



City of Aurora

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

Legistar History Report

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Ledger #:**

In Control: Building, Zoning,
and Economic
Development
Committee

File Created: 12/21/2020

File Name: City of Aurora / SWC of Liberty and County Line Road
/ Public Works Facility / Rezoning

Final Action:

Title: An Ordinance Amending the Zoning Ordinance and the Zoning Map Attached
Thereto, by Rezoning Property Located at the Southwest Corner of Liberty
Street and County Line Road from R-1 One Family Dwelling District to M-1
Manufacturing District - Limited

Notes:

Agenda Date:

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description - 2021-01-26 - 2020.224,
Concept Plan - 2021-02-01 - 2020.224,
Comprehensive Plan Designation - 2021-02-01 -
2020.224, HOA Attorney Response Letter -
2021-01-29, Ward 7 Petition Letter - 2021-02-03 -
2020.224, Property Research Sheet - 2021-01-26 -
2021.224, Land Use Petition and Supporting
Documents - 2020-12-21 - 2020.224

Enactment Number:

Planning Case #: AU24/2-20.224-A/Rz

Hearing Date:

Drafter: sbroadwell@aurora-il.org

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
2	Planning and Zoning Commission	02/03/2021	Forwarded	Building, Zoning, and Economic Development Committee	02/10/2021		Fail
Action Text: A motion was made by Mr. Cameron, seconded by Ms. Tidwell, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 2/10/2021. The motion failed.							

Notes: See Attachment for Item 20-0880.

Aye: 1 At Large Cameron

Nay: 7 At Large Anderson, Fox Valley Park District Representative Chambers, At
Large Elsbree, At Large Gonzales, At Large Owusu-Safo, At Large
Tidwell and Chairperson Bhatia

Attachment for Item 20-0880:

20-0880 An Ordinance amending the Zoning Ordinance and the Zoning Map attached thereto, by rezoning property located at the southwest corner of Liberty Street and County Line Road from R-1, One Family Dwelling District to M-1 Manufacturing District – Limited (City of Aurora – 20-0880 / AU24/2-20.224-A/Rz – SB – Ward 7) (PUBLIC HEARING)

Mr. Sieben said good evening everyone, Planning and Zoning Commissioners, Alderman Hart-Burns and city staff and neighbors. My name is Ed Sieben. I'm the City of Aurora Zoning and Planning Division Director. I just wanted to give a little overview of our presentation. Starting off our presentation will be Steve Broadwell. Steve is a Planner in our Division and he will give a little bit of introduction and background of the request. Following that, I'll go into more discussion items, talk a little bit about the Comprehensive Plan, the land use, talk about the current zoning on the property, and then a little bit of the history regarding the townhomes in question just to the east of this and what was planned there, and just begin to talk a little bit about the concept plan for the Public Works facility. We will kind of go over it in detail, I'll touch on it, and then Ken Schroth and his team, Ken is our Public Works Director, will then be the last part of our staff presentation. Then after that if there are any questions of the Commission, I imagine Alderman Hart-Burns may or may not wish to make some comments and then after that we would open up the public hearing. With that, I can turn it over to Steve to begin the presentation.

Mr. Broadwell said the nature of this proposal is that the City of Aurora is requesting to rezone this property, which is located at the southwest corner of Liberty Street and County Line Road from R-1 One Family Dwelling District to the M-1 Manufacturing District Limited. For those of who aren't familiar with the site, it is approximately 24.5 acres of vacant land. Right now, it is located in unincorporated Kane County. There are 2 frontages for the property. The northern frontage is along Liberty Street and that's the wider frontage. Then the southern frontage is more narrow and that is located on E. New York Street. Right now the property is designated by the Aurora Comprehensive Plan, which provides a future land use and development guidelines for the City of Aurora. The majority of the property is designated by the Comp Plan as Industrial, around where you can see Ed's mouse is. That's the Industrial area. Then the smaller portion that fronts along E. New York Street is designated as Office/Research/Light Industrial. That's essentially the background history of the property. A little bit more about the nature of the entire proposal that we have here is first is the annexation process, which will essentially bring the property in from unincorporated Kane County to the City of Aurora. The standard annexation process automatically incorporates a property in Aurora to the R-1 One Family Dwelling District. That process is concurrent, but goes directly to the BZE Committee. The second part, which is the nature of this public hearing, is the city's request to rezone the property from the R-1 One Family Dwelling District during the annexation process to the M-1 Manufacturing District. We can get into a little bit more details, but this is essentially for the Public Works facility.

Mr. Sieben said thanks Steve. I just threw up an aerial photo to start while Steve was talking. The property in question is kind of this "T" shaped property. It does extend all the way down to New York Street in this location and then it has a majority frontage on Liberty Street. It does about the Legacy Fields townhomes for part of the eastern area. The old Car Outlet is to the south southeast. To the southwest is the TT Technologies industrial building. We have a few residents to the west and then immediately across the street to the north in unincorporated Kane County is the very large DuKane Precast panel company. Let me stop sharing and let me go to the Comprehensive Plan. I'd like to discuss that next. So we have the property in question outlined in blue, the same property I just talked

about. A point of reference, this is the Kane/DuPage County Line. You see Liberty Street on the north and New York Street on the south. So this, as Steve mentioned, this 24.5 acre parcel is part of a larger area of far eastern Aurora Township in Kane County, which is essentially the area between Crane and Eastern Avenue on the west, which is right at the edge here and Kane/DuPage County line on the east and then almost to New York Street on the south and then up further north here is the Burlington Northern railroad track. All this area in this purple color is on our Comprehensive Plan as either existing or future industrial use. What a Comprehensive Plan is, is it is not zoning, but it is a vision, the community's vision for the area. So when properties come in to develop, the city has a plan that would guide development and future zoning for what would occur there. How we get to that point is based on trend of character of the area, existing land uses, whether the land uses are in the city or in the county, existing zoning, whether it is in the city or county, etc. So this Comprehensive Plan in this specific area has been designated for future industrial uses since the first Aurora Comprehensive Plan was done in 1984. Essentially there is kind of a line there at the county line, so west of the county line was shown in the industrial. Again, this does reflect the trend in character, existing industrial uses, which are north of Liberty in unincorporated Kane County and then to the south there is some mixed industrial and commercial uses in addition to the farmland on the south side of Liberty Street. Let me go back to the aerial and the zoning map if I can. Actually I will put on the zoning map. What this is showing you again, here is the property in question. Anything that you see that is not colored in, that is actually currently unincorporated, not in the City of Aurora. So that has county zoning. The property in question actually is zoned F Farming in Kane County. It is not zoned residential. It is zoned farming. Everything you see with the different colors is annexed into the City of Aurora. So to the east you see the Legacy Fields development, you see the Reflections townhome development. The orange is a R-4A zoning category that we use for townhomes. A little bit to the east you see some ORI zoning, which is Office/Research/Light Industrial just to the east of Legacy Fields. There is some existing county light industrial right here and you have the soccer facility and some other buildings here, some of them not developed yet. Then to the west, much of this is unincorporated as I stated. This yellow is the school on Liberty, which is zoned R-1. Immediately next to that is a recently zoned M-1 piece that the city did based on the Comp Plan. That was done about 10 years ago. Originally the Salvation Army was going to build here and they pulled out, so there is a small recreational facility there. There was a gentleman that was doing a hammer throw facility there if you recall. Just to the south of this there is some mixed commercial and ORI zoning, as I mentioned the old Car Outlet and the TT Technologies are a couple of businesses immediately bordering this site. Again, the property is zoned F Farming. As Steve briefly mentioned, when the City of Aurora annexes property, it automatically gets put into the R-1 zoning category. R-1 is a Single Family category and then immediately if that's not the appropriate category based on the Comprehensive Plan and what it is proposed for, there would be the case to immediately rezone that and that's what we're here for tonight. Real quick regarding the townhomes to the east, so the townhome communities of Legacy Fields, which is south of Liberty Street in question right here and also just to the north of Liberty Street, this is the Reflections townhomes, which borders the county line. These were approved by the City of Aurora around 2000 to 2001. We did know that there was future industrial either existing or future to the west. When Reflections was built, because DuKane Precast was already existing, we did implement a large berm. In fact, there is a 75 foot setback on their property with a large berm and a lot of evergreens. There it is not that big of a setback for Legacy Fields. There is about a 30 to 35 foot setback on their property that is landscaped. As you'll see here in a few minutes when Ken goes over it, the proposed concept plan for the Public Works facility does have a very large proposed setback and bermed and landscaped area that is actually on the city property, which is to the west of the county line. Actually if I could stop sharing this and I will briefly pull up that concept plan as I'm talking. Ken will go into this in more detail, but as I stated, there is a very large berm that is planned and a large setback area on the east end of this property. In fact, the closest edge of the parking area

for the employee parking is 110 feet from the Legacy Fields property to the edge of the parking lot. From the edge of the proposed building here is 183 feet from the east edge of the building to the property line. Ken will go into this in a little bit more detail, but essentially when the Public Works was designing this, we did want to respect, absolutely, the residents in the Legacy Fields. So because it is city controlled, it is actually a good thing. This could have been DuKane Precast expansion, it could have been another industrial user and the minimum requirement for M-1 to residential is only 25 feet. Again, we are totally going above and beyond respecting that use that's there and trying to do as big of a buffer as we can. Again, this will have a tall berm with heavy landscaping. Again, the more intense uses, the doors, are on the west side of the building as Ken will talk about in a little bit and a lot of the storage yards are more in the center or in the south to the west end. Ken can also mention traffic, but there is an access point down on New York Street, which primarily is a commercial area. New York Street is an arterial. Liberty Street is an arterial going east from the county line. In Kane County here, it is a major collector, which is a slightly lower classification. With that, I'm going to stop sharing because Ken has a little bit better plan to show, but let me turn it over to Ken and he can go into a little bit more detail about the actual facility.

Good evening everyone. Thank you again for allowing us to present today. Today with me are several people from our Engineering Division, Jason Bauer, Ian Wade, and Kurt Muth. I am Ken Schroth. I am the Public Works Director and City Engineer for the City of Aurora. Let me just give you a little background on the department. The Department of Public Works consists of 16 different divisions. The current plan is to have 5 of those divisions relocated to this location. Those 5 divisions currently are in 3 different facilities around the City of Aurora. All 3 of those facilities are all repurposed facilities, meaning they were all intended for another purpose previously. For instance, Central Garage at Illinois Avenue and Broadway, that was an old steel fabrication facility. At the end of Middle Avenue is the Electrical Division. That was a previous vehicle repair location. Water and Sewer Maintenance on River Street right there in front of Hesch House, that was the old Pace bus barns. The reason for saying this is that all the Managers over the decades that have managed these locations were basically told do the best you can with these locations. It is temporary. We will build a new location one day. So, needless to say, there hasn't been a lot of maintenance done to these facilities. So about 3 or 4 years ago, we did a deferred maintenance study, meaning they go into each of these buildings and they find out what it's going to cost to improve these buildings. We are at about \$5.3 to \$5.5 million dollars worth of work that needs to be done to these buildings and even if we did that, it doesn't bring them to a greater efficiency. It just improves their current standards. For instance, the Fleet Department, these guys are working on ladder trucks all the time that they can't lift high enough to stand underneath, so these poor guys are sitting around on office chairs wheeling around underneath heavy duty trucks trying to lift heavy duty parts up and not even be able to use their legs because they are sitting on office chairs. At that point, we decided we are going to look for another location to build a new facility. So, obviously, the first thing we look at is the Comprehensive Plan and we look to see where is a M-1 designated location and something in that 25 acre range and something that's affordable and centrally located, but by the time you throw all that criteria in, you start running out of options. When this location became available, and it was a good price and it is perfectly centrally located, north/south anyway, and it is a little off center to the east, but it is on a major arterial like New York that you know we've been building to heavy duty truck standards for a very long time. Back in the summer of 2018, we were approved to purchase the property and in the spring of 2019, we did a RFQ, a request for qualifications to bring on a design team to see what we can make this look like. In November of 2019, we brought on the design team of Kluber and Kueny and in March of 2020, we stopped the complete design because of COVID. The design that I'm about to show you is purely conceptual, let me share my screen, but it will give you an idea of what we are looking at. So the first thing we wanted to do from the very beginning was be the best M-1

neighbor we could possibly be. So that starts off with several things. Let me get you your bearings here first. North is up, up by my hand. This is Liberty Street. Here is DuKane Precast immediately adjacent to Reflections townhomes right here. Right here where the hand is, this is Legacy Fields. Down here is the now vacant Car Outlet and way down here is New York Street. This is TT Technologies. Now that you have your bearings, the first thing we want to do is minimize our impact to any of the neighbors with our vehicles and our deliveries, so that starts with making our main entrance on New York Street. So you can see we've got a driveway that goes all the way down to New York Street. It comes way down here. That accomplished multiple things. It keeps trucks off of other roadways like Liberty, but also with our gate being up here, we can accept deliveries of any kind and we can stack from way down here all the way to our salt dome. I don't see a day when we would ever impact outside of our facility any type of truck stacking. I'll zoom a little bit here. As we go up, the next thing was our fuel island. This is where the squad cars would refuel. This is where Public Works facility vehicles would refuel as well. As you notice, we kept that as close to New York Street as we could so the squads could come in, refuel and get back on the street. Then the next thing we look at is what are our most intensive uses, and that's going to be our yard. It's going to be where we bring in vehicles to stock material and where we store salt that we put on the roads. So you can see what we did with this concept is put all those uses as far away from our residential neighbors to the east as possible. So you can see all this is pavement. This is a self-storage facility, a mulch storage facility, and then this is a whole bunch of areas, and I won't get into the detail of all of the different things that can be stored in those locations. Then it comes to the building. Ideally and selfishly from a management standpoint, we envisioned the office being right here, right where my hand is because that would allow our management staff to be able to look down this hill here and see everything coming into the yard, everyone needing access to the facility. But then we started thinking that the best thing for our neighbors is to put that office as close to them as possible and turn all of our overhead doors away from them so they don't hear interior noises. So that's what we set out to do. We kind of laid out this concept plan with our architect and we actually ended up flipping the building completely over putting our admin offices over here and now we just have to rely on cameras and security to be able to open and close gates and tell what's going on in this area. When you look at this, the next step was, alright, let's create a landscape buffer between us and the neighbors and what you see here is a berm, as Ed mentioned, about 110 feet. So this is almost 2 acres of landscaping with about an 8 to 10 foot high berm. Heavily landscaped is what we envision. But then on top of that we then thought the next least intensive use that we could do that we could put between us and the neighbors would be employee parking, passenger cars that come in once daily and park, so we put employee parking around the perimeter of the building. Then we not only put our administration offices here, but we would put the employee support area as well. Employee support is a training facility. It is basically a quasi-office. From the outside it will still continue to look like a 2 story office façade along this entire location. So when you look at that, when you look at the distance between the property line and here and if you draw a box, we are about 3 acres of very minimal impact operations. Then if you draw a line from where our first any type of impactful operation would be, that would be the vehicle repair area. That's almost 5 acres, or 300 feet away from the property line. This is where the vehicle repair would be. So going back to what I was saying, the repair bays would all be pointed southward so that none of that noise. Again, insulated concrete walls would be able to propagate that direction and then the self-storage area, the only way in and out would be through these westerly doors along with the wash bays. Even our generator, we thought let's put it toward the center of the site and on the other side of the building. The building itself can act as the best buffer between the yard and activity going on with our residential neighbors. Before today's presentation, we were looking at this and even myself as a design engineer, I looked at this and I started losing perspective of how big the site really is. So what we are trying to do is kind of give you some perspective from the first really non-office, non-employee parking location of any activity it comes to right here. So this is almost one

football field length away from the property line in addition to the 30 to 40 foot setback on the property. Then also to give you kind of perspective, let me minimize this, this distance from here, the property line to the face of our office building is, like we talked about, about 186 feet. So then we looked around the city and thought where can we find something of similar perspective. We found this. This is on Bilter Road. Again, I apologize we don't have elevations yet because we are so early on in the design. We are at concept stage, but off of Google Earth you can see the camera is in the middle of the lane on Bilter and if you measure from the middle of the lane on Bilter to this 2 story office façade, precast concrete, it is about 183 feet. So in our case, it is very similar to what we are proposing, but what you would have to envision between the Legacy Fields property line and this office façade would be that 10 foot high berm that would encompass from here to here. It would be about 10 feet high with a bunch of spruce trees on top of that, then the employee parking and then the façade. I just wanted to show you that so that you can kind of get a perspective of how far away our basic facility begins and then beyond that would be the fleet and then beyond that would be the yard. With that, I will stop sharing and turn it back over to the Chairman.

Chairman Pilmer said thanks Ken. Any questions of staff?

Ms. Tidwell said I have a question. Thanks Ken. That was very comprehensive and it looks like a lot of thought has gone into this. Can you talk a little about the lighting for the area, especially that that would be on at night?

Mr. Schroth said yes. That's a good question. We'll abide by Zoning's requirements of meeting the thresholds at our property line, so thankfully whatever yard lights we have over here will be blocked quite a bit by this 2 story façade and then the berming and at the property line I'm very confident that we will be able to meet Zoning's requirements right there, which I believe Ed, isn't that zero lumens, or is it .1 lumens?

Mr. Sieben said it is actually less, you need less than 1 foot candle at the property line.

Ms. Tidwell said thank you.

Chairman Pilmer said any other questions of staff?

Mrs. Owusu-Safo said I just had a question about anticipated traffic. Also, the 10 foot berm, what kind of trees are you going to put on top of the berm for the buffer?

Mr. Schroth said I got the second question is what kind of landscaping. We'll work with Ed Sieben's group. Ed and I were talking about a whole lot of evergreen trees, just so they are green all the time and they are great for noise reduction, even in the wintertime and so that's what we would probably envision and quite frankly we would like to put prairie grass around them because with the prairie grass, that allows us to go steeper on the side slopes because we wouldn't have to mow it and by going steeper we make it taller in the middle and, therefore, we plant these trees top of a taller berm. But we'll work with this group on that landscaping. I'm sorry, I was not able to hear the first question.

Mrs. Owusu-Safo said the first question was improvements to Liberty Street. How much traffic is anticipated to actually use Liberty Street and currently I believe the portion where this property is, is a 2 lane (inaudible) roadway. Are there any thoughts on potential traffic, additional traffic on this segment of the road?

Mr. Schroth said that's a good question. What we'd like to do is propose improvements to this segment of Liberty along with DuKane and whatever might develop to our M-1 neighbors to the west. The reason I say that is because to your point, we have a multi-lane section to the east and depending on the truck traffic generated by these facilities to the west will dictate what kind of section we want to build here. If nothing of heavy use develops to the west ever, I don't see a need to put a 4 or 5 lane section through here. At most, it would be a 3 lane section with a continuous turn lane. But for our facility, the vast majority of trucks will be coming and going from New York Street. I failed to mention snow operations. The head of our Street Division, Superintendent Tim Forbes, he looked at the snow routes and of the 36 snow routes that we have to manage, if you take away the routes that report directly to our salt dome there off of Montgomery and you take away all of the trucks that will be heading off of New York Street to go east and west, we end up with 4 trucks that would be heading on Liberty Street and those 4 trucks, of the 4, 3 of them are actually working a route along Liberty Street and they belong on Liberty and they would be on Liberty even if they weren't coming out of this facility. Again, we don't anticipate a lot of truck traffic from our facility and even the vehicles that, depending on where employees live, I imagine that a lot of them will be using New York Street as well. We'd like to defer those roadway improvements after we find out how intensive these other uses are and work with DuKane.

Mrs. Owusu-Safo said is there a timeline on when you anticipate to have this building constructed, a construction timeline?

Mr. Schroth said so this year the funding, the 2021 Capital Improvement list that we have allows for the site work to take place this year if we have the design done in time. It would be the site work only and then using motor fuel tax, it would be building the salt dome. What I would envision if all the approvals go through, it would be doing all the earthwork, building this pond, and this pond, doing the earthwork, building the berm as part of that earthwork, putting in a water main through here, putting in some storm sewer and sanitary sewer, building this roadway coming up from here to here and then building this area. Then if budget allows, next year it would be to build the building and that would probably take about a year and a half to two years. That's kind of the timeframe. At best, it would be this area by the start of 2022 and it would be this area in late 2023/2024.

Mr. Chambers said first of all Ken, I think you and the rest of the staff have definitely provided excellent detail and overview of the property. My question is in regard to the vehicle repair. I think I know the answer to this question, but just want to confirm. Any vehicle repair that will be done overnight?

Mr. Schroth said so there will be some overnight during the winter. We have a third shift. That way when our plow operations are underway, it is amazing with these big trucks how often we have issues. It is a skeleton crew, but there is a third shift and that's why, there again, out of view from this berm, from behind the berm, we have some storage areas here for the larger pieces of equipment that are waiting to be repaired inside the building. So we wouldn't anticipate outside repair of any kind, but again, we pointed all the doors south and none of them point east.

Chairman Pilmer said any other questions of staff?

Mrs. Owusu-Safo said is there any fence proposed to try to kind contain the site? Obviously with the residential neighbors, I actually live across the street.

Mr. Schroth said basically the fencing would be here. There is a gate right here. Again, that's where you want trucks to come in off of New York. We have no intention of staging any trucks here or here. They've got to come off of New York. The gate is very close to Liberty. The gate would be here and then the fence travels around, it comes down along here, it comes down and here is that gate, well off of New York to allow for staging if they can't get the gate open in time. Then it comes around this vehicle area and then ties into the building right there. The parking area and the berm would not be inside that fence.

Hi, this is GB. I have a quick question. Is the purpose here today, obviously I'm the new person, so perhaps a little leverage on the type of question. This is for zoning approval that's up for recommendation. The mention was about a year and a half before the building is ready. I haven't heard anything about finance and the cost burden. Is that part of this agenda or not really?

Chairman Pilmer said our purpose tonight as the Planning and Zoning Commission would really be to hear the Petitioner, which in this case happens to be the City of Aurora, but generally any Petitioner, and their proposed use of the land. We generally would strictly hear the proposed case tonight, which is the amendment of the Zoning Ordinance and the Zoning Map for this specific use. We generally would never cover finance or building plans in this case because if we recommend approval, it would go on. There are a couple more steps and eventually City Council, but this would at that time be a conforming use as far as the underlying land. If Ed wants to add anything, he can, but I think hopefully that answers your question.

Mr. Sieben said no Mr. Chairman, I think you got it. Primarily the Planning and Zoning Commission looks at the land use of properties and in this case it is a request for, this property is being concurrently annexed and as I stated at the beginning, when we annex property it is automatically classified as R-1. If the property will not plan to stay R-1, right on the front end like we are doing here, we would look at the zoning change and that's what the official request is here is the change from R-1 to M-1 concurrent with the annexation.

Mr. Bhatia said thank you Ed, thank you Chairman. I really appreciate it. It think it is a really well thought out plan. Thanks, I have no further comment.

Chairman Pilmer said if no other questions of staff, at this point in the meeting I will open up the public hearing and we do have a number of registered speakers this evening and what I will do is I have the list of registered speakers. I will call them individually and at which time I will swear them in and then once sworn in, I would ask the speakers to state their name and address for our records. I will keep track of questions that you have. We will answer all the questions at the end of the public hearing at that time, and we will cover all of the questions with staff's input. Finally, I will state as well, the Commissioners are all very good listeners. If you don't want to repeat what your neighbor said, you can certainly make a comment that you agree with your neighbor to avoid repeat testimony. At this point, our first registered speaker is James Kister. Is James on the line? I see you there. You will have to unmute your line.

Good evening. This is James Kister.

Chairman Pilmer said first of all, I'm just going to ask you to virtually raise your right hand and swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Kister said I do.

Chairman Pilmer said thank you. If you would just state your address for the record.

Mr. Kister said address is 636 Declaration Lane in Aurora. I've been a resident of Legacy Fields for 17 years and my feeling is this project will negatively affect our property values. To me, it will create a significant noise and light pollution to the immediate west of our property line and would increase heavy vehicle traffic all around our community. Also, we currently have a serious problem with speeders using County Line Road as a shortcut. The road bisects our condo community in half and without question, this project will negatively impact traffic on Liberty Street and County Line Road. We already see minimal police enforcement of speed limits on County Line and adding heavy traffic, vehicle traffic, from the Public Works on that road, will create a hazard to residents who cross that street, County Line, everyday and night to walk their dogs, so I see a hazard there. Children play in the area as well and I've seen them across that street, so my concern is that some of these vehicles will, undoubtedly, use County Line as a shortcut to get to Liberty or wherever they are going. So I implore the city to find another location for this Public Works project. That's the end of my comments and thank you very much.

Chairman Pilmer said the next speaker registered is Jonathan Wassell. If you will just raise your right hand virtually, I will swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Wassell said I do.

Chairman Pilmer said thank and then if you'll just state your address please.

Mr. Wassell said is 114 E. Van Buren, Naperville, Illinois. My name is Jonathan Wassell. I'm an attorney at Keough and Moody. Our office represents the Legacy Fields Condominium Association. The Association had requested that I attend this hearing just to kind of go into some of their concerns. I actually echo many of Mr. Kister's concerns on behalf of the Association, whether it be related to the traffic concerns, or to the light and noise pollution. I understand staff and I appreciate staff's and the city's input into how this plan has been developed and the thoughtfulness in the plan and the Association appreciates that as well, but it belies the fact that it still does not believe, and that's the Association and corporate entity as whole who we represent, that we do not believe that this property is any longer suited for what the Comprehensive Plan from the 1980's had it suited for. We understand that it automatically when properties annex it goes into the R-1 classification, but looking at the zoning code generally, many of the provisions of the zoning code would seem to work against this property based on the residential and multi-family developments that have been developed some 20 odd years ago. The whole idea of the zoning code is to protect the established residential areas and the health and families by restricting nearby manufacturing activities. For example, 9.1-1.1 of the zoning code going into 11.5-6.1 of the zoning code where the Commission shall recommend no amendment for approval unless there are a number of qualifications, including it will permit uses which are more suitable than uses permitted under the existing zoning classification, represents the logical establishment or consistent extension of the requested classification. Again, we understand that this is an automatic classification based on the city when it annexes property and that the Comprehensive Plan does provide for an industrial area for the area immediately to the west of the Legacy Fields condominium development. But taking that into account with the concerns, and again we appreciate all of the thoughtfulness that's gone into developing certain restrictions as far as the setbacks and the

landscaping and the berms that are proposed. The Association still is concerned that not enough study has gone into the traffic study and what the impact would be in this area regardless of where the main entrance is off of New York as Mr. Kister said that County Line Road is an arterial road that goes through the development itself and there are already traffic issues there. Then also the fact of property values of the Association and the neighboring Association. We haven't heard what that impact may be. Of course, I assume the city doesn't want to negatively impact any of its communities, and by communities, I mean their multi-family residential communities or single family for that matter. Again, those are the concerns of the Association and they would request that more time and effort go into kind of investigating that and researching that, but again, as Mr. Kister said, there are still a number of concerns and the Association is against the proposed development. I thank you for your time and I appreciate you having us here.

Chairman Pilmer said thank you. Justin Andrews. I don't know if Mr. Andrews is with us. He registered. If you'll just raise your right hand, I'll swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Andrews said yes I do.

Chairman Pilmer said and if you'll just state your address please.

Mr. Andrews said I'm at 550 Declaration Lane. Based on the plan you just had up, I'd like to point out a few things. Where you are planning on putting the salt or the storage for salt is actually right next to the woods that are in the back of our property. I don't think I need to tell anybody, but salt kills plants, so I don't see how that portion is good for the environment as a start. Not to mention, we are actually having a problem in this area with things like evergreens and there is a fungus currently growing on our trees in the area that is actually killing them, so I don't see how any berm, no matter how tall, covered with evergreens is going to be effective for very long and I don't think it is probably going to be budgeted to have those trees replaced constantly. If we are having an issue, you're going to be having an issue as well. We also have hogs, herons, frogs, turtles, ducks, turkey vultures, any number of things in the area, so I can't imagine that with the noise, light pollution, any of the pollution that's going to be going on, that's going to continue. I don't believe it is in the city's best interest to have such an environmental impact on the little green space we have left. I've worked for a heavy machinery company for 10 years prior to my current job and I can say that it is not quiet. It is loud. There is no way that there is no noise pollution, no light pollution or no pollution from the chemicals that are going to be in and around that area to the surrounding land. Can anybody say anything as far as the environmental issues they've addressed or thought of prior to this or the impact that that's going to have on the area?

Chairman Pilmer said I'll make sure we ask staff of that as well, or the Petitioner, of that.

Mr. Andrews said so that's a no?

Chairman Pilmer said we will come back at the end and have the Petitioner answer all of the questions from those that are speaking at the public hearing. So just to avoid a back and forth, it is a little easier to take all the questions and then we'll address them at the end. Anything else you would like to share with the Commission?

Mr. Andrews said the only other question I have is you mentioned fencing, but I don't see anything that would really keep any of the children in the neighborhood out of this area if all there is, is a berm. That's all I have for right now.

Chairman Pilmer said were you able to see the fence they pointed out that surrounds the property?

Mr. Andrews said part of it, yes.

Chairman Pilmer said okay. The entire property will be protected by a fence, but we can have staff revisit that again. Our next speaker is Cindy Warden. We'll wait a second here for her.

Mr. Sieben said Mr. Chairman, I believe Cindy had indicated she probably would not be speaking. We had answered some of her questions prior to the meeting.

Chairman Pilmer said thank you. Why don't we go to Mary Olson? You're on mute, so whenever you are ready you can let us know and I'll swear you in. I'm going to ask you to virtually raise your right hand and I'll swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth?

Ms. Olson said I do.

Chairman Pilmer said and then if you will please just state your address for the record.

Ms. Olson said 552 Declaration Lane. I agree with my neighbors, Mr. Kister and our attorney for the association, and Justin Andrews about everything. I do have a major concern about these 3 schools on Liberty and the safety of our children. Traffic, again, has been an issue through the neighborhood. I don't see the police in here very often looking around or stopping people who are flying through New York to Liberty as a shortcut. I have many concerns too about the air pollution. We are already getting heavy white dust from DuKane Precast. They are moving cement and manufacturing cement articles, building articles. I believe that there will be diesel trucks stored there too, which I believe run all night and day. Is that correct?

Chairman Pilmer said we will get an answer here once we go back to the Petitioner.

Ms. Olson said okay, but I'm concerned about that. That will add to the pollution. But those children in those 3 schools, there is St. Theresa, Young and Johnson School all there. Again, added traffic, added air pollution that they will be close to and I don't see how that is good for them or any of the adults in the neighborhood and our neighboring communities. I know Aurora prides itself on being a family friendly top small town in the United States and I'm just disappointed that the plan is to have this located just so close to so many housing units. We are a friendly quiet neighborhood. I've been in Aurora for 30 years, 13 years at Legacy Fields, and I do not agree that the property should be zoned as anything but single dwelling or park property possibly, city park property. Thank you for the time. I appreciate all the work you put in.

Chairman Pilmer said thank you very much. Our next speaker is Kevin Connelly. If you will virtually raise your right hand, then I will swear in. Do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Connelly said I do.

Chairman Pilmer said thank and if you will state your address please.

Mr. Connelly said 2314 Hudson Circle. I would wholeheartedly agree with and stand by what Mr. Kister and Mr. Wassell were presenting earlier. It sounds like it is a very detailed plan that the city has and I appreciate all the work that they have done, but again, I stand with the neighbors and what they are saying and what they are presenting. I've been a resident here at Legacy Fields since it was constructed back in 2002 and to hear such a large project coming into our area is very disheartening. I quite frankly disagree with it. I'm not smart enough to know all the details, but there are people who live here who do know the details and I think if you've heard some of those, and I stand with them. Thank you.

Chairman Pilmer said thank you sir. Our next speaker is Dawn Cavagnetto. Hi Dawn. If you'll raise your right hand and I'll swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth?

Ms. Cavagnetto said yes.

Chairman Pilmer said thank you. Then if you will just state your address for the record.

Ms. Cavagnetto said my address is 594 Declaration Lane, Aurora. Now that you know my address, if you know this property, you will know that I am basically on top of the county line. I agree with all of my neighbors and who have spoken before me, but I would like to add a couple of things. I also oppose this petition for zoning change. I believe our property values will take a pummeling. We will have a hard time marketing our homes in the future with this large compound that you propose to build on this site. I do have an appreciation for Mr. Sieben's and Mr. Schroth's work in this and I can tell that they are very enthusiastic about their new plan here, but the external obsolescence, we would suffer such external obsolescence with our homes that we would never recover from this and no where in your presentation have you addressed this. Now we have been around for a couple of decades. I have lived here for 16 years and you keep talking about this Comprehensive Plan. Well this lot was formerly owned by a private party. You guys, the City of Aurora, purchased it a couple of years ago. I don't know how your Comprehensive Plan could go back decades and claim that this was industrial when you didn't actually own the property. When these homes were sold, that was farmland. That was privately owned. There was no plan to build such a compound and if there was I certainly, and probably most of my neighbors, would have never purchased that. I don't know how one could actually get their arms around this type of data, but I would really like to hear some answers from these folks and the Commission on the impact of our property values. We didn't buy here to suffer from this. With Mr. Schroth's presentation talking about the deferred maintenance of the various facilities, you know, I can appreciate that, but that's no reason to plop this down in the middle of our neighborhood. That street out there on Liberty is 2 lane without shoulders. Yes we have traffic, noise pollution and all of these other things. We worry about our children. We are, by the way, in a condominium and not in a townhome. There is a distinction there. We spend a lot of money on the upkeep of our grounds and this facility that you have proposed does not fit. I would like to see it zoned, if you annex this in, R-1 or make it into some sort of green space. We don't have enough green space or a park. I am surprised. I think we all are very surprised and taken aback that there has been such a plan to put this here. It doesn't fit. It doesn't fit our neighborhood. With all do respect Mr. Schroth, the best M-1 neighbor is no M-1 neighbor that abuts to a residential community. Thank you very much and I will yield my time back. Thank you.

Chairman Pilmer said thank you. Our next speaker is Nick Herring. If you'll raise your right hand virtually, do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Herring said I do.

Chairman Pilmer said if you'll just state your address and then address the Commission.

Mr. Herring said 536 Declaration Lane, Aurora, Illinois 60502. I was going to say I agree with James Kister's questions on how it will effect property value. My wife and I just bought our condominium here about a year and a half ago. We are also concerned with, like you said, the safety and the traffic of County Line Road and the decreasing of our property value moving forward and then any kind of threat to children and pedestrians in the area as far as truck traffic going through and noise. Otherwise, I thought Ken's presentation was very comprehensive and made a lot of sense. The one last thing I have is I was wondering the hours of operation of the facility. I know in the wintertime the plow trucks will be running at night, but just the normal hours of operation. I was just wondering about that. That's all.

Chairman Pilmer said thank you. Our next speaker is Solomon Kelly. Is Solomon Kelly there? How about Daniel Tein? If you will raise your right hand virtually and do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Tien said yes.

Chairman Pilmer said and just state your address.

Mr. Tien said my address is 548 Declaration Lane in Aurora. I want to say thank you to the Chairman and the Commission members. I appreciate the opportunity to participate today. We've been homeowners and residents in Legacy Fields for 16 years and agree that Aurora, the City of Lights, is a very nice place to live. I also appreciate all the consideration that the folks have done to try to minimize impact. It shows a lot of thought and thought is very appreciated. In short, from the comments that you see from the folks here that have already spoken, they are very passionate about their opposition to the plan, rezoning of the land adjacent to this residential community here and zoning laws are a protection. They are there for segregation between the residential, commercial and industrial areas of the city. When done right, it promotes the health and growth of all aspects of the city. When done wrong, it could be highly disruptive and damaging. So there is a reason why this property was the way it was before. That reason is it is a protection, thus rezoning it should not be done lightly from the farming let's say. I know that the R-1 is by default, but it was zoned as farming before and it shouldn't be rezoned without a full understanding of the repercussions. There was a study conducted by the University of Houston on the spillover effects of commercial development on residential values. Obviously, every situation is unique, it is different and we are not going to apply one formula to everywhere, but it's been shown that commercial development, especially industrial developments, have a significant negative impact on residential property values. So much so, that the Texas legislature began to require state charter commercial projects to set aside so called mitigation funds in order to compensate surrounding areas for the negative effects. These mitigation funds were then used to mitigate the net negative impact from the development as far as within 2 miles of its borders. In this case, for this property, we are not talking about miles. We're talking about an adjacent property. Now we can talk about berms. We can talk about 50 feet, 100 feet, 83 feet and it all sounds great when you are using terms like football fields, but this is well less than 2 miles of distance. I don't want to take everybody's valuable time relaying my research in detail, but the calculations indicate for the 180 units in Legacy Fields, negative property

valuation could be as high as \$9 million dollars of erosion. That determination of erosion is not a simple point to point comparison, but rather a comparative data analysis on property valuation change compared with a non-impacted similar subdivision in Aurora over time. This does not even take into account the countless other residential sites like Reflections, etc. within that 2 mile radius of the property. So just to put an impact of this zoning change into tangible numbers for everybody, we are talking about the 180 homeowners Legacy Fields alone seeking equitable compensatory relief of \$9 million dollars, plus at the current property tax rate of 8.7358%, that would be a reduction of over \$786,000 of tax revenue on an ongoing yearly basis. So while the exact numbers may deviate slightly from the calculations, these are real dollars we are talking about here, right? So that is \$9.78 million dollars in the first year and \$786,000 of tax revenue impact every year thereafter. That's not a number that should be disregarded or ignored by either the residents or the city. When property values decrease, the city suffers and that is a cost that needs to be considered by the city when they are thinking about how much does this facility cost to operate. Well it costs yearly a massive reduction in tax revenue. Due to this fact, I know every single homeowner here in Legacy Fields is not only passionate in their opposition, they are actively passionate. Due to the pandemic, many are facing incredible financial headwinds. The last thing we need is for the very source of stability in our lives, our homes and the value of the security of our homes, to be decimated by this proposed project. I don't want to just make this about numbers and cents either. These are our homes. We live here. The city employees that are very valuable to us that work at this proposed facility, well the work here and they get to go home somewhere else and these promises, if we talk about what hours of operation or whatever, once it's built and let's say it said the hours operation are 8 to 5. If someone decides to change it from 8 to 6, there is no recourse for us to say well you promised. Well no. Things can be changed once the facility is built. All bets are off. As taxpayers, we want every tax dollar to go making Aurora more attractive, to increase in property value, not destroying it. Now it's been a proven fact the way the Jetstream works, if we all remember that radioactive nuclear power plant meltdown in Japan, those radioactive isotopes, due to the Jetstream, were found in California. That's how the wind works. We are part of a global worldwide society, worldwide ecosystem. You're building a gas station in my back yard, right, and the wind is going to carry those chemicals right up our back yard, right through our windows. We're going to open our windows on a nice sunny breezy day and get a lungful of gas station fumes. We want Aurora to remain the City of Lights. We don't want to hear the backup trucks beep, beep, beep, beep with the snowplows all through the night and it is loud. That carries for thousands of feet, not hundreds of feet. We want Aurora to remain a pleasant place to live, not the smells, not the city of exhaust and not the city of noise. We agree that the city needs to have suitable facilities that serve to support the public needs, public works that it takes care of. We are fully supportive that the city have a suitable facility. We simply strongly object that it be build right next to our residential neighborhood. We propose that the existing protective zoning for this property, R-1, be respected and maintained as such. I appreciate the opportunity to speak before you today. Thank you for all your time and consideration.

Chairman Pilmer said thank you. Our next speaker is Charles Rohlfs. I'll just ask you to raise your right hand and I'll swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth?

Mr. Rohlfs said I always do.

Chairman Pilmer said thank you and if you'll just state your address please.

Mr. Rohlfs said I live at 579 Declaration Lane. Well, as you can tell, the people that have been speaking have been very, very kind in light of what I see as an absolute ram job of trying to get this thing through

without anybody knowing. I'm not happy at all having to find out the way I found out that there's not even a sign on the property designating this place was going to be rezoned. Then when we did, my neighbor and I tried to check in on it, it was all of a sudden the sign appears up there for 2 weeks. Again, we got like a 2 week notice and only about a few dozen people in our neighborhood got a notice. Doesn't that not smell? That already stinks and the diesel trucks aren't even in there yet. You should have notified, I know you did the basic 250 feet, I understand that's the minimum distance of notification that you guys had to put out. But you know what, whatever happens to my neighbor who lives 100 feet away from me is going to happen to me too. Would it have been that hard to let our whole neighborhood, Legacy Fields and Reflections, know that you guys are putting in this Public Works dumpsite? I know it is a dumpsite coming because just taking a short trip down to Broadway, we took pictures of your Public Works facilities down there and it is a dump. I wouldn't want that. I wouldn't let my dog in there, let alone put it next to where I live. Everybody has been very kind and very gracious, but you know what, this makes me angry. I am mad. You guys have no business, no right to put this in next to our neighborhoods and kill our home values. In court, I would have to believe a judge would have to look at that and say well you put this facility in where it wasn't even supposed to go and now you've tanked everybody's home prices \$50,000 and that comes to \$9 million dollars. He's right. Our property values will drop and what do we pay, like \$5,200 to \$5,300 a year in our little homes, our little townhomes or condos and that's quite a lot of money. If our property values tank, then I expect my taxes to be cut in half also. But let's talk about what should go there. I always get grief from administrators that tell me oh you guys need to come up with a different idea rather than just shoot us down all the time. Well here, you guys got this thing on your website, Neighborhood Support, the Neighborhood Redevelopment, Neighborhood Standards and it all talks about your Mission Statement, infrastructure, and Human Services Programs to improve city neighborhoods. How is this improving our neighborhood? I know you guys sit there and you dress it all up. Oh it's going to be beautiful, we'll have the berm, we'll have a big salt dome. I read about the salt dome and boy I can't wait to look out my 3rd floor window and look at this giant salt dome instead of this beautiful field. That just thrills me, and not to mention the gas pumps and all the equipment that's going to get dumped there. If people are listening to this, go downtown. Have a look at the Broadway thing, Public Works, and see if you want that in our neighborhood because that's what it is going to be and if you don't think traffic is going to be brutal out here with this stuff, you're underestimating our smartness because we are smart people here and we understand that this is going to be around the clock with gas pumps and trucks all night long, 24/7 everyday. Wintertime, I know about diesel trucks and you've got to run them all night in this cold weather to keep them running and boy that is going to be not only noisy, have you ever listened to a diesel truck run, especially the size of these dump trucks and plows that we have? Noisy. I don't know. I feel like everybody else. Why are you putting this in our back yard? We've got this beautiful field next to us and you are going to turn it into a dumpsite. It's not fair and it's not right. Let's go to the, I like going back to your city website and using kind of your words, you know. The Neighborhood Support - build relationships between neighbors and city officials. Well, you gave us a whole 2 week notice city officials on trying to even see this and speak up to this. Then you make us go and get a notary public to even speak at this meeting. I couldn't see how you could make this any, it just smells of sneakiness, you know. This is not being upfront with people here. You guys and saying oh, you know, there are a handful of you guys who think this is a good idea. Well, we went out in a snowstorm, in a blizzard, about 8, a dozen of us, and we got 175 signatures that say we don't want it here. We're the community. You guys keep talking about, you know, the community vision for the area when you started off and that was Steve, Steve of Zoning. I think I spoke to you earlier this week and I asked you who's vision is this to stick this dumpsite next to us and I got no answer from that. I wouldn't attach my name to this either, so this idea came here. So you are talking about the community. Well we're the community. We are, the 180 homeowners here, which at least 2 people to a house, and that's 360 people that live here that

all said no. We all said no to this. Everybody said no. So I'm looking at a handful of you guys who want it here and a whole subdivision that says don't you dare put that here. I know I heard Solomon. Well put Solomon. Our home values will tank. The stink from that diesel will blow our way because the prevailing winds blow from west to east and all that stuff is going to come right in Legacy Fields and we're going to breath nothing, I mean I can't wait to go jogging and I've got to breath diesel fuel all through my 2 mile run around the subdivision. This is not a good idea. Who wants to claim responsibility for this brainchild move? The idea of moving Public Works, that's fine. I read your article 2 years ago in the Beacon. I pulled it up on the website last night just because I said why are they moving Public Works. Well I saw that you guys all see the profit in selling the Public Works facility down by the river because you guys are all talking this is a gold mine. We've got all this land on the river. We're all going to make money. Let's hurry up and get this stuff out of here and put it out there so we can sell this property and make millions. Well, that's great. I got no problem with you guys building your whatever, condos on the river or whatever it is you want to put out there, but you're not going to take that, and you guys know what I'm talking about, so don't pretend that it's something, a thing of beauty down by the river. That's a dumpsite and you are going to put it out here and make us a dumpsite. I heard all the stuff you guys are going to move out here, the stock, the stock material, the mulch, the salt, vehicle repair, the fueling tanks, just say a dumpsite, okay, because that's all it's going to be. You are just going to dump all this stuff out here and not to mention when that wind blows and the rain blows and that salt comes flying this way, it is going to corrode our cars and corrode anything that's metal, even our vinyl siding. It will wear off. As far as the law goes, as far as residential development goes, I don't know how you can win this one when you are going to try to put, you are going to use residential area farming, I'll give you that, it was zoned as farmland. It is zoned as farmland, but you are going to turn it into industrial, and I think this qualifies as heavy industrial, and you are dumping it right in the middle of 3 neighborhoods here. You've got us on the east. You have the homes on the west and I know you've got the concrete place, but you know a truck every 2 hours comes out of that place loaded with concrete and that's all that comes out of there. Every couple of hours a big truck comes out. Not the worst thing in the world. But this, what you guys are proposing 24/7, constant gassing up, this is detrimental to our way of living here. This is a nice quiet place. That's why I moved in here. Great neighbors, it's quiet, we've got kids, we've got dogs and we are just jammed in here in this little spot and it is nice to have that field over there and if I have to put in my 2 cents, and if I have to go back to Reflections, now we got 175 signatures in a day and a half and through a blizzard and I'll tell you what, we can get 1,000 with some decent weather and where we don't want this in here and what we prefer, if you are going to rezone it for anything, rezone it for recreational. There's a thing that I heard a couple of people mention tonight. There is no green area. What has been the big cry of this county and the state, from Pritzker to everybody? Oh we've got to go green. We need more green area for people. Our kids don't have anywhere to play. Do you know where our kids play? They play in the street because there is no green area around here to play. We can take them and drive them over to a school, but most of the schools won't even let you onto grounds. A park would be great. Put a park in there, half dog park and half park for the kids. What a great thing to do for the residents that live around here that would consider that wow they are actually looking out for our best interests, not their own, not their own self-interest so they can put their big dumpsite here next to us, but actually consider us as like not only are we voters, but we are actually real people who go to work and we come home and we raise our families. This is a no brainer. This is a no brainer. Recreational Park. Where is there a part around here? Where can we take our kids that they are not playing in the driveways and the balls are kitting the cars that are all parked? We've got 6-8 driveways that face each other, so there is no place for the kids to go. There is no place for the dogs to go. We walk them around the same block every day. Walk around the block. There is no dog park. Dog parks are huge now. Green spaces are huge. Reflections is going to be all in on this also. They've got about 250 units over there and these are a lot of voters come

April and I would remind people of that. I'm a guy who when I see an injustice, I have to fight the injustice. I just have to do that. It's who I am and it's what I do. I don't want no big salt dome in our neighborhood. I don't want to look at it everyday, and as Solomon said, I don't want to listen to the big old trucks beeping night and day when they are backing up or pulling in. I don't want the lights shining in my window when I'm looking out the window at night and I have to shut my shades because the light is blinding me. I just don't like how shady this whole thing has gone down with trying to keep this so hush-hush and not letting anybody, you know what, you guys have had this for over a year and you guys could have gave this information in the summer and you could have put a big sign up there in the summer and let everyone know that hey this is going to take place. But, you know, you keep people ignorant and you don't let them know what's going on. Then you can kind of just run right over them because they are unaware of what's going on.

Chairman Pilmer said sir, do you have anything else you want to add? We will cover these. You keep repeating yourself, but we will cover these questions you have, but is there anything else you want to add?

Mr. Rohlfs said okay, I'll say one last thing. No matter how fancy you dress a pig up, it is still a pig, and that's how that lots going to be. You can dress it up all you want. It is still going to be pig and I'm done.

Chairman Pilmer said thank you. At this point I will close the public hearing. We've got a number of questions here and I tried to put them I some order. I might ask staff maybe a question before we get started is I know we heard testimony from the Petitioner about the way this was designed. We had a number of questions on traffic on Liberty, traffic that would impact County Line Road. I think what I saw earlier this evening was that this was designed to have the majority of the traffic, if not all of it, a high majority of it, enter and exit off of New York Street, but is there anything that can be done to encourage that traffic use New York Street? Is the building address for deliveries, is that New York Street or is it Liberty? I don't know if staff or the Petitioner can answer that question.

Mr. Schroth said so we haven't thought about the address yet. Originally when we were talking about having the admin office here and having all the doors face this direction, then it was easy, it was a New York Street address. But because our sprinkler room now has to be over here, we may end up with a Liberty address, but we will make it clear to all our vendors that they have to use New York Street, and that's the only place we will receive deliveries. Then as far as trying to limit the impact on Liberty Street, all the trucks coming in and out of this facility will be run by city employees and they will be instructed as to which exits they should use. I see no impact to County Line Road because even our own employees, whether they are coming or going from the facility in their personal cars, they all have card passes that will get them in these gates. So driving through County Line Road is not going to make it shorter in any way for them to get to work. I don't anticipate anybody, even on their own time and their own cars coming to work utilizing County Line.

Chairman Pilmer said thank you. How about maybe we can summarize a lot of concerns about noise pollution, light pollution, air pollution, contamination from the salt dome, diesel fuel, dust. I know I threw a lot out there. I know we talked earlier about light pollution. I'll let you try to summarize those.

Mr. Schroth said so from the salt dome, all the drainage is designed to, from the self-storage area, would be designed to go into the sanitary sewers, so it would not leave the site. Then the detention ponds, because we have to meet our own stormwater ordinance, everything you see paved would be tipped so that it works its way to this pond or to this pond. One thing I failed to mention before is we've been

working closely with our neighbor to the south on a potential design, but one thing, a neighbor to the west that spoke tonight might realize this, but this area to the west of us is one big bowl and all of this water heads to this bowl and the county on these streets over here have been battling first floor flooding in these residential homes for years. Well, we are going to do everything we can to make that better and one thing we're looking at is putting in a storm sewer from this pond all the way out to New York Street. So now we are capturing all this water that would have headed to this depressional area, filled up and damaged these homes. Instead, it would be safely routed to this detention pond and then brought safely out to New York Street. That would help that issue immensely. One gentleman had a question about the fence. Now that I'm zoomed out, it would be easier if I just turned it. There is a fence that would basically keep kids from getting into the compound in any way where we store stuff. The fence would come along here, go all along this line, come along here, down, over, around here, and then up and then to here. So the only place that a kid could wander would be the parking lots in this front area and the berm.

Chairman Pilmer said how about fuel, fuel standards, really all of the standards from air, light, noise? I know this facility has to comply with City of Aurora development standard and building codes. Any additional input regarding fuel?

Mr. Schroth said the underground tanks, they won't be above ground tanks, the underground tanks will not only meet the City of Aurora requirements, but the State Fire Marshall requirements with dual lining and all of the other leak protection systems that are now required as part of any one of those systems. As far as the diesel trucks, the reason this green rectangle, the storage area is so large is so that we can put our trucks indoors for the first time. Out on our other facilities, we don't have enough indoor storage and at that point you're right, in a cold weather you are going to keep the diesel truck running even when an employee comes in to use the locker room facility buried back in here. There wasn't room inside the facility. He would leave the truck running outdoors. But in this case, everyone is going to be motivated to take that opportunity to use the indoor facilities before they get back out on the road. I don't anticipate it being an issue. Another question was on hours of operation. Primarily, it is mostly first shift. First shift starts at 7:00 and ends at 3:30, except for snow operations. At the end of November through sometime at the end of March, about the middle of March, we then go to 3 shifts. The first shift is still predominantly bigger than the 2nd and 3rd shift. So between March and November when there is only one shift, the only activity you would see here would be if the city, if the divisions that were housed out of this location, had to respond to an emergency like a main break, a wind event, a flooding event, something like that.

Chairman Pilmer said Ken can you go back on the fence? I don't know if you've determined yet, but any idea what type of fence that would be, if it is a cyclone?

Mr. Schroth said we have not determined that. We will work with Zoning to see what those requirements are. I don't know if it would be a wrought iron looking fence, but made out of aluminum. We have not given that kind of detail yet.

Chairman Pilmer said I don't know if maybe Ed, I know you covered it earlier, but maybe can you cover 2 items. One, the public hearing notice requirements and what is required of law and how that was handled and the notification requirements and then can you just provide an overview again of the city's Comprehensive Plan and they designated this property to be based on the neighboring properties to the north and to the south?

Mr. Sieben said sure Mr. Chairman. So regarding notices, we're required by both state statute and our city ordinances and what it states is that anytime there is a zoning change, it requires a public hearing. That could be a rezoning, that could be a special use, an annexation agreement, a variance, that kind of thing. So there are specific rules we have to follow. There are actually 3 ways of notification. One of those is a notice in the newspaper, and I know a lot of people don't read the newspaper anymore, but we have to put it in the newspaper at least 15 days prior to the date of the public hearing, which is today's date. The second thing is a visual sign. We use the, I think they are 3 feet by 4 feet, yellow signs that indicate that there is a public hearing for land use change. It has the date and time on there and then a phone number and our contact information if anyone sees the sign they can call us. Those are required on the road frontage of the property in question, so in this case it was done on Liberty, and I believe there was also one on New York Street there. So that is the second way. The third way is a more specific notification. That is to all properties within 250 feet of the perimeter of the property in question that is undergoing the change. So that was done in conjunction with the Township Assessors of both Aurora Township and Naperville Township, so that was done by our office. We include in that notice a location map, it is kind of a summary information sheet and then a more detailed sheet. On there we always say you can contact our office. I know that many neighbors did contact our office. I give credit to Steve of our staff. He talked to many of them. I do also know that calls came into the Mayor's and Alderman's office and we all tried to coordinate responses either verbally or email. We had a few detailed emails with questions that we also answered. Those are the official notices. As far as your second question about...

Chairman Pilmer said I might just clarify. That's regardless whether it's a little unique, the city is the Petitioner here, but that's regardless of whether it's an individual that has a variance, a developer or any Petitioner for the city.

Mr. Sieben said correct, any Petitioner that is asking for what we call in general a land use change that requires a public hearing. The fact that we're the Petitioner, we have to follow those same rules. Then the last thing, the last question was, again, regarding the Comprehensive Plan. Again, the Comprehensive Plan is a guide, it is a vision. It is not necessarily the zoning, but we do have a Comprehensive Plan for the entire city. In fact, we go usually a mile and a half beyond the city limits or we go up to a line where we may have boundary agreements with other cities. Because this area is unincorporated, it is internal, surrounded by the city, it is under our jurisdiction. Typically any of these unincorporated areas, if they were contiguous to the city and were to develop, we would annex and zone them appropriately. So even though this industrial classification was first designated for this general area back in 1984, we do periodically look at different areas of the Comp Plan based on changes and it's been decided that this area made sense based on the trend in character and all the other items I mentioned to stay industrial for west of the county line. I was involved when the Legacy Fields and Reflections came in and were zoned and we did work with, I think Wiseman-Hughes was the developer of Legacy Fields and I believe Montalbano Homes did Reflections, but take for example Reflections just to the north of Liberty, that was adjacent to an existing industrial use and many times a townhome use, you'll see a lot of communities, those tend to be in a transitional area and we obviously do try to buffer, berm, protect or whatever as much as we can adjacent to non-residential uses and Reflections on the north there, there is a large berm with a lot of landscaping on their west edge. Those properties were developed by the developer and then purchased by the homeowners there and I believe those home values have maintained their relatively high levels. There's also a little piece of Oakhurst single family that's just north of that south of the railroad that comes pretty close up there too. So I think those have maintained their value for various reasons. They are pretty good quality. As the neighbors have said, they are good neighborhoods, good school districts. All that comes into play.

Chairman Pilmer said thanks. Ed, the Comprehensive Plan would also include potentially any future park sites. Is that correct? I mean I think we had testimony tonight of people requesting why that wouldn't be a park.

Mr. Sieben said yes Mr. Chairman, sometimes we do plan large regional parks, but in general that is a function of your local Park District. In our case, the Fox Valley Park District covers a majority of the area of the City of Aurora, so anytime there are developments, they have plans for certain spacing of parks, be it local or community parks or regional parks, so we work in conjunction with them quite often.

Chairman Pilmer said thank you. My only last question, I know we heard a couple of things regarding public safety in general. I believe the fuel center there will provide fuel for the City of Aurora's fleet for police, but any idea the number of additional police this would bring into that general area?

Mr. Schroth said I would have to check with the Police Chief to see how often the squads are refueled, but it would definitely enhance the police presence in this area. One thing I do want to note, someone mentioned about County Line, I'm sorry, Liberty Street speeding. Once we annex this property into the City of Aurora, that whole area along the frontage of this property would then become the jurisdiction of the City of Aurora and the City of Aurora Police Department. Right now it is under the Kane County Sheriff along the entire DuKane frontage. So not only would there be an enhanced police presence, the roadway and the enforcement of that roadway would then become City of Aurora.

Chairman Pilmer said thanks. I believe that is a summary of all the questions that I heard testimony this evening. Are there other questions of the staff or the Petitioner from the Commissioners?

Ms. Tidwell said I heard someone ask a question about the ability of evergreen trees to remain alive and I don't think that's been addressed.

Mr. Sieben said I guess I could address that. We don't have a specific landscape plan yet. That's something that would be, we would work with a, Ken I would imagine we would entertain the services possibly of a design professional, but we would probably look at working with a landscape architect or a certain design professional on that. The reason I mentioned evergreens or spruces is because you tend to get the biggest bang for your buck with 12 month year around screening and protection. I do agree with what the neighbor had stated that sometimes you can get a monoculture, which if you do, unfortunately, get a fungus or something it could wipe out everything. What we would probably do is have a variety of species. We may have different spruces, different pines and then mix that in with a variety of canopy trees and some ornamentals and maybe even some very large shrubs. Some of them get 6 to 8 feet tall or more, so we would definitely mix it in. I think we would try to focus on some sort of evergreen as being the majority though.

Chairman Pilmer said thanks Ed. Other questions? Alderman Hart-Burns.

Alderman Hart-Burns said thank you so much Mr. Chair. I'm appalled at this point. First of all, I didn't get a notice myself, so to not have gotten it is hard for me because I couldn't share that with the residents. Not only could I not share it with the residents, they were clueless too. To get it at the last minute, yes I went over. We had a meeting. They gathered petitions for me in the snow. I met with them because of the pain and suffering they had. I shared the same thing. I'll be honest with you, I've worked for the city all these years, but I wouldn't want a gas station with fumes behind me. I see all

kinds of stories about gas stations and how it makes you feel. I can tell all kinds of stories. I can tell you I've got problems in my own area right now. But my pain is the residents are well versed, they have knowledge, they have the understanding. One may say no NIMBY, yeh NIMBY. Nobody wants this in their back yard or side yard. You wouldn't want it in your yard. Tell me which one of you all would want that in your yard? You wouldn't want that near your house. No one wants that. So they have a good argument in saying that they didn't know. It is unfair. From the city's standpoint, it was unfair that I didn't know. I read the email that said on Monday, I'm sorry I did not include Alderman Hart-Burns. How insulting, how insulting. For me to read that it says okay that someone didn't care for me to know. So if you didn't tell me, you know the residents didn't know. So when you give them a notice in 2 weeks and I didn't get the notice until I got the call from the residents. This is wrong. If we are going to respect one another, we have to start by respecting the constituency. They are serious. They are hurting. Wrong is wrong. If we cared as a city to share that with them, we could have done that easily. But you didn't start with me so I know you don't care what they're saying. But as a Commission, you all heard the pain. Yes the city bought the property, but guess what? The neighbors are already there. They are already there. Their pain is real. They have seen the property all these years and we know that when there is a vacant land something may go there, something may come. We understand that. But in this case, I know we may need this use, but why here now? The residents have spoken. You've got all the neighbors around this neighborhood, Reflections as well as Legacy Fields. It is just wrong. You've got the school there, Johnson. St. Theresa is down the street and then you've got Young. You've got kids walking. As they were saying, the kids don't have anywhere to play, so what are they going to do? They are going to be around the berm. You can have it fenced off, but how safe is that? My concern is that I feel with me being left out of the loop, it was wrong and the neighbors feel the same way. To be left out of the loop is left out. Why? Why? Why would anyone leave us out of the loop? I've been here all these years, but to leave me out of the loop and to see the email that says I'm sorry I forgot to include Alderman Hart-Burns, how do you forget that? How would you forget that? If the residents are upset, why wouldn't I be? I couldn't share it with them. They were sharing with me what you sent to them. The pain that I have is that in this day and time we are going through a pandemic. We do not know what their property values are going to be. We don't know who all is going to be able to stay or leave. It is painful for them. Their life investment is on the line here and if we don't care for our residents, who will? I am that voice just to tell you that I do care. I'm hurt for them because one didn't care to give the information in a timely manner. If we can do what they ask is one thing, but the other thing is I did speak to the Mayor. I talked to him about it. He is interested in the neighborhood Legacy Fields, all of us getting together in a meeting, it would have to be a Zoom meeting, but his is interested in meeting to even hear our concerns. The pain that you are all having, he understands that. I'm standing with you because truly the pain is without knowledge people parish. People parish because of the lack of knowledge and if you share that knowledge we'll know it, but if you don't tell us we don't know. Knowledge is powerful. It is as powerful as you can make it, but if you don't share it with us, then guess what? We don't know. It could have been a lot easier, it could have been a lot easier, but it didn't happen that way. To share, at least to have their input, they don't have any. The plans are already drawn. Everything is already done. How fair is that? Even as a Commission, I know you were surprised, a lot of you were surprised about what was said because you wouldn't want that in your back yard either or side yard. So in this case, NIMBY is real. The pain is real. What about the night traffic? What about the day traffic? What about the traffic study? No one's done the traffic study to know what the ingress/egress of cars is going to be up and down Liberty and then, of course, New York, but they are going through now on County Line Road. One may say well nobody will do that. Who is saying that? Who has in somebody's else mind what somebody else is going to do? We don't know where the employees ride to. We don't know where they go. Where are they going? We don't know that. But the pain that I have is that the neighbors are hurt. What does the traffic impact study say? What is it?

Do we have anything that we can share right now? I don't think so, I don't think so. You all know when those heavy diesel trucks back up, they've got a beeping noise. You know. Who would want to hear that at night? You've got residents that have children on the 3rd floor. One gentleman said to me I don't want my kids to see those police cars going in and out. They haven't been fair to us. That's heavy and that's painful. One may not understand all the pain that one has, but we can understand what pain is being had right now. We do understand that. All I'm saying is I feel that I was let down by not being included. I feel that. For the email to say I'm sorry I did not include Alderman Hart-Burns, that was an admission that I was left out. How can I share it with the constituents if I didn't know what was coming forward? It could have been done a lot easier, it could have been done a lot easier. They still may not have liked it, but at least they would have been told by a humble person. I'm calling myself humble. You all know me. It would have been told by me. I think I could talk a little, you can hear me with my preaching voice in there too. But what I'm saying is the pain is real. I'm standing with the resident on this tonight. When the Mayor sets up that meeting to all the constituency that's listening, we will be there to talk it out and sound it out together. He said that we will have a conversation. The pain of that is it might be a little to late, but we will be talking because right now if the residents didn't know, and I know the footage you referenced to how many you would give the invitation to or tell them what is going on, a whole subdivision is going to suffer from this because beeping noise is beeping noise. It carries. Beeping noise is beeping noise. Motors, working on cars, coming and picking up salt, that's loud noise. All I'm saying is have we done a noise assessment? Have we checked the traffic flow? Have we done any of that? Do we have any studies complete? I guess I'd say no. But can we get something? I'm sorry. I'm just standing with the neighbors. I have to stand with them. I stood out in the cold. I don't mind doing that again if that's going to help lift the neighbors up because pain is pain and to all of Legacy Fields and Reflections, I do feel your pain. The unknown is just that. It is unknown and the pain of what we do know, guess what, is still unknown. It is still unknown. Not in my back yard. I am the big NIMBY. Not in my back yard.

Chairman Pilmer said thank you Alderman.

Mrs. Anderson said I have a question. Has there been any kind of environmental impact study on any of the Public Works facilities in Aurora? I know the residents were more concerned about how the impacts may be to the health and safety. Is very important, obviously, so I wanted to know if there have been any kind of studies done and if there will be any studies done before this facility is built or formally approved.

Mr. Schroth said so right now what we have approved is the design contract with the architect. We are doing the engineering as well, but all that stopped in March. The traffic study would be part of this portion. What's been presented tonight is basically the concept plan that was presented as part of the request to purchase the property, so we have not put a lot of detail into it, but we're now in the stage of where those things would be detailed out.

Mrs. Anderson said do you guys also have any type of environmental policy in place currently for your facilities, like any kind of issues with the salt eroding into the ground or anything like that in place currently for the city?

Mr. Schroth said yes. We would meet all the state, county and local requirements. To touch on that, the salt dome, again, that would have to be drained to a sanitary facility, a sanitary sewer, so that goes to Fox Metro for treatment. The stormwater facilities you'll notice on the plan, there were several best management practices that were shown. I didn't get into that kind of detail, but around the salt storage

area are swales that would naturally filter the water before water makes it to the detention ponds where it would receive additional treatment before being sent downstream to the storm sewer. We'll meet all those requirements as part of the design. It is just that we haven't done that yet.

Mrs. Anderson said thank you.

Chairman Pilmer said GB?

Mr. Bhatia said I understand the principle that with all the other facilities in the city being rundown that there is a desire to have one consolidated place. Has in the past an analysis been done whether there are other sites within the City of Aurora not next to a residential property that could be a site for this kind of facility?

Mr. Schroth said we looked at all available properties at the time before we purchased this. It is very difficult to find a property that's 25 acres, that's as centrally located as possible and the primary roadmap that we used was the Comprehensive Plan that was previously approved by City Council because we didn't want to come in and ask for a zoning on a piece of property that wasn't part of the originally approved Comprehensive Plan. So when you start looking at M-1 zoning throughout the city, there aren't that many available parcels out there.

Chairman Pilmer said any other questions? Thank you Mr. Schroth. I'll turn it back over to staff for their recommendation.

Mr. Sieben said Mr. Chairman, I believe you need to close the public hearing.

Chairman Pilmer said I will close the public hearing and turn it back to staff.

Mr. Sieben said Steve I can give the recommendation. Staff would recommend approval of the Ordinance amending the Aurora Zoning Ordinance and the Zoning Map attached hereto by rezoning the property generally located southwest of Liberty Street and County Line Road from R-1 One Family Dwelling District to M-1 Manufacturing District Limited.

MOTION OF APPROVAL WAS MADE BY: Mr. Cameron

MOTIO SECONDED BY: Ms. Tidwell

AYES: Mr. Cameron

NAYS: Mrs. Anderson, Mr. Bhatia, Mr. Chambers, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo, Ms. Tidwell

Chairman Pilmer said the motion is not approved. If staff will state where this will next be heard. Do you want to entertain an additional motion where to move this?

Mr. Sieben said I believe it does move on with the recommendation as given.

Chairman Pilmer said so Ed, you can clarify, the Planning Commission is a sounding board for the City of Aurora, so we will pass on a motion of denial for this case and where will it next be heard?

Mr. Sieben said the entire minutes and testimony and then the final recommendation will move on to the Building, Zoning and Economic Development Committee, which we call the BZE Committee, which is

a subcommittee of City Council. It would next go to the meeting a week from today. That would be Wednesday, February 10th at 4:00 p.m.

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?

Mr. Chambers said that information is 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?

Mrs. Owusu-Safo said I believe that the proposal is not because it is primarily residential with the exception of one industrial and, therefore, this is going to change the essential use of the property in the area.

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. Cameron said it is.

Mrs. Anderson said I don't think it is.

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. Owusu-Safo said I believe it will have an adverse effect. However, the proposal has not been studied enough to determine the magnitude of that impact to the neighborhood and traffic patterns.

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?

Mr. Cameron said it is either included or will be provided.

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. Cameron said the subject property is, basically the bulk of the traffic here is contained within the area of the project and it feeds to arterial streets adjacent.

- 7a. Is the rezoning a consistent extension of the existing land uses, existing zoning classification and essential character of the general area?

Chairman Pilmer said I can state this is classified as M-1 in the Comprehensive Plan. It is consistent with the use to the north and to the south of the property.

7b. Will the rezoning permit uses which are more suitable than uses permitted under the existing zoning classification?

Chairman Pilmer said if this were to be approved, it would permit uses that are more suitable based on the Comprehensive Plan.