



City of Aurora

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Legistar History Report

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File Name: DuPage Properties Venture / Final Plan for Lot 401 & Lot 19 / Butterfield Phase II, Unit 4B

Final Action:

Title: A Resolution Approving a Final Plan on Lot 401 and Lot 19 for Phase II, Unit 4B of Butterfield Subdivision located at the southwest corner of Frieder Lane and Sunrise Road (DuPage Properties Venture - 17-00708 / NA05/4-17.150-Fsd/Fpn - JM - Ward 10)

Notes:

Agenda Date: 09/14/2017

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A-1" Final Plan.pdf, Exhibit "A-2" Landscape Plan.pdf, Exhibit "A-3" Building and Signage Elevations.pdf, Fire Access Plan - 2017-07-26 - 20-17.150.pdf, Address Plat - 2017-07-26 - 2017.150.pdf, Revised Landscape Requirement Worksheet - 2017-08-22 - 2017.150.pdf, Updated Qualifying Statement, Lot 401 - 2017-08-14 - 2017.150.pdf, Land Use Petition and Supporting Documents - 2017-07-26 - 2017.150.pdf, Property Research Sheet - ID 58403-58404 - 2017-03-03 - 2017.150.pdf, Property Research Sheet - ID 60392 - 2017-03-03 - 2017.150.pdf, Plat of Survey - 2017-07-26 - 2017.150.pdf, Legistar History Report (Final Plan) - 2017-08-23 - 2017.150.pdf

Enactment Number:

Planning Case #: NA05/4-17.150-Fsd/Fpn

Hearing Date:

Drafter: jmorgan@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	08/01/2017	Forward to Planning Council	DST Staff Council (Planning Council)			
Action Text: This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)							

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

Notes: *Mrs. Morgan said staff has reviewed this and sent out comments. We had some major comments on landscaping, and some comments on making sure that they are only final planning Lot 401 and Lot 19 and to not include the smaller building since we don't have all the requirements for what they are planning on doing in order to final plan it. So it will be just for 401 and 19. They haven't addressed comments, but we just sent them out last week.*

Ms. Phifer said and Engineering is still reviewing?

Mr. Thavong said yes, Engineering is still reviewing the Final Engineering Plans. There are some questions regarding the roadway improvements and some grading issues and we hope to send out comments this week.

Mr. Wiet said if we can get all these comments sent out and working with the developer then we could try to expedite this as best we can when everything comes in.

Ms. Phifer said and this is the first time that this item is up at Planning Council. The representative for the Petitioner is not here today, but hopefully they will be at the next meeting.

Mrs. Morgan said he was just back from vacation.

Mr. Wiet said if everything comes in and it is looking good, let's try to get this moving.

Mr. Cross said we don't have a final fire submittal at all from them yet.

Mr. Wiet said that will be something we'll add to it.

Ms. Phifer said and there are some things on the submitted Final Plan that are not consistent with the Preliminary, the approved Preliminary that just went through about a month ago, so if the Petitioner is here next week we can ask them about some of those things that are not consistent.

Mr. Wiet said or if they inquire before then, we'll just let them know so we can move this forward.

Mr. Frankino said the only concern the District has on this one, and I think the city Engineering staff and everybody is on the same page is making sure that when the sanitary main is installed on Frieder that it is a depth that will be able to accommodate that eastern and south of Sunrise service area. I know there where some talks with Naperville in the past about that, so I just wanted to make sure that that's kept in mind.

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

Notes: *Representatives Present: Bruce Goldsmith and Jim D'Alexander*

Mrs. Morgan said so we did receive a resubmittal yesterday and I haven't had a chance to take a look at that. I will do that shortly. I know Engineering met with...

Mr. Feltman said last week. Do you know when you anticipate getting that back into us?

Mr. D'Alexander said we will be working to get these addressed. There are a few things that we need to talk over, or I need to talk with Bruce and the owners about.

Mr. Goldsmith said we have several concerns. One is just that we really submitted Final Engineering at Preliminary. If there are little tweaks, that shouldn't hold up getting through the process, so we don't want that to drag. That's number one. Number two is you sent out a wetland consultant to look at the site, which we told you for years has already been permitted and remediated and is a closed door with the Army Corp. The consultant is wrong about the, the delineation is permanent. It is not temporary.

Mr. Feltman said well we don't have a wetland consultant on staff, so we have to use a consultant.

Mr. Goldsmith said but we've had an understanding with the city going back to 2007 that all of Butterfield had been approved by the Army Corp and remediated or banked, so we can't keep going back to the same stuff because there is nothing to do any more. It is all protected area. There is nothing on Lot 401.

Mr. Feltman said what you supplied was not wetland delineation. It was just a report from what I understand.

Mr. Goldsmith said we had a full permit for the whole of Butterfield, some of which the County now controls at Eola, some of which is in Unit 1, some of it is in Duke in Unit 3 and there is nothing in Unit 4 where we are talking about. But it's all been, not only permitted, it was all remediated and approved. Once you do that, that's the end of the discussion. That's where we have a problem with that.

Mr. Feltman said well we can double back and look at them a little closer. I can talk to our consultant and find out what he...

Mr. Goldsmith said I'm just telling you he's off in left field right now.

Mr. Feltman said okay. I'll see if I can get him back.

Mr. Goldsmith said and then I think some of the engineering is just they used pond pack. You don't have pond pack, but we've been using pond pack through our development so it is the same standards being applied.

Mr. Feltman said I think you guys talked through that last week, right?

Mr. D'Alexander said right, we talked it over with Tim. Just a lot of it was just Tim not being able to find it per se in the report because it is not very good. We've told him we would summarize it in some tables and help him with inputs and outputs and just kind of make it very clear as to what the thousands of pages of the report are and kind of just summarize it.

Mr. Feltman said that would be great.

Mr. Wiet said the plan is to go to the next Planning Commission.

Mr. Goldsmith said I understand, but we were hoping to be through all of this. One of the problems is we want to do some drainage improvements and until you really sign off on the engineering we can't do the swale that we want to do and the pipe we want to put in. That was part of drying out the site to be able to make it easier to develop.

Mr. Feltman said well we can look at maybe breaking the plans up, maybe get like a mass grading plan with whatever improvements you want to put in.

Mr. D'Alexander said yes, the sooner we can get that done. The bare minimum right now would be to do some work on the drain tiles on-site to kind of get some perforated risers, ringlets installed to help with the localized ponding areas. But as Bruce mentioned, the off-site culvert that comes mid-property on the west side there through the culvert underneath the railroad, that's where we want to put in that bypass swale that goes south and then the storm sewer that conveys it to the east along the south property line. The sooner we can do that work I think the easier it is to kind of keep the lot 401 as a whole drier.

Mr. Goldsmith said the other big issue is landscaping. We are adamant that we should not have to put in more landscaping.

Mr. Sieben said well as we discussed, we will try to be consistent with what we did with Duke along the

railroad tracks, especially along the left side. We understand that.

Mr. Goldsmith said I just went out there last night. There is nothing on the back side of Shore.

Mr. Sieben said well like I said, we'll try to be consistent.

Mr. Goldsmith said I now, but what I'm saying is the consistency is to recognize if it is already a naturalized area, you don't have to put landscaping up against it. So similarly on the wetland side, on the north side, there is no point in putting trees right next to trees. On the south side you've got a raised bike lane.

Mr. Sieben said so the wetland on the north has all trees on the perimeter?

Mr. Goldsmith said well it is vegetated.

Mr. Sieben said we'll take a look at it.

Ms. Phifer said you submitted a new landscape plan, so we'll take a look at that.

Mr. Goldsmith said but the plan has as many trees as any other development we've done in Butterfield, but it doesn't have the 400 that's in your count.

Mr. Seiben said we'll try to be reasonable. We try to be based on what we did to the north.

Mr. Goldsmith said I'm just saying the whole Butterfield development does not have that level of vegetation and this site is peculiar.

Mr. Sieben said I'll review it with Jill.

Mr Goldsmith said I appreciate that. Those are the two big issues.

Mrs. Morgan said how about fire? Did you guys have a chance to look?

Mr. Cross said it is according to the preliminary.

Mr. Beneke said we are actually good with it.

Mr. Sieben said the plan is to vote this out. It sounds like you are getting close on Engineering. That was what kind of delayed it a little bit was some of Tim's comments. This will go to the September 6th Planning Commission.

Mr. Goldsmith said well the issue will be can we get through City Council before the end, do we have to wait until the end of September? Can we somehow get in a little sooner?

Ms. Phifer said well the grading, a grading permit can be issued earlier, so I think that's where Dan's suggestion of breaking those plans out. That can start.

Mr. Goldsmith said okay, so let's talk about moving that direction.

Mr. Beneke said at the point that everybody is comfortable, and you're comfortable, you can start submitting for building permits. We can do that concurrently.

Mr. Feltman said so on this next resubmittal, why don't you just show us what you want to do and then we can take a look at it and see if we want to break those plans out because we've talked about that before.

Mr. Goldsmith said it just wasn't clear to me which way you wanted to go on that, but now with the timing we could use that to hopefully move it along.

Mr. D'Alexander said are you thinking like a one page document and then we could just reference like the details on the plans or does it have to be a full blown mass grading plan with detail specs?

Mr. Feltman said I'm sorry. What were you saying?

Mr. D'Alexander said are you looking for more of just like an exhibit of what we are looking to do because we have a one page document that I think we might have shown you. I know we showed Tim briefly and I think we showed it to you at one point as well, just with that swale and what we want to do for this interim drainage period.

Mr. Feltman said yes, and then you can start working toward getting a final set of engineering plans.

Mr. D'Alexander said right.

1	DST Staff Council (Planning Council)	08/22/2017	Forwarded	Planning Commission	08/30/2017	Pass
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Action Text: A motion was made by Ms. Phifer, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 8/30/2017. The motion carried by voice vote.

Notes: Representative Present: Bruce Goldsmith

Ms. Phifer said as far as scheduling, we were able to get a special Planning Commission meeting with our Commissioners because we did have a lot of items for next Wednesday for August 30th, so I think staff would be prepared to move this forward so that it could go before that Planning Commission meeting. I know we did get a resubmittal. However, I don't think there were any changes to the landscape plan, but I know you did want us to take another look at the landscape plan. So we did go through it. There were a couple of places where we felt we could either waive or defer some of the installations, including the street trees that actually aren't fronting on the west and south side of Frieder and Sunrise. Those could be installed with proposed 402. I think, again, there was a comment about some of the perimeter yard plantings adjacent to the wetlands, so we took a look at that and felt that we could waive some of the requirement on those areas as well. Then the third place that we looked at was typically because we have residential next to the property we would have required a buffer yard, but since our Comprehensive Plan shows that as being non-residential in the future, we did feel that it was appropriate to defer any buffering, but we would want to see some of the perimeter yard landscaping maybe clustered in that area, but not necessarily have a full buffer yard there. So in looking at the plans, we did come up with some conditions with regard to the landscaping.

Mr. Goldsmith said can I just stay with the landscaping a minute. I'm a little confused. I don't know if I can scan counts at this point, but on the east side because of the fire lane we don't have a place to put the usual buffer.

Ms. Phifer said correct. So we waived the perimeter in those areas along the wetlands and then along the detention pond.

Mr. Goldsmith said on the west side you've got the elevated tracks and natural buffer, so I'm just wondering is your count much different than our count?

Ms. Phifer said there are some additional materials that we are asking for. That's what I was going to go into. There are sort of just a couple of areas that we wanted to focus on, mainly the entrance into the site itself, so at the main driveway when you are coming into the property at each one of the building entrances so you've got sort of your 4 entrances that are potential tenants for the building. Then lastly, recognizing that you really have a big grade difference along the Tollway side, but you do have the Prairie Path there, so the only other area that we were really concentrating on is if you are going eastbound on the Prairie Path just to have some additional material in that corner so it is not such a stark change from sort of the naturally wooded area to here.

Mr. Sieben said the southwest corner of the site.

Mr. Goldsmith said the southeast corner.

Mr. Sieben said the southwest corner on that high point.

Ms. Phifer said southwest.

Mr. Sieben said if you are traveling...

Ms. Phifer said on the Prairie Path.

Mr. Sieben said eastbound you are kind of looking down into the site and there is an opening there. You don't have the...

Mr. Goldsmith said but we are so far down. It's got to be 14 to 16 feet down.

Ms. Phifer said it is more about the breaking up of the landscaping. It is not really a visual. It is more of enhancing.

Mr. Goldsmith said are you trying to do it for the occupant of the building or are you trying for the bike path?

Ms. Phifer said the Prairie Path.

Mr. Goldsmith said I don't want to make a big issue out of it, but I've watched this closely and I've ridden it too, but there is heavy vegetation.

Ms. Phifer said up to a point and then it stops. That's what we want to fill where it stops.

Mr. Goldsmith said but the vegetation is right almost up to grade on the Prairie Path.

Ms. Phifer said but as you come along. We can work with the exact placement. I think, in general, we originally with your Land Use Petition, the document you submitted, we were showing 343 CTE's for the requirement for the site. After waiving those couple of items we talked about, we are down to 214. I believe you are at 155, so it is about 38 CTE's that we'd like to still see implemented on the site. Jill actually went through and worked up some recommended locations for those. Again, we can work with where we think those need to be. That's what we wanted to sort of talk about was the purpose of the landscaping materials.

Mr. Goldsmith said but 155 and 214 is 60.

Mrs. Morgan said 22 of those are the street trees.

Ms. Phifer said that just weren't shown on your landscape plan previously.

Mr. Goldsmith said have you marked up a plan?

Ms. Phifer said yes. It is kind of hard to see on this scale. We are going to send you a copy. But we wanted to make sure that we had conditions in place so we can move you forward today.

Mr. Goldsmith said I just have to be able to evaluate it with the people.

Mr. Sieben said we think it is a reasonable compromise as we talked about earlier. We want to do similar with what we did on the north side of Ferry. Again, this is a 50 acre site.

Mr. Goldsmith said understood. This is the most unusual site you are ever going to have.

Mr. Sieben said it is unique.

Ms. Phifer said in the end what we've shown is that we are actually waiving 38% of the landscaping requirement. I don't want that to be a precedent moving forward. That really was because of the unique topography of this particular site.

Mr. Sieben said and we may have some Aldermen asking why we are waiving so much, so we are trying to document why we are doing that.

Ms. Phifer said we did have 3 conditions. I don't know if any of the other Divisions had any other conditions, but we were prepared to move this forward with the 3 conditions. The first condition that a sidewalk and 22 street trees be added along the western and southern roadway frontages of Frieder Lane and Sunrise Road. The remaining 28 street trees on the eastern and northern frontages should be installed with proposed Lot 402. That the Landscape Plan be revised to enhance the site entrance, the individual building entrances and the view from the eastbound Prairie Path. This should be accomplished through the addition of 70 evergreen trees and 264 shrubs. That the Final Plan be revised to reflect the on-site Sunrise Road roadway improvements shown on the approved Preliminary Plan, which shows a full improvement adjacent to Lot 19. We were going to look and see how wide Lot 19 is just to be clear on what we were talking about.

Mr. Sieben said 200 feet?

Mrs. Morgan said 200 and some feet.

Ms. Phifer said so the condition is just with regard to that portion of Sunrise that is adjacent to the detention pond lot, not any off-site Sunrise improvements.

Mr. Goldsmith said I didn't understand your comment about Lot 402 and how that...

Ms. Phifer said so the street trees, that's how we cut down the number of street trees required is that we are only asking that you install the street trees on your side of the road, so on the south and west side of the road. The north and east side of the road would be the other lot that was Old Dominion.

Mr. Goldsmith said right because their detention comes right up to the road.

Ms. Phifer said correct.

Mr. Sieben said once the Old Dominion lot develops they'll do their frontage.

Ms. Phifer said they would be required to do their street trees.

Mr. Goldsmith said I don't understand the shrubs and evergreens.

Ms. Phifer said that's sort of what Jill is going to give you where we recommended locations.

Mr. Goldsmith said but did you add or just move around?

Ms. Phifer said a little bit of both. Does the condition make sense with regard to Sunrise?

Mr. Goldsmith said I didn't understand the third condition.

Ms. Phifer said the third condition. That's why I wanted to make sure. So that the plan be revised to show on-site Sunrise Road improvements, so on-site meaning just that portion that's adjacent to the detention pond lot, not any off-site Sunrise improvements, but for the right-of-way that's being dedicated.

Mr. Feltman said so from Frieder to the eastern property line.

Mr. Sieben said correct.

Mr. Goldsmith said you want us to put landscaping on both sides?

Ms. Phifer said no, I'm talking about roadway improvements now.

Mr. Sieben said condition 3 went to the road.

Mr. Goldsmith said we are already putting in the fire lane across that, so the question is it is really the cost of the additional.

Mr. Feltman said right and that's what we talked about yesterday. We wanted a full roadway improvement across there.

Mr. Goldsmith said we would like to bond it. I know you would like it built. I'm trying to see if we can figure that one out.

Mr. Feltman said I think we would prefer to have it built.

Mr. Goldsmith said you've been consistent. We've also been consistent.

Mr. Feltman said I know.

Ms. Phifer said but either way, I think the condition speaks that we want that shown on the Final Plan and if there is some accommodation that's being made with regard to implementation, but I think making it clear that the intent is that that will be a fully improved roadway.

Mr. Goldsmith said our problem is monetary and philosophical. We put it in and nothing happens with Sunrise for years and then you have a piece of road that is just going to deteriorate because nobody is using it. That's the philosophical reason. We wouldn't like to put it in now because who knows whenever it will be extended. That's why we would prefer just to bond it and build it when things happen. That's where the difference is.

Mr. Sieben said so those are the 3 conditions.

Mr. Goldsmith said okay.

Mrs. Morgan said were there any conditions from Fire or Engineering?

Mr. Sieben said and you guys are good with it pretty much as shown, the fire lane, etc.?

Mr. Cross said yes.

Ms. Phifer said to that end, I just wanted to go on the record then that there has been some discussion with regard to off-site Sunrise and whether that off-site Sunrise improvement what that would look, so whether that was a full improvement, whether that was a fire lane, and we are now comfortable with just having a fire lane for off-site Sunrise improvements.

Mr. Feltman said correct.

Mr. Goldsmith said well we're giving you a fire lane as we agreed for some time, a fire lane all the way around the east side of the property.

Ms. Phifer said I think the only point that was being discussed was that off-site in the right-of-way for Sunrise and I just want to be on the record that we are now comfortable being just a fire lane.

Mr. Feltman said just a fire lane, yes.

Ms. Phifer said with that I would make a motion to move to this to the August 30th Planning Commission. Mr. Minnella seconded the motion. The motion carried unanimously.

2 Planning Commission 08/30/2017 Forwarded Planning & Development Committee 09/14/2017 Pass

Action Text: A motion was made by Mr. Cameron, seconded by Mrs. Owusu-Safo, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 9/14/2017. The motion carried.

Notes: See Attachment for Items 17-00707 and 17-00708.

Aye: 8 At Large Bergeron, At Large Cameron, At Large Cole, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Valley Park District Representative Chambers, At Large Owusu-Safo and SD 129 Representative Head

Attachment for Items 17-00707 and 17-00798:

- 17-00707 A Resolution approving the Final Plat for Phase II, Unit 4B of Butterfield Subdivision, being vacant land located south of Ferry Road and West of Frieder Lane (DuPage Properties Venture – 17-00707 / NA05/4-17.150-Fsd/Fpn – JM – Ward 10)
- 17-00708 A Resolution approving a Final Plan on Lot 401 and Lot 19 for Phase II, Unit 4B of Butterfield Subdivision located at the southwest corner of Frieder Lane and Sunrise Road (DuPage Properties Venture – 17-00708 / NA 05/4-17.150-Fsd/Fpn – JM – Ward 10)

Mrs. Morgan said this is also concurrent with the Final Plan. They are requesting approval for a Final Plat and a Final Plan. The Final Plan is for Lot 401 and Lot 19 of Butterfield Subdivision Phase II, Unit 4B for a Warehouse, Distribution and Storage Use. The Final Plat is for 4 lots, to consolidate 8 lots into 4 lots. That would be Lot 401 and Lot 19, which they are final planning in addition to Lot 403, which is approximately a 2 acre buildable lot and Lot 16, which is an open space lot. If you remember, this came through for a Preliminary Plan like a month ago. The Preliminary Plan was for the entire 8 lots consolidated to 4 lots. The Final Plan is just for the 2 lots, Lot 19 and Lot 401. Lot 19 includes the construction of a wet bottom stormwater detention basin to provide detention for Lot 401, Lot 403 and portions of Frieder Lane and Sunrise Road being dedicated with the Final Plat. Lot 401 proposal includes the development of an approximately 29 acre lot with a 501,696 square foot speculative warehouse building containing 51 truck docks. The entrance to Lot 401 will be from extended Frieder Lane. In your packet you saw the elevations, which were not part of the Preliminary. It is a 45 foot tall building. It is white precast concrete panels with some articulation of grey paneling on the bottom, some dark grey in the corners and a blue paneling band along the top. The current landscape plan focuses landscaping along the parking lots and the foundation with some landscaping being provided at the 4 building entrances and along the perimeter of the detention basin. Just kind of some discussions to kind of go over, particularly on landscaping, how staff has come up with the landscaping requirements. Due to the unique location and topography of this site, the landscape worksheet does reflect a waiver of 38% and that's also in your packet. You can see the updated landscape requirement worksheet if you are interested in seeing what has kind of been waived. The unique qualities of the site includes being bound on 2 sides by wetlands, areas of heavy vegetation and a railroad as well in addition to a full roadway improvement that's on the property, but 2 of those sites front a different property, Lot 402. Then the area is also kind of transitioning from unincorporated residential to future industrial uses. So those are kind of some of the waiving concepts that got us to where staff's CTE requirements are. However, despite the uniqueness of the site and the waiving of these requirements, the intent of the landscape requirements still needs to be met. Therefore, staff has requested that enhancements be provided to the view from the eastbound Prairie Path, the 4 individual building entrances and the site entrances. Staff is also requesting that required 22 street trees be provided along the western and southern roadway frontages of Frieder Lane and Sunrise Road. To note, we are asking for street trees just on that western portion, but not the entire Frieder Lane. So we are not going to ask for street trees in front of Lot 403, which is a potentially buildable lot so you don't get rid of the trees when you try to build on that lot. So it is just kind of south of that on Frieder Lane and then along Sunrise as well on their portions that they front. Also in your packet, staff has added a new attachment of photos where we went and walked the Prairie Path, so you can kind of see what the site looks like from the Prairie Path,

so if you're curious about what we are talking about, like some additional vegetation along the Prairie Path, there is kind like a gap area of vegetation that we are kind of looking to fill in. So some of the requirements staff is kind of asking for is some additional landscaping right at the entrance at Frieder Lane and kind of making some focal points, as well as some additional landscaping around the detention area and the perimeter along that side and then additional evergreen trees in that gap area along the Prairie Path.

Mrs. Cole said I have a question, comment and really probably not to do about this, but going forward. We are asked to evaluate these for the public health, safety, morals, comfort and general welfare. When the staff looks at public health, do you look at air quality? The reason I'm asking this is that we're putting, and I love them because warehouses don't take a lot of city services, they really add to our EAV, they are good employers, but they also have a lot of diesel trucks that come and go. Diesel trucks, their emissions are not always real clean and one of the problems with diesel trucks is they last too long. I think what I've read is a diesel engine truck can last like 20 to 30 years, so while there are new emission standards, which may or may not stand going forward, we don't know, but a lot of older trucks, and I think there is that area over in Will County that has a lot of warehouses with diesel trucks going in and out and the air quality over for some of the residents and the surrounding areas because air doesn't stay over one area. The air that's out there, when the wind comes from the east, it is going to blow over the populated parts of Aurora. So my question is do you evaluate for air quality and if you do, do you suggest some trees that absorb more carbon dioxide than other trees do, and that's not the only thing that diesel engines emit, but do you look at vegetation that will be high absorbers of those toxics? If you don't, could you in the future?

Mrs. Morgan said I would say currently no we probably do not. That might be something to think about as far as what type of trees we kind of recommend, adding some that are high absorbing trees. Maybe we should add some of those to our list of recommend tree species.

Mrs. Cole said I think this will be a problem going forward. We want these places to be successful, but everybody likes to breathe clean air, or at least I think they do. We just all can't agree on how we should get it.

Mr. Sieben said I would agree. Trees and plantings serve different purposes, so maybe that's something we need to look at more. I think the Petitioner has a representative from Gary Weber and Associates. Maybe he could answer that a little bit better. Maybe he can't, but it is something that we can look at.

Mrs. Cole said I don't know what made me think about that this afternoon, but I did and I need to bring this up.

Mrs. Sieben said I don't know if there are ones that are better than others. I don't know.

Mrs. Cole said there are. Like I say, warehouses are great because they employ people, they raise our EAV, but they also contribute to air pollution.

Mrs. Owusu-Safo said I guess my question is, is the road leading to this facility going to be paved and is there any accommodation for pedestrian or bicycle friendly facilities?

Mrs. Morgan said both Frieder Lane and Sunrise will be paved. There is a sidewalk. That's one of staff's conditions. Currently they do show a sidewalk on the western side, but to make sure that is continued around the entire portion of their property on the western and southern side, so there will be a sidewalk. It is hard to kind of tell on the Final Plan. If you zoom in very closely, you can kind of see where it ends and then we are asking it to continue.

Mrs. Owusu-Safo said so it will connect all the way up to Ferry?

Mrs. Morgan said it will just be on their portion. The city does own the little portion right above this that does connect Ferry, so that would be up to the city to extend it. I believe it is city ownership. I shouldn't say that for certain.

Good evening. Bruce Goldsmith from the Dykema law firm representing DuPage Properties Venture. I'm going to answer a philosophical question and pose a philosophical question to you and assure you that as a bike rider that we are trying to connect. The problem is, and what Jill was referring to, is the city actually owns a lift station at the top of Frieder Lane and I don't think that's been provided for sidewalk yet. That's something that needs to be done. With respect, I hate to bring this up, but it is maybe sour grapes, but Old Dominion had trucks that were 3 years less and had low emissions, so had you approved that, we would have had somebody out there who is doing a lot better. I know you didn't make the decision. You only made a recommendation. But more importantly for this project, this is perhaps the most unusual site from a landscaping perspective in Aurora. You have an elevated track on the west with a lot of vegetation along the grade. You have an elevated bike path on the south with a lot of vegetation. You have a preserved wetlands on the north, which we did as part of an Army Corp permit many years ago, so that's permanent open space. You've got a detention pond on top of that. There is no buffering you need to do really on the south, on the west or the north and I'd argue you don't need to do it on the south because I have yet to see anybody walking on it, but I have biked on it, but there is so much vegetation there and whether you fill in a little corner or not I think is questionable. The philosophical thing is we're going to advocate that the city change its attitude about tree count versus effective landscaping and Carl is going to talk about what makes a really good plan and what makes it survivable and sustainable and that is more important than how many pieces of shrubbery and trees you put out there. So we are asking you to recommend a lower count, but not a reduction in the quality of the landscaping. There are 2 other things, which are kind of not really on your agenda, but we have to deal with. One is there are 200 feet of Sunrise, so Sunrise is a Township road that dead-ends hundreds of feet to the east of our property line. The Fire Marshall and Fire Chief feel it is important that there is a second way of getting to the site without coming down Frieder Lane if for some reason it is blocked. We disagree with that, but we've lost that discussion. On the other hand, there is no reason to build Sunrise until the 401 or other property to the east is developed. So what we are asking is that we just post a bond for now and the 200 feet of Sunrise be deferred because it makes no sense to build it now. It goes nowhere. We are going to put in a 20 foot fire lane along there. The fire lane comes down the east side of the detention pond and eventually goes into the parking lot at the southeast corner. We are asking that that condition be changed to just leave the fire lane there and allow us to put a bond. That is, obviously, kind beyond your prevue. Another thing that's called the findings you are talking about, this is already zoned.

Mrs. Cole said I have no objection to this whatsoever.

Mr. Goldsmith said I understand what you are talking about. Of course, this has been zoned for 40 years, 41 years now. We disagree with staff as to what to do with the 200 feet of Sunrise and I'll let Carl talk about our philosophy about landscaping. He'll even answer your question too.

I'm Carl Peterson. I'm the Managing Principal of Gary R. Weber Associates located at 212 S. Main Street in Wheaton. Our firm is made up of landscape architects, land planners and ecologists. We were founded in 1982 and tomorrow marks our 35th anniversary. I'm a professional Wetland Scientist, a certified professional in soil and sediment control, a certified arborist and a LEED accredited professional. I'm not a landscape architect, but I'm in charge of a slew of them. Over the course of my 20 year career, I've been involved with design and construction of landscape installation projects, naturalized stormwater management applications, and wetland mitigation projects. Much of my experience has been in industrial parks throughout all of Chicagoland. One of my first assignments in my career was monitoring and management of the Big Woods wetland mitigation area that's now owned by the Forest Preserve that was a large component of the overall Butterfield development. So I'm pleased to still be involved after all these years and lucky really that I get to work with Bruce all this time. I just wanted to take a few moments to talk about our approach to landscape architecture within industrial parks and what I believe to be its primary function. Then I want to discuss our plan and how it relates to this specific site known as Lot 401. One of the things to understand about the site is that it is a part of the overall Butterfield Center for Business, which has a business association that is responsible to insure that the grounds are maintained and that things are taken care of. Another one of my assignments in the past was I worked with our founder, Gary Weber, on developing the standards in the park to maintain the naturalized detention areas. Butterfield was really one of the first places to adopt naturalized detention, which is prevalent wherever you go. Now it is part of the Kane County Stormwater Ordinance, which Aurora follows, which is a great thing, especially for carbon sequestration because you have these wetland ponds, these created areas that have all this native vegetation and it really is prolific and it sucks up a lot of CO₂. All plants, it is not just trees, but all plants do and these wetland areas are some of the most biological productive places in the Midwest for sure and all of that does its part to reduce pollutants and stormwater runoff, take carbon out of the air and do that. In here, in Butterfield, we have acres and acres of naturalized stormwater management in addition to preserved wetlands and creative wetlands. Butterfield is a great example of how they incorporated natural areas into an overall planned development and it happens all over. In Will County, Rock Run Business Park is another project that we worked on that had all of these natural areas. Elgin Corporate Center is another park that is similar to this. This really like laid the groundwork, I think, for how warehouse and industrial parks are supposed to work. I do think that landscape architecture plays a really important role in not just aesthetics but how these operations function for the people that work there, for people that drive by and their role in the community. We took a drive around to look at some of the businesses in the park. As Bruce mentioned, we are working with staff on the final landscape plan. The Ordinance has these canopy tree equivalent counts, which is based on the number of trees and the number of shrubs that we're planting in here. One of the things that I think is really important to mention, and Bruce touched on it, this entire area, the central portion, is a preserved wooded wetland and then 2 mitigation areas were created here, and this is a naturalized pond. That was all created and funded by the same owners that are proposing this building here. To me, that's a huge part of, even though it is a wild scape, it is huge part of the landscape architecture associated with this

building. For one thing, when you are driving along Prairie Road or using the sidewalk you don't even know that this building is there. You've got this beautiful natural area that you're driving by. Again, the railway on this side. This pond, by the way, is loaded with small mouth bass. It is a great place to fish. Fishermen aren't really supposed to be back there, but there are tons of them back there. They leave their little worm buckets around and that's part of the maintenance of this area. But when you are here on this pond, again, you won't be able to see this building because of the berm. There is vegetation in the corner here where we're not really grading that I'm hoping we can save. We've got some trees along, natural trees, along the Prairie Path and you really can't see much of the site from 88 because there is a hedge row and everything along 88. Then on the eastern side of the site we are creating this naturalized detention area, which has prairie plantings and wetland plantings. The slopes are prairie. In an effort to get close to Ordinance requirements, we are proposing native trees, Oak trees that over time get really huge. They have spreads of like 30 to 40 feet. In a natural area, those aren't trees that are going to be limbed up and look like street trees. They are going to be these giant branches that come and touch to the ground over time. So to load that area up with more trees is problematic for a lot of reasons. One is you shade out the prairie slopes. Part of the maintenance here is to run prescribed burns, which you have to get the permit for from the EPA for air quality. If we have too much woody vegetation it just makes the whole overall, you have to mow most of that slope rather than burn it, which is a natural component of managing these areas. So that kind of covers the perimeter and like the natural component of the landscaping. I just want to talk to you a little bit and show you some examples of buildings in the area. These are some examples of industrial buildings in Aurora that have, maybe when the landscape plan was submitted it had the CTE count on it. I'm not sure if they planted it all or if it is all survived by now, but you can see on those foundation plantings how they've got shrubs lined up. In some cases it looks really good. In other cases, they are not doing as well. Evergreen shrubs have issues with salt. There are a lot of tight areas on here because as we've noted, the trucks are coming in and out. Some of these trees get backed up on and things like that. What we've done, and really what we've learned over the years with dealing with these industrial areas, is that your plant pallet is not very wide. You've got to pick what we call bulletproof plants that can live in these environments. We are in the Chicago area. We've got super wet springs, super dry summers, winters with lots of wind and we put tons of salt on the roads. So the plants we pick have to be real workhorses. We don't get to do a lot of creativity, botanical garden type stuff in an industrial park, especially in the foundation and stuff. That's where the native plants really come into play, native cultivars, but we are really somewhat limited to what we can use here. The way that we are approaching this is when you come in here into the building, there is a focal point right here at the corner that is Crabapple trees. We're specking for every Fire Crabapple tree, which doesn't get scales. It is one of the hardiest Crabapples there are. They all look really great in the spring. Then we got Russian Sage, which is that purple plant that you see in medians. You see it all over the place and it looks great this time of the year when it is really dry. What we are doing here is when you look at those pictures, you can see that some people are better stewards of the landscape than others. At the end of the day while this is all managed under a business association, we want to keep maintenance costs realistic and have plants that can, we are planting plants per standard, which is by Aurora standards horticulturally correct. Some communities have you bring in giant trees that when you plant a tree it goes into stress and then we are taking a stressed tree and putting it in a harsh manmade environment and so the smaller the tree the more likely you have of it to survive and grow and we are limited to certain tree species. What a lot of people tend to do is, especially our residential clients or the homebuilders and everything, they will take their model and they will over plant it so it just looks instantly like Disneyland, like it's been there

forever. What happens though is that the rest of the subdivision is planted normally, horticulturally correct, but that model landscape plan will eventually crash because the plants are planted too close together and there is not enough room for them to grow. That's really what we took here was what I believe to be a horticulturally correct selection of species and placement of plants that work in this particular area, in the small spaces we have. We have a lot of pavement. We have a lot of roof. I can't grow anything on the pavement or the roof and the areas that I do have I want those plants to have the space to thrive and do what they are supposed to do. This landscape plan that we've put together is not cheap. We are pushing a couple hundred thousand dollars of landscaping material. If we were to meet the requirements that are out by the city right now, by staff right now, it would be an additional \$60,000 to \$70,000 of plant material. I'm not moaning about that saying well gee we need to save these people some money, but I am saying that that amount of plant material, we just came out of an economic downturn and a lot of the nurseries that grew this stuff during the downturn they were cutting their trees down and farming with their land because they couldn't sell their trees. So now we are in a shortage and plant materials are very expensive. I would rather that \$60,000 be scooped up. Now that the economy is good, there are homes being built, there are parks being built, there are municipal projects. I'd like that plant material to be available in other places because there is a lot of plant material built into this area up here and like I said we are spending close to \$200,000 already. That's my pitch on our landscape plan right now.

Chairman Truax said does the Petitioner have other comments for us?

Mr. Goldsmith said no. That was the main issue. As I said, for the 200 feet of Sunrise, we are asking to post a bond instead. I don't know that that's something you are going to address. I think that really covers what we tried to cover for tonight.

Chairman Truax said I have a quick question about the landscaping. I did not walk the Prairie Path, but I drove down Meridian or whatever it is there. The land looks like it's got sort of like grass colored humps of land. What is that?

Mr. Goldsmith said we stripped topsoil because the site was way over. We had a topsoil company that wanted to remove the topsoil for other projects in the area and we had more than enough for the development of the berms and the planting areas, so we stripped a lot of topsoil. There are a couple of small mounds left, but that was the reason. He created a couple of mounds where he put his equipment and stuff like that when he was stripping the topsoil. Normally farmers would say it is great that we have 2½ feet of topsoil, but when you are developing a building you only need 6 inches and you just don't need all that topsoil.

Mr. Sieben said could I, just for the record, respond to some of the landscape comments if that would be okay, just briefly? I think this plan includes, in general, the landscaping that was proposed by the Petitioner. This is a large site. You can see the building. You can see the pavement. So there is a lot of imperviousness here with the building and the paving. The landscape plan the Petitioner proposed is at 45% of our CTE requirement. I agree with the Petitioner, that's a little bit of an artificial number, so what we did was we went and realistically there are certain linear footages that should be waived based on the design. For example, foundation plantings. You have large truck docks on the east and west sides, so we're not going to count that linear footage and try to make up that foundation planting on the

other 2 sides or wherever, so we agree with that. I think we originally had a buffer and perimeter, there's always a perimeter count on the outside of the property. On the east side, I think the original count included perimeter and buffer because this was residential, but in the future that will not be residential, so we eliminated that. We went ahead and we are not requiring any perimeter on the north where the wetland lot is, so we totally agree with that. We did tell the Petitioner on our new response to them that all along the Canadian National Railway we are not including a count for the perimeter because there is really no one there to see anything. There is a lot of scrub trees and so on so it really doesn't make sense to load up landscaping there when it's really not going to benefit anything. We told the Petitioner we are consistent with what we did with some of the lots north of Ferry Road. The south side, we have agreed to waive a lot of that perimeter with the exception, as Jill showed and it is in her redline, we are asking that some, we are preferring evergreens at that southwest area, and then actually a little bit of a line going to the east along the north side of the Prairie Path prior to where you get to the tree line. If you look at some of Jill's photos, this is completely bare when you are on the Prairie Path. Right after you cross over the tracks and you get to the very southwest edge of their property, there are not trees. It is just the prairie plantings that are about this high because they have a no mow on the Prairie Path, so that's what you have here until you get probably until about this area here. I think we are being very generous waiving that whole south perimeter. I think certainly some of those scrub trees that are there they obviously lose leaves in the winter. It would be nice to have an evergreen row, but we decided just to require some clustering of evergreens really at that southwest corner and a little bit going east along that Prairie Path just to fill in that open area. As we walked back to our car, which was parked on Eola Road, the building that is along the Prairie Path immediately to the west where Cardinal Health is in, they have a very solid mature evergreen row bordering the Prairie Path. I think Jill may have included that in there. I think what we are willing to do is, as we said before the meeting, we are willing to sit down with the Petitioner prior to the P&D meeting. It won't be for a couple of weeks. I think some areas we could still give on or negotiate on. Jill was making up some of the additional counts that they are shy around the detention pond with some shrub areas and some groupings of plantings. I think we could work with them on some of those areas to save some cost where maybe they don't really benefit some of those areas. So we are willing to still work with the Petitioner and look at some of those areas. But I just wanted to stress, I think we are being very reasonable on where we came down to on our count. We are down to only 62% of what the normal requirement would have been for this property. We are recognizing physical considerations on several sides of the property, so we are trying to be reasonable with the Petitioner.

Mrs. Owusu-Safo said is there any particular side where the most concern is in terms of the number of plantings? Obviously the north and west...

Mr. Sieben said we've really waived the north and the east and we've waived most of the south. We still want to fill in this area down here. I think Jill may have added a little bit on the east, but again, we'll sit down and look at that with the Petitioner.

Mr. Goldsmith said I would suggest that since it is ongoing dialogue if you might just recommend that staff and the Petitioner work together on landscaping. It would make more sense than making a specific recommendation. I am making a pitch that it is for a long term, and I hope before I retire, that the city reconsider the count method of doing landscaping and think more about what can really be successful and what makes sense. I think we are somewhat caught in this yes it is 62%, but this is a plan that

somebody who that's his only job is to make these plans feels that this is the way you should do it so that he doesn't overgrow the site and make it sustainable.

Mr. Sieben said and I would agree with Bruce. I can identify 3 areas we can work on. One of them, obviously beside some of these counts, sometimes we are doubling up, one of them might be caliper size. There are some benefits of maybe going with a smaller planting that there is a higher survival rate. That's something we would be glad to look at. Maybe you'll lose a year of the growth, but maybe long term more of them survive, so we'd be glad to look at that. The other one that I've been preaching for years, and we've got to change it, is as you know ornamentals and evergreen, the 6 footers, only get counted as 1/3 of a canopy tree and I don't think that's right. I think there are a lot of cases for those plantings and they should be worth more to the developer than what we are giving them.

Mrs. Cole said can I make a request? When you are working with the developer can, and I know you requested evergreens and I know there are a couple of evergreen species that are high absorbers of CO₂, can you look at that, and I have no idea what they even look like. If they are ugly and don't survive, we don't want them.

Mr. Sieben said do you have a suggestion you could e-mail me and we could talk to them?

Mrs. Cole said I will. I will actually go home and look it up and e-mail you, yes, but he should know.

Mr. Sieben said well his team can look and you can look too, and we'll look too.

Chairman Truax said are there other questions or comments on the part of the Planning Commission? I guess we are ready for a recommendation.

Mrs. Morgan said staff would recommend approval of the Resolution approving the Final Plat for Phase II, Unit 4B of Butterfield Subdivision, being vacant land located south of Ferry Road and west of Frieder Lane.

MOTION OF APPROVAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mr. Cameron

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mrs. Head, Mrs. Owusu-Safo, Mr. Reynolds

NAYS: None

Chairman Truax said a related item is the Resolution approving a Final Plan on Lot 401 and Lot 19 for Phase II, Unit 4B of Butterfield Subdivision located at the southwest corner of Frieder Lane and Sunrise Road in Ward 10. Do we have a recommendation on that?

Mrs. Morgan said staff would recommend conditional approval of the Resolution approving a Final Plan on Lot 401 and Lot 19 for Phase II, Unit 4B of Butterfield Subdivision located at the southwest corner of Frieder Lane and Sunrise Road with the following conditions:

1. That a sidewalk and 22 street trees be installed along the western and southern roadway frontages of Frieder Lane and Sunrise Road.
2. That the Landscape Plan be revised to enhance the site entrance, the individual building entrances, and the view from the eastbound Prairie Path. This should be accomplished through the addition of 70 evergreen trees and 264 shrubs.
3. That the Final Plan be revised to reflect the on-site Sunrise Road roadway improvements shown on the approved Preliminary Plan, which shows a full improvement adjacent to Lot 19.

I believe it was condition 2 that you guys were discussing altering.

Mrs. Owusu-Safo said what was the recommendation again on Sunrise Road based on their request to not build the additional 200 feet?

Mrs. Morgan said currently we have it as a condition that it be full improvements. It was shown on the Preliminary. I think the applicants are still working with Engineering on that discussion, so that might be altered before Final, but currently that is the recommendation of Engineering as well as Planning is full improvements on Sunrise.

Chairman Truax said okay so really the improvements on Sunrise is one set of conditions and the landscape plan has another set of conditions?

Mrs. Morgan said yes.

Chairman Truax said that is something that someone may want to suggest a more, I don't know what the word is, working things out better. What's the wish of the Commission?

Mr. Cameron said I would move for approval with conditions. Number 2 is subject to further negotiations on some comments that Ed had made earlier as far as areas where it is still subject to further negotiation.

Mrs. Morgan said would you want to just remove "this should be accomplished through the addition of 70 evergreen trees and 264 shrubs"?

Mr. Cameron said why don't we pull those and just say that...

Mrs. Morgan said and just say the first sentence that the Landscape Plan be revised to enhance the site entrance, the individual building entrances and the view from the eastbound Prairie Path and leave it at that?

Mr. Cameron said yes. Then what was the first item?

Mrs. Morgan said the first item dealt with street trees, that a sidewalk and 22 street trees be installed along the western and southern roadway frontages of Frieder Lane and Sunrise Road, so that's to have street trees along all of the western and southern as well as adding that sidewalk.

Mr. Cameron said on Frieder.

Mrs. Morgan said and Sunrise, just on the property that is owned by DPV.

Mr. Cameron said and the Petitioner's position on that particular item is?

Mrs. Morgan said I believe Frieder Lane you were willing to add street trees, but not at this point with Sunrise because we don't know about the full improvements.

Mr. Goldsmith said just to be clear. Sunrise was never shown on the Preliminary Plan as a full street. So we've taken a position. We have to put a fire lane in, so we are going to put in a fire lane. We don't think we should put trees in now until the full improvement is made and if the city allows us to post a bond instead of putting in the improvement, there is no point in putting in landscaping.

Mr. Sieben said so just to be clear, the 200 foot that Engineering is saying that needs to be fully improved is the stretch that is fully being dedicated on their property, not this over here. This will just be a fire lane going all the way down, but since this is being dedicated and they are fully on their property, this is where Engineering is asking for full improvements and then, obviously, we are looking for street trees on their south side. We have no problem if this is made a fire lane that the street trees be put off until the future and then whenever the road is built fully in the future then they would be added. It just depends if the road gets fully improved or not.

Mr. Cameron said and the reason behind requesting improving rather than bonding is?

Mr. Sieben said you know that is a philosophical call. That's an Engineering call. I guess because the property is being improved right now they prefer to have that piece done and then deal with this piece when this property comes in, which we've had much discussion with other users here.

Mr. Cameron said in any case, it will be improved to the extent that it is a fire lane?

Mr. Sieben said the minimum would be a 20 foot fire lane, correct. I think Engineering was just saying why not go the little bit extra and get it finished fully instead of potentially wasting that pavement.

Mr. Cameron said but the improvement, in any case, will cover, at some time it will be bonded for full value?

Mr. Sieben said that's what they are asking.

Mr. Goldsmith said if I may make one last comment. The other reason is because I have a project on Orchard-Gateway on the west side. If you put a road in and nobody uses it, it deteriorates and that is the reason why we didn't want to put it in because if the neighbors keep coming out and people keep getting rejected projects this could not develop for many years. It is possible that actually the property to the east, which is Lot 402, will develop with property to the south as a single lot, which some people are looking at and there won't be a Sunrise Road. So why put it in and not know if it will be used is our point on that.

Mr. Sieben said so that will be up for further discussion at P&D with Engineering.

Mrs. Head said so what portion of the landscape is not really under negotiation? Is it in part A? I just want to make sure I understand.

Mr. Sieben said well I think they've identified several areas that they want to negotiate.

Mrs. Head said so should the landscaping be separated as a further negotiation?

Mr. Sieben said I'm sorry. I believe the condition was that we just continue to negotiate with the Petitioner based on both or our comments. Is that the condition?

Chairman Truax said I think that was the suggestion.

Mrs. Morgan said I think that's what we are still discussing is how to word that second condition.

Mr. Sieben said I think we both stated our case.

Mrs. Head said I understand.

Chairman Truax said so Mr. Cameron are you okay with your motion?

Mr. Cameron said I think I am.

Mrs. Owusu-Safo said I think basically his motion was to eliminate the numbers, right? Basically leave it general so that it can be negotiated to whatever number that is acceptable to both the city and...

Mrs. Morgan said yes, I believe that was to remove the 70 evergreen trees and 264 shrubs and just leave it general.

Mr. Sieben said right. We are still negotiating that.

Chairman Truax said okay, so we are leaving the concept and taking off the detail.

Mr. Cameron said I'm not through with it. I don't have an objection to bonding that portion of Sunrise and keeping the fire lane, but I think that I would like to leave that open to negotiation as well. In any case, there will be a traffic pattern through there because they've got to have it to get the fire trucks down to the other end. If it is going to stay a fire lane, you don't want to have the trees there to tear them up when you put the permanent improvements in. Then there was an item 3. There were 3 items on the recommendation.

Mrs. Morgan said yes. Item 3 was to reflect the full improvements on Sunrise as shown on the Preliminary Plan, as staff read on the Preliminary Plan that it showed full improvements on Sunrise.

Mr. Cameron said and that I would like to leave still open to negotiation on that and bonding of this.

Mr. Sieben said in other words, it is still negotiating bonding versus full improvement, so continue to discuss.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Cameron

MOTION SECONDED BY: Mrs. Owusu-Safo

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mrs. Head, Mrs. Owusu-Safo, Mr. Reynolds

NAYS: None

Mrs. Morgan said this will next be heard at the Planning and Development Committee on Thursday, September 14, 2017, at 4:00 p.m. on the fifth floor of this building.