



# City of Aurora

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

## Legistar History Report

**File Number: 16-00651**

**File ID:** 16-00651

**Type:** Ordinance

**Status:** ATS Review

**Version:** 3

**General Ledger #:**

**In Control:** Planning & Development Committee

**File Created:** 07/06/2016

**File Name:** Enterprise / Special Use / 4000 & 4100 Ogden Ave

**Final Action:**

**Title:** An Ordinance Granting a Special Use Permit for a Vehicle/Car Dealership, Entirely Used (2811) Use associated with a Vehicle Rental (2840) Use on the Property located at 4000 and 4100 Ogden

**Notes:**

**Agenda Date:** 08/25/2016

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit A - Legal Description - 2016-08-11 - 2016.267.pdf, Exhibit B - Memorandum of Agreement - 2016-08-11 - 2015.267.pdf, Property Research Sheet - 2015.267 - 2015-11-09.pdf, Land Use Petition and Supporting Documents - 2016-07-05 - 2015.267.pdf, Plat of Survey - 2016-07-05 - 2015.267.pdf, Legistar History Report (Special Use) - 2016-08-09 - 2015.267.pdf

**Enactment Number:**

**Planning Case #:** NA28/2-15.267-Su/Ppn/Psd

**Hearing Date:**

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

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1	City Council	07/12/2016	referred to	DST Staff Council (Planning Council)			
	<b>Action Text:</b>	This Petition was referred to to the DST Staff Council (Planning Council)					

1	DST Staff Council (Planning Council)	07/19/2016					
	<b>Notes:</b>	<i>Representatives Present: Amy Kurson, Greg Toste, Chris LaVoie, Andrew Foster</i>					

*I'm Amy. I'm the lawyer for Enterprise. This is Greg from Enterprise, Andrew, our Architect, and Chris, our Engineer. We brought the whole team. We interested to hear you tell us that you have no comments.*

*Mr. Sieben said I've got the site plan pulled up. I know we've been working with you on the preliminary, some of the DST stuff, and that you guys are moving from down the street, so whoever would like to start, just kind of talk about the project.*

Mr. Toste said we are going to be relocating our car sales facility that's currently in Glen Ellyn to this location and then we will also relocate our rental car facility that's on Trade Street over to this location also. Our goal, with your help that is much needed, is we are planning on going in for building permit this week or next week. We need to be under pavement before, hopefully, by October and the reason being is we could always do our building improvements during the winter, but we are targeting to open this facility in January or February of next year. The interior is basically getting gutted. It was an old medical facility. Even for today's standards it is not very useful. The rental department is going to be on the west side of the property.

Mr. Sieben said so these are the rental car spaces?

Mr. Toste said yes. Those are kind of floaters, but yes they are probably rental car, maybe some customer spaces, and some employee spaces. A lot of our rental car customers generally are going to drop the cars closest to the building and then we'll have some car staging area in that first of that double row and that first row on the west side. If you can see on the west side of the building, the left hand side there, we've got a drive-thru garage bay that we're going to wash our cars with a power washer and a brush and stuff like that. We don't necessarily utilize an automatic car wash. The far east half, which is actually a different parcel right now, is going to be our car display area where we're going to display all our car sales inventory. We're very excited at this location. We are under contract. We do have a contingency in place that as long as we get all our permits and licenses then we'll go ahead and buy the property and move forward with it.

Ms. Kurson said just a quick note on timing. Staff has been helpful to us in allowing us to separate the preliminary approval from the final approval because we weren't ready with Final Engineering in approximately May when we started this. Our objective was to get the Special Use done as quickly as possible so that Greg can close on the property. So that is issue #1 and staff has been really accommodating and helpful on that. Our issue #2, obviously, as Greg has expressed, is the need to get the facility opened in January, which if you calculate backwards because of the weather, is causing this issue of needing to get in the ground and get our pavement ASAP.

Mr. Feltman said Final Engineering, obviously, hasn't been submitted. I don't anticipate this site being real difficult to review. It is pretty straightforward with the parking lot. But, obviously, we need time to take a look at it, and at this point we don't have a full submittal for Engineering.

Ms. Kurson said so just a quick note on timing. We have been working with Jill. I have been torturing her with phone calls about timing, so I just want to say thank you to you for your help. So here is our situation if I can just kind of lay it out for everybody. We are going through preliminary. We acknowledge that we have to have the Final Plat and the Final Plan. The recommendation of staff so far has been that we shouldn't submit those documents until after Planning Commission because Planning Commission might have some additional changes. I think we might be ready to go with some Final Engineering things for you to look at if that would be helpful and we could get those in right away. Anything you can think of to do to help expedite us, even if we are out of order, even if we do it at risk, we are willing to if you guys can accommodate it.

Mr. Sieben said the key, tough, you are trying to get your entitlement before closing on the other piece. Is that kind of the, plus the engineering?

Ms. Kurson said we absolutely have to have the Special Use put in place before closing, so we're on target for that and we're grateful. Our second issue is really about getting the pavement in the ground before the weather and hence the need for rapid Final Engineering.

Mr. Feltman said we can look at it. The only thing that I would say is that the way we operate as far as the Final Engineering approval is we can't do that until it goes through the full Final Plat and Plan.

Ms. Kurson said I understand that. I'm just sort of like thinking out of order because I know this isn't how normally it's done. Would it be possible to get you to look at the Final Engineering, give us comments so that theoretically right after we are done with the Final Plat you could stamp the plans as accepted?

Mr. Feltman said yes. With this type of project, that's pretty typical, to be honest with you, because it is fairly straightforward. I mean we could take it and look at it at any time. It is just that, you know, that process has to be finalized.

Ms. Kurson said I'm grateful for it. When we are done here, we'll just get you and Chris exchanging cards so we can make that happen. Thank you so much.

Ms. Phifer said so it is mostly the concern about the site plan changing. As you can probably imagine, a lot of times then when we try to make changes, then one of the things that inevitably comes out is well we've already fully designed it and final engineered it so now we don't want to make that small change because it is no longer a small change anymore. Have we given out comments yet?

Ms. Hall said no, but they should be ready to go out soon.

Ms. Phifer said so I guess my only hesitation would be is if we can at least get one round of comments out and I know that Engineering does look at it at the preliminary level too just to make sure that there are not any of those site planning changes that, at least, staff is looking for. That at least minimizes that risk just a little bit more. Our recommendation, like Jill has told you, is typically that we wait until we get out of Planning Commission. I would say on a site like this if staff doesn't have any concerns it is less likely that Planning Commission is going to have any, so that would be then at your own risk. But I would think that, at least, if we could get a round of comments out from staff on the preliminary before going into final. It is going to confuse what Engineering is looking at too if they've got sort of two sets of plans. But I think within a week we can get some comments out on the preliminary and then maybe at that point you're responding with the preliminary and then looking at the final. It is a fairly straightforward site.

Mr. Feltman said I was just going to say it. I don't see anything even coming out of this Preliminary Plan from an Engineering standpoint, as long as, obviously you guys are meeting all the setbacks, and that's what you are going to be looking at.

Ms. Kurson said we are actually on those. We are not asking for any variations. There are just things about signage, but I guess that is unrelated really to the engineering. We did want to confirm on the stormwater management at the Preliminary...

Mr. LaVoie said our office and you guys have been going back and forth on this. It appears that the record stormwater report is AWOL.

Mr. Feltman said yes. This was done as part of the original Fox Valley development, so how we handle these green fields is that detention has been provided as part of the original subdivision. There are several lakes that are all interconnected, large lakes that were built as part of that, what was that, 500 acres.

Ms. Phifer said it was more than that. The whole Fox Valley Villages was 2,000 acres.

Mr. Feltman said but this overall area was completely graded and designed. Granted it was in the 70's, but the way we handled green vacant properties like this is that stormwater has been provided for as part of the overall complex.

Mr. LaVoie said that's good to know. We are trying to do our due diligence and find the records and they are not there.

Mr. Feltman said we found scattered bits and pieces of stormwater management records, but generally we haven't been able to find much. But, again, the way we handle these vacant properties is that it has been provided for previously.

Ms. Phifer said that will be part of the official approval with the preliminary then so that would then be your documentation that you've officially been grandfathered for that. We're going to try to get comments out this week. Like I said, I think as long as we don't have any major site planning comments, I do think the only outstanding thing is signage, if we do want to talk about that a little bit. Our typical signage, I think, is the comments that we've have kind of given you. You were looking for quite a bit more signage. I guess the only thing is maybe we can look at some of the other signage that's been granted in the area, but we want to make sure that we are consistent with the other types of signage in the area. I don't know if you have gone out and taken any looks. I know that for Mitsubishi maybe we went a little bit...

Mr. Sieben said Max is pretty high next door.

Ms. Phifer said but in general in the area we try to stick to our...

Mr. Sieben said so we'll work something out. We'll look at it.

Ms. Kurson said well we're grateful because we have tried to be tasteful with this signage and some of the calculations that we were doing internally is that if you set your rules about you calculate just a bit, we can see that the building is shaped like a bat and so my understanding of how you do your calculations is that you would only look at the bat's wings. But if you look at the bat's body as well, then arguably our square footage of signage conforms to the calculations.

Mr. Sieben said you are talking about the wall signage.

Ms. Kurson said on the wall, yes. Then I think we were going to ask for one extra road sign. We have the pylon and the monument sign.

Mr. Sieben said have you submitted that already? Has that been all submitted?

Ms. Kurson said well it is here on the Preliminary Plan, but we're in this kind of twilight of preliminary and final, so we sort of have been trying to give people a heads up without having do it officially.

Ms. Phifer said if we can go into a little bit more final on this signage, that will actually help us expedite when you get to final. If you want to give us some more of that information now, I think that would be helpful because I think we'd all like to get it so that the final is sort of a foregone conclusion and we are really just processing it.

Mr. Toste said do you all have illustrations of what we provided already?

Ms. Hall said yes. It is in the original when you were going for final, so we have what you originally submitted before we went with preliminary.

Mrs. Vacek said has anything changed since then?

Ms. Kurson said I don't think so.

Mr. Toste said no there hasn't at all. The importance is, you know, currently that monument sign is in disrepair. We don't know quite how it got permitted back in the day or anything else. I had spoken to the Facility Manager of the larger building. I told him we would be amenable to have them relocate it just maybe 15 feet north and to fix it up. But, obviously, if we are making the investment in this property of \$3 million dollars, we would like our normal street signage and not be a blip on that little multi-tenant sign, which is really more of an off-premise sign than anything else. Our way of thinking was let's put the Enterprise pylon sign on the corner and then just go ahead and have the folks who own and kind of collect rent from the other folks, to have them relocate that sign just a little bit north. That way it doesn't hurt those businesses or anything like that. I thought it was a fair and equitable way to potentially do this because technically it is an off-premise sign. Even Max Madsen has presence on that sign. That's why we are asking for 2.

Ms. Phifer said so if you can give us some of that information. It still wouldn't be officially approved until final, but sort along the same lines as giving us some of the information ahead of time. I think that is something we would be open to looking at so when we get to final we're good.

Ms. Kurson said yes, staff has been helpful in taking phone calls about this, we'll get you a nice little sign package out that's maybe got more detail so we can get something official on that. That would be really helpful. The only other thing that I think we have coming up on final that I don't think we've addressed maybe even in our earliest submissions is the tree calculations. We want to make sure that people are able to have visual access into the dealership. Your robust landscape ordinance is asking us for a lot of street trees. There are some street trees there already, but we'd be looking for some relief on that. We could be flexible if you require some shrubs someplace else, but that is another issue that will come up and I'm interested to hear, I'm seeing a lot of blank stares, on trees. I don't know if you guys are flexible on trees or not.

Ms. Phifer said the one place that we're not as flexible is on street trees. On the rest of the site, our main concern is making sure that the counts are there, relocating them on the site so that you can sort of maximize your viewsheds. We completely understand. But we can also look, because sometimes in how you are doing the calculation for street trees isn't necessarily how we do them, so we can take a look just to make sure that you've got the counts.

Ms. Kurson said I think we were just using the spreadsheet, which requires a whole heck of a lot of trees.

Mr. Sieben said we did work with the dealers on placement to allow that visibility.

Ms. Phifer said you can do clustering. So really, again, it is sort of the count is more important than the placement.

Mr. Toste said well obviously car sale revenue to the city for taxes, yes it is very important. We'd be willing to work with different placement of trees in different places, but it is very critical that, especially since that site sits below the Ogden Avenue, it is even more critical that we have visibility for our inventory. I'll be honest with you, that and the street signage is of vital importance as far as us continuing to move forward and everything else with the project. We'll work with you all in any way we can, but it extremely important that we have the proper signage for our facility and we also have proper visibility for our site. We just opened a car sales rental facility up in Palatine. The landscaping code up there wasn't as robust as here, but it turned out to be a very nice facility. We're proud of making the investment.

Ms. Kurson said you have our professionals here. They've heard you on clustering. We'll work on clustering.

Ms. Phifer said is the multi-tenant sign you talked about, is that in an easement or is it really just sitting there?

Mr. Toste said I've made phone calls to the city and I think it was some kind of agreement between maybe the owner of the building who does not own the green space because the former medical building years ago was on it also and then Mitsubishi and then all the buildings inside.

Mr. Sieben said so buildings at Healthway or on that? Is that what you are telling me?

Mr. Toste said yes sir. That's why we'd be more than happy to work something out, but we have to have a street sign and we have to have our own street sign in order for us to be able to be competitive in the marketplace. I could provide you the name of the person I've been talking to on the big building. We are trying to work out a solution. That way it helps everybody.

Ms. Phifer said but you didn't find an easement at all?

Ms. Kurson said no.

Ms. Phifer said I think at the end of the day when we do figure all this out, I think we are going to want to see an easement on it just so we can clarify who's maintaining it, who's allowed to be on it and all those kind of things.

Mr. Toste said we'd be more than happy to do that. That's not a problem.

Ms. Kurson said so we will be happy to provide a template and ask for the municipality's assistance in our work on that. We would not want to have to be held up gathering signatures.

Mr. Toste said no.

Ms. Phifer said no, no, no. I think it protects you as much as it protects anybody else. It might be something that is just a little bit of language that goes on the plat is really what I was envisioning, so nothing that would hold you up.

Mr. Toste said I'll be honest with you. I don't even know if the sign is illuminated or not. If it does, I don't know where the power is coming from.

Mr. Feltman said I've got a couple of questions. With the remodel, are you reusing the existing utilities or do you think you need to put in new water and sewer?

Mr. LaVoie said we are reusing existing utilities.

Mr. Toste said it's got more than enough electrical that we need, but yes, we're reusing what's there.

*Mr. Feltman said and then I'm assuming that that access drive, the existing one, you're just reusing that existing access that's...*

*Mr. Toste said I'm sorry, which access drive?*

*Mr. Feltman said the access point out onto Healthway Drive. That's the existing.*

*Mr. Toste said the curb cut?*

*Mr. Feltman said yes.*

*Mr. Toste said yes. That was our plan.*

*Mr. Feltman said sometimes with sites like this too, I was just kind of looking, I mean there is sidewalk all around. Sometimes we may make comments about replacing a few sections. I don't know what condition the driveway is in. If it is in poor condition, we may want you to upgrade it as part of your overall project. We'll just have to take a look at that. I just wanted to kind of forewarn you that might be a few comments that might come out.*

*Mr. Toste said there is currently that paved area that's kind of running through the site right now that's going to get vacated. I'll be honest with you, I don't know, at least when I drove into the drive isle, I didn't feel any bumps or anything insanely noticeable, but that is something we would have to all look at.*

*Mr. Feltman said just with sites like this, obviously when there are improvements being made we want to make sure that the sidewalks are in good condition. We are not going to beat you over the head with it, but if there are areas that make sense that might be a comment that would come out. So I just wanted to let you know. But overall from an Engineering standpoint, as you are probably aware, there is a pretty large diameter storm sewer running through the site. I don't think it is going to impede anything that you are planning on doing, so I don't think that's going to be any issue. Obviously, you can tie into it because it is a public storm sewer. I don't know if the grading plan needs any catch basins or not, but that's probably going to be one of the more, and it is not even a big deal, but it is probably going to be the biggest comments that we'll have is what you are tying into, how you are tying into, and what structures you are setting, if you need to at all.*

*Mr. LaVoie said some of those are blind connections. The sewer changes direction without structures and there are some things going on out there that are kind of unique, but we utilized almost everything we that we had. The only other thing Dan is that in looking at the site with Greg, the sight lines aren't really that good. The site does sit down quite a bit. I have shown on the plans you haven't seen yet, I'm shaving the berm down a little bit on their property. We also have a 12 inch main, a water main, that runs along Ogden. Do you have a depth on that pipe? I don't want to run it down below or expose that frost, so I am shaving the area down a little bit just to gain some sort of sight lines into the site. We do have that fire line coming, service to the building, and we do have a 12 inch main right on the property line.*

*Mr. Feltman said I doubt that we have depths to be honest with you. You might need to go out and see if you can pop some lids, if there are any vaults anywhere or boxes and try to get an elevation on the operating valve. That would be a concern if the water main is there. We wouldn't want to expose it to frost.*

*Mr. LaVoie said but then again, if the existing main comes and are there hydrants on the site, I'm sure they are below that frost level.*

*Mr. Feltman said typically it is 5½ feet below grade to the top of the pipe, but it can fluctuate. If you are changing grades, we may want to pothole it just to get an elevation and make sure that...*

*Mr. LaVoie said okay. In addition, it really makes this site difficult because not only is Ogden Avenue 3 to 4 feet higher than this site plus you've got the berm. When you drive past in your car, you actually lose that line of sight to the drive from the intersection past the site and it is because of that berm. If I modify the berm, which I want to do as far as landscaping goes, I know we were talking about tree count, but I do want to change grades there to increase the sight visibility.*

*Mr. Feltman said is that anything that you guys care about? Typically berms are screening.*

*Ms. Phifer said it will have to be a part of it. But if the site is low, we want to make sure that you've got like a 3 foot sort of headlight so you are not pouring light onto the street, but if the street is already 3 feet above the site then it's not going to be a concern. So that's usually typically the reason why we want those kinds of screening, so it doesn't sound like that's going to be concern.*

*Mr. LaVoie said if I shave it down like 18 inches, it's going to increase the sight lines dramatically for them. The only concern I have in our world is the exposure of the water main and how deep it is. I want to make sure that we are okay.*

*Mr. Feltman said that's something we'll definitely have to look at.*

*Mr. Beneke said so the first question I have is the height of that building. Does anybody know what the height is?*

*Mr. Foster said I thought it was like 14 something.*

*Mr. Beneke said that's close enough. That just gives me a feel for it.*

*Mr. Foster said are we talking about the back part where...*

*Mr. Beneke said the height of the roof from grade.*

*Mr. Foster said from the back or the front?*

*Mr. Toste said the front has a façade, raised façade, but the back is, I thought is, at 14.*

*Mr. Beneke said the highest point is what I'm looking for.*

*Mr. Foster said the top of the peak of the roof is at 36.7.*

*Mr. Beneke said what's the mean height? That's what I need.*

*Mr. Foster said I don't have that dimension.*

*Mr. Beneke said and this is actually a piece of roof? This is roof structure?*

*Mr. Foster said yes.*

*Mr. Beneke said alright, I need to look at that. The question that's related to it is if the mean height of this roof is under 30 feet I don't have any concerns about aerial apparatus. It is an existing building so as long as you are not changing anything we can work with what's existing and maintaining fire access. Everything, obviously, is important. Once we're making changes to the site itself we just need to make sure that if we had an aerial apparatus in there we need to make sure we maintain it. If we didn't, then it is existing so we are not going to be concerned with that. Hydrant coverage, obviously, you sent us something. I've got to take a look at it with the Fire Marshall. Any place where there is a hydrant I need a staging area, a 26 by 40 foot staging area centered on that, so on the civil plans I need to make sure that the staging area is clearly noted anywhere where there is a hydrant within the site. And that's a face to face dimension, face of curb to face of curb. I see a lot of 24 foot, but I don't know if you've got any interior hydrants, but if you do, take a look at that. Those would be comments that we'll have. As far as building permit is concerned, and we'll take a look overall at it, the Fire Marshall isn't in today, so I'll talk to him later this week, but as far as building permits are concerned, as long as you have a comfort level, you can submit to me at any time. I don't have a problem with submittal and getting started on a review. We will not be able to sign off on it for full permit until after Zoning and Engineering have signed off on it. We don't need contractors and everything at the time you submit, so we can start the process. We can do all these concurrently with all the processing, including going to Fox Metro. The one thing I would offer, and it is still going to be contingent upon Zoning and Engineering, is that we could look at an interior demolition permit for this so that you can get in and start doing your gutting of the interior of the building, but again, I would have to have a comfort level and Zoning would sign off on that. It's really not going to affect the site, but that's a possibility. That's a separate permit.*

*Mr. LaVoie said can you go back to that staging for a second? You want staging on off-site too?*

*Mr. Beneke said hopefully off-site is already there. So that's an existing condition. I wouldn't ask for that, but anything inside where the hydrants are we just need to make sure that we've got that.*

*Mr. Feltman said is there fire suppression in the building existing?*

*Mr. Foster said there is not existing, no.*

*Mr. Beneke said are you bringing it in?*

*Mr. Foster said no. We were planning to separate...*

*Mr. Beneke said you mentioned a fire line coming in. I assumed it is a sprinkled building.*

*Mr. LaVoie said the fire line, is basically servicing an on-site hydrant. It is an island is all it is.*

*Mr. Beneke said it is existing. It is a business to a business use, so I think we would be fine without sprinklering it due to existing conditions. This building today would probably be required to be sprinklered. So wherever you have hydrants inside there, I just need to make sure that I've got my staging. Are you relocating any hydrants?*

*Mr. LaVoie said yes.*

*Mr. Beneke said so that staging will be part of that and make sure that any hydrant is at least 50 feet away from the building. We'll take a look at it and make official comments. We just haven't had a chance to look at it yet.*

*Mr. Frankino said all I would ask is that we get a civil engineering submittal just for the file. I understand that there is not going to be outside sanitary, but just so we can keep an updated record. Then if I could get some architectural plans and building plans, both in PDF e-mailed to me. That would be the easiest for everybody so we can accommodate Herman.*

*Mr. Beneke said you'll find when you get to permits that everybody is included in it that needs to be included, including Fox Metro.*

*Mr. Sieben said you guys should be receiving comments, I think in the next week from Jill and then from Herman and the Fire Marshall.*

*Ms. Phifer said do you know who is reviewing it on your end Dan?*

*Mr. Feltman said I haven't assigned to anybody yet.*

*Ms. Kurson said we look forward to coming as fast as we can.*

*Ms. Phifer said we're just happy to have you guys, so we'll do what we can to get you guys going.*

*Mr. Toste said if I may ask a question. It seems like it might be okay to have the monument sign there and the pole sign. We get an easement, you know, enter into some kind of easement in the future for that monument sign, but I get the sense that you're pretty much good with the concept of having a pylon sign there and a monument sign or...*

*Ms. Phifer said I think we need to look at it. I think we are okay with understanding that there's an overall sort of multi-tenant sign that is not yours. I think we are okay with you having your own standalone sign. What that sign looks like and how it sort of forms, I think that's something we still want to take a look at. But as far as not hindering you from having your own signage, I don't think we are going to do that. We want to make sure you have your own sign, but we are just going to have to work through what that means and how that is going to work.*

*Mr. Toste said we could get you that pretty quickly as far as our sign renderings from our Marketing Department.*

*Ms. Kurson said we've got it and I think submitted a lot of it in the first final, but we'll make a separate little sign package and write out our reasoning and everything.*

*Ms. Phifer said that would be great.*

1 DST Staff Council 07/26/2016  
(Planning Council)

**Notes:** Ms. Hall said staff sent out some minor comments on the submittal. We haven't heard back from that. We are moving forward with public notices. Enterprise has sent out their public notice letters and we will be publishing in the newspaper. We are still waiting for the updated signage package to be able to have some discussion on the signage that they are proposing.

Ms. Phifer said Jill do you want to talk about some of the research that you did on signage?

Ms. Hall said I looked at the dealerships along the street. Hyundai and Honda are both, not pole signs, I don't know what they are called...

Mr. Sieben said pylons.

Ms. Phifer said they are not pylons.

Ms. Hall said but they are not pylons. They have like bases. The Mitsubishi dealership is a pylon sign. The Honda and Hyundai, one is 21 feet high and the other is 26 feet high. One is like 60ish square feet, but they have 2, but that is Hyundai. Then Honda is like about 100 square feet and they just have the 1. We are going to be looking at those to kind of guide the signage that is allowed on this site.

Mr. Sieben said what is the size and height of the Mitsubishi dealer?

Ms. Hall said that's the one we can't find. We've been looking at some of BP's old records to see if maybe we can pull the original permit.

Ms. Phifer said and we are still trying to locate the multi-tenant sign as far as when it got installed and if it was ever approved officially as part of any plans.

Mr. Sieben said so you said this was published and it will go to the August 17 Planning Commission?

Ms. Hall said it will go to the August 17th Planning Commission.

Mr. Feltman said we are deferring Final Engineering because it is a Special Use, but they have been submitting in partial submittals to us.

Mr. Sieben said this will come back as a final anyway.

Mr. Feltman said yes. I think their hope, as they discussed in the last Planning Council, was to try to get us information so that we can start reviewing the site so they can try to accelerate their construction.

Mr. Cross said they are relocating a hydrant, I think. I sent some comments. There is a spot that the hydrant would be better placed from where they have it. I have a recommendation on where there is like a little island, a little outcropping that would be an ideal spot for that. We just wanted to confirm the height of the building as well as the staging area for the engine to make sure there is that 26 by 40, but I sent that all in. Is that going to be a sprinklered building or a non-sprinklered building?

Ms. Phifer said it is not. It was not required when it was originally built, so it is not.

Mr. Frankino said we only had questions about the site work, whether or not there was going to be any. I think we learned last week that there wasn't going to be anything outside and we'll just do the review on the inside changes at the time.

1 DST Staff Council 08/02/2016  
(Planning Council)

**Notes:** Ms. Hall said we sent out comments and are waiting to hear back on another resubmittal on those comments. They did submit an updated sign package that staff is reviewing. They are moving forward for the August 17th Planning Commission.

Mr. Feltman said we were deferring Final Engineering until the Final Plat and Plan, but they've been kind of trickling in submittals to us just to try to get a little more advanced with the project.

Mr. Sieben said Building and Fire, you guys sent comments last week?

Mr. Cross said right, just the relocation of that hydrant. They had that one hydrant that they are moving.

1	DST Staff Council (Planning Council)	08/09/2016	Forwarded	Planning Commission	08/17/2016	Pass
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**Action Text:** A motion was made by Ms. Hall, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 8/17/2016. The motion carried by voice vote.

**Notes:** Ms. Hall said we are still waiting on revisions to our comments. They did submit the updated signage package, which we reviewed and will be sending out comments. This is scheduled to go to the Planning Commission on August 17th, so I make a motion to vote it out today with possible conditions. Mrs. Vacek seconded the motion.

Mr. Feltman said we have a partial submittal. It is not a full Engineering submittal, but it's pretty straightforward. It is just a parking lot, so I don't foresee any issues.

Mr. Sieben said but this is preliminary that we are voting out.

Mr. Cross said there is a hydrant issue. I think I spoke with the architect on this. We have a hydrant issue on the one side of it with the location of it. So I updated some notes to him. He said he understood where it needed to be. We are just waiting for a resubmittal of the plan on that.

Mr. Feltman said so the hydrant needs to be moved? You said this was on the west side?

Mr. Cross said east side, I think it was on the east side.

Mr. Beneke said they've got a hydrant that they're, I don't know if they are relocating or whatever, but they are putting it behind the parking stalls and then they came back with a revision to just stripe out a space in front of the hydrants, but that doesn't work. They'd have to be within 5 feet of the fire lane. So they actually have to take that hydrant and move it up and maybe create an island or something there rather than having a striped space so it is within 5 feet of the lane itself.

Mr. Cross said it is one that they are already relocating. It has to be moved, but where they plan to place it is not a good spot. We just told them it needs to go here and he said okay. It didn't seem like it was going to be any big thing.

Mr. Feltman said make sure that the engineering plans reflect it properly. We'll take a look at it.

The motion carried unanimously.

2	Planning Commission	08/17/2016	Forwarded	Planning & Development Committee	08/25/2016	Pass
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**Action Text:** A motion was made by Mrs. Cole, seconded by Mr. Engen, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 8/25/2016. The motion carried.

**Notes:** See Attachment for Items 16-00651 and 16-00652.

Aye: 9 At Large Bergeron, At Large Cameron, At Large Cole, Aurora Twship Representative Reynolds, At Large Divine, At Large Engen, SD 131 Representative Garcia, Fox Valley Park District Representative Chambers and At Large Owusu-Safo

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Attachment for 16-00651 and 16-00652:

- 16-00651     An Ordinance granting a Special Use Permit for a Vehicle/Car Dealership, Entirely Used (2811) Use associated with a Vehicle Rental (2840) Use on the property located at 4000 and 4100 Ogden Avenue (Enterprise Leasing Company of Chicago, LLC – 16-00651 / NA28/2-15.267-Su/Ppn/Psd – JH – Ward 10) (PUBLIC HEARING)
- 16-00652     A Resolution approving a Preliminary Plan and Plat for Lot 100 and 200 of Fox Valley Medical/Business Campus Subdivision located at 4000 and 4100 Ogden Avenue (Enterprise Leasing Company of Chicago, LLC – 16-00652 / NA28/2-15.267-Su/Ppn/Psd – JH – Ward 10)

Chairman Truax said the first item on our agenda is an Ordinance granting a Special Use Permit for a Vehicle/Car Dealership, Entirely Used, associated with a Vehicle Rental use on the property located at 4000 and 4100 Ogden Avenue by Enterprise Leasing in Ward 10 and this is a public hearing.

Ms. Hall said this item is for a Special Use Permit for a Vehicle/Car Dealership, Entirely Used use, associated with a Vehicle Rental use on the property at 4000 and 4100 Ogden Avenue. This is near the northwest corner of Ogden Avenue and Longmeadow Drive. The property is currently a vacant building and zoned in the Fox Valley Planned Development District. The details of the project for the Special Use are the car dealership associated with the vehicle rental. Concurrently, they are also proposing a Preliminary Plan and Plat. The Preliminary Plan includes rehabbing the current building on the site. For the rental use, as well as for the used car dealership retail use, they are going to add a car wash to the western part of the building. That will only be for the use of the business. They will be rehabbing the car parking lot, as well as adding some additional parking kind of around the building. Then the eastern portion of the property will be developed with a parking lot for the used car dealership. As well, the Preliminary Plat will be taking the 2 properties that currently exist and combining them into 1 property. Just for some background on the project, currently on this site there is an off-premise multi-tenant sign advertising the businesses in the area. Enterprise Company is asking for a variation in the sign code to allow them to retain that sign, that off-premise sign, as well as having their own specific Enterprise sign. Staff supports the variation to retain the existing sign as well as adding a new additional sign with conditions that a sign easement is placed on the off-premise multi-tenant sign with some parameters going along with that easement in that the 2 signs are aligned together creating a more cohesive view. As you can kind of see currently where the 2 signs are located, staff's recommendation is just to align those 2 signs and use some landscaping to make it a cohesive unit. Next I'll have Enterprise come up and answer any questions for you.

The Petitioners were sworn in.

My name is Amy Kurson. I'm outside counsel for Enterprise from the law firm Reyes, Kurson. With me this evening I have several representatives from the Enterprise team. I know that you all know Enterprise. You see the commercials. It is the company that picks you up. This is a car rental facility. We believe this not a controversial use, but I would like to introduce the team, and we are all available to answer questions and to the extent we need to we can have those gentlemen sworn in as well. Mr. Joe Dias from Enterprise, Chad Gardner from Enterprise, Andrew Foster from Atul Karkhanis Architects, and Chris Lavoie from CM Lovie Engineers. We believe that we meet the legal standard. That information has been provided in your packet, as well as the complete site plan. So if you anything for

us we are happy to do that, otherwise, we are happy to help you all get home and see what's on the Olympics tonight.

Mr. Bergeron said on the cars that you are putting on the lot, are those rental cars that you have taken out of the system and put on the lot?

Ms. Kurson said so there are two essential uses for Enterprise here, both auto sales, and those are cars that have come off of the fleet and have been thoroughly checked and gone through quite carefully and we know that they are ready for a resale and also rental cars, the sales and rental.

Mr. Bergeron said so it is really a full scale used car sales?

Ms. Kurson said yes sir.

Mrs. Owusu-Safo said are there any plans for any car repairs at the facility where they will have any other chemicals?

Ms. Kurson said not at this time.

Mr. Cameron said does this act as an inventory stock place for the other smaller facilities in the area like the one on N. Lake Street?

Ms. Kurson said that's a good question. The answer is no.

Mr. Cameron said I'd like to see a review of the landscaping.

Ms. Kurson said yes, this is a Preliminary approval so we will be back at you and you'll see us again for Final approval and we'll have all those details at that time. We're grateful for staff who have accommodated us. In part, we wanted to get this Special Use and Preliminary indication from this Board so that Enterprise could proceed with the closing. Enterprise's objective is to have this facility open as quickly as possible, so we are intending to go very swiftly now that we've been through this Board. We want to go quickly through the rest of the approval process and see you shortly for Final Plat and Plan and everything else.

Mr. Cameron said could somebody go over the signage that was referred to?

Ms. Kurson said absolutely. Would you like me to discuss that now or would you like to have it for final approval. The sign, actually, will be considered, I believe, in the final approval?

Ms. Hall said if you want to just give a general description.

Ms. Kurson said I do have a notebook of materials with me. If you can give me a minute, I'm happy to pull that out. I don't think we're asking for approval of that this evening, so I can talk to you about it off-line and we can handle it at final.

Mrs. Owusu-Safo said is there any traffic study being done with this project?

Ms. Kurson said no. Ogden is a very well-traveled road and we don't believe we'll have any impact.

Mr. Engen said just a question. You are only taking over a portion of the building. What happens to the other part?

Ms. Kurson said no, the entire building.

Mr. Engen said so you are you taking the whole building?

Ms. Kurson said yes sir.

Mr. Engen said okay. Maybe I misunderstood.

Mr. Kurson and consolidating. There are 2 lots of record there that will be consolidated.

Chairman Truax said what was the building?

Ms. Kurson said it has been vacant for quite some time. Medical office buildings.

Chairman Truax said medical office?

Mr. Sieben said correct.

Chairman Truax said I noticed Dreyer has got quite a lot of traffic in the building that would be a little bit to the north and a little bit to the east, I guess, of this property.

Ms. Kurson said I think that's in part why we felt it was necessary, not that we are talking about signage, but we do want to keep the monument sign which Jill mentioned because we know we that serves the other users in the subdivision there.

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

Good evening. My name is Bob Navarre. I am the owner of Valley Honda, which is across the street. I'd like to say first of all that I fully support what Enterprise Rent-A-Car proposes here. Enterprise is, in my opinion, one of the finest companies in this country and certainly the largest rental company in the United States. What I do want to do, and we had a chance to speak before, nothing I say tonight do I wish to hold up the development of the property across the street. It is a mess right now if you drive by it with dead trees and landscaping that looks terrible and a building that is falling apart. This will make a great improvement. But I would like to just go on record and I think that we should, going forward, we should do a traffic study to have a traffic light considered at Longmeadow and Ogden Avenue. Again, I've been assured that that would not in any way hold up the project for Enterprise. Just for my business, we serviced over 60,000 cars last year, there is no turn traffic light there to turn into our property and I believe Enterprise will have a successful business there as well and there is a medical facility across the street. There have been some accidents that have taken place right in front of my business that have been very, very severe. When they happen they are severe. That's the request that I just would like to go on record for tonight just that a traffic study be requested that we could take a look at putting a traffic light at Longmeadow and Ogden Avenue. If you have any questions I'm happy to answer them.

Mr. Seiben said I did tell Mr. Navarre that it would be good to put the issue on the record. Engineering has looked at this, and obviously this is just one small component to have a business go into a vacant property, but I think it is more of a bigger picture, maybe short to mid-term look at a possible signal there, so I think Bob bringing it up will put it on the record and I think we will bring it up to Engineering and see where it goes from there.

Good evening. I'm Alderman Lynne Johnson for Ward 10. I also want to echo the support for this project. That vacant building has been a vacant a long time and it does look awful as Bob informed you. It will be such a big improvement to the property with them taking it over. They are a very reputable and really good organization, so I thank you for choosing Aurora. Looking forward to partnering with you. I was going to say the same thing Bob was saying. I have been informed by Valley Honda, by residents of the Ward, and by TGM, the apartment complex, of severe accidents that have happened there. I get emails from them every time there is one. I can forward that information to the people that are interested and need it maybe for a backup to prove that a light is, I believe a light is needed there also. I've traveled through there trying to get across. Valley Honda has their employees walk across there, so it would help with them having that light there to help stop the traffic while they are trying to get across to work back and forth also. So I would support that and I know the residents would be very favorably grateful for having a traffic light and a traffic study done. Thank you for listening.

The public input portion of the public hearing was closed.

Ms. Hall said staff would recommend conditional approval of the Ordinance granting a Special Use Permit for a Vehicle/Car Dealership, Entirely Used use, associated with a Vehicle Rental use on the property located at 4000 and 4100 Ogden Avenue with the following conditions:

1. That the Special Use Permit for a Vehicle/Car Dealership, Entirely Used use, is to be associated with a Vehicle Rental use. Upon termination of the Vehicle Rental use, the Special Use for a Vehicle/Car Dealership, Entirely Used, shall be terminated.
2. That pursuant to the Special Use the inaccessible parking spaces shown on the Preliminary Plan may be permitted in connection with the Vehicle/Car Dealership, Entirely Used. Upon termination of the Vehicle/Car Dealership, Entirely Used, the parking lot shall be restriped so that all parking spaces are individually accessible.
3. That the Preliminary Plan be revised to align the off-premise signage with the proposed development sign and that a sign easement shall be recorded for said off-premise sign.
4. That Enterprise shall in all advertisements, promotions and identification of the dealership clearly and prominently indicate that the dealership is located in Aurora by the use of the words Aurora, or City of Aurora for said advertisements, promotions or identification. Where more than one municipality is referenced, reference to Aurora or City of Aurora shall appear first.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mrs. Cole

MOTION SECONDED BY: Mr. Engen

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

NAYS: None

#### FINDINGS OF FACT

1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Cole said these were listed in the staff report.

2. Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?

Mrs. Owusu-Safo said yes. I think it is very representative since there are similar projects both across the street and as to the proposed facility.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mr. Engen said this proposal is consistent with the development that is going on in that area and it just reinforces the other businesses that are in that area.

4. Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mrs. Owusu-Safo said I think this still should be investigated a little further. I think considering that there's been incidents of accidents in the area, that should be looked into further and a possible traffic study, at minimum, to be done, even if not to modify the intersection at this time.

5. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Mr. Cameron said they are already in place.

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mr. Engen said all the ingress and egress is in place there. We know there is a lot of heavy vehicle traffic in that area and we do encourage the city to continue to explore the thought of possibly putting an additional light in there, but everything is in place.

- 9a. Will the Special Use not preclude the normal and orderly development and improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Chairman Truax said I don't believe there is a similar use in that area for a rental car dealership.

9b. Is the Special Use in all other respects in conformance to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission?

Mr. Engen said this Special Use does conform to all its applicable regulations.

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, August 25, 2016, at 4:00 p.m. in the 5<sup>th</sup> floor conference room of this building.

Chairman Truax said we have an additional, I assume, related Resolution approving a Preliminary Plan and Plat for Lot 100 and 200 of Fox Valley Medical/Business Campus Subdivision located at 4000 and 4100 Ogden Avenue by Enterprise Leasing Company of Chicago in Ward 10.

Ms. Hall said so this project is going concurrently. It has already been discussed, the Preliminary Plan and Plat. What they are planning on doing is to combine the 2 lots into 1 large lot.

Ms. Hall said staff would recommend conditional approval of the Resolution approving a Preliminary Plan and Plat with the same conditions.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mr. Engen

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

NAYS: None

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, August 25, 2016, at 4:00 p.m. in the 5<sup>th</sup> floor conference room of this building.