



# City of Aurora

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## Legistar History Report

**File Number: 16-01080**

**File ID:** 16-01080

**Type:** Resolution

**Status:** ATS Review

**Version:** 3

**General Ledger #:**

**In Control:** Planning & Development Committee

**File Created:** 11/09/2016

**File Name:** Dolan & Murphy, Inc./Hoops / W. side of Church, S. of Bilter/ Final Plan

**Final Action:**

**Title:** A Resolution Approving a Final Plan for Lots 1 and 3 of Lindgens-Dolan Resubdivision located west of Church Road and south of Bilter Road

**Notes:**

**Agenda Date:** 12/15/2016

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A-1" Final Plan - 2016-11-28 - 2016.011.pdf, Exhibit "A-2" Landscape Plan - 2016-11-28 - 2016.011.pdf, Exhibit "A-3" Building and Signage Elevations - 2016-11-28 - 2016.011.pdf, Land Use Petition and Supporting Documentation - 2016-11-09 - 2016.011.pdf, Landscape Material Worksheet - 2016-11-09 - 2016.011.pdf, Property Research Sheet - 2016-01-19 - 2016.011.pdf, CCR's - 2016-11-09 - 2016.011.pdf, Plat of Survey - 2016-11-09 - 2016.011.pdf, Address Plat - 2016-11-28 - 2016.011.pdf, Legistar History Report (Final Plan) - 2016-11-30 - 2016.011.pdf

**Enactment Number:**

**Planning Case #:** AU02/4-16.011-Fsd/Fpn

**Hearing Date:**

**Drafter:** tvacek@aurora-il.org

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	11/15/2016	Forward to Planning Council	DST Staff Council (Planning Council)			
	<b>Action Text:</b> This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	11/22/2016					
	<b>Notes:</b> Mr. Sieben said we've got the Final Plan up there, but it also shows the proposed 3 lots.						
	<i>Representatives Present: Daniel T. Dolan, John Tebrugge, Matt Miller and John Burkemper</i>						
	<i>I'm Dan Dolan with Dolan and Murphy Real Estate. We represent the land owner where this property</i>						

is going to be built.

I'm Matt Miller, owner of M14 Hoops, and proposed development of the property.

I'm John Burkemper, Amcon Design and Construction, the designer and general contractor for the project.

Mr. Sieben said do you want to have someone give a summary and just kind of go over what the intent is for this?

Mr. Dolan said we own a 9 acre parcel just north of the, not we, we represent the ownership that is from oversees that owns 9 acres just north of the Northern Illinois Gas Company easement there. He's had this property for several years. We've been working with Matt Miller in regard to designing a lot that is a bit unique in itself because when we're putting this 3 lot subdivision together we're putting a lot for Matt's property, we're putting a lot to be developed and then the city is also asking us to make a lot for the detention pond. In working with the city over the months, it was determined that we did not, because we did not have to, they looked at it and they determined that we did not have to have the access road be a public drive. It is going to be a private drive to serve Lots 1 and 2. Primarily we are focused on Lot 1 right now so Matt can build his building back there. We're going through the process to 1) resubdivide this 9 acre parcel into 3 lots, and 2) to work as diligently with the city as possible to get this property ready to go so Matt can build what he wants to build. With that, I think maybe I'll just turn it over to Matt.

Mr. Miller said M14 Hoops is building 4 courts right now. It is enough land to blow it out to 2 more courts. There is a weight room in there, concessions, as well as office space. I've been in business for about 7 years, so it is really just a consolidation of what we currently do now with basketball development and training. We'd just be doing it in our own house now.

Mr. Sieben said Dan and the intent is to leave one more buildable lot just to the east of Matt's facility, so Matt would be purchasing the back lot and the ownership would retain the remainder, correct?

Mr. Dolan said that's correct.

Mr. Sieben said and then the detention is sized to serve both lots, including the future development of that middle lot.

Mr. Dolan said right. We had John design it for Matt's future expansion and we have determined, not to the square foot yet, but we have a pretty good idea based on what we are doing with the parameters that we are pretty sure that you are going to require us so that we could build somewhere between 20,000 and 21,000 square feet of additional space there at a future date. We had John calculated that also for the stormwater detention and parking.

Mr. Sieben said and again from a zoning perspective the use is a permitted use. This is part of the Farnsworth International Annexation Agreement, so we determined that, so this is simply going through a Final Plan and Plat for part of the development and to get the plat approved. So Tracey you are the planner, the point person on this?

Mrs. Vacek said correct. I sent out comments yesterday. Actually I don't think there was really anything major on there.

Mr. Tebrugge said only the name, which I thought we'd probably keep that. Kurt Lindgens bought the property.

Mrs. Vacek said which is fine. A lot of times it is a lot easier if we have it the same name as what it was before, so that was just a suggestion on our part. It gets kind of confusing after it is like a resub of a resub, so we try to keep the same name. It was more of a suggestion than anything. So this would be the 2nd Resub of the Dolan-Lies Subdivision. It's really up to you guys. We would prefer that it would be changed, but really it's up to you.

Mr. Tebrugge said I talked to the surveyor and they said with the way all the legalities flow, he said it really doesn't make too much difference as far as recording and everything.

Mrs. Vacek said it is easier on us to know what kind of happened as it gets re-subdivided 10 times that we know that this is the 2nd Resubdivision.

*Mr. Tebrugge said but this is it. There is no other property to subdivide.*

*Mr. Dolan said there is no other property, but again...*

*Mr. Sieben said it is 6 of one and half dozen of the other, so I don't think we care. It was a suggestion because it was originally part of the bigger piece and then by calling it another resub you can easily see where it came from, but it is what it is.*

*Mr. Dolan said are we sure that this is the 2nd? That was my only question.*

*Mrs. Vacek said it is the 2nd. I looked it up on the Kane County Recorders.*

*Mr. Dolan said we didn't resubdivide it when we did for Sequel and for (inaudible) and all that?*

*Mrs. Vacek said well Sequel is not part of this subdivision, so what it was, there is a larger subdivision up north of this and then that got re-subdivided once before so this would be the 2nd resub of that subdivision.*

*Mr. Dolan said John was this just a matter of them changing the name?*

*Mr. Tebrugge said on every document, but that's the only thing.*

*Mrs. Vacek said it is literally a label on every document.*

*Mr. Tebrugge said we are going through the comments now.*

*Mr. Sieben said we are shooting for December 7th. This is not a public hearing, so a general discussion item at the December 7th Planning Commission.*

*Mrs. Vacek said it would go to Planning Commission on December 7th. Then it would go to P&D on the 15th, COW on the 20th and I'm guessing that there will be a special City Council on the 20th too. Usually they do not have the one on the 27th, so they usually consolidate them. I don't know if that's going to happen, so it would either be the 20th or 27th where it would get the final approval.*

*Mr. Feltman said we sent out comments.*

*Mr. Tebrugge said we are working on those, so we'll be getting those back to you as quickly as possible just to keep things moving.*

*Mr. Sieben said and if we need to have some future discussion with Engineering we can do that maybe next week.*

*Mr. Dolan said absolutely.*

*Mr. Cross said I sent out comments as well on the FDC facing the street of address, a clearly defined sprinkler room, and we had some concerns about the supply hydrant on this as well. Those are all in the notes.*

*Mr. Tebrugge said I don't think I received those yet. Did those come out recently?*

*Mr. Cross said they should have been out last week.*

*Mr. Tebrugge said the one on Balaji went to like 6 people, but this one I don't remember. We'll jump right on that if you want to send that.*

*Mrs. Vacek said I'm assuming that this is going to have a Church Road address, but I will double check that.*

*Mr. Sieben said what else would it be?*

*Mrs. Vacek said well there is a private drive there and they are naming the private drive, but the address won't be off of the private drive.*

Mr. Tebrugge said that was a comment, I think, that came either from Engineering or somewhere that since it's a private drive we can't call it 100 M14 Way because it is not a street.

Mrs. Vacek said correct. It will be off of Church Road. It will be a Church Road address. We will get back to you on the address once we have a committee meeting for the address.

Mr. Beneke said but for us just the FDC needs to face Church. You need to strategically locate it there and then your supply hydrant has to be within 50 feet to 100 feet. No closer than 50 feet and no further than 100 feet from it. You do have a hydrant that is sitting out in the middle of the grass. That doesn't work for us. You can't use that as one of your hydrants that work for the Fire Department because they can't get to it. It has to be within 5 feet of the fire lane. So you are going to have to add a hydrant and make sure that one meets that, and make sure the FDC faces the street. You are not showing that right now at all.

Mr. Tebrugge said the fire room is kind of in the middle, so we have to extend a line to the east end of the building.

Mr. Beneke said that's fine. You just have to let us know. The sprinkler room should be sidewalk to fire lane and then the FDC needs to have clear access directly to a fire lane without having a parking space or anything in its way.

Mr. Burkemper said can it be along the drive that's on the east side of the building?

Mr. Beneke said it has to face Church.

Mr. Burkemper said right.

Mr. Sieben said so it sounds like the answer is yes.

Mr. Feltman said and that's where the supply fire hydrant needs to be.

Mr. Cross said it has to be in that 50 to 100 feet from that.

Mr. Feltman said but it needs to be on that drive isle, the eastern drive isle.

Mr. Tebrugge said I thought we put a hydrant there on the east drive isle.

Mr. Beneke said well you are going to need 2. I think that the one on the east may be too far away. It may be over 100 feet away.

Mr. Burkemper said we've got the ability to move, there's a, you can see there's a little peninsula island that's on the south side of the building, we have the ability to move that east or west. In this case, we would move it east. We could put a fire hydrant right in there and make sure that it is within 50 feet.

Mr. Cross said over 50 feet.

Mr. Beneke said it has to be more than 50 feet from the building too. One of the things I would do though is if you're looking at future expansion to the east there, you are going to end up having to move the FDC in the future, but you may want to strategically locate the hydrant so that you don't have to relocate a hydrant in the future.

Mr. Tebrugge said that's a matter of meeting the 100 feet then. I thought I put a hydrant on that north/south drive on the east side of it and I thought it was 100 feet away.

Mr. Beneke said there is this one, but there is a second one. You have to have 2.

Mr. Tebrugge said and that's not going to be 50 feet away if we add the building addition. That's the problem.

Mr. Beneke said you are going to need to make sure, so you may have to get it to a corner or something. Maybe it is down on the south side or it could be back in the parking lot area in the back. One of them has to meet that FDC requirement. The other one can be anywhere on the site. You just have to meet also the dead-end requirement for a fire lane.

Mr. Tebrugge said that's going to be a tough one to meet in the future, but we'll have to take a look at that.

Mr. Beneke said I'm just suggesting that you may want to consider it. If you put it in and you move it later, that's up to you. But if it saves you the cost of moving it later, that's all I'm thinking about if you can make it work.

Mr. Feltman said can't it just be along the southern part of the parking lot?

Mr. Beneke said I would think so. I would think you are far enough away to have a south side...

Mr. Tebrugge said yes.

Mr. Beneke said so if you have it there, that works.

Mr. Frankino said we are already annexed. Again, just make sure we get plans.

Mr. Sieben said so this on a fast track, obviously, so I know Tracey with her initial review, you guys provided us with a lot of what we needed. It is a nice layout. Nice job.

Mrs. Vacek said I still think I need the CC&R's. I don't know if I put that in my notes, but I'm still looking for proposed CC&R's.

Mr. Dolan said I sent it to you. It was a one page letter.

Mrs. Vacek said I'll double check that.

1	DST Staff Council (Planning Council)	11/29/2016	Forwarded	Planning Commission	12/07/2016	Pass
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**Action Text:** A motion was made by Mrs. Vacek, seconded by Mr. Wiet, that this agenda item be Forwarded to the Planning Commission, on the agenda for 12/7/2016. The motion carried by voice vote.

**Notes:** Mrs. Vacek said this is for a Special Purpose Recreational Institution for, I believe, a basketball facility. I am going to make a motion to vote this out today. We are moving this to the December 7th Planning Commission. I have sent out comments. I received revisions yesterday, so I think that all my comments have been taken care of.

Mr. Beneke said did you get hard copies of the Fire Plan? They were supposed to bring that in.

Mrs. Vacek said I will double check and if they did I will forward that over to you.

Mr. Beneke said we had a conversation with Tebrugge yesterday to kind of walk through some of that and he sent a PDF that you forwarded to us that we looked at and we think it is going to be okay, but we need to have the hard copy to make sure on it. We are going to have a condition on those items which are affecting hydrants and things. It is a matter of just getting that stuff in and making sure that we are okay with it.

Mrs. Vacek said now that I think of it, I think he called me and he did tell me yesterday late afternoon that he was going to submit those today. I don't think we have received them yet.

Mr. Beneke said if you get them, get them over to us. If we are good, we'll let you know. If we have comments, we'll let you know on that also.

Mr. Feltman said we sent out our comments. There were a couple of issues. Probably the biggest thing is just trying to get Nicor easements for the watermain loop and also the sanitary. There were some comments on the detention basin being a just a little short of volume, which could affect the plat, but it would be minor.

Mrs. Vacek said I do make a motion to move this forward to the December 7th Planning Commission with the conditions. Mr. Wiet seconded the motion. The motion carried unanimously.

2	Planning Commission	12/07/2016	Forwarded	Planning & Development Committee	12/15/2016	Pass
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**Action Text:** A motion was made by Mrs. Anderson, seconded by Mr. Garcia, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 12/15/2016. The motion carried.

**Notes:** See Attachment for Items 16-01079 and 16-01080.

Aye: 8 At Large Bergeron, At Large Cameron, At Large Cole, Aurora Twnshp Representative Reynolds, At Large Anderson, At Large Divine, SD 131 Representative Garcia and At Large Owusu-Safo

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Attachment for Items 16-01079 and 16-01080:

16-01079     Requesting approval of a Final Plat for Dolan-Lies Subdivision located west of Church Road south of Bilter Road (M14 Hoops – 16-01079 / AU02/4-16.011-FSd/Fpn – TV – Ward 1)

16-01080     Requesting approval of a Final Plan for Lot 1 and Lot 3 of Dolan-Lies Subdivision located west of Church Road and south of Bilter Road for a special purpose recreational institutions (5200) use and related detention facilities (M14 Hoops – 16-01080 / AU02/4-16.011-Fpn – TV – Ward 1)

Chairman Truax the next item, again it is 2 items. I'll read them both. The first one is a Resolution approving the Final Plat for Lindgens-Dolan Resubdivision, being vacant land located west of Church Road and south of Bilter Road in Ward 1.

Chairman Truax said the second item is a Resolution approving the Final Plan for Lot 1 and 3 of Lindgens-Dolan Resubdivision located west of Church Road and south of Bilter Road in Ward 1.

Mrs. Vacek said the Petitioner, M14 Hoops, is requesting approval of a Final Plat. The Final Plat includes the subdivision of the subject property into 3 lots. Lots 1 and 2 would be platted as developable lots and then Lot 3 would be covered by a stormwater detention easement. Concurrently, along with the proposal, the Petitioner is requesting approval of a Final Plan for Lot 1. The Final Plan includes a 39,200 square foot building on Lot 1 for a basketball development and training facility. The plan includes 266 parking spaces and access would be from the private drive that is located along the north property line to Church Road. There are building elevations and landscaping plans that are in your packets. Then Lot 3 would include that detention pond. With that, if you have any questions for me, I can answer them. Otherwise, I will turn it over to the Petitioner.

Mrs. Cole said I have a question and maybe I just missed it. There is a very large parking lot here. It that parking lot going to be lit?

Mrs. Vacek said I will let the Petitioner answer that, but I believe...

Mrs. Cole said what I did not see in my packet was a lighting schematic or would that not be at this stage?

Mrs. Vacek said we do usually get a photometrics, but it just depends on the location. In this location, there is really no residential or anything that would affect the parking or the lighting, so we did not request a photometrics in this case. There are some times when we don't request them just because of the area.

Mr. Cameron said is this a private street?

Mrs. Vacek said it will be a private street, yes.

Mr. Cameron said what about maintenance and upkeep?

Mrs. Vacek said maintenance will be shared between Lots 1 and 2.

Mr. Sieben said I think we should call it a driveway, not a street.

I'm Austin Dempsey. The parking lot will be lit.

I'm Matt Miller. I'm the owner of M14 Hoops. I grew up in Aurora, graduated from Waubonsie, went on to play college basketball, played overseas professionally, and came back and started the company about 7 years ago. I just wanted to do a camp back home and 1 client turned into 300 and 300 to over 1,000 that we see. I currently employ 4 full time employees, as well as part time employees. We do year around training. This will allow us to increase our programming during the wintertime as well. So it is basketball development and it also kind of helps kids learn mentorship and some life lessons that come along with the sport.

Mrs. Cole said do you do competitive games where there would be an audience watching them play?

Mr. Miller said that's a low usage in the facility, but that's something that we can expand into. Currently we don't right now. We just do training. Obviously, parents are watching their kids train, but that is something where we can actually have games there.

Mr. Garcia said how many courts?

Mr. Miller said 4 courts.

Mr. Garcia said would there be a membership fee?

Mr. Miller said yes.

Mr. Bergeron said what are your hours?

Mr. Miller said we generally start private instruction when school gets out pretty much and then we end around 9:45 is longest that we'll go. Parents don't like to go until 10:00 o'clock. Obviously in June and July we are open when kids are available more and we'll start our camps at 9:00 a.m. and then we'll still end at 9:45, but August through May we generally get a 3:00 o'clock start and then stop at 9:45.

Mrs. Anderson said is that 7 days a week? How many days a week are you open?

Mr. Miller said currently we are open 6 days. It kind of depends on the season. We have plans to be open 7 days a week.

Mr. Garcia said you may not know the answer to this one. Is that School District 131 property or is that Batavia School District?

Mr. Miller said Batavia.

Mr. Garcia said the question I have, and again, not because it is on the far side of East Aurora School District 131, the accessibility or how would the kids be transported here or is that by parent?

Mr. Miller said yes, by parent, absolutely.

Mr. Garcia said would this be affordable for the kids on the East Side of Aurora?

Mr. Miller said I'd have to look at what the income level is over there. I don't know it completely, but this is for people that have disposable income. We currently operate our business, we use 2 gyms in Naperville. Obviously, we service Aurora clients, as well as Batavia, St. Charles, Glen Ellyn, Wheaton, Oswego and Plainfield.

Mr. Garcia said and not at the low end?

Mr. Miller said no.

Mr. Garcia said that's unfortunate.

Mrs. Owusu-Safo said is there any intended use for Lot 2?

I'm Dan Dolan with Dolan and Murphy Real Estate. I represent the owner that is from overseas. We're just here taking it through the subdivision ordinance. At this point in time, there is no use for Lot 2. We plan on looking for a use once we're through the subdivision ordinance process.

Mrs. Owusu-Safo said considering this is going to be utilized by a lot of children, is there a reason there is no sidewalk or any other pedestrian facilities around the property?

Mr. Miller said generally parents drop their players off and they just walk in. There is not a lot of outside activity going on.

Mr. Dempsey said it is in the middle of an industrial facility so there is not a lot of connectivity to the property. In fact, there are industrial buildings, I think, located in close proximity, so there will not be a lot of pedestrian walkable traffic.

Mrs. Anderson said is there a specific age group that can join or is there any ages?

Mr. Miller said we currently service 3<sup>rd</sup> through 12<sup>th</sup>. We're going to bring back the program that's 1<sup>st</sup> through 12<sup>th</sup>.

Mr. Reynolds said and where do you get your athletes or your students from?

Mr. Miller currently we use 2 locations in Naperville right now. Actually, I guess, one is technically Aurora. It is right on the border, so Naperville, Aurora, Plainfield, Oswego...

Mr. Reynolds said so do you go out and market and talk to basketball coaches?

Mr. Miller said well I've kind found word of mouth is the best way to get it done. If your player gets better and goes and plays on a team, then generally everybody kind of sees it from there and it has grown like that.

Mr. Reynolds said is it fair to say you have relationships with other coaches?

Mr. Miller said absolutely.

Mr. Reynolds said I just think I've heard of your organization.

Mr. Miller said I hope you heard something good.

Mrs. Anderson said do you use social media too?

Mr. Miller said yes.

Mrs. Anderson said that's a big thing too.

Mr. Miller said yes. I have to know all the Snap Chats and Twitters and all that, so yes we do.

Mrs. Owusu-Safo said is the detention pond being sized for both properties or is it just for your current development?

I'm John Tebrugge with Tebrugge Engineering. Yes, the detention pond has been sized for the entire site, so it will be available for a full buildout on Lot 2.

Mr. Reynolds said are there locker room facilities and weight training?

Mr. Miller said there is a weight room there as well, so we can expand not just on the court, but actual physical training as well. There are no locker rooms. You drop your player off and take your kid home.

Mrs. Cole said I have a question and then I guess a comment. My question is do you only train boys?

Mr. Miller said no.

Mrs. Cole said you do train both girls and boys?

Mr. Miller said yes.

Mrs. Cole said and my comments is I guess I have to agree with my fellow Commissioner, and I know you are a business, but it is really ashamed that there is going to be this type of facility in Aurora, it is basically going to be on the East Side of Aurora, and yet the vast majority of the young people who live on the East Side of Aurora will not be able to take advantage of this. I know it is a business. Like I said, it is a comment and maybe it is even out of place.

Mr. Miller said and plans, obviously not in the beginning in inception, but to possibly to set up strategic partnerships in that way too. It is a community organization, but we are on the serious side in what we do. We are not Park District or anything like that. There will be ways that we can, hopefully, facilitate some relationships like that, but on inception really I'm moving my business and consolidating it.

Mrs. Cole said I understand. It is a business.

Chairman Truax said but there is a possibility of scholarships or some mechanism like that for...

Mr. Miller said scholarships. More people than I'd like to admit.

Mrs. Cole said you're going to have a concession stand or there are going to be concessions?

Mr. Miller said it is a concession stand.

Mrs. Cole said is it a concession stand or is it a pop machine and then...

Mr. Miller said it is prepackaged.

Mrs. Owusu-Safo said so approximately how many people can this facility hold at a time?

Mr. Miller said if we did 20 on a court, you could probably fit 40 to 50 in the weight room. The concession stand seats 50 to 70 people. While we love parents, we also ask them to allow us to...

Mrs. Owusu-Safo said that's why I was asking. If you have 70 kids then you have 70 parents.

Mr. Miller the concession is big enough to hold a good amount of people. But I like the location as well because, obviously, you have an outlet mall right over there. Obviously, people can drop their players off and go shopping.

Mr. Reynolds said who trains the athletes?

Mr. Miller said I have a staff that trains them. We are local. We either graduated from Neuqua, or Oswego of West Aurora or anything like, so I have a staff of gentlemen that do.

Mr. Garcia said I know the client here is at the other end, but really as you move forward into the future, please don't forget where you came from please because we are here about kids. Our kids, whether the low end on the East Side, West Side or in the Waubonsie area where you graduated from as well, definitely consider this into the future because those kids are missing a great opportunity and that's unfortunate because there is a lot of talent. If you come to the East Side of Aurora, please look me up.

Mr. Miller said absolutely.

Mrs. Vacek said I'll give the first recommendation for the Final Plat. Staff would recommend approval of the Resolution approving the Final Plat, being vacant land located west of Church Road and south of Bilter Road.

MOTION OF APPROVAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mr. Cameron

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Divine, Mr. Garcia, Mrs. Owusu-Safo, Mr. Reynolds

NAYS: None

Mrs. Vacek staff would recommend approval of the Resolution approving the Final Plan for Lot 1 and 3 of the subdivision.

MOTION OF APPROVAL WAS MADE BY: Mrs. Anderson

MOTION SECONDED BY: Mr. Garcia

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Divine, Mr. Garcia, Mrs. Owusu-Safo, Mr. Reynolds

NAYS: None

Mrs. Vacek said these will next be heard at the Planning and Development Committee meeting on Thursday, December 15, 2016, at 4:00 p.m. in the 5<sup>th</sup> floor conference room of this building.