



City of Aurora

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Legistar History Report

File Number: 22-0223

File ID: 22-0223	Type: Petition	Status: Draft
Version: 2	General Ledger #:	In Control: Building, Zoning, and Economic Development Committee
File Name: PT Land LLC / Liberty Meadows / South End of Wolverine Road / Rezoning / CUPD		File Created: 03/16/2022
		Final Action:

Title: An Ordinance Establishing a Conditional Use Planned Development, Approving the Liberty Meadows Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto to an underlying zoning of R-4A Two-Family Dwelling District and OS-1 Conservation, Open Space, and Drainage District for the property located at the southern end of Wolverine Drive (PT Land, LLC - 22-0223 / NA19/1-22.067-Rz/CUPD/Ppn/Psd - JM - Ward 7) (PUBLIC HEARING)

Notes:

Agenda Date: 04/27/2022

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description - 2022-04-14 - 2022.067, Exhibit "B" Plan Description - 2022-04-13, Parcel Map - 2022-04-13 - 2022.067, Land Use Petition and Supporting Documents - 2022-03-15 - 2022.067, CC&Rs - 2022-03-15 - 2022.067, Plat of Survey - 2022-03-15 - 2022.067, District 204 Letter of Support - 2022-04-07 - 2022.022, Findings of Fact Sheet - Conditional Use, Findings of Fact Sheet - Rezoning, Presentation - 2022-04-20 - 2022.067

Enactment Number:

Planning Case #: NA19/1-22.067-Rz/CUPD/Ppn/Psd

Hearing Date:

Drafter: morganj@aurora.il.us

Effective Date:

Related Files:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Legistar History Report Continued (22-0223)

2	Planning and Zoning Commission	04/20/2022	Forwarded	Building, Zoning, and Economic Development Committee	04/27/2022	Pass
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Action Text: A motion was made by Mr. Chambers, seconded by Mrs. Anderson, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 4/27/2022. The motion carried.

Notes: See Attachment for Items 22-0223 and 22-0224.

Aye: 6 Chairperson Pilmer, At Large Anderson, At Large Chambers, At Large Gonzales, At Large Choudhury and At Large Martinez

Attachment for Items 22-0223 and 22-0224:

22-0223 An Ordinance establishing a Conditional Use Planned Development, approving the Liberty Meadows Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto to an underlying zoning of R-4A Two Family Dwelling District and OS-1 Conservation, Open Space, and Drainage District for the property located at the southern end of Wolverine Drive (PT Land, LLC – 22-0223 / NA19/1-22.067-Rz/CUPD/Ppn/Psd – JM – Ward 7) (PUBLIC HEARING)

Mrs. Morgan said I will just briefly introduce the project and hand it over to the Petitioner who has brief presentation for you. This is requesting the establishment of a Conditional Use Planned Development and to change the zoning district from ORI(C) Office, Research and Light Industrial with a Conditional Use to R-4A(C) Two Family Dwelling District and OS-1(C) Conservation, Open Space and Drainage District with a Conditional Use Planned Development. The details of the request include a Plan Description that outlines specific requirements and allows modifications for the R-4A parcel, which includes setbacks, separations, density and cul-de-sac length to allow for the 91 townhomes. The second parcel will be an underlying zoning of OS-1 for the stormwater detention facility. Concurrently with this proposal, the Petitioner is requesting a Preliminary Plan and Plat. They are revising what is currently Lot 2 of Liberty Street Business Park Subdivision and establishing Lots 1-21 of Liberty Meadows Subdivision. The Preliminary Plan calls for the extension of Wolverine Drive from its terminus south and east along the property. It will end in a circular turnaround. There will also be a left turn lane added on to Liberty Street into Wolverine Drive. There will be 18 buildings. They will be rear-loaded garages and they are containing 91 units. It sits on about 15.66 acres. Their buildings are 2½ story height in the front and 3 stories in the back for the rear garage. Each one will have a 2 space garage and a 2 space driveway. There will also be parking on Wolverine Drive. They are also going to have sidewalks along the development and there will be sidewalks extended on the west side of Wolverine from the development north to Liberty. That's really all the staff has. I can hand it over to the Petitioner unless there are questions for me.

Mr. Chambers said I have a question for staff. Currently along the west side of Wolverine as you turn off of Liberty, there are signs posted there is parking. Will that continue to be there once this development is complete?

Mrs. Morgan said I believe yes. The Traffic Engineer is saying yes.

Mr. Chambers said then is there any consideration of a stoplight there at that intersection?

Mrs. Morgan said no, I don't believe the traffic study said it was warranted for a traffic light.

The Petitioners were sworn in.

Good evening Mr. Chairman and members of the Planning Commission. My name is John Philipchuck. I'm an attorney with law offices at 111 E. Jefferson Avenue in Naperville, Illinois and I'm pleased to be here tonight to present the Liberty Meadows townhome development. With me is some of our team;

Mike Schoppe from Schoppe Design, our Landscape Architect, and Michael May, our Civil Engineer with Cemcon. The contract purchaser of the property is the Lennar Corporation and Andrew Mouw is here. Andrew is the Land Acquisition Manager for Lennar. The owner's representative, the Manager, is Tim Kellogg from PT Land, LLC. Did you want to address the Planning Commission Tim?

Mr. Kellogg said I'll say hi really quick. I'll be very brief. Thank you very much for your time. We are really excited to be partnered with this team and have Lennar looking to become a part of the City of Aurora. We're just elated to be here and appreciate all your time for this.

Mr. Philipchuck said next, Andrew Mouw, the Acquisition Manager for the Lennar Corporation will come up. He just wants to give you a brief overview of the Lennar company and some of the projects that they have been developing in the area. Later on, we'll talk about some of the specifics of the actual units, but for now, Andrew.

Good evening. Thank you for your time. Again, my name is Andrew Mouw. I am Land Acquisition Manager with Lennar Homes. We've been building homes since 1954. We've built over 1.2 million homes since then. In this market, we were Ryland Homes for many, many years, merged with Standard Pacific, and became Cal-Atlantic Homes. These are all names that we've probably seen over the years. In 2017 Cal-Atlantic was purchased by Lennar and so we've continued with the same team and continue to do what we do here, just under a different name. We are the second largest builder in the country by both closings and revenues in 2021. We operate in 41 markets. We're the largest builder in Chicago. We'll do about 1,350 homes this year, which since the downturn is a big number. No one has gotten anywhere near that. We are currently selling in 39 communities in Illinois, Northwest Indian and Wisconsin. We are a big company, but I think the key is we are a local company. All of the management, all of the senior leaders, all of the staff, we've been operating in Chicago forever, for 20, 25, 30 years. You can see some of the locations where we are building townhomes right now nearby, very similar product. South Pointe and Crossings of Mundelein are almost an identical product that we will be building. One last thing is we use an in-house mortgage and title company to simplify the process for the home buyers. Buying a home is complicated. You have to hire all sorts of professionals, so we try and make it as simple as we can for our customers. Speaking of simplifying, we do everything is included. If it's an option that most of our customers take, we include it, 42 inch cabinets, quartz countertops, vinyl plank flooring, a lot of those upgrades we include to avoid sticker shock. When a customer comes in, we don't want to say oh you wanted a toilet seat. That will be an extra \$100. We avoid that whole you think you are going to buy "x" and it is "x" times 2. That's one of the things, one of our key elements that we try and help our customers. They are smart homes. We try and feature proof the homes. We provide a lot of Ring accessories, keyless locks, water smart shut-offs. When you get a leak, it will shut off and notify you. A smart thermostat, garage doors, prewired for routers so that the cable company comes in, plugs in and you are ready to go. Homeowners can install additional things, eero, the rings. Technology is not my thing, but even I can set up an eero. We, again, try and make it simple for our customers. Again, Lennar is very excited to be building in Aurora, to have the opportunity to build in Aurora, and look forward to working with staff further and the Board and the Commission in the future. John will come up now and talk about the project.

Mr. Philipchuck said we've got a location map that gives you the bigger picture of that particular location out there. It is south of Liberty Street. It is west of Eola Road and north of New York Street. It is east of the County Line Road over there that goes through Legacy Fields. A little closer look, if you've been out there, the Gentile Field is located to the west and northwest of the subject site. That's a soccer facility that's owned and operated by the Wheatland Athletic Association and had been out there for many years. This is a site that would be ultimately be like a fill-in. We have the Abington Trace townhomes to the south of this property. To the west of the property we have the Legacy Fields townhome development, again, similar type products to what is being proposed here. To the east we have the Oakhurst North. We have some detached single family homes in that area, but immediately adjacent to our site is another OS-1 property where it is Open Space and kind of a wetland area, so we've got good separation from the detached to the single family product out there. A nice feature of this is taking what could be used as industrial because the current zoning is ORI Conditional Use and we are downzoning it, so to speak, with the R-4A, which would allow for the townhome development. Then the wet area that's out there, the OS-1. We are happy to report that there's a letter in the file, you probably got it, but School District 204 has accepted the proposed project. They are in support of it, so that's a good thing. We worked with staff and I think we are going to provide some improvements for the neighborhood like we're giving the City of Aurora \$25,000 toward the overlay they just did of the existing Wolverine Drive. We're going to put a sidewalk adjacent to the Wheatland Association polo field so there will be a sidewalk link not only within our cul-de-sac, but going all the way out to Liberty Street. As Jill mentioned, part of what the city Engineering Department is asking of us is to stripe a turn lane for the westbound traffic to make left turns from Wolverine Drive into the site, so that will be helpful for moving the traffic. There was a good question about traffic signals or what's going to happen out there. We did do a traffic study. The traffic report indicated that we have all acceptable levels on the buildout of the project, so the striping of that left turn lane is the added criteria that the staff requested. The aerial photo kind of gives you another idea of what the surrounding uses are. As I mentioned, it is the athletic field, the industrial to the north and then, of course, the Abington Trace/Legacy Fields and then you can see that open space area from the aerial photo. It gives you a better idea of what that particular area looks like. Gross density is 5.8 DU per acre, which is well within the confines of the 6-12 for the R-4A. The maximum height on these units, as staff mentioned, is like 2½ story, about 35 feet, a 2 car garage for each unit plus 2 parking spaces behind in the driveways. It is designed to accommodate that. We have 364 total parking spaces within the development. The pricing is going to be in the neighborhood of \$400,000 to \$425,000 per unit. That's the target area we are looking at for the homes. At this point, Andrew will come back up and he'll talk about the exteriors, the renderings that we have of the product, and then some of the interior features.

Mr. Mouw said I'll scroll back here real quick to the land plan and just give you a chance to take a look at the rendering. As John said, it is 91 townhomes and we'll talk about how those homes lay out here in a second. Here is a rendering of the house. Current architectural styles. We've got modern farmhouse styles with a mix of vertical siding, vertical and horizontal siding, shake and cultured stone. It's a very attractive product. You've got the front stoops. On the street side, facing the public street, we are adding some additional masonry to bring that up or to make that look even better and then we'll have windows on all 4 sides. On the rear, we got a mix of colors. We've got some gables. The patios or decks are 6 feet deep, so they are very usable. Sometimes you've got this type of unit where you've got about this much room and you've got to squeeze past your spouse in the chair next to you if you need to head

inside. Here's some pictures of some very similar product, slightly different, but very similar. It is more window massing and that sort of thing are slightly different on this product, but generally, similar style. The rears have the gables and some color variation to help them so the rear doesn't feel neglected either. We've got some interior pictures. We have 3 models that will be offered in this lineup. The Amhurst is 1,764 square feet. All of the homes are 3 bedroom, 2½ bath, which is good for resale and helps keep the value up in the community, and then 2 car garages. You'll see some of the everything is included features, the cabinets, the quartz countertops and that sort of thing. Here's the floor plans. This plan has the kitchen in the rear near the deck. Some of the other ones have the kitchen in the front of the house with the family room adjacent to the deck. This is the 3 bedroom. The Chatham is 1,894 square feet, again similar style. The second floor layout is where it changes. Then the Chelsea gets over 2,000 square feet, almost 2,100 square feet. It is a very similar layout with this one to the Chatham. It is a little wider, so it looks a little bigger. John will come back up and conclude our presentation. Thank you again for your time.

Mr. Philipchuck said the Petitioner then is requesting the establishment of a Conditional Use for a Planned Development and so as a part of that, as you know, we're going to be changing the zoning going from that ORI Conditional Use, the R-4A Conditional Use to the OS-1. The Preliminary Plan is what's before you this evening. A Preliminary Plat and, of course, we are doing a Plan Description as part of the Planned Development District that outlines the various building separations and the setbacks from the various building to building and streets and all those things are contained in that record. Staff did a very nice job of looking at the Findings of Facts. I thought their comments were well put as far as the nature of the development and how it fits with that area and is a continuation and a nice add to that community where you have established townhomes and residential uses in that location. This fits right in with it and will be very compatible. With that, we are happy to answer any particular questions that you might have.

Mr. Chambers said I don't have a question. I just wanted to say that I think that this is an excellent use for this property.

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

My name is Jim Carter. I'm a resident, a homeowner in the Oakhurst North Homeowners Association, just north and east of the proposed development. I'm also the President of the HOA there. I'll say up front that I'm not opposed to development, but I just want to make sure it is done responsibly. The biggest concern we have, we have a lot of water, a lot of ponds. I think the number of ponds we have is 7 and it's under our responsibility as well as a couple of wetlands. Several of the homes, I think some of the owners will attest to, have concerns about flooding that already occurs and so we just want to make sure that whatever plans are being proposed that they are adequately considering stormwater management to make sure that we don't have any ongoing issues from that, that we don't have any adverse impact from this development. That's the main concern. Others are more typical in terms of making sure that there is no traffic impact. It is 91 units, so it's not a huge amount, but there's already a fair amount of traffic that comes east/west on Liberty Street. I don't know if a traffic light is appropriate. The engineers, hopefully, have done the studies to make sure that that's addressed. Another one had to do with just landscape buffers. It is hard to tell from these images, just making sure

that the views from our properties are not negatively impacted. I'm pleased to see the level of the development being proposed. It should be helpful in maintain and enhancing the property values. Those are my comments and concerns.

I'm Dean Kubiak. I also live in the Oakhurst North Subdivision at 620 Kendridge Court. My property will abut right to, or I will be in sight of the property. It is a beautiful property. The improvement looks like a good use for that land. However, I do have significant concerns regarding the water retention that will need to be done in order to improve that land today. My property butts right up to a natural wetland and you can see it in the picture here. It is the large pond that is just to kind of the north and east of the proposed property. That is a natural wetland. There is also wetland further south of there and so there is a natural wetland swale all the way through there. Consistently, we get, particularly this time of the year, a lot of water in that wetland. That's what it's there for, but my concern is that improving that piece of land may force additional water into that wetland. I'd like to be able to understand, I do see a proposal for it looks like water retention on the property, but I'd just like a guarantee, if you will, that we won't continue to see water rise through that wetland where we already see a significant amount of water, particularly this time of year, sometimes throughout the winter and sometimes all summer long, so I would just like to make sure that we understand that and us as homeowners understand. Are we going to be subject to additional water in our back yard? The last thing that I will say is about the traffic there. This property is just down the street, or just west of Nancy Young Elementary School. There are problems all the time with heavy traffic through there, drivers that run the red light at Asbury and Liberty there. So just wondering how that may impact traffic through that area as well just due to the fact that we have an elementary school there. I'm a property owner where children cross that street everyday to go to and from school, so I just want to make sure that that concern is taken care of as well. But the main concern that I have is about the water retention and ensuring that that situation will be taken care of. Thank you.

My name is Keith Anderson. I'm also on Kendridge Court at 640. I also am backing up to that area. I think from the water retention point of view, we went through quite a bit, probably 20 years ago or so, where the Army Corp of Engineers got quite involved with trying to set the water level for where the wetlands were back there. There is a drain, I don't know the exact location of it, that's used for helping to set the water level as it goes to the lower parts of some of the retention areas in our area. I think that is something that is definitely a concern. I know one of the neighbors just a few doors down has had a lot of trouble, just recently had some flooding in his basement and has had to go in and put in a sump pump that is 10 times, 5 times at least, what a typical one is for a home in our area. So he's gotten some very definite flooding coming in recently. Then the other thing that I'd say is I like the way that you've got lots of trees coming down the main road going into this area, but I think we really should try to get some more screening on the back side toward the wetland area where the homes are because that does look in basically right into my back bathroom and bedroom area very much. We're going to need to do something to help screen that a little bit more for something that's rising up this high. It looks like they are planning, at least with the way the drawing is, to pull out a lot of trees that are already in there that would provide screening. I can't say that for sure since this is kind of preliminary, but if we could keep the trees that are there around the wetlands now, that would go a long way. Thank you.

Good evening Commissioners. My name is Dawn Cavagnetto and I live at 594 Declaration Lane in Legacy Fields and I'm also the President of the Legacy Fields Homeowners Association. I just got my notice on Saturday regarding this, so I didn't get much time. We're just still learning about this development and I would like for you to ask the Petitioner to address a few things. I agree with my neighbors that have spoken before me. I do think Wolverine Drive needs to have more details because it doesn't take much rain. That whole soccer field floods. That road will flood. I don't know where the water is going to go. The lighting changes to that area, to that field, our Hudson Circle unit owners, we have buildings that will side and the rear of the buildings will back to this development, so obviously, we want to know about noise level, lighting, additional landscape screening, that type of thing. As you well know, the City of Aurora is planning to build that Public Works facility to the east side of us and we already are having traffic issues where folks are cutting through County Line, which bisects our subdivision. This will drive more homeowners and even more traffic on Liberty to County Line. It's becoming a real problem. I think they said that they are going to install the left turn lane, but we need more details on that if that's going to steal away from the westbound traffic lane, because that's the area where it goes to 2 lanes. That is going to impact traffic coming westbound on Liberty. So if you could have the Petitioner address that. That is it for me. Thank you.

I'm Chuck Rohlf, Legacy Fields, 579 Declaration Lane. We were here before, our whole Legacy Fields. This is kind of renewing what transpired just a few months ago where we tried to block this public works dump site next to us. All of our subdivisions, all 4,000 of us who were impacted by this, homeowners and whatnot, and the school, the little elementary school right there and see King Richard got it passed unanimously, which is a very big surprise to most of us considering this has never been done before, as I said previously that none of this was fact checked or done. They just came in and said well we did all of our own evaluations, all of our own studies. Well, that's my problem here too. I mean I love the houses. Oh my God, I wish I had one of those, but how are we going to be impacted by it, our subdivision? Water, if you've ever been, I don't even know if anybody's been by our places, we have a lot of wetlands by us. We have a lot of ponds by us and we have a lot of traffic now coming through us. Now we're going to have this big push, which is certainly we're not done with this fight with this dump site and so King Richard can have his fancy apartments on the lakefront. We want, obviously, a lot more detail of what is going to happen when you put asphalt on grass and concrete on grass, where's all the water going? I mean, it's got to go somewhere and we're right next to it. Abington Trace is right next to it. As you know, these other guys are right next to it also, so Oakhurst and Woodlands. Reflections is right across the street, so again, here we go with our 4,000 people. What guarantees do we have that this is, I mean they already just said that they are doing their own studies, traffic studies. We wanted independent studies when we had the dump site being shoved down our throat. Why should we be impacted by this and these guys do their own studies? Certainly as a person and a teacher and coach, I'm certainly not going to referee my own game, okay. I mean, I don't even trust myself to make an honest call. You can't have the same people who are building do their own studies and then come in here and say well this is what it is going to be. This public works façade that went on was bad enough with these guys, oh you are only going to hear through windows the sound of a refrigerator running. That's a crock of crap. So this here, with their independent study, he's already said well we did a study. Well, I don't want them doing the study, okay. Is that so hard for some independent people to the traffic study, the noise study, the environmental study, the impact on us study? I love the look of this place. It is certainly going to raise our home values if it doesn't flood us out or kill our kids with the extra

traffic going up and down. You've got to really think this Wolverine Drive. I mean, this is a skinny 2 lane road, the only in and out. There ain't no other way unless you go helicopters. That's about all I have. That's it. Thanks for putting up with me.

Chairman Pilmer said I think there was a common theme on stormwater management and water retention and the impact on the wetlands. Why don't we start there?

Mr. Philipchuck said Mr. Michael May is our Civil Engineer from Cemcon Engineering here in Aurora. He's been working with the city Engineering Department and as, of course, Planning Commission knows that the city has a very stringent stormwater management ordinance. Obviously, we will be abiding by all that, but Mike can probably address a couple of those questions that came up as to which direction the water is going and where the water is going and that sort of thing. As you know, all of these developments have to provide stormwater management for them. That's why the additional water is on that site.

I'm Mike May with Cemcon, the Civil Engineer for the project. We've already done quite a bit of drainage analysis for this project that has been submitted and reviewed by the city and as we move toward final engineering, we intend to do further work at the city's request. To keep it as general as possible, we per the city's ordinance and Kane County ordinance, which the City of Aurora follows, it is a very strict ordinance as Mr. Philipchuck mentioned and we have to release the water at a very controlled rate and how we do that is, and I'm sure everyone has seen as new subdivisions have gone in, ponds being constructed. We use those ponds to store the water and then slowly release it at a release rate that is required by the city and Kane County, which is a significant reduction from existing flows. So we'll actually be reducing peak flows below existing conditions. We will be releasing generally in the direction that the water goes now. We do not drain, the site does not currently drain to the soccer fields that was mentioned, so we will not be draining the soccer fields. We will be generally draining through the wetland system. That was a concern, understandably, of some of the residents that brought that up. Therefore, we are going to be modeling that system all the way through New York Street to ensure that we are not worsening conditions and we hope to, and I know from experience that we will be providing a slight improvement. We are a small site relative to the overall watershed that drains to those wetlands, so we won't be significant, but we will be a benefit to the receiving wetland immediately downstream and stormwater management going into Oakhurst and further downstream and we will be modeling that and demonstrating that to the City of Aurora Engineering. We'll follow those general drainage patterns and ensure that we don't increase flows by building a pond, again, that will have enough storage to release at the required rates, which will be a reduction from the existing rates and, therefore, reduce that water flowing downstream for up to flood conditions, which we call a 100 year event. It is a 1 in 100 year occurrence event that we base all our flood plain on, so we will be demonstrating that we will be reducing flows up to that event, that highest event and lower events as well. That, I think, pretty much encapsulates some of the concerns of the residents on the flooding route. I'll turn it back over to John.

Chairman Pilmer said can I just ask a question? Can you just clarify. You'll flow really to the east and then further south into Oakhurst?

Mr. May said that is correct sir, into the stormwater management of Oakhurst and we are going to be modeling that and to verify that we do not worsen conditions and we will have a slight improvement. Again, that won't probably be a noticeable improvement because we are such small piece of the much larger watershed, Oakhurst North itself being much larger than us, so the general drainage that comes from our site now is not significant, but we will be reducing that from the existing condition.

Chairman Pilmer said your site is a little over 15 acres, but over 6 of it is open space, so 40% will remain open space.

Mr. May said that is correct sir and we will be maintaining that existing wetland, which will still be providing its existing benefits, which is reduction of flow as well as a watershed, a water quality improvement, so that will remain in place.

Chairman Pilmer said John, I know there was a question that somebody received a notice Saturday, but I assume, or staff can also, that notices were sent in compliance with what is required.

Mrs. Morgan said yes, they were sent within the 15 days prior. They were sent out on the Friday before, so I'm not sure why it took so long.

Chairman Pilmer said there is a requirement on that. They did meet the requirement, but unfortunately, we can't always rely on the United States Postal Service who delivers those. Could we talk a little bit about the traffic studies? There was a traffic study completed in February of this year. There is an elementary school and Liberty Street decreasing to 2 lanes and I know the City Traffic Engineer is here, but if the study meets the city's requirements.

Mr. Philipchuck said we hired Rempe-Sharpe and Associates. They did the traffic study for the developer. That's typically what we do when we have these things done. You hire outside consultants. That's what they do and they go out and do the study, do the traffic counts and look at the traffic in the whole area. Fortunately, Liberty Street in this area is a major collector. I believe that's how we had that classified. Going back to 2001, I was the attorney representing Wiseman Hughes when they did Legacy Fields and, of course, back then we were going to County Line Road. County Line Road was going to go above the tracks and all the way down south and things happened between now and then and, of course, it's disjointed now, but some of those roads were designed to handle that traffic that we knew was coming because, again, on the Fox Valley East development and the Oakhurst North's of the world and the Asbury's and all those things that occurred out there over the past number of years. Yes, we of course, looked at all that as part of what they do when they did our traffic study Mr. Chairman. There was a question I know about some of the landscaping and screening. Yes, this is a very rudimentary plan that you see tonight. The reason is we don't prepare final landscaping until we get to the Final Plan and Plat. We brought Mr. Schoppe here tonight because he is our landscape architect. His firm will be doing that final landscape plan. We wanted him to hear any comments that the neighbors might have. We realize that some of those alley drives that go out to units, we going to have screening at the end of those. He's already looked at options on that for year around screening. We are cognizant of that. We want to be good neighbors and that will be something that you will see at the time of the Final Plan and Plat. There will be a final landscape plan that will accompany that.

Chairman Pilmer said I know we'll see final lighting at that time as well, but any of that will meet city requirements.

Mr. Philipchuck said yes, of course, that will. As far as Liberty, that will continue to get improved as it goes west, obviously, so there will be more improvements out there for that. As far as eastbound traffic, that road is ample to carry the traffic that would come out of our townhome development.

I'm Bill Scott. I live at 660 Kendridge Court in the Oakhurst North subdivision. I just had a question, and I guess it's for this gentleman, the Civil Engineer, you had shown a rendering of a photo of your land in your presentation and I just wanted to maybe bring that up on the screen and then you could kind of tell us and help to understand a little bit better what the water flow is going to be.

Mr. Kubiak said my question is very similar to Bill Scott's. For Mr. May, he mentioned when he came up to answer the question about water flow modeling, I want to understand what that means. If the model hasn't been done yet, are we in a position to approve anything tonight? I'd like to know. I'm not an industrial engineer or anything like that, so I don't know if a model means you run a bunch of data through an algorithm and it tells you what's going to happen or if you actually go run water through that property and see how it flows. I'd like to know when that's going to be done and then what the process is from there. Why approve something tonight if we don't know what that water flow study or model is going to look like? That was my question.

Mr. Rohlf said my question is did you do these studies during the pandemic with the traffic or was this done currently where the traffic is now building and everybody is going to work again?

Chairman Pilmer said the traffic study was completed February 4th of this year, so it was just completed.

Mr. Rohlf said will there be another one?

Chairman Pilmer said Mr. May, maybe if you could maybe explain a little bit about the requirements on the modeling and how the stormwater ordinance is.

Mr. May said first there was a question on how the site drains. We're going to drain the entire site, the developed area I should say of the site, to our stormwater management, which is the proposed pond we are going to construct. Again, we can build up and store the water in there and then we'll release it in a controlled way.

Chairman Pilmer said and that's the triangular pond?

Mr. May said correct. And then we are going to release it to that other blue area, which is the existing wetland, we'll be releasing that in a very controlled way to that existing wetland to ensure that that maintains its hydrology. We have already done modeling. I can go into a little more detail on the modeling, but we have already done a pretty solid model through that wetlands. The city has asked us to carry it further downstream, but we've already demonstrated that we are reducing peak flows from

well below existing conditions to the downstream wetland and into the Oakhurst North stormwater management. We're going to further model that downstream to demonstrate what kind of benefit that will have at the request of the City of Aurora to basically by the time we meet at final we can discuss what that benefit is. I can say with certainty we are reducing peak flows and that is a requirement of, really, of the Kane County Ordinance and of the City of Aurora's ordinances. This is in DuPage County, however, the City of Aurora follows the Kane County Stormwater Ordinance in all 4 counties in which the City of Aurora exists; Will, Kane, DuPage and Kendall.

Chairman Pilmer said so it will temporarily, the triangular new pond will hold water and then release at a rate required by that ordinance or less than required by that ordinance, into the existing.

Mr. May said and to give an idea, we're looking at a 3 to 4 inch hole, what we call an orifice, to release the entire subdivision's water that will have to go through that 3 or 4 inch hole, so it is a very significant reduction in flow from the existing condition if that helps residents visualize things. We do use computer modeling, by the way, but we model representative storms that have statistical, what we call return periods. We have like what we call a 10 year event, which is a 1 in 10 chance of occurrence. We model all the way up to a 100 year event, which is a 1 in 100 year event storm, which we typically call a flood plain type of event. So we do model a significant number of different synthetic storms to replicate all possible storms that could occur in the region and we model through the existing and proposed wetlands and stormwater management to see what kind of water levels it has, what kind of flows we will have and so we do very detailed modeling and how those ponds and wetlands interact with each other.

Chairman Pilmer said part of the ordinance early on is that you have to provide your own storage initially so there won't be as much as an impact and release it on a much lower rate.

Mr. May said correct. We model both the existing condition, how the land is right now, and we model the condition once the development is built, what we call the proposed condition to compare the two. We have already preliminary modeling and we are demonstrating a pretty significant reduction in flows from the existing development, below what is currently out there now, the existing condition.

Mr. Philipchuck said Mr. May, the basic drainage of this area all goes down to the Waubonsie Creek. Isn't that correct?

Mr. May said the entire development is tributary to Waubonsie Creek and will remain tributary to Waubonsie Creek.

Mr. Kubiak said the only last question I have then based on that is, is the water retention pond that will be constructed on the site, is that constructed first before any grading gets done before the remainder of the property? I, for one, have experience in seeing property being graded when Metea Valley High School was being constructed and I lived in the Cambridge Chase subdivision. Our entire subdivision flooded because the grading that was taking place at the Metea Valley site. I just want to understand if water retention will be taken care of as the site is being developed.

Mr. Mouw said yes. As the developer, we are required by the city to install the stormwater detention basins at the very beginning before any impervious surface goes in. That goes in with all of the grading getting done at once. We pull the dirt out of the detention basin and use that to construct the site. So you have the base in and then we put the sanitary pipe in, then we put the water main pipe in, and then we put the storm pipe in just because that's the level they're at. So the storm pipe is in before any pavement goes in, before any houses are built. That's just the logical way to build and it's also the ordinance.

The public input portion of the public hearing was closed.

Mrs. Morgan said I just want to make some comments concerning the Findings of Fact. So for the Conditional Use:

1. The project will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare as the proposed use is similar to the majority of the surrounding uses and it will improve a parcel that has sat vacant and neglected for decades.
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity or diminish or impair property values as the use is similar surrounding uses. The project is also mindful of not impacting the conservation easement.
3. The development will not impede the normal and orderly development and improvement of surrounding properties as it is a similar use, there is adequate parking, and the traffic study shows it will not impact traffic.
4. The proposal will provide adequate utilities, drainage, etc. as the proposed development will integrate well into the existing infrastructure, filling in the remaining holes.
5. The project does provide adequate ingress/egress. The proposed development will utilize the existing Wolverine Drive dead-end. The street will allow Liberty Meadows to access Liberty Street, a major collector. The design will continue the trend of not burdening existing residential neighborhoods with pass-through traffic. A westbound left turn lane is provided on Liberty Street to prevent any westbound back-up on the major collector. The Traffic Study provided stated that the roads and intersections will operate at acceptable levels of service.
6. The Conditional Use in all other respects conforms to the applicable regulations of the R-4A zoning district.

For Rezoning:

1. Staff has noted below the physical development policies that the proposal meets.
2. The proposal does represent the logical establishment of the requested classification in considering the existing area as the existing area has similar townhome uses and continues a trend of growing residential neighborhoods.

3. The proposal is consistent with a desirable trend of development in the area as it provides additional housing options in the area, it provides new development near existing residential, and encourages quality design.
4. The rezoning will allow for more suitable uses as it is similar to the majority of the surrounding uses.
5. The rezoning is consistent with the existing area as it brings additional residential housing options.

Staff would recommend approval of an Ordinance establishing a Conditional Use Planned Development, approving the Liberty Meadows Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the rezoning map attached thereto to an underlying zoning of R-4A Two Family Dwelling District and OS-1 Conservation, Open Space, and Drainage District for the property located at the southern end of Wolverine Drive.

MOTION OF APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mrs. Anderson

AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Gonzales, Mrs. Martinez

NAYS: None

Chairman Pilmer said we do have Findings of Fact to cover. We have 6 Findings of Fact for the Conditional Use and 5 for Rezoning. Staff did read those into the record. Are there any additions or corrections? I just might add on the proposal for drainage, we did hear a lot of questions on that and a lot of testimony explaining how the drainage will work and it will meet the requirements by the county and the city, so will add based on the work that's been done, it will meet that Finding.

MOTION OF APPROVAL WAS MADE BY: Mr. Choudhury

MOTION SECONDED BY: Mrs. Martinez

AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Gonzales, Mrs. Martinez

NAYS: None

Mrs. Morgan said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, April 27th at 4:00 p.m. in Council Chambers.

220-224 A Resolution approving a Revision to the Preliminary Plan and Plat for Lot 2 of Liberty Street Business Park Subdivision, located at the southern end of Wolverine Drive and establishing Lots 1-21 of Liberty Meadows Subdivision (PT Land, LLC – 22-0224 / NA19/1-22.067-Rz/CUPD/Ppn/Psd – JM – Ward 7)

Mrs. Morgan said staff would recommend conditional approval of the Resolution approving a Revision to the Preliminary Plan and Plat for Lot 2 of Liberty Street Business Park Subdivision, located at the

southern end of Wolverine Drive, and establishing Lots 1-21 of Liberty Meadows Subdivision, with the following conditions:

1. That the documents be revised to incorporate the Engineering Staff comments prior to petitioning for Final Plan and Plat approval.
2. That any encroachment into the City Drainage & Conservation Easement must be coordinated with the City Certified Wetland Review Specialist and possibly the US Army Corp of Engineers to determine any potential buffer requirements and easement limits.
3. That the Final Plan include Liberty Street being restriped for left turn lane and median per the requirement of the Engineering Division.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mrs. Anderson

MOTION SECONDED BY: Mrs. Martinez

AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Gonzales, Mrs. Martinez

NAYS: None

Mrs. Morgan said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, April 27th at 4:00 p.m. in Council Chambers.