on the south side of the trail. It is about 3½ acres and that's also part of this property.

Mr. Beneke said we've looked at the fire plan. It looks good. I think we've already signed off on this. This site, just for everybody's information, is the one where we had the request for the 3 different addresses. This is the 2705, I believe, address that they are requesting, so everybody be aware of that. The FDC will be facing Diehl and all that kind of stuff. I think, in general, we are in good shape with this.

Mrs. Vacek said I sent out comments for this yesterday. I don't know if you have any questions for me on those comments or anything.

Mr. Vasquez said it's regarding the (inaudible) we do. I don't know if that is something we want to have off line.

Mrs. Vacek said yes, we can talk afterwards for the annexation agreement.

Mr. Frankino said Fox Metro is going to require annexation of the area north of the path and then eventually some of the spotty area below the path as well. I'd be happy to send information on the petition form and our plat sample. It is a simple process. I'd recommend getting going on it.

Mr. Feltman said we are in review.

Mr. Sieben said this is Tracey's case, so start working with Tracey on this one.

Mr. Beneke said do you have a feel for a construction timeframe on this?

Mr. Vasquez said right now it is likely going to be either the first or second quarter of 2018. We are trying to see where that goes. It is a different market we are attacking in this particular project. Worst case scenario for me is it would be like the third quarter of 2017, but I highly doubt it. It is going to be pushing in 2018. Our goal is to just be ready, permits, get everything ready to go so we are not inhibited by process, so we are trying to get smarter to do things ahead of the game so that when that customer comes in and says we'll take that property or we'll rent it from you guys we are off to the horse race.

Mrs. Vacek said you are in for preliminary, so this does have to come back for a final plan and plat, so just keep that in mind. It looks tentatively that it will be going in September to Planning Commission. That's what we have you scheduled for. Once it goes through Planning Commission and P&D then we can start having conversations with the final plan and plat so you guys can come back in to get that done.

1 DST Staff Council 08/01/2017
(Planning Council)

Notes: Mrs. Vacek said I sent out comments. I just received a resubmittal, so I will be taking a look at that. There was nothing that was significant or anything, so I think that we should be wrapping this up. This is tentatively set for the September 6th Planning Commission.

Mr. Thavong said Engineering is starting to look at it. There are some concerns regarding drainage, particularly off-site. We should be able to get out comments this week.

Mrs. Vacek said Souts, Payman did and Juan did bring up to me about some of those concerns of off-site. They have met with the property owners to the south and they were going to have a conversation with you. Did that take place?

Mr. Thavong said no.

Mrs. Vacek said you may want to circle back with, or I'll circle back with Payman, but I know that they have done some preliminary look at it because I know that that was one of the concerns.

Mr. Thavong said one of the things that Payman was going to further investigate was drain tile.

Mrs. Vacek said I believe that they did look at that or they are doing the report now, but I think that that is one of the things that he said he was going to look at.

Mr. Thavong said I'll plan on getting comments out this week.

Mr. Cross said we already approved this. We have already signed off on it.

Mr. Frankino said we sent out information regarding annexation, but we are yet to start a review.

1 DST Staff Council 08/08/2017
(Planning Council)

Notes: Mrs. Vacek said they sent in some revised plans, so I am reviewing that and getting comments out. They are really close with me. This is tentatively set for the September 6th Planning Commission, so this will be moving forward to that.

Mr. Thavong said Engineering has sent out comments and we are waiting for resubmittals. There is not much in terms of engineering. They need to verify the wetland mitigation. There are some questions regarding the detention volume. I think there is enough room for them to expand the pond, so we are going to wait for a resubmittal.

Mr. Cross said we already approved it.

Mr. Sieben said and you are working on them with notices or they already have the notice?

Mrs. Vacek said they already have the notices, so they should be getting those out.

1 DST Staff Council 08/15/2017
(Planning Council)

Notes: Mr. Sieben said this has been noticed. This will go to the September 6th ZBA and Planning Commission.

Ms. Phifer said so we will probably vote this out next week.

Mr. Feltman said Engineering sent out comments and we haven't gotten a resubmittal back yet.

Ms. Phifer said that's why I think we are leaving it here for another week just to see where they are at with Engineering.

1 DST Staff Council 08/22/2017 Forwarded Zoning Board of 09/06/2017 Pass
(Planning Council) Appeals

Action Text: A motion was made by Mr. Sieben, seconded by Mr. Beneke, that this agenda item be Forwarded to the Zoning Board of Appeals, on the agenda for 9/6/2017. The motion carried by voice vote.

Notes: Mr. Sieben said this is published and it will be going to the September 6th Planning Commission. I have taken a number of calls from surrounding property owners and explained it. There really hasn't been too much of an issue. One of the neighbors that lives on Molitor Road just was asking about

the height and screening and so on. They all acknowledged it kind of fits in with the White Oak Business Park there. Because this is going to the September 6th Planning Commission I'm going to make a motion to vote this out to move forward to Planning Commission. I think staff mostly had approved what we had received.

Mr. Beneke said Fire is approved.

Mr. Frankino said the District's only issue is that this hasn't been petitioned to annex to Fox Metro yet and I'd hate to see it get too far behind because then the plans will come in for review and it will be ready with Herman, so the sooner the better with that.

Mr. Beneke seconded the motion. The motion carried unanimously.

2	Zoning Board of Appeals	09/06/2017	Forwarded	Planning & Development Committee	09/14/2017	Pass
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Action Text: A motion was made by Mr. Pilmer, seconded by Mrs. Anderson, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 9/14/2017. The motion carried.

Notes: Mr. Sieben said this is going to be related to several items that will be at Planning Commission at 7:00 o'clock. However, the Variance would go first. I do have on the screen the proposed development, which is the Preliminary Plan. This is for the CyrusOne development. The subject property is located on the south side of Diehl Road. Actually a piece of it is both north and south of the Prairie Path and west of 2905 Diehl Road. The property does consist currently of 3 parcels, all of which are currently vacant. There is additional information in your Property Information Sheet. As I stated, the Annexation Agreement, Annexation, Rezoning, Preliminary Plat and Preliminary Plan will follow at the Planning Commission hearings. Specifically this request by CyrusOne is for approval of a Variance for Lot 1 of the proposed CyrusOne Subdivision Phase 2. Essentially the whole purpose of the variance is to allow 2 principal buildings on a zoning lot. What you see there on the right side of the screen is the existing data center and then the addition, which is attached to the west side. That addition is being completed as we speak. It is not quite finished yet. Then the property in question is, if you will, more of that triangular piece to the west. On that piece they would propose, if it is annexed and zoned, they would build another data center, 2 story, approximately 316,000 square feet. As you see by this plan, this shows essentially that area north of the Prairie Path would be consolidated, the developed site would be consolidated into 1 lot to allow the new building in addition to the existing building on a single lot. The reason they want to do that, they can explain a little bit a better, but it is really to create more of a campus setting. There is a lot of security with this type of use. All of the interior drives and fire access and everything will be connected to the existing facility and access will remain the same, which is the existing access out onto Diehl Road, which they do have security once you come in on the side off Diehl Road. There will be a separate lot with detention, which you see north of the new building, at the northwest corner of the site. Then you can just see it on the bottom left of the screen there, there is a separate parcel that was part of this purchase that fronts south of the Prairie Path on Molitor Road. At the meeting at 7:00, the request would be to rezone that residential, so that would not be part of the development. Again, essentially the purpose of the Variance is to allow 2 buildings on a single principal lot within the ORI district because in ORI you have to have a building on each separate lot. Unless there are any questions of me, the Petitioners are here for this particular case.

The Petitioners were sworn in.

My Name is Juan Vasquez. I'm with CyrusOne, 2905 Diehl Road, in Aurora, Illinois.

My name is Payman Homayouni. I'm with Bowman Consulting, the project Civil Engineer.

Mr. Homayouni said just basically a quick overview of the project. With this application basically we are proposing annexation, as Mr. Sieben mentioned, of an approximately 22½ acre parcel into the city. With that northern part, we would request the zoning of ORI for the data center. The southern piece would be a residential piece, estate size. The building is basically a 2 story data center. The ring road to the building is for the access and fire protection with 2 connections to the existing ring road of the existing building. The third site basically is for the drainage. We propose a stormwater

management facility on the north side of the property. Water and sewer will be connected to that public water and sewer for the site.

Mr. Vasquez said the only thing I want to add to it is that this site was CyrusOne's selection to bring in their data center on the acquisition on the CME facility. Aurora was selected as the city of growth and so we wanted fulfill some of the visions that were laid out to us in helping to grow into the city.

The public input portion of the public hearing was opened. The witnesses were sworn in.

I'm Paul Jaskowiak. I'm a resident at 2732 Shetland in Palomino Springs, which is directly across from Molitor from the property. I just had a few questions. As far as the data center goes, there will be generators installed, I'm assuming. I just want to know how noise reduction, screening and storage of fuel would be handled. There currently is a building that's just west of there that is very visible from Molitor without any screening. So, again, I wanted to make sure with that being right adjacent to the Prairie Path how the screening would be done there as well. I also wanted to know how many employees would be employed at this facility.

My name is Laura Evans. I'm at 2702 Shetland Lane. Our back yard backs up to Molitor Road. My question is more the aesthetic. It seems like the pond is on the north side versus the south and we seem to have a lot of drainage south, so we are kind of concerned about the drainage going into the ponds that are in Palomino Springs. Also being so close to the Prairie Path, what can they do to keep it from being so visible to the rest of, when you are on Molitor Road, which is no trucks, it is residential, keeping basically a residential look to our neighborhood still? Again, as far as the current facility, the current home that is on the lot, any kind of demolition? I'm assuming it is a much older home. There is going to be, again I'm assuming, septic and again we are concerned about runoff as well going down our way. That's some of the concerns we have.

Mr. Vasquez said the first question was in regard to generators and sound attenuation, fuel storage, etc. The facility has generators, emergency generators. They are only turned on in case of a power outage. Power outages in Aurora are very rare because of the good utility systems that we have. The fundamentals of a data center is to have 100% uptime, which means power never goes off for a data center, so they are only used for emergency purposes. The generators have storage tanks below the generators. They are not underground. They are called belly tanks. There is enough fuel in those tanks to sustain a generator for about 24 hours. As far as the sound attenuation is concerned, all the designs that we have applied into this project are within the limitations, or the codes that Building and Permits has brought to us, so they are within those statutes. I can't give you the exact decibel readings because I don't know them, but I do know that our engineering team has gone through it and has made sure that we are underneath that level for the requirements for the city.

Chairman Cameron said I have a question. The capacity you currently have there in generators, you're doubling the size. Will there be twice as many generators in terms of wattage output, three times? Do you have any idea on what effect that will have on sound levels?

Mr. Vasquez said again, it is only in an emergency when power is completely gone and so the effect of sound is kind of difficult to put a number on. You would have to have sound meters placed strategically around the property within a certain amount of distance to tell the exact effect it is going to have. There is noise already from Diehl Road, from I-88 and traffic going around that. You are not going to get the true reading from it. The minimum requirements that are made to put into a generator system is what we complied with. We exceed those minimum requirements, I should say. The other question was about the Molitor Road, the house that's on a residential property. The house was demolished maybe about 3 or 4 months ago. It is no longer there. The septic system has been removed. Molitor Road is going to remain a residential road. No building is going to be on the residential side of Molitor Road. That would be on the west side of the Prairie Path. All of our construction is on the north side of the Prairie Path, not on the south side. All our construction is on the north side of the Prairie Path, so the property that we do own, the residential property on the south side of the Prairie Path, will remain residential.

Chairman Cameron said the number of employees?

Mr. Vasquez said the number of employees in our building we are estimating to be at least 25 employees. They are going to be employees from our customers that come. They fly in for a day or two and then they leave. The data centers are built to have computer systems and then they come and service those computer systems and then they leave.

Chairman Cameron said you have 6,500 square feet of office space in one of these building.

Mr. Vasquez said that is correct.

Chairman Cameron said it is for 25 people or is it suites for people that are there working or what's the nature of that office space?

Mr. Vasquez said this is an enterprise customer with technicians that fly in or representative for the company that fly in and they need touchdown office space and conference rooms to host a meeting for whatever business they are conducting for the day or two and then it just keeps rotating from that point.

Chairman Cameron said there was a question on drainage, talking about the location of the ditch and pond. How is that going to protect the people that are adjacent?

Mr. Homayouni said the way the site is graded is to collect basically storm runoff from the entire site through a storm drainage system and convey everything to the north side of the property. Currently the way the existing ground is set, about 2/3 of the site is sloped to the north side and about 1/3 is sloping to the south side. With the proposed development, basically we are combining everything and everything goes to the north into the detention facility. So in my opinion, I think it would actually help the situation because we are taking some of the drainage that was going south and is basically now being conveyed to the detention facility.

Chairman Cameron said what about the Prairie Path screening?

Mr. Homayouni said so basically all the work will be done north. The Prairie Path basically is outside of the property, so between the property line and the ring road, there is a buffer requirement, so basically all the landscaping will be in accordance with the city requirements, Zoning Ordinance, and then there is a water line and a ring road, but within that between the property line and the easement basically would all be landscaping per zoning requirements.

Chairman Cameron said someone mentioned a building that is exposed to the Prairie Path.

Mr. Pilmer said there is a property it looks like to the west that's an existing building, I think, is what she is referencing, I believe. So it is in existence. It is not related to this site. For those that didn't hear, the Petitioner said that they would meet the landscape requirements of the City of Aurora that the city does have in place for this property.

Mr. Sieben said I just want to make a point. This is not for the Annexation or the Zoning. This is strictly, as you heard, for a Variance to allow 2 buildings on 1 lot. This had to be heard before the Zoning Board, which is the 6:30 meeting. At the 7:00 o'clock meeting will be the Annexation, the Annexation Agreement, the Rezoning and then Preliminary Plan and Plat. I don't know if their questions are related to that or specifically the Variance, but I'd be glad to swear everyone in. Additional witnesses were sworn in.

Mr. Jaskowiak said I've got several buildings that have generators and we have to exercise those generators on a regular basis, so generators do run weekly or monthly, so I wanted to understand what the schedule of the exercise of those generators would be and also chillers and coolers for the building if we can get an idea of the sound impact of those. It is a heavily wooded lot right now that shields sound coming from I-88, so I'd like to understand if all the trees will be cleared, which will actually increase the sound from the highway which was mentioned earlier.

My name is Dorothy Drucek. I live at 5S174 Eola Road. I am right across the Prairie Path from the present building. Those generators are exercised at least once a week. I work during the week, but on every Saturday I do hear them running for a long time. When I am outside, I can smell the diesel fuel from my backyard. So I did want to bring that. They are not just used in an emergency situation. They are run at least every week.

Chairman Cameron said and the codes require that. Is that all you had at the moment?

Ms. Drucek said well because he was saying they are only running it in emergency situations and that is not true. I can hear them from inside my house. I can smell them from outside house and they are run every week.

My name is Richard Gardella and I live at 2727 Molitor Road. I also am a realtor and represent the property across the street from me, which backs up almost right to this property on the residential side of the Prairie Path. This is going to be a visible structure, I'm sure of it, and if it is going to have the sound and smell of exhaust fumes it would definitely be an issue in selling that property and building homes there. So I wanted to know what the setbacks are. I can't really tell from here how far the setback is from the Prairie Path. Do you have a better idea of it? Can you be a little clearer if that's going to happen in the next meeting of what landscaping and sound barrier they are planning to put there in between the Prairie Path and the building?

Mr. Sieben said I could real quick answer the setback. The closest portion of the building is 85.7 feet to the property line of the Prairie Path. It is about another 15 feet to the main part of the building, so most of the building is about 100 feet from the property of the Prairie Path parcel with the closest point being 85.7 feet. That dashed line kind of in the middle, that's the property line. As the gentleman stated for the Petitioner, this will need to meet our landscape requirements. For the Planning Commission case, because this is still a Preliminary and an Annexation, we do not have a landscape plan at this time. They would have to come back for a Final Plan and Plat. At that time, they do need to meet the requirements of the city buffering. I believe we are also trying to work with them to save, if it is possible, to save existing trees that are off the Prairie Path on the south end of their property. We would definitely look at that too.

Ms. Evans said again, I know you said about the landscape and the plans are being worked on, but considering it is a 2 story building, I believe you were saying that that facility is 2 stories, we just would like that to be considered when you are looking at the landscaping because again you mentioned a lot of the landscaping was in the front. I didn't hear much about the back.

Chairman Cameron said I think the new building on the new lot is a 3 story building. That's my understanding.

Ms. Evans said so the 3 story. Again, being a homeowner we really would like that to, we prefer buffers as much as possible. The higher the better, especially being 3 stories. Again, I know you are looking into just the consideration right now on the 2 and that's our concern because it is so much more than what is currently there. Also, and I did not realize that the building was knocked down. In our ponds we've had the past several months several dead ducks, frogs, fish and chipmunks, so I'm thinking again I'm very, very concerned about runoff from the property. So maybe it was not done as properly as it could have as far as the septic, but we've had a lot of issues as far as dead animals in our ponds the last couple of months. We have several pictures we can show what's been happening in our ponds. I didn't realize that it had already been done. I was hoping to prevent it, but that kind of makes more sense now because we've never had this problem before. So again, the runoff is a big concern.

Mr. Vasquez said in regard to the generators, the amount of time that we are going to be running them, we don't have a set schedule. All our generators are under EPA guidelines. They require us to not have the generators running for more than 100 hours a year for service and maintenance. This is for the new building that we are building. The existing generators are grandfathered in and don't have the EPA compliance, which they are not going to as a result of building this building. So now they are all going to be under the same EPA guidelines now to be operable more than 100 hours in

a year. The point to the first comment about our generators running every week. They don't run every week, but they have been ran in non-emergency cases when there is service and maintenance on the generators. Because this is a data center mission critical facility, it requires that the generators be primed and prepped and ready to go at a moment's notice of a power outage. When we do our system checks and either the engines or the systems are not telling us that something's not right, technicians are called in to start the generators and make sure everything is operable and then they turn them back off. They are not on for days at a time. If they are running for a couple of hours, that's probably as long as you are going to hear them, but they are not running every week. We did experience some repairs this summertime, which was more frequent than we've ever done, which is probably what she heard. The smell of fuel, I mean we do have fuel trucks that show up and fill up the underground storage tanks for those generators. Just like any fuel station, you will have some odor of fuel within the vicinity of the existing generators. I think that's all the questions in terms of generators. Our maintenance time for the new building, like I said, we don't know what that's going to be until our operations team takes over the building. I think Payman can address the rest of those questions.

Mr. Homayouni said I think there were a couple of questions about the trees saved, the landscaping and the buffer. Again, we are going to meet basically the requirements of the zoning. One thing is that we are trying very hard to save as much trees as possible on the southwest corner of the property. There are some really nice trees in that area, so basically as much as we can basically. Basically the grading has been done very, very close or only as much as is needed. Anything about that we we'll try obviously to save because it would be nice to provide a buffer.

Mrs. Anderson said where are the generators located on the property exactly?

Mr. Homayouni said they are basically on the east side and the west side of the building.

Chairman Cameron said are they immediately adjacent to the buildings?

Mr. Vasquez said so our generators that we have on the building are adjacent to our building on 2 sides of the building. None of the generators are basically near any of the Aurora residents. They are within the buffer zone. They are at least 300 or 400 feet away from the nearest property, which our neighbors know what we are doing in that area. I think one of the persons that came up here that was on Eola, I think she pertains to the Naperville District, not necessarily the Aurora District, so that's another point of contention.

Mr. Pilmer said can the Petitioner just talk about runoff. I think somebody was concerned about runoff. I think you mentioned earlier that the way the ponds are proposed that the runoff actually goes north.

Mr. Homayouni said yes. The site is slightly sloped from the property line toward the southern ring road and from the access road, the ring road around the building. Everything from that point is basically caught in the catch basins and a storm pipe that goes all the way on both sides of the building, around both sides of the building, and toward the north as it is picking up the parking lot and discharges into the stormwater management facility on the north side of the property.

Chairman Cameron said where does that stormwater management, that's controlled discharge there, right? Where does the water go from that site?

Mr. Homayouni said from that point right on the northeast corner of the detention pond there is basically a controlled structure that only allows pre-development runoff or what's allowed and then after that it would basically go north and connects into the city storm drainage system.

Mr. Vasquez said our building will have air cooled chillers. It is a 2 story building for the record, not a 3 story building. The air cooled chillers are on top of the 2 story building. They are the latest technologies. They are not loud at all. We currently have them on our building under construction and they are operating, so we don't hear them on. That means it is a good thing.

Mr. Jaskowiak said could you repeat that again? They are currently on what building?

Mr. Vasquez said on the building that's under construction right now. The extension to the property on the right we have 8 air cooled chillers on the roof at this time and they are all operating as we speak. So the question he's asking is where are the current chillers? I explained to him that they are on the building extension to our data center 2, the dark one in the middle. There are 8 air cooled chillers on that roof and they are currently all operating as we speak and they are pretty quiet.

Mr. Jaskowiak said you mentioned the fuel storage underground and then the generators. How many total gallons of fuel are stored on the site at any given time?

Mr. Vasquez said I don't know how to answer that question. I don't have that information in front of me to respond to that question. The underground storage I think he is referring to is our existing building that's been existing on that site for at least 8 to 10 years now.

Chairman Cameron said that's on the existing. The new facility, the one that is going to be built, has belly tanks?

Mr. Vasquez said that is correct.

Chairman Cameron said is the new addition onto the main building...

Mr. Vasquez said belly tanks as well. The only one that has underground storage tanks is the existing building that we purchased.

Ms. Evans said just a quick question. It was mentioned that one of the corners of the retention pond they are putting in will be connected to the city drain system, which I do believe drains into our pond as well. If I'm not mistaken, I believe all the ponds are connected through drainage. I just want that, again, to be considered.

Chairman Cameron said the idea of the detention is that in the undeveloped state, there is typically an amount of water that normally goes onto that site and runs off. The ordinances basically say that that discharge rate can be no greater than what it is. Whatever is draining there now would normally not be any different than what it is. It is just that there is an additional detention and release rate.

Ms. Evans said and I wasn't sure if it was connected. It is just something that we just wanted to make sure if it is connected through the city that, again, it affects us as well.

The public input portion of the public hearing was closed.

Mr. Sieben said the staff does not do recommendations on Variances, however, we do have some discussion points. Due to the proximity of the I-88 Interchange and the shape of this property, it is not allowed to have access to Diehl Road, so the Variance will allow for the construction of the new data center on the annexed property with access to Diehl Road from the ring road through the existing development to the east. So the Variance would allow facilitation of the development without any new access points to deal with.

MOTION OF APPROVAL WAS MADE BY: Mr. Pilmer

MOTION SECONDED BY: Mrs. Anderson

AYES: Mrs. Anderson, Mr. Bergeron, Mrs. Cole, Mr. Pilmer

NAYS: None

FINDINGS OF FACT

1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Cole said these are listed in the staff report.

2. Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?

Mr. Pilmer said I might note this is not a change in the Zoning Ordinance. This is strictly a variance to allow 2 buildings on 1 parcel and based on the site plan and the specific use it is unique to this property.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mr. Pilmer said again, the proposal is consistent with the desirable trend of development in the area and the existing zoning classification.

4. Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mrs. Anderson said there should be no change.

5. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Chairman Cameron said they are either in place or will be provided per plans.

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mr. Pilmer said this is an expansion of an existing business and there will be no change to ingress or egress. It is somewhat of a unique vehicular situation and as we've heard tonight, there should be minimal change in the congestion on the site.

8a. Is the variance based on the particular physical surroundings, shape or topographical conditions of the specific property involved so that a particular hardship to the owner would result, as distinguished from a mere inconvenience, if a strict letter of regulations were carried out?

Mr. Pilmer said I believe we've heard it is an unusual topographic situation with the shape of the lot and a unique business that can operate with using the existing ingress and egress. Therefore, the Tollway access to the north, which would typically possibly infringe on this property, won't come into play as they can use their existing ingress and egress.

8b. Is the variance based on unique conditions to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification?

Mrs. Cole said I think it is pretty much the same answer as Mr. Pilmer's answer to a) is.

8c. Is the variance based on an alleged difficulty or hardship that is caused by the ordinance and has not been created by any person presently having an interest in the property?

Chairman Cameron said it was basically created because of the existing data center and its expansion of that use and all the security and stuff that is related to that and an ordinance that in this type of use would not be a problem.

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on

Thursday, September 14, 2017, at 4:00 p.m. in the 5th floor conference room of this building.

Aye: 4 At Large Anderson, At Large Bergeron, At Large Cole and At Large
Pilmer
