



# City of Aurora

44 East Downer Place  
Aurora, Illinois 60505  
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## Legistar History Report

**File Number: 17-00542**

<b>File ID:</b> 17-00542	<b>Type:</b> Resolution	<b>Status:</b> ATS Review
<b>Version:</b> 3	<b>General Ledger #:</b>	<b>In Control:</b> Planning & Development Committee
<b>File Name:</b> Innovative Health / Final Plat / 4020-4090 E. New York Street		<b>File Created:</b> 06/15/2017
		<b>Final Action:</b>

**Title:** A Resolution Approving a Final Plat for Transitional Care-Aurora Subdivision Located at the Northwest Corner of New York Street and Station Boulevard

**Notes:**

**Agenda Date:** 08/10/2017

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Final Plat, Land Use Petition and Supporting Documents, Property Research Sheet, Legistar History Report (Final Plat) - 2017-07-25 - 2017.018.pdf

**Enactment Number:**

**Planning Case #:** NA21/1-17.018-Fsd/Fpn/VAC/E

**Hearing Date:**

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

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	06/20/2017	Forward to Planning Council	DST Staff Council (Planning Council)			
	<b>Action Text:</b>		This Requests and Referrals was referred to the DST Staff Council (Planning Council)				
1	DST Staff Council (Planning Council)	06/27/2017					
	<b>Notes:</b>	<i>Representatives Present: John Philipchuck, Chris Chancellor, Cuff Heeley, Tom Jeziorski, Brian Pugh and Matt Brolley</i>					
		<i>Mr. Philipchuck said all of our consultants are here. If we need to consult with them on something we can just call them up. You may recall, it was about a year ago that we were in and we received our Preliminary Plan and Plat approvals for the Transitional Care facility. The Plat is pretty straightforward. We had a 5 lot subdivision that existed out there. We combined lots into a Lot 1 and a Lot 2. Lot 1 is the lot that will have the care facility. That is about 4.25 acres. The remaining hard corner is the straight commercial B-2 lot, about 2.25 acres along E. New York Street/Station Boulevard. The Plan, again, really from our Preliminary we had to move the ambulance port from the southeast corner of the building to the southwest corner of the building. That's really the only change. Of course, now you have a chance to look at landscape plans and the usual that come in with a final. But otherwise, it is in</i>					

compliance with the approved Preliminary. I don't know if anyone has had a chance to look at the plans very much, but we are certainly available to answer any questions that you might have right now, at least preliminarily for us.

Mr. Sieben said so the access is only on Gabrielle just like on the Preliminary?

Mr. Philipchuck said exactly. Access is Gabrielle.

Mr. Sieben said and as part of this on the plat, you are also vacating the existing ingress/egress easement, which is off of New York Street onto this lot.

Mr. Philipchuck said and then the Lot 2 will have a future potential right-in/right-out, but we showed that it can work with the plan as it is proposed.

Mr. Sieben said are they looking at then construction starting this year?

Mr. Chancellor said we are still in the process of completing the final construction drawings. Once those are complete then they have to go to be submitted to the Illinois Department of Public Health for approval. Depending on how long that process takes, best case scenario we would commence probably November or early December. If the IDPH process drags a little bit, it is difficult to start in January, so then we would probably be starting in March.

Mr. Broadwell said I'm working on the review for the Zoning documents. The Final Plan looks good so far. For landscaping, there a few revisions that we are working on. I think there are some fire access issues.

Mr. Cross said the one concern was here on the southwest corner of the building where you have the generator and the trash area. That door access to the fire alarm control panel room might be obscured by that generator, so seeing if we could swing that door, that access, just to make sure that it is nice and clean where it is not obscured by anything, having it here on the south side facing this side.

Mr. Chancellor said that makes sense.

Mr. Cross said then the other thing was just making sure to confirm that the fire lane is all 26 feet. With it being 30 feet tall, it breaks that threshold. That's a requirement that all the fire lanes have to be 26 feet wide. Those are face of curb to face of curb dimensions or from the edge of the parking spaces to the edge of the parking spaces. The other thing, because again it is 30 feet tall, there is an aerial apparatus lane that needs to be between 15 and 30 feet from the building. At least along one side of the building that's got to be the distance that the fire lane is from the building. I think those are all the notes I sent out on that. I made Steve aware of that as well.

Mr. Chancellor said you've accumulated those comments. Are you sending them back to us then?

Mr. Broadwell said I'll send out the Zoning documents very soon.

Mrs. Vacek said they should be out later today. We just want to make sure that with the landscaping that we are buffering from those northern properties, so there will be some comments on that.

Mr. Beneke said his question, I believe, is also to make sure that you send the fire comments with it too in case he hasn't already got it.

Mr. Cross said I think I sent some of my own.

Mr. Chancellor said it probably went to Brad. I'll check with Brad to make sure that we are addressing this.

Mr. Feltman said Javan does the hydrant coverage look good?

Mr. Cross said yes, the hydrant was fine.

Mr. Feltman said were is the FDC at?

Mr. Cross said it is right here in the southwest corner.

Mr. Feltman said so is it going to have a New York address then?

Mr. Cross said yes.

Mr. Feltman said we are in review for the final engineering. We will probably get comments out if not the end of this week then the beginning of next.

Mr. Sieben said the goal is to send this to the July 19th Planning Commission.

1 DST Staff Council 07/11/2017  
(Planning Council)

**Notes:** Mr. Broadwell said we sent the review comments to them on June 28th and haven't heard anything back yet.

Mr. Feltman said Engineering sent out comments as well and there is still discussion about the stockpiles that are on the property and who is responsible for them.

Mr. Sieben said, obviously, the goal is that someone needs to be responsible for removing the stockpiles because we don't want a large stockpile left even on the vacant commercial lot that Innovative owns.

Mr. Cross said the direct access to the approved access walkway needs to be put in. I spoke with them about relocating that doorway. They have it kind of behind some generators, so I spoke with them on that. Then all the lanes need to be 26 feet, so just some notation making sure some dimensions are right.

Mr. Beneke the door off the Fire Department sprinkler room needs to come out toward the fire lane rather than behind the generator and trash area. That was one of the comments we had too.

Mr. Feltman said the hydrants are fine though, the locations?

Mr. Cross said yes.

Mr. Feltman said and they will have a New York address?

Mr. Cross said yes.

1 DST Staff Council 07/18/2017  
(Planning Council)

**Notes:** Mr. Broadwell said we sent comments to the Petitioner a few weeks ago. We still haven't received anything, so we are still waiting for a resubmittal.

Mr. Feltman said we sent out comments as well and had a follow up meeting with the apartment developer who placed that stockpile on their property. There were some contracts that went back and forth involving the stockpile. I had Legal take a look at it. Their take on it was that they still needed something from Innovative Health, I guess, recognizing that as part of their contract they are responsible for it because that's what the apartment developer's position is.

Mr. Cross said we have comments made. We are waiting for a resubmittal.

1 DST Staff Council 07/25/2017 Forwarded Planning 08/02/2017 Pass  
(Planning Council) Commission

**Action Text:** A motion was made by Mr. Broadwell, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 8/2/2017. The motion carried by voice vote.

**Notes:** Mr. Broadwell said I spoke recently with the Petitioner and they will be sending in their resubmittal this week. We want to keep this moving forward.

Mr. Feltman said we sent out comments. There was nothing earthshattering, but there is still some question about who has responsibility for that stockpile that's on the site.

Mr. Cross said and we have those outstanding comments that we have that hopefully will be addressed in the plans.

Mr. Broadwell said we want to move this forward to the August 2nd Planning Commission meeting. I move to vote this out. Mrs. Vacek seconded the motion.

*Mr. Sieben said and Dan you're going to try to contact the Petitioner regarding the status of the pile. If we don't get a letter from them, if they are responsible, we will put some sort of condition on this then next week.*

*The motion carried unanimously.*

2	Planning Commission	08/02/2017	Forwarded	Planning & Development Committee	08/10/2017	Pass
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**Action Text:** A motion was made by Mrs. Anderson, seconded by Mr. Cameron, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 8/10/2017. The motion carried.

**Notes:** See Attachment for Items 17-00542 and 17-00543.

Aye: 10 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, Fox Valley Park District Representative Chambers, At Large Owusu-Safo and SD 129 Representative Head

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Attachment for Items 17-00542 and 17-00543:

- 17-00542     A Resolution approving a Final Plat for Transitional Care-Aurora Subdivision located at the northwest corner of New York Street and Station Boulevard (IH Fox Valley Owner, LLC – 17-00542 / NA21/1-17.108-Fsd/Fpn/VAC/E – SB – Ward 10)
- 17-00543     A Resolution approving a Final Plan for Lot 1 of Transitional Care-Aurora Subdivision located north of New York Street, west of Station Boulevard for a Nursing, Supervision, and other Rehabilitative Services (6320) Use (IH Fox Valley Owner, LLC – 17-00543 / AUNA21/1-17.018-Fsd/Fpn/VAC/E – SB – Ward 10)

Mr. Broadwell said so a little bit of background. The subject property is currently vacant land/open space with the B-2 Special Use in the General Retail zoning. The Petitioner, IH Fox Valley Owner, LLC, seeks to construct a single story 60 unit transitional health care facility. You will remember that this was preliminary plan and platted in the fall of 2016, which included the resubdivision of the subject property into two lots. You can see more in the Property Research Sheet. The Petitioner is requesting approval of a Final Plat for Transitional Care – Aurora Subdivision. Details of the request include the resubdivision of Lots 163, 164, 165, 166 and 167 of the Plaza on New York Subdivision into two lots. Lot 1, which is 4.249 acres and Lot 2, which is 2.4 acres. Concurrently, the Petitioner is requesting approval of a Final Plan for Lot 1 of the same subdivision. Details of the request include construction of a 50,500 square foot building and it is about 34½ feet tall. The ambulance port is located on the southwest corner of the building. Again, the Final Plan is consistent with the Preliminary Plan and that Lot 1's frontage is on E. New York Street while full access is available from two points on Gabrielle Lane. We sent review comments to the Petitioner on June 28<sup>th</sup> and we actually just received them earlier tonight around 5:00 p.m. We didn't have time to incorporate them into the Legistar items, so what you are seeing here is previous, but they will be providing updated plans. We will be reviewing the updated plans as soon as possible.

Mrs. Owusu-Safo said may we ask what your comments were on them?

Mr. Broadwell said primarily they were for the landscaping. You'll see there are some residential properties fronting on Gabrielle Lane and so we just asked them to provide more landscaping along that buffer yard on Gabrielle and then to also provide some more durable landscape materials.

Chairman Truax said and they have agreed to do that?

Mr. Broadwell said yes.

Chairman Truax said does the Petitioner wish to make any comments?

Good evening. My name is John Philipchuck. I'm the attorney for the Petitioner and the owner. The biggest hurdle we had coming back with Final was the fire access and so that's what took us some time. I think our landscape people were out buying landscaping and they were late getting the plan back, but we think we've got everything resolved per what the code requires. That was it. It just got in a little bit late, so we would ask that you would approve it and recommend approval subject to the staff's okay of

that landscape plan that was submitted prior to it going to the P&D Committee. If you remember, when we were here and got the Preliminary approved, it was for our Certificate of Need from the State of Illinois. So we went through that process and we were able to obtain the Certificate of Need and thus put us back in the program and we are able to go forward then with our Final Plan and Plat.

Chairman Truax said what's the calendar now?

Mr. Philipchuck said not totally sure, but certainly we would hope that at the latest it would be starting in the spring, but it could be sooner than that. We're not exactly sure when we'd get a start date yet.

Mr. Broadwell said for the Final Plat staff would recommend approval of the Final Plat for Transitional Care – Aurora Subdivision located at the northwest corner of New York Street and Station Boulevard.

MOTION OF APPROVAL WAS MADE BY: Mrs. Anderson

MOTION SECONDED BY: Mr. Cameron

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

NAYS: None

Mr. Broadwell said for the Final Plan staff would recommend conditional approval of the Resolution approving the Final Plan for Lot 1 of Transitional Care – Aurora Subdivision located north of New York Street, west of Station Boulevard for a Nursing, Supervision, and other Rehabilitative Services Use with the following conditions:

1. That the Landscape Plan be revised to incorporate the staff comments included in the memo dated June 28, 2017.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mrs. Cole

MOTION SECONDED BY: Mr. Chambers

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

NAYS: None

Mr. Broadwell said this will next be heard at the Planning and Development Committee on Thursday, August 10, 2017, at 4:00 p.m. on the fifth floor of this building.