



City of Aurora

44 E. Downer Place
Aurora, IL 60505
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Legistar History Report

File Number: 21-0923

File ID: 21-0923

Type: Ordinance

Status: Agenda Ready

Version: 2

**General
Ledger #:**

In Control: Building, Zoning,
and Economic
Development
Committee

File Created: 11/08/2021

File Name: Logistics Property Company / Northwest corner of
Sunrise Road and Meridian Road / Annexation
Agreement

Final Action:

Title: An Ordinance Providing for the Execution of an Annexation Agreement
Providing for PDD Planned Development District zoning for the territory which
may be Annexed to the City of Aurora located at the northwest corner of
Sunrise Road and Meridian Road in DuPage County, Aurora Illinois 60563
(Logistics Property Company - 21-0923 / NA04/1-21.325-PA/A/PDD/Rz - JM
- Ward 10) (PUBLIC HEARING)

Notes:

Agenda Date: 01/12/2022

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Annexation Agreement - 2021-12-27 -
2021.325, Land Use Petition and Supporting
Documents - 2021-11-04 - 2021.325, Property
Research Sheet - 2021-12-27 - 2021.325, Naperville
Comprehensive Master Plan - 2022-01-05 - 2021.325,
Public Comments – Objecting to Project - 2022-01-05
- 2021.325, Public Comments – Requesting Extension
- 2022-01-05 - 2021.325, Public Comments
Presentation Documents by Jim Wittneben -
2022-01-04 - 2021.325, Public Comment Presentation
Photos by Peterson and Tortorich - 2022-01-05 -
2021.325, Aerial View - 2022-01-05 - 2021.325

Enactment Number:

Planning Case #: NA04/1-21.325-PA/A/Rz

Hearing Date:

Drafter: morganj@aurora.il.us

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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2	Planning and Zoning Commission	01/05/2022	Forwarded	Building, Zoning, and Economic Development Committee	01/12/2022	Pass
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Action Text: A motion was made by Mr. Elsbree, seconded by Chairperson Pilmer, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 1/12/2022. The motion carried.

Notes: See attachment for Items 21-0923, 21-0925, 21-0926 and 21-0927.

Aye: 4 Chairperson Pilmer, At Large Anderson, At Large Elsbree and At Large Choudhury
Nay: 1 At Large Gonzales

Attachment for Items 21-0923, 21-0925, 21-0926 and 21-0927:

16 The next items on the agenda, there
17 is four agenda items. I will read all four of them
18 into -- at this time.
19 So Item No. 21-0923, an ordinance
20 providing for the execution of an annexation
21 agreement providing for PDD Planned Development
22 District Zoning for the territory which may be
23 annexed to the City of Aurora located at the
24 northwest corner of Sunrise Road and Meridian Road

1 in DuPage County, Aurora, Illinois 60563 by
2 Logistics Property Company in Ward 10. This is a
3 public hearing.

4 Agenda Item No. 21-0925, an
5 ordinance amending Chapter 49 of the Code of
6 Ordinances, City of Aurora, by modifying the zoning
7 map attached thereto to rezone property located at
8 the northwest corner of Sunrise Road and Meridian
9 Road to PDD Planned Development District to be
10 incorporated into an existing Butterfield Planned
11 Development District pursuant to an approved
12 annexation agreement by Logistics Property Company,
13 Ward 10, and this is a public hearing, as well.

14 Item No. 21-0926, a resolution
15 approving the final plat for Butterfield Phase II
16 Unit 4C Subdivision, located at the southwest corner
17 of Ferry Road and Meridian Road by Logistics
18 Property Company, Ward 10.

19 And then Item No. 21-0927, a
20 resolution approving a final plat on Lot 402 of
21 Butterfield Phase II Unit 4C Subdivision, located at
22 the southwest corner of Ferry Road and Meridian Road
23 for a warehouse, distribution and storage services
24 use by Logistics Property Company, Ward 10.

1 MR. SIEBEN: Okay, thank you, Mr. Chairman.

2 Good evening, everyone; Ed Sieben,
3 City of Aurora Zoning and Planning director. And as
4 Chairman Pilmer stated, we have for items to voted:

5 The annexation agreement and the
6 rezoning, just to be clear, this is for a 4.84-acre
7 parcel of a larger 17-plus-acre parcel. So
8 essentially this is about the southeastern
9 25 percent of the development piece that has not
10 been annexed to the City of Aurora. The remainder
11 was annexed between 2002 and 2008. That has already
12 been annexed and incorporated into the Butterfield
13 PDD.

14 The Butterfield PDD, which was a
15 4,000-acre annexation, not the Fox Valley East
16 annexation which was the Fox Valley Mall area. This
17 was a separate area up to the northeast part of the
18 City, was all annexed and zoned back in 1976. So
19 this is kind of like the far eastern section of
20 that.

21 What I'm going to do is there's
22 four items that are to be voted on. I'm going to
23 kind of give a summary of each of those, and then I
24 want to give a little bit of background of where

1 this falls within the City of Aurora -- I'll pull up
2 an aerial photo -- with regard to zoning,
3 comprehensive plan, and then our boundary agreement
4 with the City of Naperville, because this is right
5 on the border with our boundary agreement with
6 Naperville. So I'll go over a little bit of that
7 before I turn it over to the Petitioner.

8 The subject property, again, about
9 12 acres of this site that you see the development
10 plan on is already in the City of Aurora. The
11 southeast corner of the property is what's before
12 you tonight for the annexation and rezoning. That
13 is in unincorporated DuPage County.

14 So the Petitioner is requesting to
15 rezone that property located at the north -- the
16 immediate northwest corner of Sunrise and Meridian
17 Road, a PDD Planned Development District, to be
18 incorporated into the existing Butterfield Planned
19 Development District pursuant to the subsequent
20 annexation agreement.

21 And then, therefore, concurrent
22 with this proposal, the Petitioner is requesting
23 approval of the annexation agreement and annexation
24 of 4.84 acres located immediately at the northwest

1 corner of Sunrise Road and Meridian Road and to
2 rezone the property to PDD Planned Development
3 District.

4 The details of the annexation
5 agreement include provisions that upon acquisition
6 of the property by LPC, the property will be annexed
7 into the Butterfield PDD.

8 The agreement outlines that the
9 owners are responsible for constructing the west
10 half of the road along the entire frontage of
11 Meridian Road.

12 Along Sunrise Road the owners will
13 construct a full road from near the access point,
14 which is on the west end there, that southwest end
15 access point on Sunrise Road to Frieder Lane.

16 So basically the western half of
17 Sunrise will be fully improved curb and gutter. I
18 believe it's 39-foot back to back.

19 The eastern half of Sunrise will be
20 repaved and I believe widened four feet so it meets
21 our fire access requirements of a 20-foot road.
22 When the property south of Sunrise eventually comes
23 in to develop, that eastern half of Sunrise will
24 then be fully improved.

1 The agreement outlines that the
2 owners are responsible for -- again, okay, that was
3 the road.

4 The agreement requires that a
5 sidewalk, storm sewer, and street lights be added
6 along the western side of Meridian Road and along
7 the northern side of Sunrise Road along the entire
8 properties' frontage. In addition, a crosswalk will
9 be added along Sunrise Road on the east side of
10 Frieder Lane.

11 So the lot 401 on Butterfield,
12 which is the large 500,000-square-foot warehouse to
13 the southwest, they built a piece of Sunrise. They
14 connected it with Frieder, so this will connect that
15 pedestrian walkway there.

16 The Petitioner is also requesting
17 approval of a final plat for Butterfield Phase II
18 Unit 4C Subdivision located at the southwest corner
19 of Ferry and Meridian Road.

20 This will consolidate the two
21 parcels being annexed, which are already annexed
22 with the two parcels currently within -- I'm sorry.
23 The two parcels that are coming into the City,
24 there's actually two parcels of the 4.84 acres will

1 be combined with the two parcels that are already in
2 the city limits to create a large Lot 402. So this
3 bound by Ferry, Meridian, Sunrise, and Frieder will
4 be called Lot 402. This will be a total of
5 17.6 acres. There are dedicating right-of-way
6 triangles and city easements as part of this.

7 And then, finally, in addition, the
8 Petitioner is requesting a final plan which is
9 basically a site plan approval for the entire
10 17.6 acres of Lot 402, for a speculative warehouse
11 distrubution and storage services use.

12 The project will develop just over
13 a 270,000-square-foot spec warehouse. This was
14 designed specifically to put the 37 truck docks on
15 the west side of the property along with 61 truck
16 spaces. This will be along Frieder Lane.

17 And then the remaining automobile
18 parking, which will be on the north and east side of
19 the building which consists of 261 automobile
20 spaces, will be on that north and east side.

21 The main pedestrian entrance will
22 be located at the northeast and southeast corner of
23 the property for potential office space and possibly
24 in the middle of the east elevation.

1 Automobile traffic is planned to
2 access the development from two points along
3 Meridian located near the building's entrances, as
4 you see on the plan there.

5 Truck access will be off --
6 primarily will just be off of Frieder Lane. They
7 will access directly onto Ferry road.

8 There is a southerly access onto
9 Sunrise there, but trucks will be instructed that
10 they will need to turn right, or west, to get on
11 Frieder to get up to Ferry. But all truck traffic
12 is directed to go to Frieder and then onto Ferry
13 Road.

14 There will be a "Do Not Enter" sign
15 and a "Right Turn Only" sign to prohibit trucks from
16 exiting toward Meridian or Sunrise.

17 The parking to the east is set back
18 27 feet from the property line with the building
19 being set back 105 feet off of the Meridian Road
20 right-of-way.

21 To the south, the building is set
22 back from the property line a minimum of 26 feet,
23 which meets the minimum requirements.

24 The right-of-way to the south is --

1 they will dedicate a total of 80 feet for Sunrise.
2 The landscape plan shows an undulating three-foot
3 berm along the eastern property line, which is along
4 the Meridian Road frontage with row street trees in
5 the right-of-way and a row of mixture of canopy,
6 evergreen, and understory trees within the 27-foot
7 setback. So, essentially, you'll have a double row
8 of trees of both canopy, evergreen, and ornamental
9 or understory along that east side.

10 Sunrise Road also will include a
11 row of trees and a second row of trees, both parkway
12 trees and trees in the setback.

13 And Jill Morgan is not here
14 tonight, but she worked with the developer to add
15 quite a mix of Evergreen, also, to get a year-round
16 cover. Shrubs will also be included with the trees
17 and the foundation, as well as near the building
18 entrances.

19 Building and signage elevations are
20 also depicted on the plan. This will be a precast
21 building articulated by dark red panels along the
22 bottom and a band of light gray panels with windows
23 spanning the top. The corner entrances will feature
24 large glass windows.

1 And, finally, there will be a
2 request for vacation of water main easement to allow
3 for the development, and that will be picked up next
4 week at the Building, Zoning and Economic
5 Development Committee.

6 One thing, maybe I could pull up
7 a -- to talk about a little bit of the history of
8 the zoning of the property, let me go to the
9 annexation agreement real quick. Let me pull up an
10 aerial first. That might be the best.

11 So this is an aerial of the
12 property. This has the parcel lines along with
13 addresses. I know several of the neighbors here are
14 some of the properties to the east on Sunrise, and
15 then also on Meadow, which is the road -- the next
16 road to the east of Meridian.

17 So this -- this property shows the
18 area with the lighter color. That's already in the
19 City of Aurora. You see this particular property,
20 as I said, 75 percent of the property is already
21 annexed and zoned into the City.

22 The area in red is the property --
23 the 4.84 acres in question. What that will do is
24 square off the development at Meridian and then

1 Sunrise.

2 The outline in blue is our boundary
3 agreement with the City of Naperville. So our
4 boundary agreement basically extends down Meridian.
5 Then it goes south of Sunrise. So it's Meridian
6 extended down to the south end of those parcels on
7 Sunrise and then due west.

8 The east-west parcel on the north
9 side of I-88, that's already actually annexed and
10 zoned in the City of Naperville. That's actually
11 zoned for ORI, and they do have a finger that comes
12 up to Sunrise there where Meridian T's into Sunrise
13 that's in the City of Naperville; however, the
14 unincorporated area just south of Sunrise, south of
15 this development, is within the City of Aurora's
16 jurisdiction and that may come in for future
17 development.

18 The area east of Meridian, which is
19 where most of the homes are, that's on the
20 Naperville side of the boundary agreement, so that
21 would be under Naperville's future jurisdiction;
22 however, one thing I do want to stress -- let me go
23 to Naperville Comprehensive Plan, if you don't mind.
24 Give me one second.

1 This is the Naperville
2 Comprehensive Master Plan for their northwest
3 section, and this is the color map. This was
4 actually adopted in 1996.

5 I'll zoom in. It's a little hard
6 to see, but this area, this is actually a dark
7 purple, so everything -- this actually includes a
8 little piece of the proposed site, so the very --
9 you can kind of see Meridian runs north-south there
10 south of Ferry. This actually includes a little
11 piece that we're talking about today. And then the
12 rest of it is everything south of Ferry and then
13 down to the tollway.

14 So Naperville has shown this as
15 what's called Business Park, which is identical to
16 the City of Aurora's ORI, office, research, light
17 industrial.

18 So Naperville, once they develop
19 this for properties that become available, they
20 would also develop this nonresidential as an ORI
21 use.

22 And the City of Aurora's comp plan
23 just west and north of this is also shown as ORI,
24 and much of that is already developed. So I did

1 want to show you that Naperville's comp plan does
2 mirror City of Aurora's.

3 And then I'm going to go back to
4 the site plan real quick. I'll pull up the
5 landscape plan again that shows the landscaping.

6 One other thing I just wanted to
7 bring up, you know, the staff has worked with the
8 Petitioner. They've -- they've made a lot of
9 revisions. We've worked with them on heavy
10 landscaping on both the east and south side because
11 there are some homes there still.

12 We've also worked with them on a
13 photometric which is in your packet. It does mean
14 our ordinance is less than one foot-candle at the
15 property line. They provided a traffic study which
16 shows there's no improvements needed. And, again,
17 we're diverting all the truck traffic to the east on
18 Frieder and then north on Ferry Road.

19 Let me see if there's anything else
20 on traffic study. Again, a berm along Meridian and
21 buffering.

22 I'm sure I'll have other things to
23 add after the Petitioner, but unless there is any
24 questions of staff, I can turn it over to the

1 Petitioner.

2 CHAIRMAN PILMER: Questions for staff?

3 (No response.)

4 CHAIRMAN PILMER: At this point I'm going to
5 call the Petitioner forward, and this is a public
6 hearing, so we will -- I will swear you in. Please
7 raise your right hand.

8 (John Philipchuck sworn.)

9 CHAIRMAN PILMER: Thank you. And if you'll
10 just state your name and address for the record.

11 MR. PHILIPCHUCK: Yes. Good evening. My
12 name is John Philipchuck. I'm an attorney
13 representing the Petitioners in this evening's
14 hearing. Our offices are at 111 East Jefferson
15 Avenue in Naperville, Illinois, here representing
16 Logistics Property Company. They are the contract
17 purchasers from Old Dominion Freight Line for this
18 roughly 18-acre site.

19 With me this evening is Mr. Ben
20 Fish, who is one of the vice presidents of the
21 Midwest region for Logistics Property Company; and
22 Will Freve, who is senior vice president, Midwest
23 region. You might recall Will. He was formerly
24 with Duke and worked here in the City of Aurora for

1 many years. 18 years he was with Duke, and they
2 developed 12 projects in Aurora, including five of
3 them up in Butterfield East which is the property
4 that is just north of this property, north of Ferry
5 Road.

6 So they are also a PC, as we call
7 them, a national industrial logistics developer.
8 They have headquarters in Chicago, and they
9 currently have in their portfolio 45 buildings
10 across the country totaling roughly 21 million
11 square feet under roof.

12 The group has also acquired a piece
13 of property at 2800 Diehl Road in Aurora. It's just
14 south, adjacent to the East-West tollway and west of
15 Eola Road, that they will be constructing another
16 building in Aurora this year, and of course hopes,
17 with the approval of this project, to be able to
18 build a second building at this location.

19 So, Ed, that is the finest
20 presentation that you've made in a long time and you
21 preceded me. You made my job much easier.

22 But we, as was described, are
23 trying to square off this parcel between Ferry Road,
24 Sunrise Road, Meridian Road, and Frieder Lane, and a

1 small portion, 4.8 acres, was not annexed originally
2 as part of the Butterfield Planned Development
3 District back in 1976, and so it makes sense to have
4 that property attached with the remaining property
5 that's already in the City zone. It's on the Aurora
6 side of the corporate boundary agreement with the
7 City of Naperville, and both comprehensive plan for
8 both communities sees the future of this area for
9 these nonresidential type uses.

10 So we have designed the building,
11 are working extensively with staff. It's a
12 phenomenal landscape plan, as you can probably tell
13 from all the plans that you do see come in with how
14 they have taken into account the screening and paid
15 particular attention to the types of plants that are
16 going in here.

17 They have incorporated quite a few
18 of the Evergreen species, namely some of the plants
19 like the Eastern White Pine, which can reach 50 to
20 80 feet tall. This is a 45-foot tall building is
21 what's being proposed, a spread of 20 to 40 feet.
22 They have Austrian Pines that are mixed in the
23 screening areas, also. They can get 50 to 60 feet
24 tall, and they have a spread of 20 to 40 feet.

1 And so with the -- all of these
2 types of plants, you look at the detention
3 facilities, we have one up adjacent to Ferry Road.
4 We have another -- the larger one is adjacent to
5 Frieder Lane, again, all surrounded with
6 landscaping, various species of trees and evergreens
7 interspersed.

8 So the staff has done a wonderful
9 job working with the developer to go ahead and make
10 this a beautiful facility, and try to screen and
11 have respect for the neighbors that still do have
12 homes in that particular area, and describe the
13 improvements that are going to be put in as a result
14 of this development. So the Aurora side, if you
15 will, of Meridian will get a full improvement.

16 Sunrise, most of it -- the
17 right-of-way will be required, and then the design
18 for a road that will serve the truck traffic that
19 would come out of the facility, and go over to
20 Frieder Lane, and exit up to the Ferry Road which,
21 as you know, takes the majority of the traffic then
22 out to Route 59 where it can go north-south and get
23 onto the tollway.

24 So the photometric plan, as Ed

1 mentioned, was submitted, reviewed by staff, along
2 with the traffic study. So all of those items that
3 traditionally would be looked at with the
4 development of the scope have been submitted, have
5 been reviewed by staff.

6 And so we have a consolidation of
7 the parcels. As Ed mentioned, we have four parcels
8 that are part of the whole area there, and they will
9 be zoned in the PDD District, part of the
10 Butterfield development. And we have presented our
11 plans to the Butterfield Owners Association for
12 their review and comment. They have said that they
13 are in agreement with the plan subject to a final
14 approval after we get through the City process.

15 So from what they've seen so far
16 they are happy with, and they have told us it
17 complies with their requirements for their
18 buildings, signage, landscaping, et cetera.

19 And excuse me. So we're asking
20 this evening that the Plan Commission would
21 recommend approval of the proposed, you know,
22 annexation agreement; the zoning to the PDD
23 District; the resubdivision, if you will, of the
24 property into one lot, mentioned the Lot 402, which

1 then would be a part of this subdivision plat which
2 is called Butterfield Phase II Unit 4C. That will
3 be the actual designation that would be given to
4 this subdivision plat, basically a one-lot
5 subdivision plat, the Lot 402; and then the final
6 plan approval for the actual site plan that you see
7 before you this evening with all of the items that
8 were mentioned by Ed as far as what will be provided
9 for by the developer and what attention is being
10 paid to the building itself, the design, and of
11 course the landscaping.

12 So with that, if you have questions
13 for me, for our team, we're happy to answer them at
14 this time. Otherwise, we're open to come back after
15 we hear comment, if any, from the public.

16 CHAIRMAN PILMER: Any questions of
17 Mr. Philipchuck and the Petitioner?

18 UNKNOWN VOICE: (Indecipherable.)

19 CHAIRMAN PILMER: Excuse me, sir. We'll get
20 to the audience here in a minute.

21 All right, thank you.

22 All right. This is a public
23 hearing, and at this time we will allow anyone in
24 the audience who would like to speak.

1 Before we get started, though, I
2 would just ask -- you know, to let you know, as part
3 of the Plan Commission here for the City of Aurora,
4 the five of us up here are all volunteer citizens
5 and our job this evening is to hear testimony from
6 the audience that will be provided to the City
7 Council who will eventually approve this or will
8 vote on this, but we will listen and we will record
9 your questions.

10 It's not to have an ongoing debate,
11 but if you have questions, please ask them; if you
12 have comments, you're free to make them; and if you
13 want to disagree with your neighbor, you can do
14 that, as well. And then once all questions have
15 been asked, we will ask the Petitioner or staff to
16 answer them.

17 So before we start I'll state that
18 we received written correspondence for public
19 comment from several neighbors who I don't believe
20 are in attendance this evening, and I want to let
21 people know that this testimony has been entered
22 into the Commission's packet, and I'll read the
23 names and addresses of those individuals. Lyle Kipp
24 of 4S240 Meadow Road; Joseph Donald Kubal of 30W600

1 Sunrise Road; Gil McAuliffe of 30W571 Sunrise Road;
2 John Trapp of 4S371 Meridian Road; and James
3 Tortorich of 4S365 Meadow Road. They've all
4 provided information that's been included in our
5 packet, and they've objected to the project.

6 We also have additional information
7 from Dana Caempen of 30W544 Sunrise Road; Ali Setork
8 of 4S241 Meadow Road; and John Trapp of 4S371
9 Meridian Road, all requesting an extension.

10 And then we also have -- we had
11 information from Jim Wittneben of 4S300 Meadow Road
12 and Arno Peterson of 4S471 Meadow Road. I believe
13 they are going to provide additional documents for
14 their comments this evening.

15 So with that, if anyone would like
16 to speak, maybe I'd have you stand and raise your
17 right hand. I'll swear everything in at once.

18 (Audience members sworn.)

19 CHAIRMAN PILMER: All right. Then we'll
20 start up in the front here, and then if you'll just
21 come on up to the podium and state your name and
22 address for the record.

23 I think everyone has signed in, but
24 if you haven't had a chance to sign in, please make

1 sure you do. Thank you.

2 MR. SETORK: Good evening, Gentlemen, and I
3 want to thank you to be here on this cold winter
4 night in Chicago area. It was certainly a challenge
5 for us to walk from the parking lot to here.

6 My name is Ali Setork, and I reside
7 in the same subdivision that the subject project is
8 going to be constructed. I am a retired university
9 professor and I taught for 25 years. I also own
10 DynaCom Management in Naperville. DynaCom has
11 brought over a thousand jobs annually to Naperville.

12 I'm also on the board of NDP. For
13 those of you who know it, that's the economic
14 development of Naperville, and Christine Jeffries is
15 the president. I've been there for 15 years.

16 I'm also a trustee of North Central
17 College. I also served for two terms on the --
18 (Indecipherable) -- review board like you in
19 Naperville under the Honorable George --
20 (Indecipherable).

21 And my wife and myself also are
22 part of several -- board of several charity
23 organization like Edwards Hospital, and Spectrios,
24 and DuPage Pad. Spectrios is a blind organization

1 in DuPage County.

2 And I apologize that I want so much
3 to explain who I am, but I just wanted to relate to
4 you that we are regular people who live there, and
5 all of these people who live, they have better
6 credential or equivalent than I am and they all
7 reside in our subdivision.

8 So a little -- just a little bit
9 about the subdivision so that you know, and then I
10 also noticed that somebody just showed Naperville
11 long-term plan for that area.

12 Well, Naperville doesn't have
13 anything to say for DuPage County. We are
14 unincorporated, so Naperville doesn't have anything
15 to say about our zoning or anything. It's under the
16 control of DuPage County.

17 So our subdivision is not zoned for
18 future of being commercial or ORI or industrial by
19 any means.

20 The subdivision has about -- it has
21 been like there for about 50 years, and it is a
22 serene equestrian environment. We have Coyotes. We
23 have deer. We have horses in our subdivision. We
24 have children playing. People go to work every day.

1 We have people who walk on the streets and bike on
2 the streets, et cetera, et cetera. I mean, these
3 are real people who live there.

4 We also have a problem. I mean, we
5 really have a problem because every few months we
6 wake up and we see that, hey, somebody -- like a
7 business person came and wants to walk into our
8 subdivision and say these are a bunch of abandoned
9 houses and let's widen and convert them into -- you
10 know, none of these are abandoned. These are real
11 people live there.

12 We do acknowledge that our global
13 area around us have gone heavily industrial and
14 there are a lot of warehouses around us, and we get
15 disturbed by the truck traffic every day. But,
16 also, we expect anybody to realize that these
17 streets are identified as code residential, and I
18 hope when they come to our subdivision they
19 recognize that we also have our residential rights.

20 The problem is, is people who
21 bought their houses, they relied on you people, the
22 so-called the government, to protect them against
23 cases like this for them to come and rezone our
24 subdivision.

1 And I tell you, we have proof and
2 we have everything to explain to you. Nobody
3 tonight said that if they are asking for rezoning of
4 residential to commercial.

5 There are so many things that I
6 wanted to ask, actually, but forget it. Let me just
7 go ahead with my thought.

8 I want to tell you a little bit
9 history of what has happened lately. Now,
10 unfortunately, the history is just about two or
11 three days for this project. This project for us,
12 it's only two or three days, and that is because of
13 the rushed timing of this project, the rushed timing
14 of this project.

15 And I want to explain to you, this
16 letter -- this letter, which is -- I'm sorry, the
17 letter which is from Mr. John Philipchuck, it is
18 written on December 13.

19 Now, you guys tell me, if something
20 is written on December 13 with December delay of
21 mail system, how long do you expect for people to
22 get that letter?

23 Let's assume that it's just seven
24 days. So that would take you all the way to

1 December 20, and we are just into Christmastime and
2 nobody is around. In fact, as soon as we found
3 about this, Jim Wittneben and also Mr. Peterson,
4 they went to Aurora -- City of Aurora and they talk
5 to Jill Morgan. So we didn't ignore this from day
6 one. And they asked for the plan for the project.
7 You know what they said? Here is the plan, you look
8 at it, you study.

9 Can we have a copy this? No, your
10 can take picture.

11 Are you serious? You take picture
12 from a previous land plan and then just go home and
13 just patch about 25 pieces together? Nobody gave us
14 the plan. Now, we asked this from day one.

15 So I want to just go back to this
16 history because I have a 37-year-old daughter who is
17 an eye doctor and lives in Geneva, Illinois, and she
18 has three little kids. All of a sudden we realize
19 that she had a serious brain tumor that must be done
20 surgery right away.

21 Now, why am I telling you this?
22 Because it just went into this from we checked -- we
23 talk to Northwestern Hospital in downtown and we
24 checked into a hotel in Chicago and stayed there

1 from December 20 all the way to Christmas for her to
2 go under the surgery. That surgery was very
3 dangerous, and very elaborate, and she requires
4 about three months of heavy care, and that's why my
5 wife is not here and she is with our daughter.

6 So that just tells us the amount
7 of -- now, add to this the holiday time that most of
8 our residents, they are either traveling or they
9 have visitors to visit them.

10 And, by the way, we didn't drop the
11 ball. We continued to call the City. So we called
12 Jill Morgan right after Christmas, and do you know
13 what, she's off for the entire week.

14 Can anybody else can give us any
15 information? We need the plans. We need something.
16 Nobody.

17 So I asked the Petitioner and I
18 asked Mr. Philipchuck and they were both nice enough
19 to send me the plan, but they didn't send me until
20 two days ago, just two days ago. Today is
21 Wednesday. I got it on Monday. So two days we have
22 this plan to look at it.

23 And we also asked -- as you said,
24 Mr. Pilmer -- you just said that I called and we

1 asked for extension, but Jill Morgan, who is
2 officially the planner for this project, she said
3 she can't give us.

4 And so I turn back to the
5 Petitioner and I talked to them, and I said, can we
6 talk? Can we correct this thing? Can you give us
7 an extension? And they said no.

8 So we have about 20 people over
9 here. They want to get organized. And I know you
10 are -- your time is valuable. You come over here
11 and you want us not to repeat ourselves, be
12 organized. I mean, how can we get organized about
13 this massive project in two days? This is the
14 problem.

15 And so the project, we want to talk
16 about it hopefully in some other night, but this
17 project is troublesome. We realize it is generally
18 a good project, and we'd like to work it out with
19 the City and also with the Petitioner, but the way
20 it is right now it needs to be tweaked.

21 And I am -- (Indecipherable).
22 Usually when I get notices like this, I say many of
23 development is positive and I usually don't go. And
24 I have a lot of property in Naperville, but this

1 time I have to because we really need to change
2 this.

3 So when I reached out to Mr. Morgan
4 [sic.], he was polite and he was nice to talk to us,
5 but he wasn't willing to budge on any of the
6 disturbances and any of the changes that we ask.

7 So, therefore -- because I want you
8 to realize that the timing is really unjust and
9 unfair to us, and what I'd like to ask is you
10 acknowledge that if we didn't have enough time to
11 get organized and to get prepared, we are really not
12 prepared for our difference to bring all the points
13 properly to you.

14 And we would like, also, to have a
15 little time to go back to the Petitioner and sit
16 down with them and see if we can work out a plan
17 that works, and preserve our subdivision as a
18 residential, and also give them the okay to do the
19 project; and, therefore, I'm going to ask you to
20 please give us time.

21 I know that by rule and regulation,
22 perhaps, other people could not do, but I know that
23 you do have the right to give us time to get
24 prepared or to have time to resolve the problem with

1 the Petitioner to get this project under way.

2 And, really, I appreciate your time
3 to listen to me, and if you have any question, I'll
4 be happy to answer.

5 CHAIRMAN PILMER: Thank you.

6 UNKNOWN PARTICIPANT: (Indecipherable).

7 MR. SETORK: Well -- hold on.

8 CHAIRMAN PILMER: Just as I said earlier,
9 we're going to listen to you all the testimony this
10 evening. So we'll take a number of questions.

11 MR. SETORK: What I am asking you --

12 CHAIRMAN PILMER: Excuse me. Once we are
13 done listening to all the questions, then either I
14 will answer them, the staff will answer them or the
15 Petitioner will, but we're not going to go one at a
16 time through the questions.

17 MR. SETORK: No. Just the entire process I
18 have is only one question, and I'm asking you to
19 please right now to deliberate with each other and
20 see that if you would like to give us an extension
21 or no to just continue this tonight.

22 CHAIRMAN PILMER: So I'm going to repeat to
23 you that we will take all the questions this evening
24 and then we will answer them.

1 MR. SETORK: Okay. Thank you very much.

2 CHAIRMAN PILMER: Thank you.

3 Next?

4 MR. WITTNEBEN: I do have handouts. There is
5 two sets. So you have the handouts?

6 CHAIRMAN PILMER: Can we have your name and
7 address, sir?

8 MR. WITTNEBEN: Okay. My name is Jim
9 Wittneben and I'm at 4S300 Meadow Road.

10 So you've got a map, and there's my
11 house. My wife and I own these two properties.
12 (Indicating.)

13 So I'm hopefully going to set the
14 stage so that we only go through a topic once. In
15 other words, we got together. I'm going to give you
16 a little bit of intro again. Some of the intro
17 stuff might sound a little bit repetitive, but then
18 it will set things up.

19 And then we have a set of topics
20 that other people will talk about, and they will
21 hopefully stick, you know, to the topics so we only
22 have to go through it once.

23 So in terms of -- you already
24 understand that we're this residential neighborhood

1 that wasn't on any of the Petitioner's plans, in
2 other words. In fact, they even denied that there
3 was houses right across the road just 26 feet away
4 from this 45-foot building.

5 Anyway, you know, we are zoned R-2.
6 There is 15 homes. We have a couple they are
7 planning on building this year, the 16th home. They
8 are not necessarily old homes. They range, you
9 know, from acreages of almost an acre to six acres
10 or a little over six acres, kind of like from a
11 1,200-foot home up to a 7,700-square-foot home.

12 Our roads -- and you're going to
13 hear this multiple times -- are narrow, 21-foot-wide
14 roads, asphalt, no curb, no sidewalks, but this is
15 what we use for our vehicles; it's what we have to
16 use to walk; walking our dogs; and you'll hear from
17 an equestrian family.

18 There's no street lights and we
19 have to use those roads as our way of getting
20 around. People are all the time using the roads to
21 get -- you know, for walks, jogging and so forth.

22 So, anyway, with the topics, the
23 general categories that we're going to go talking
24 about is what our neighborhood looks like because

1 it's slightly different because of this -- the
2 U-shaped version of our neighborhood, and that, you
3 know, we don't have the normal roads.

4 And then we're going to talk a
5 little bit how we use our homes; and use our
6 neighborhood; and what our aspects of life, quality
7 of life are; and then what this proposed annexation
8 would do; and then let alone putting an end to a
9 PDD; and then moving that PDD to the Butterfield
10 phase II PDD, and then the site plan.

11 And by the way, my understanding is
12 there is a step between moving it into the PDD --
13 the Butterfield PDD, and the actual approval of the
14 warehouse, and that if that -- in-between there is
15 when Logistics would actually do the purchase of the
16 property.

17 So they have an agreement with Old
18 Dominion to buy, was my understanding, to the
19 property as long as they do get it annexed and zoned
20 correctly.

21 At that point in time, once it's
22 annexed and zoned, we don't get any more input. And
23 if Logistics for some reason changed what they
24 wanted, it would be totally up to the City of Aurora

1 for what is allowed.

2 And it's a -- Butterfield PDD is
3 144-page document of all the different things that
4 they can put there, and there's a lot of things that
5 are just not the type of things that you'd want to
6 have, you know, just 90 feet away from your house.

7 So we also will be talking about --
8 you know, about some of the things with the -- with
9 this annexation with the impact to our neighborhood.

10 We'll talk a little bit about
11 rezoning laws because, you know, you're volunteers;
12 you're not, you know, attorneys in zoning. So we
13 want to make sure that you understand that the whole
14 concept of zoning laws was to protect residents, and
15 there is -- some of those laws we'll be talking
16 about.

17 So the topics include traffic
18 inside of our neighborhood, safety, the zoning and
19 annexation laws, which is closer to being the same
20 as annexation and rezoning laws, but we have two
21 different people talking there. Noise, and I don't
22 know because, again, we had such a short time.

23 Arn, are you prepared to talk about
24 noise or did you want me to?

1 MR. PETERSON: You can go for it.

2 MR. WITTNEBEN: Okay. So on the noise, when
3 you have a warehouse with the trucks, they are
4 driving, of course, and people have heard trucks and
5 as they start up they go through gears, and of
6 course you can hear that.

7 They also -- most existing trucks
8 have to be idled, especially in the wintertime, and
9 so they have that diesel engine idling noise. And
10 then as they back up, they have backup beepers.

11 So the switcher, sometimes called
12 the a yard mule -- and I think there is five other
13 terms for that -- moves the trailers around in the
14 warehouse.

15 There's things that you can do to
16 fix that. They can be -- they can use the faucet
17 noise for backup. You know, it sounds like you're
18 turning your faucet on and off so you don't have a
19 backup beeper. So there are things that can be
20 done.

21 They can also be electric vehicles
22 so they don't run a diesel engine, and they can
23 hopefully make it so that -- I mean, the whole
24 person that is going and doing the switching of the

1 trailers and moving them to the docks and back and
2 forth, they need to get their job done as fast as
3 they can, and so if they back into a trailer and it
4 doesn't lock in the kingpin, then they don't get as
5 many trucks moved. They'll have to try it again.
6 So they bang into those to hook on to a trailer.

7 And then of course when they --
8 with a switcher they just drop the thing because
9 that's how you do it. There's no connection on the
10 hoses when you're moving it around the yard.

11 So, anyway, we have all the truck
12 noises from the trucks moving around. And then when
13 you get to the gate, there is -- depending how you
14 design the gate, you're going to have metal clanking
15 on metal when you drop that gate down, when you
16 have the -- so that you can get the forklifts in.

17 And the forklifts driving on the
18 side of a trailer, you know, that makes noise,
19 especially when they are pulling the pallets out and
20 then dropping them around; and since there's going
21 to be 47 -- 37 or 47 truck docks inside of there,
22 those forklifts, they go beep beep beep because
23 there'll be other forklifts. It's not just one.
24 There will be about 47 forklifts doing that work.

1 So all of those noises, and
2 especially in the summertime when the dock doors are
3 going to stay open, will come throughout -- you
4 know, off of the property.

5 So I think that's basically the
6 information I have on noise.

7 And we -- some people may talk a
8 little bit about a specific type, but we also will
9 have someone talk about light pollution, air
10 pollution, horse riding, trash on the roads.

11 And it has been mentioned that
12 Butterfield does have several other warehouses in
13 the area north of Ferry and west, and we have --
14 it's a natural thing that you get trash on the roads
15 because the trucks park there and they don't like --
16 just like other citizens, they just don't like to
17 keep the truck trash in the truck.

18 We have some pictures of our homes,
19 but I don't know if we had time to get those, but,
20 you know, we have something like -- we have some
21 nice brick homes in the neighborhood, and then we
22 have some of the older ones that have been around
23 for 60 years that, you know, aren't as big or, you
24 know, block or brick.

1 But there's a lot of -- there's a
2 lot of nice things in the neighborhood. It is a
3 nice place where we have a nice quality of life, put
4 it that way. So then that will be talked about.

5 And then traffic from a logistics
6 point of view, meaning from outside of our
7 neighborhood, so that's traffic on Ferry, 59, and
8 Eola, and what's going on in terms of their plans
9 for truck traffic on those roads.

10 And then so water drainage, I did
11 put something in your package that says critical --
12 hold on -- plans, and on the -- on the parcel map it
13 shows that of the two existing Aurora properties
14 that are in this proposal they have about -- there
15 are about one-third critical wetlands.

16 And then I have some pictures that
17 I took in there. So in your package you should be
18 able to see ponds on there, and also geese in the
19 ponds. And when you look at those pictures, if you
20 lived in my neighborhood, you'd say, well, this
21 parcel of land would be a good buffer away from that
22 residential.

23 So that's, you know, just one of
24 the things. And I guarantee you Old Dominion

1 doesn't want that, but the thing is, the residents
2 were here first. So that's part of the zoning part
3 of things.

4 The other thing is on spec
5 warehouses -- and, again, I have to apologize, we
6 don't have -- didn't get a chance to get totally
7 organized, but with a spec warehouse you never know
8 what's going to go in it. And so we would want to
9 make sure that whatever did go into was not
10 dangerous to our neighborhood.

11 And we've seen things up north of
12 here where old towns got -- everyone had to move
13 away, you know, anything with chemicals. Who knows
14 whenever they are going to store batteries -- the
15 lithium batteries or whatever that would cause
16 fires. They found that out south of here.

17 So, anyway, with a spec warehouse,
18 we don't know what type of things are going to be
19 stored in that warehouse.

20 And then -- and I think I already
21 mentioned that once this is annexed, then -- and it
22 gets put in the PDD, our neighborhood doesn't get
23 any say. In fact, we won't even know if plans
24 change for what is going to be built.

1 Let's say that there is a delay in
2 building this warehouse and for some reason
3 Logistics, which is a huge company -- and they have
4 built cross-dock facilities. So let's say that they
5 change their mind. Well, that's something, as you
6 have sort of gotten a hint, that is just totally
7 unacceptable to have a cross-dock facility.

8 This current warehouse with some
9 tweaks, as was indicated, might be more acceptable,
10 but we also are providing you information so that if
11 we had to, we could fight the whole thing because of
12 the rezoning.

13 So, I mean, I built my house in
14 '88. We've had, I think, five other houses built
15 since. The Frieders had their brand new brick house
16 built, and then the County took it down with eminent
17 domain to put in the new Ferry Road, but there's --
18 we lost five houses on that when they did that part
19 of the Ferry Road where they changed where it went.

20 But we do have new homes being
21 built, and, like we said, one of the couples that
22 are here are planning on building their home this
23 summer.

24 So, anyway, I had to throw in a

1 couple of things just in case we needed to have it
2 for reference in the future, and that is that at
3 least in DuPage County you can't change the zoning
4 of a property, an R-2 property, unless you tried to
5 sell it as an R-2 property first; and if you can
6 sell it as an R-2 property, then you were allowed to
7 change the zoning. And that's Paul Hoss, if you're
8 familiar with the head of planning and zoning in
9 DuPage County.

10 So what I'm basically asking, as
11 everyone else that will be saying we're in joint
12 agreement, is that right now with what we see, it
13 does not -- it's going to try to destroy our
14 neighborhood. And you're going to see it's not just
15 from this site, but what they're doing is going to
16 allow the other existing warehouse to run trucks and
17 employee vehicles into our neighborhood.

18 So we just are totally against all
19 four of these as they currently stand.

20 CHAIRMAN PILMER: Thank you.

21 All right. If you'll just state
22 your name and address for the record.

23 MR. PETERSON: Arno Peterson, 4S271 Meadow
24 Road. I'll try to be brief as a few of my talking

1 points were already touched upon.

2 I just want to point out where I
3 live. I live right there on Meadow Road.
4 (Indicating.)

5 Just to reiterate a little bit, on
6 my handout, it's another version of a map with a
7 personal viewer from DuPage County, and it
8 highlights our neighborhood which is outlined in
9 bold green.

10 It also frameworks our neighborhood
11 with Meadow Road to the east, Sunrise Road to the
12 south, Meridian Road to the west. And if you
13 notice, Sunrise Road currently extends past Meridian
14 to emergency gates.

15 And just west of there is another
16 warehouse that is currently used by USPS, the United
17 States Postal Service.

18 And then you can also see, you
19 know, outlined in blue is the property in question.
20 And then shaded in orange is the rezoning of the
21 home that is part of the our current subdivision and
22 rezoning -- rezoning and annexing.

23 And in that location is where the
24 new planned warehouse is going to go. I would like

1 to thank Aurora planning for taking -- taking our
2 neighborhood into consideration and requesting that
3 the docks were put on the west side to help lessen
4 the impact.

5 With that said, my fundamental
6 concern is business-related warehouse traffic
7 through our neighborhood and how it impacts our
8 pedestrian use of our streets by our residents.

9 And you can see on pages 2
10 through 4 pictures of our streets. Page 2, the top
11 picture is a southbound view of Meadow Road from
12 Ferry Road, and you can see, like was previously
13 stated, we have no sidewalks or street lights.

14 The bottom picture is the
15 southbound view of Meadow Road with a downhill
16 approach to Sunrise.

17 Our neighborhood has a little bit
18 of a roll and a couple mild hills, so when traffic
19 goes through the neighborhood, you go up a hill and
20 you're not going to see something coming at you
21 until you get up on the flat.

22 And then on page 3 you're going to
23 see a westbound view of Sunrise Road, and at a
24 little bit of a distance you can see the corner of

1 Meridian there. And the bottom picture is a picture
2 of the emergency gates that are currently there for
3 fire entrance to the warehouse that USPS is using.

4 And then the top page on -- top
5 picture on page 4 is a southbound view of Meridian
6 Road from Ferry Road.

7 My wife and I walk or run or bike
8 on our streets regularly throughout the year before
9 work, and I'm serious when I say throughout the
10 year. We braved the weather this morning and we got
11 two miles in before work.

12 You know, sometimes if we have time
13 with our work schedule we can walk -- get a quick
14 walk at lunch, also, or go for a walk in the
15 evening.

16 Since our streets are used for
17 these sorts of pedestrian activities,
18 business-related traffic impacts our safety and
19 quality of life, and I have an example of that. A
20 semi truck took a wrong turn into our neighborhood
21 and met my wife on Meadow Road, and that was this
22 December 27th, 2021. It was 6:57 AM in the morning.
23 And you can see by the pictures -- the bottom
24 picture on page 4 and the top picture on page 5 that

1 due to the width of our roads there's not much room.

2 So there is very little space for a
3 car to pass or for parents to walk their children to
4 a bus stop. Our bus stops are usually in the middle
5 of the street, as well as if there was a parked car
6 along the side of street, there would be very little
7 room for the truck to get through.

8 And you can see how close the truck
9 went by my wife on the bottom picture of page 4.
10 And, you know, when we're out there, we wear
11 reflective gear, we have blinking lights and
12 everything that way, especially in the winter hours
13 because it's not completely daylight. So that makes
14 it a little bit of a challenge but we are clearly
15 visible.

16 This was a random event and by
17 removing -- one thing I want to point out is, again,
18 those emergency gates there, they are going to be
19 removed with this project is what we were told, and
20 by removing those, you know, access gates it will
21 open the flood gates to allow business-related
22 traffic through our neighborhood from the new
23 planned warehouse as well as the USPS warehouse, you
24 know.

1 An additional traffic concern is
2 when employees -- is with the employee access on
3 Meridian Road of the planned warehouse because they
4 have two planned accesses. One is near Ferry Road
5 and the other one is further south close to the
6 corner of -- excuse me, of Sunrise -- at the corner
7 of Sunrise and Meridian.

8 So when employees leave after a
9 shift change, they will make a fast exit through our
10 neighborhood to Sunrise, to Meadow, to gain access
11 to Ferry Road.

12 Both of the aforementioned cases,
13 they will invade our neighborhood because they
14 simply can and there are no gates to stop them. And
15 that's my fundamental concern is, you know, our
16 neighborhood being overrun by traffic from that
17 point of view.

18 Our streets are not built to handle
19 the weight and the volume of business traffic from
20 these two warehouses. They should not -- they
21 should also not be using as feeder streets to the
22 warehouses. They shouldn't use our streets to feed
23 into the warehouse, especially like the employee
24 entrances on Meridian. That's a concern.

1 Ferry Road is a feeder to Frieder
2 Lane with direct access to the warehouses. There is
3 no purpose for the warehouse traffic to drive
4 through our neighborhood. The warehouse traffic
5 does not deliver our mail, it does not take our kids
6 to and from school like the school bus, and the
7 warehouse traffic doesn't pick up our garbage. So,
8 you know, that's our -- my fundamental concern.

9 The last thing that we want to have
10 happen is a child get injured, or worse, killed by
11 warehouse traffic running through our neighborhood,
12 and do you want to read about such an event knowing
13 that you had the opportunity to prevent this?

14 The last picture -- the last
15 picture on page 5, that picture shows what I'm
16 trying to protect, not just these two little guys,
17 but to protect the residents of our neighborhood of
18 all ages, and to preserve the safety and the
19 serenity and quality of life of our neighborhood.
20 But to keep all of that, all business traffic to and
21 from the warehouses need to be using Frieder Lane
22 and the emergency gates need to remain on Sunrise.

23 We don't have any guarantee that
24 the "Do Not Enter" sign is going to keep people from

1 running through our neighborhood. I understand they
2 have to get to work and leave work, but I see
3 Frieder Lane as that purpose, and that's all I'm
4 asking.

5 And you as planners and rezoning --
6 zoning commission, you have an opportunity to make
7 this project work for both worlds, for the
8 warehouses and the Ferry Road subdivision, and I'm
9 here to work with you on that.

10 You know, we would really -- you
11 know, I understand progress and I understand that
12 property is going to be developed sooner or later,
13 but we would just like something that would be
14 comfortable in both environments.

15 So I urge you to seriously consider
16 these concerns as if you lived in our neighborhood.
17 With these concerns, please be a good neighbor and
18 request updates to this plan to keep warehouse
19 traffic off our neighborhood streets.

20 Thank you.

21 CHAIRMAN PILMER: Thank you.

22 Next?

23 MS. REILLY: Hello, my name is Alice Reilly
24 and I live at 311 Meadow Road. I'll point that out

1 here. (Indicating.)

2 First of all, I had no idea that
3 you folks were all volunteers, so thank you so much
4 for what you do for the community. Without people
5 like you we wouldn't be able to move forward on
6 anything. So thank you for that, for the time that
7 you give.

8 Before I start, I -- I would like
9 to say I take exception to a comment that the
10 Petitioner made that there are houses still there;
11 characterizing us as though we are a bunch of broken
12 down, old dirt farmers. This is a neighborhood of
13 professionals. Ali Setork is a retired college
14 professor, successful businessman. Mr. Wittneben
15 has a PhD. We have engineers. I am an elementary
16 school teacher, probably one of the least educated
17 with my master's plus.

18 So let's make it clear about that,
19 we are not a broken down, dirt farming neighborhood.
20 So I take exception to that.

21 This is a very quiet, peaceful
22 neighborhood, and it's designed in that horseshoe,
23 as you can see, made of Meadow, Sunrise, and
24 Meridian. Now, we do not have sidewalks, so we use

1 those very sleepy streets and they are very sleepy.
2 The only people on our streets are our neighbors.
3 We know everyone's car, everyone's face, everyone's
4 dog.

5 So we use those sleepy streets to
6 walk our dogs, ride our bicycles, jog. Oh, my God,
7 children are waiting for the school bus on a dark,
8 winter morning when warehouses -- warehouse
9 employees are coming to work.

10 And as an equestrian friendly
11 explicitly R-2 area, we have residents that own and
12 ride horses. I myself have an intellectually
13 disabled family member who uses these streets for
14 exercise and to enjoy the great outdoors. That's
15 why we moved there 16 years ago, so he would be
16 safe.

17 So whatever future development is
18 going to happen, if something is going to happen to
19 that land -- I mean, this is the 21st Century,
20 that's clear -- whether it's a warehouse or a strip
21 mall or an office building, I really implore this
22 honorable board to insist that the developer's plans
23 protector our safety.

24 There cannot be any access from

1 Meridian Road. There cannot be. The berm is great.
2 The Evergreen trees are great eventually in decades
3 when they're 50 or 80 feet tall. That's all
4 beautiful, but there cannot be any vehicle access
5 off of Meridian, none.

6 When there is a tragic accident who
7 are we going to see about that, the developer? The
8 developer, the developer's lawyers? You can bet
9 we'll be beating a path to that door.

10 And I'm going to close this way.
11 At the very very least, government has an obligation
12 and a responsibility to protect people. Please do
13 not shirk that obligation now.

14 I thank you for your time and your
15 volunteering.

16 CHAIRMAN PILMER: Thank you.

17 Who's next?

18 MR. KUBAL: My name is Joseph Kubal,
19 K-U-B-A-L, and I reside at 30 West 600 Sunrise Road.
20 I do have packet material. Just I'll put on the
21 map. (Indicating.)

22 So thus far I think we've -- our
23 community, I've lived here 26 years, and we've had a
24 lot very emotional people, and I'm going to try a

1 different tact and go from -- some of them are
2 logical issues that I see with the further
3 development in this area.

4 So, again, I think as we've already
5 said we completely understand the need for
6 development -- I'm a chemical engineer -- but,
7 again -- and it's hard to balance the needs of
8 Aurora with, again, kind of our awkward, little,
9 unincorporated parcel, but the problem that I see
10 is -- it's two-fold.

11 So if we go to the packet, there's
12 kind of the first problem where we're starting to
13 see expanding truck traffic in the area, and that's
14 kind of to be expected, but with the new building of
15 this, and in 2025 we'll see the building and
16 expansion of Eola -- and that's the single largest
17 budget item that the -- sorry.

18 The DuPage County Road Improvement
19 Plan has the single biggest capital expenditure.
20 They are going to be going from Ferry all the way
21 down to North Aurora and adding two more lanes. And
22 we're kind of expecting partial shutdowns with a
23 similar, to what I understand from all the plans
24 I've read, for what happened to 59 in 2016, and I

1 think if anybody has been there that long the
2 traffic there was kind of a nightmare.

3 So that would essentially mean that
4 all the traffic would be funneled through 59 and
5 then onto 88 from there, not having had the second
6 option to get off at Eola at that juncture.

7 So the added warehouse traffic in
8 this area does seem to be problematic, and that goes
9 with kind of the second point where if we were to do
10 a search and we looked and analyzed all the empty
11 square footage that we're seeing in the nearby area,
12 even with part of the UPS that's there, that's on a
13 short-term contract, and so it's only half utilized
14 right now.

15 Roughly within a three-mile range
16 of us, yes, there's a lot of warehouses, but
17 approximately 38 percent as of December -- that's
18 the date that I had -- were vacant or partially
19 vacant. If you compare that to the DuPage -- not
20 the DuPage, the reference I was using, they are at
21 approximately 20, 18 percent -- I kinda do my own
22 calculation.

23 So the question is, they are
24 building a spec warehouse without a known buyer --

1 or anybody currently planning to utilize it where
2 there is already other similar properties in the
3 area, and that is a clear part of the zoning laws
4 where, you know, you kind of want to look at the
5 growth or direction of where everything is going in,
6 and if you have similar properties that aren't being
7 utilized to their full potential, while at the same
8 time if we were looking at expansion maps, that 1996
9 map is fairly outdated.

10 Naperville approved a large \$20
11 million -- oh, I'm sorry, 200 -- sorry. It has a
12 fancy name here -- I have the website -- oh, it's a
13 district.

14 In addition to that, also on 59,
15 Warrenville has been expanding up on 59 between
16 Butterfield and 59, and that is all residential.

17 So the map that they showed from
18 1996 doesn't really reflect what is being seen
19 currently, in that the growth in four of the five
20 neighboring sectors is trending more towards
21 residential than towards industrial or warehouses.

22 So kinda of a logistic and trying
23 to look at it from the perspective of Aurora, adding
24 all of this when you already have these closures on

1 Eola, you're going to be drastically increasing the
2 commute time for your residents, and it's -- sorry.
3 Yeah, you're going to be drastically increasing the
4 residential time for a -- for possibly is a
5 warehouse that all this money is put into, and goes
6 for all this, and nothing ever really materializes
7 and it just ends up sitting there.

8 So it's pretty hard to justify a
9 spec warehouse like this so close to us that -- to
10 see the real benefits to the City at this juncture
11 at this location, to me, is pretty hard to.

12 So thank you for your time. Oh,
13 sorry, I did have one question.

14 CHAIRMAN PILMER: Sure.

15 MR. KUBAL: What days were the traffic
16 studies performed, and what roads were they
17 performed on, and in relation to any holidays?

18 CHAIRMAN PILMER: All right. We'll get that
19 information.

20 Next?

21 MR. TORTORICH: Good evening. I'm James
22 Tortorich. I live at the end of the block down
23 here. (Indicating.)

24 CHAIRMAN PILMER: Can you state your address,

1 sir?

2 MR. TORTORICH: 4 South 365 Meadow Road.

3 I've lived here for 43 years. I've
4 been riding my horses, as well as wagons down the
5 road; Meadow, Sunrise, and Meridian. Besides
6 myself, my children and now my grandchildren ride in
7 our peaceful neighborhood and it's very safe.

8 I think you have a few of the
9 pictures I sent, maybe, of the kids walking down the
10 street with the horse. I mean, we're in the whole
11 damn street.

12 And, okay, so to change the zoning
13 on this road, the road uses -- usage will turn our
14 now quiet roads in a potentially dangerous
15 environment, and the changes will affect our quality
16 of life.

17 Even with the posted signs -- speed
18 limit signs, 10 miles an hour in front of my house,
19 and the corners on Sunrise and Meridian with 25
20 miles an hour, the area gives off an appearance of
21 being a very quiet neighborhood, which it is. I'm
22 afraid that the change -- that that will change our
23 streets and it will become a quick shortcut for
24 people going to and from work at the planned

1 facility.

2 While the local community may not
3 be able to prevent the development that in itself
4 will determine -- hold on, guys -- detriment --
5 detrimental to the area, all residents are
6 completely opposed to the action, and as this will
7 cause some safety problems due to the increased
8 truck and car traffic and all pedestrians, and I
9 strongly oppose rezoning the road use.

10 Thank you.

11 CHAIRMAN PILMER: Thank you.

12 Next?

13 MR. KAEMPEN: My name is Dana Kaempen, 30W544
14 Sunrise Road. That's us right there. That's my
15 home. (Indicating.)

16 So the one set -- the two-page
17 document, I'm really going to only lightly cover
18 that. That was given to me, and that was relative
19 to the hearing a few years ago about property that
20 was being developed or was potentially going to be
21 looked at that was going to be right butting up
22 against our neighbors and they were concerned that
23 having trucks right next to them would be noise
24 pollution.

1 We still have that concern for this
2 facility, but I just wanted to briefly say the point
3 is, the diesel truck at 82 decibels being close to
4 houses, we want to make sure that that is going to
5 be not an issue going forward. So that's all I have
6 to say about that.

7 The main point I want to talk to
8 you about is the traffic and along with it comes the
9 trash. As was previously pointed out, this is our
10 neighborhood and it's where we raise our families,
11 and our neighborhood is our home, and we keep our
12 yards nice, clean, and tidy.

13 And then comes traffic and the
14 effects of that are -- my wife and I take walks
15 around the neighborhood quite often and we extend
16 our walks. We go from here all the way down here,
17 all the way down Frieder, up all the way back here,
18 all the way up to here, and back down and home.
19 (Indicating.)

20 In that area we go along Frieder
21 Lane and Ferry Road and notice there are tons of
22 trash. People pitch it out, truck drivers,
23 employees -- warehouse workers. They don't care.
24 They just want to get rid of their trash, and they

1 seem to do it either just before getting to work or
2 just after getting out of work because the places
3 where we find a lot of trash are those two main
4 streets Frieder and Ferry.

5 So my wife and I decided to do
6 something about it this last summer and so on nice
7 days we would grab a garbage bag and some gloves and
8 we'd go out there and pick up trash, and we picked
9 up 15 full bags of trash while we were doing this.

10 And this is just taking our evening
11 walk. Both of us would come home with a fully
12 loaded bag of trash, and we could have tried to jam
13 more in but the bags would break.

14 It did make a dent. It made it
15 look better. We could actually see the effects of
16 it, but it's kind of an ongoing battle because we
17 would come back, you know, a few days later and see
18 new things that had been pitched about.

19 So I told you where trash is. Now
20 where isn't trash? Trash is not in our
21 neighborhood. The funny thing is walking along
22 those two roads, you're just hit in the face by all
23 the trash you see, and it's like a light switch. As
24 soon as you go in our neighborhood, nothing. I

1 mean, there is -- there's the occasional incidental
2 incursion where somebody says, Hey, driving along
3 and I got this 12-pack of bottles and you know what,
4 here's a country road. Turn in, pitch the 12-pack
5 and on their way.

6 Well, that's happened a couple
7 times, but shy of that, our neighborhood, pristine.
8 We keep our neighborhood clean. We keep our
9 neighborhood tidy and that's the way we want it to
10 stay.

11 Also, with more traffic comes worse
12 trash, as well. It's kind of a sad commentary, but
13 people seem to continue littering all the time.
14 It's just something that has never really caught on
15 to not do, but there's a potential danger because
16 there are things like hypodermics and urine bottles,
17 things that we won't touch because, number one, you
18 know, we don't want to come in contact with it;
19 number two, we don't know how to dispose of it
20 properly. And let me tell you, there are quite a
21 few urine bottles that we walk past as we go.
22 That's only going to increase with more traffic.

23 So I wanted to ask you guys from a
24 more personal standpoint, would this be something

1 you're comfortable with in your neighborhood? Would
2 you want other people coming in and dumping trash in
3 your neighborhood? Because as the traffic comes, so
4 comes the trash. Would you want to subject your
5 children to it, your family members, your pets?
6 I -- I would hope not.

7 So if you wouldn't allow that in
8 your open neighborhood, please think deeply and
9 don't allow it in ours.

10 So, now you're saying, okay, yeah,
11 I get it, but how do we help? You can help by
12 keeping the traffic out of our area.

13 As has been pointed out many times
14 before, but it's a point worth driving home,
15 Meridian cannot have any employee traffic coming in.
16 We cannot have those two entrances into the facility
17 off Meridian. You want to drop something down from
18 Ferry and make it go from Ferry south, great. Put
19 another turn lane in just like they got for Frieder.
20 Make it one big, long turn lane. Drop it straight
21 down from Ferry right here -- right there, okay.

22 (Indicating.)

23 That way you take all the traffic
24 off of Meridian. Keep the traffic off of our

1 streets. Those are our neighborhood streets, and we
2 gotta keep the cars off of there. We can't have any
3 access going in.

4 And the same goes with Sunrise down
5 here. It was pointed -- it was pointed out that,
6 you know, oh, there's going to be signs. Yeah, we
7 know exactly how people look at signs; they are
8 like, yeah, not going to do it.

9 So we would like the emergency gate
10 to remain in place. It's already there. If you
11 need to expand the street or whatever for codes,
12 fine, but keep the gate in place. Prevent traffic
13 from going out there.

14 If you want to have traffic go
15 beyond that gate, cool, so just past that gate make
16 a south exit from their warehouse and then take it
17 out to Frieder, great, but keep the gate which
18 really prevents anything from coming up Sunrise, and
19 keep the traffic off of Meridian so that we don't
20 have garbage, and pollution, and light pollution.

21 And just one point. See this house
22 right here? This is the Trapp's house. They
23 couldn't be here because of medical emergencies, but
24 right here they are planning on putting an entrance

1 right here, in other words, right in their front
2 yard. You're going to have people turning in and
3 out at all sorts of times of the day and night right
4 into their house. That's unacceptable.

5 So please, please have a care for
6 the residents that are there.

7 And another point. This is not a
8 new neighborhood; quite the contrary. It's
9 well-established. Earliest homes I think were maybe
10 built as far as back as the '50s, but the building
11 and growing has never stopped.

12 The more recent developments, the
13 Wittnebens built their fine home in '88. Kipps came
14 along a few years later and built their beautiful
15 abode in 1997. I built our dream house a little
16 over 17 years ago in 2004. Following us are the
17 Setorks who built a lovely place. I wish they had a
18 picture of it up here. It's right there. Really
19 really beautiful home. They built that in 2008.
20 (Indicating.)

21 So we've got '88, '97, 2004, 2008,
22 and the next planned addition to our neighborhood,
23 the newest house will be build this year, 2022, by
24 Rob and Mona, and their property is right next to

1 ours. It abuts up right next to it and we can
2 hardly wait to welcome them in.

3 So this is a neighborhood and we
4 were a community, and you can see the growth, but
5 over time there are still parcels being further
6 developed. There is one directly north of the
7 Setorks bought by a couple I talked to who are
8 planning to build their dream home, as well.

9 This is not some abandoned, dying
10 area which is ripe for bulldozing; quite the
11 opposite. We're not going therapy. We are
12 dedicated people who have found a rare jewel in the
13 suburbs which we will defend to the last. All of us
14 who live and have our homes here have a little piece
15 of heaven.

16 This is a beautiful sanctuary that
17 we call our own. And I tell you what, when I used
18 to drive my hour-long commute from the northwest
19 suburbs where I used to work, I swear I would turn
20 on our street and my blood pressure would drop. It
21 was just like, ha, I'm home.

22 This is -- this is the feeling we
23 get coming here. Please don't take that away.
24 Please help us maintain that quality of life and

1 please keep the traffic off of Meridian and Sunrise
2 both.

3 Thank you very much. I appreciate
4 your time.

5 CHAIRMAN PILMER: Thank you.

6 MR. SAVAGLIO: My name is Ben Savaglio. I
7 live at 30W651 Sunrise Road. It's right here, just
8 below -- just below the planned warehouse.

9 (Indicating.)

10 So my big beef is, is the fact that
11 we don't want any lighting in our neighborhood.
12 I've already called and complained about the Amazon
13 warehouse which is just north of Ferry Road,
14 straight down Meridian from my house, and all the
15 lighting that they have there literally comes down
16 Meridian and lights up that whole field like a
17 Christmas tree. It's pretty unacceptable. I don't
18 want it, and they want to put a street light, as
19 well, at the corner of Sunrise and Meridian? No, I
20 don't want to see that.

21 I don't want to see a warehouse,
22 and all of them in the neighborhood have lights all
23 around the whole building. I don't want to see any
24 of that.

1 Literally right out in my front
2 door is going to be a giant wall of this warehouse
3 that I gotta sit and stare at with lights all on it?
4 No, I don't want to see that.

5 And on top of it, the trucks, all
6 the semis that will be parked in there idling and
7 this and that, at nighttime they sit there -- I
8 mean, the lights are on. All those lights, the
9 bells and whistles, the lights, all the ones wrapped
10 around the trailers, as well, that's all going to
11 just light up the whole area.

12 And on top of that, all the
13 employees that will be parked out there taking their
14 breaks, sitting in their cars with their cars
15 running, the lights will be shining up and down the
16 street, even into John's house right there. He
17 ain't going to want that. We ain't going to want
18 that. We don't want any of that lighting.

19 I don't have handouts because this
20 kind of was a last-minute thing, so pretty much
21 ill-prepared about any of this because you guys kind
22 of just threw this all at us at the last minute
23 right at Christmastime.

24 So really, for me, the big beef is

1 I don't want to have any more light pollution in the
2 area.

3 The USPS warehouse that is to the
4 west that was recently built has enough lighting,
5 especially in the wintertime. All of the leaves are
6 off the trees so we get all of that lighting from
7 that warehouse. All of those trucks that are parked
8 in those docks are facing eastward. They are all
9 lit up. You can see them all the way out to our
10 house. I don't like it.

11 I mean, you know, it's nice to have
12 a dark area. It's great, you know, and we moved
13 into this area five years ago. I mean, I love the
14 area. I love being on a big piece of property.
15 It's great, you know, and I was kind of jealous of
16 Dana's house, actually, because we used to live
17 across the way in a townhome from Naperville, and we
18 used to take walks up and down the Prairie Path,
19 which is right over here, and there's a Prairie Path
20 that goes along 88, and we'd take walks up and down
21 it, and I'd always stare at Dana's house -- it's a
22 big red brick house, couldn't miss it -- and I'm
23 like, man, I would love to live there one time, you
24 know.

1 But then, you know, we got lucky
2 and found this house for sale, and fell in love with
3 it right away, and just would like to keep it that
4 way, and just don't want any more of that bright
5 light stuff.

6 Thank you.

7 CHAIRMAN PILMER: Thank you.

8 MR. SAVAGLIO: Thank you.

9 MS. KUMA: I'll explain what's in the folder
10 in just a moment. My name is Ramona Kuma. My
11 husband and I purchased 4 South 366 Meadow. It's on
12 the corner of Meadow and Sunrise. It's a glorious
13 piece of property. It's right here. (Indicating.)

14 My family moved out to the western
15 suburbs around 1973 from -- (Indecipherable.),
16 Illinois, and the western suburbs was a very small
17 area at the time, as you know back in the '70s, and
18 the population of the town I grew up in was 18,000.
19 The back of my backyard for a short period of time
20 was farmland.

21 And, anyhow, growing up as a kid in
22 the western suburbs, my family took us out to
23 places -- sorry -- took us to (Indecipherable.)
24 Minnesota. It's a gorgeous area. We had --

1 (Indecipherable.) -- waters. We used to fish and do
2 things like that. So my family was really into --
3 into the outdoors.

4 So this area when we found it, we
5 had been looking for many many years for a house and
6 we saved and we saved. I'm a school teacher. My
7 husband is an engineer. He was not able to get an
8 engineering -- a mechanical engineering job so he
9 works as a financial professional.

10 We saved our life savings to
11 purchase the land that we own right now, and we paid
12 it in cash, and I'm very proud to say that I'm a
13 land owner.

14 I pay taxes. I'm so proud of
15 paying my taxes. In fact, I'm so proud of paying my
16 taxes I pay them early, which is kind of crazy,
17 because I just like to see -- I look on the parcel
18 viewer of DuPage County and I looked at it and went,
19 yeah, that's me. I pay my taxes on time. I pay all
20 my bills on time.

21 Anyhow, I'll get back on to my
22 speech. So I'll address the packet. So half of it
23 will be me and the other half will be my husband.

24 Again, I plan on building a new

1 house on this property. I love my property. It has
2 three apple trees, one cherry tree, tons of pine
3 trees and other trees. It's extremely peaceful and
4 quiet, and on top of that I have wonderful neighbors
5 who from day one wanted to know who Rob and I were
6 and are, and they embraced us and they had a
7 little -- in the middle of the pandemic in June
8 of 2020, they had us sit down on the driveway and we
9 just got to know everyone for about an hour. It was
10 great.

11 This neighborhood is beautiful and
12 that is why my husband and I decided to build our
13 house on this property. We chose to build in an
14 area with a lot of open space and plenty of trees.
15 We also strategically picked this property due to
16 its proximity to the Illinois Prairie Path.

17 My husband and I compete in bicycle
18 races in the regional races here in -- there's one
19 called the Intelligentsia Cup and that's one I
20 compete in. There's also one called the Tour of
21 America's Dairyland, which is up in the Milwaukee
22 area. It's great.

23 So training on the Illinois Prairie
24 Path and having that proximity, that was one of the

1 reasons why we chose the Illinois Prairie Path. The
2 area right now, it's beautiful. It's -- it's --
3 it's what this whole area used to -- used to be,
4 which was a lot of open space.

5 I'm just going to add -- there's
6 three little paragraphs I'm going to add and then I
7 will -- my purpose of my talk today will be on the
8 rules and the ordinances from the City of Aurora.

9 Anyhow, I currently pay \$2,517.14 a
10 year in property taxes with no house. That's a lot
11 of money for me. I'm a school teacher.

12 I noticed that Old Dominion who
13 owns 30 West 720 Sunrise Road is paying \$101.92 a
14 year in property taxes due to the property class as
15 land use for farming. This past summer they planted
16 soybeans.

17 In addition, their reported Terms
18 of Sale showed that they are declaring this property
19 as the buyer's principal residence, a small house
20 that hasn't been razed yet. To me it appears to Old
21 Dominion wants the benefit of paying low farming
22 taxes.

23 The buyer wants this property
24 annexed to the City of Aurora; however, per 65

1 Illinois CS5 -- Illinois Municipal Code 65 Illinois
2 CS 5/7-1-13 from Chapter 24 Annexation, land or
3 property -- properties used for agricultural
4 purposes or to produce agricultural goods shall not
5 be annexed pursuant to Item G one or more
6 municipalities in a county with a population more
7 than 800,000 inhabitants and less than 2 million
8 inhabitants.

9 I ask that you protect our
10 neighborhood and revert the adjacent property of
11 30 West 675 Ferry Road back to residential land,
12 R-2.

13 There are plenty of families like
14 ours who are looking for land to build their new
15 homes especially in areas with plenty of open space.

16 By reverting the aforementioned
17 property back to rezoning -- residential rezoning
18 and having Old Dominion sell the property to
19 potential homeowners would be one simple solution
20 that would answer all of these questions that we
21 have today, all of these concerns.

22 My purpose today is to emphasize
23 the rules which are set in the City of Aurora
24 ordinances which protect homeowners from the abuse

1 of developers. According to Chapter 49 Code of
2 Ordinances for the City of Aurora there are numerous
3 examples of these protections.

4 So I'm going to name them 102.1-1
5 through 9, and I will list them because I know this
6 needs to be on record so it will be -- I will list
7 them, and there's a lot:

8 To divide the city into codes or
9 districts restricting or regulating therein the
10 location, erection, construction, reconstruction,
11 alteration and use of buildings, structures and land
12 for residence, business and manufacturing and other
13 specified uses with the general purpose of promoting
14 and protecting the public health, safety and general
15 welfare of the people of this city and of
16 implementing the comprehensive plan.

17 To protect the character and
18 stability of the residential, business and
19 manufacturing areas within the city and to promote
20 the orderly and beneficial development of such
21 areas.

22 To prevent overcrowding -- and
23 that's what our neighborhood sees -- of land and
24 undo concentration of structures -- that's with this

1 building -- so far as possible and appropriate in
2 each district, and to provide adequate light, air,
3 privacy and convenience of access to property.

4 To regulate the intensity of use of
5 lot areas, and to determine the area of open spaces
6 surrounding buildings, necessary to provide adequate
7 light and air, and to provide the public health.

8 To fix reasonable standards to
9 which buildings or structures shall conform to
10 existing area.

11 To prohibit uses, buildings or
12 structures incompatible with the character of
13 development or intended uses within the specified
14 zoning districts or residential.

15 To limit congestion in the public
16 streets and to protect the public health, safety,
17 convenience, general welfare by providing for the
18 off-street parking of motor vehicles and the loading
19 and unloading of commercial vehicles.

20 To conserve the taxable value of
21 the land and buildings throughout the city.

22 And when I thought of that one, I
23 thought, wow, if I build this house, DuPage County,
24 they just keep raising the taxes, and I know right

1 now I'm going to have to put in to get my tax -- ask
2 for my taxes to be adjusted because they are rather
3 expensive.

4 To provide for the elimination of
5 nonconforming uses of land, buildings and
6 structures.

7 Okay. 105.13-3.7 Loading Docks -
8 Location. It is not permitted or required that
9 loading docks shall be closer than 50 feet to any
10 property in a residential district unless completely
11 enclosed by building walls, or uniformly painted
12 solid fence or wall, or any combination thereof not
13 less than six feet in height.

14 Okay. The next two, 105.13-3.8,
15 there's two. Residential Specific Regulations.
16 Off-Street parking accessory to a residential use
17 when not 100 percent enclosed in a garage or shed
18 shall be limited by the following provisions; all
19 regulations are listed per zoning lot. A. Types of
20 vehicles allowed. The owner of any vehicle shall be
21 the legal or beneficial owner or lessee of the real
22 estate upon which said vehicle is stored, standing
23 or parked. Upon requests by an authorized agent of
24 the City proof of ownership shall be provided.

1 Residential Districts, Purpose:

2 The residential districts set forth herein are
3 established in order to protect health, promote
4 public safety, convenience, comfort, morals,
5 prosperity, welfare. These general goals include,
6 among others, the following specifics: To protect
7 residential areas against fire, explosion, noxious
8 fumes, offensive noises, smoke, vibrations, dust,
9 odors, heat, glare and other objectionable factors.

10 These projections everyone expects
11 in their homes and that's why these were written.
12 They were written by a group of people who wanted to
13 protect citizens against things that are coming into
14 our neighborhood.

15 CHAIRMAN PILMER: You're free to continue to
16 read these, but by virtue of providing them to us,
17 they will all be part of the record --

18 MS. KUMA: Okay, sure.

19 CHAIRMAN PILMER: -- but I can't limit your
20 testimony this evening --

21 MS. KUMA: Okay.

22 CHAIRMAN PILMER: -- so feel free if you want
23 to read them, but the --

24 MS. KUMA: Okay.

1 CHAIRMAN PILMER: -- by virtue of providing
2 them, they'll all be part of the testimony this
3 evening.

4 MS. KUMA: Yeah, I think it's important to
5 know that there is a laundry list. I'm almost done.
6 I'm only doing -- I've got three more pages.

7 To protect the residential areas to
8 the extent possible and appropriate in each area
9 against unduly heavy motor vehicle traffic,
10 especially through traffic, and to alleviate
11 congestion by promoting off-street parking.

12 Well, we're definitely going to get
13 a lot of heavy motor vehicle traffic.

14 To protect residential areas
15 against undue congestion of public streets and other
16 public facilities by controlling the density of
17 population through regulation of the bulk of
18 buildings.

19 I think that is what this warehouse
20 is.

21 To protect and promote the public
22 health and comfort by providing for ample light and
23 air to buildings and the windows thereof.

24 To promote public comfort, welfare

1 and by providing usable open space on the same
2 zoning lot with residential development.

3 I love this one: 107.1-1.6, To
4 provide sufficient space for appropriate locations
5 to meet the probable need for future residential
6 expansion and to meet the need for necessary and
7 desirable services in the vicinity of residences,
8 which increase safety and amenity for residents and
9 which do not exert objectionable influences.

10 On the next page, page 4, To
11 promote the best use and development of residential
12 land in accordance with the comprehensive land use,
13 to promote stability of residential development and
14 protect the character and desirable development and
15 to protect the value of land and improvements and so
16 strengthen the economic base of the city.

17 These rules are to protect our
18 welfare. In terms of Residential District
19 Specifications, To ensure the standards contained in
20 this section shall be measured against each proposed
21 home occupation in order to protect residential
22 areas from possible negative effects of home
23 occupation uses and to ensure that a home occupation
24 is not to be a substitute for activities customarily

1 conducted in commercial districts.

2 This warehouse is -- does not
3 conform. It doesn't fit. And if we had -- if we
4 were able to use some of these -- the technology and
5 to show you pictures, literally my neighbor
6 Mr. Trapp lives here on the corner. His house is --
7 will be on top of the traffic, and he -- he and his
8 wife are -- it's too much. I don't wish that upon
9 anybody.

10 Vehicles with home occupation is
11 subject to the requirements of this ordinance. In
12 addition, the home occupation vehicle must be a type
13 ordinarily used for conventional private passenger
14 transportation.

15 It's unlikely that with this
16 warehouse it's going to be just private passenger
17 transportation. It will be all of the workers that
18 are coming into our neighborhood.

19 Passenger automobile, van,
20 limousine, and pick-up trucks not exceeding the
21 payload capacity of one ton.

22 Hopefully it will be more. They
23 are not going to adhere to hours of the operation, I
24 can guarantee. This says here 9:00 to 7:00 AM. If

1 they're running late it's going to be probably
2 10:00, maybe 11:00.

3 My last neighborhood -- I just sold
4 my townhouse. I lived in my townhouse for 22 years.
5 I lived in a townhouse in order to save money
6 because I wanted to build my house, and I had to
7 call the police to let them know we had three semi
8 trucks that were on the main corner that was going
9 into our neighborhood, and it took probably four
10 months for them to get these semis off. I mean,
11 they would just park there and it was because it was
12 a nice, quite, safe neighborhood. They would park
13 there and basically hang out.

14 The one guy was basically pouring
15 his gallon of urine out onto the church lawn because
16 he doesn't have a bathroom in his cab. So I called
17 the police and they were able to get him out when I
18 explained that.

19 So, I mean, those are things that
20 nobody wants to deal with.

21 The business districts set forth
22 herein are established to protect public welfare,
23 and to protect the economic base of the city and the
24 value of the property. These general purposes

1 include, among other, the following specific
2 objectives: To separate -- that's the main thing --
3 separate these districts, those businesses which may
4 create noise, odors, hazards, unsightliness, or
5 which may in general excessive traffic.

6 Okay. 108.1 through 1.3, To permit
7 selected business uses in districts where adjacent
8 or inclusion in residential areas has sufficient
9 elements of service or convenience to such areas to
10 offset the disadvantage.

11 I think we're definitely at a
12 disadvantage, the way this was presented, and it's
13 just -- I mean, my perception is just, I mean, we
14 couldn't even use -- I use technology all day long.
15 It's just like that's easy for me, but I can give a
16 great presentation without it. I think everyone
17 here has given a heartfelt, honest speech.

18 I think there are a lot of good
19 points, and I think that -- I don't think any of you
20 would want these things. I don't even think any of
21 the people that are putting these warehouses in -- I
22 don't think they want that in their backyard but
23 they are forcing it upon us.

24 I just have a little bit more on

1 setbacks.

2 The following minimum setbacks
3 shall be provided and maintained in connection --
4 and my husband will expand on that -- with any
5 building or parking lot.

6 Front yard parking shall be
7 regulated by this subsection -- by the section of
8 49-105.11, whichever is more restrictive. The
9 parking setback provisions of this subsection shall
10 supercede the provisions of Section 49-105.11.
11 Front, exterior side or exterior rear setback
12 requirements for arterial street is 30 feet.
13 However, the south side is not greater than 30 feet
14 and the north side is less than 10 feet.

15 There shall be visible clearance --
16 oh. A visibility clearance zone is established at
17 every intersection of the main street with any
18 driveway.

19 A visibility clearance zone shall
20 be a triangular area located at the intersection of
21 each privately driveway on -- in a public street,
22 et cetera.

23 All right. So in summary, the City
24 of Aurora needs to consider the protection of our

1 residential neighborhood from the destruction by
2 businesses that do not care about our safety and
3 welfare.

4 They just don't and they don't live
5 here.

6 If the City of Aurora needs to
7 remember that, see 110.2-5.2. The uses permitted by
8 such modifications are not such in nature or so
9 located as to exercise an undue detrimental
10 influence on the surrounding neighborhood.

11 It's definitely going to be -- it's
12 going to change the character of the neighborhood,
13 and just the serenity is just going to be out the
14 door.

15 With regard to what's in your
16 folder, this was just some information on this
17 piece.

18 Will the property be the buyer's
19 principal residence? Yes. That's what Old Dominion
20 marked on here.

21 They're noted as R-2. They're
22 paying \$101.92 in taxes. There's their tax bill.

23 This one, we are supported by the
24 Illinois Municipal Code.

1 That's one of the overarching ones.

2 If you go to -- they are not
3 numbered, but page 2, and if you go down to about
4 here -- I had to spend hours reading this.

5 Basically, I'd say probably towards
6 the end, it says Conservation area without the
7 consent of the governing body of the Forest Preserve
8 or Federal -- (Indecipherable.) -- parcels of land
9 less than one acre in size may be annexed mun-- --
10 municipality pursuant to 717718 if it would be
11 continu -- contiguous to the municipality but for
12 the separation therein of the Forest Preserve
13 District, et cetera.

14 So they go on to talk about this
15 conservation area. My husband will explain more
16 about the wetlands.

17 And then as you go basically seven
18 pages in, and the specific section is 65 Illinois CS
19 54/7-1-13, and this was with -- I made a comment
20 earlier about agricultural land so it's just B on
21 here.

22 Land or property that is used for
23 agricultural purposes or to produce the agriculture
24 of goods shall not be annexed pursuant Item G, which

1 is one or more municipalities in a County with a
2 population more than 800,000 inhabitants and less
3 than 2 million inhabits.

4 Okay, there is that one.

5 On your website you have the
6 Butterfield Planned Development District, and it was
7 on your Aurora-Illinois.org, and I'm just going to
8 read some of the -- basically kind of the flavor of
9 what -- what you guys are considering to get
10 incorporated into your Butterfield District. So I
11 just copied sections of it.

12 It says Butterfield is planned as a
13 balanced community of industrial, office, research,
14 commercial, residential, institutional, open space,
15 and municipal uses.

16 Balanced? I don't think this is
17 balanced. This is not balanced, no.

18 Okay. To the middle here,
19 basically it says on the bottom here page IV --
20 Roman numeral IV, Planned in the sense that an
21 arrangement of future community uses has received
22 careful thought and will proceed on a predictable
23 basis. As development proceeds, community elements
24 will support and compliment each other rather than

1 result in piecemeal and conflicting patterns.

2 That's what it really feels to us.

3 That's our perception of it, and honestly, the
4 reality, and the environmental deficiencies
5 associated with a typical unplanned suburban sprawl.
6 That's what we're noticing.

7 One, two, three -- third paragraph,
8 It is also a community in the sense that it will
9 build a new physical environment of tree-lined
10 streets, neighborhoods, parks, open space, and a
11 variety of activity centers. These will provide a
12 strong and attractive sense of place where people
13 can feel they belong, where participation in local
14 affairs and events will be encouraged, and where
15 community and pride will be fostered.

16 I don't know, I kind of think, I
17 mean, coming off of 59 and coming off of 88, you
18 know, if you preserve our community, our
19 neighborhood, wow, what a beautiful entre to the
20 whole area. I mean, it's just gorgeous.

21 I mean, when I ride my mountain
22 bike there I can see my property and my neighbors.
23 Really, it's gorgeous, but how inspiring is a -- the
24 warehouse? It's just not inspiring. They're a dime

1 a dozen in -- in the area.

2 Page V, Perhaps the most
3 significant new aspects of Butterfield lies in two
4 areas; its balanced land use, roughly half its sites
5 area in employment uses and half in residential
6 areas.

7 I don't notice that here. I feel
8 like we're getting edged out.

9 At page IX over here, it's right in
10 the middle. It says Persons living at Butterfield
11 and working in the tollway office industrial park
12 can easily walk to work.

13 They could easily walk to that
14 \$200 million project that's going to be put in -- in
15 that corner of, what, 59 and Ferry Road/88 and walk
16 to those shopping areas.

17 And can you manage if we had more
18 residential houses? Speaking of which, when we were
19 taking out -- when we were interviewing architects,
20 one of them actually said to us -- he was very
21 familiar with our area. He -- he can't get into the
22 neighborhood because the owner that's on the east
23 side of Meridian is R-2. That land is R-2, but he
24 is advertising it as commercial. So he can't even

1 get in there because the broker won't sell to him
2 because he's advertising as commercial.

3 And the Dominion property, even
4 though there's that small little corner that we're
5 talking about this evening, that is R-2, and then
6 the other part of it, the other three-quarters of it
7 is commercial. It was flipped over to commercial.

8 I like this one. It's on page 11.
9 It's the one, two, third paragraph, and it says
10 Residential neighborhoods will offer those features
11 that families in particular value quiet tree-lined
12 local streets, easy access to neighborhood schools,
13 parks, reaction centers, and buffering from the
14 adjoining non-residential uses and heavy traffic.

15 And, finally, on the last page --
16 yeah, I just love this one. That was why we picked
17 it. It's the one, two, third paragraph.

18 Butterfield does, however, feature
19 an integral relation to the existing Prairie Path.

20 That's what it is. You should
21 consider keeping it. It's gorgeous.

22 The other papers that are in here
23 my husband will address. There is maps he will
24 explain. That's why we put those in there.

1 The City of Aurora is into Green
2 Infrastructure, he'll address this article.

3 There's another one. New Guide
4 Helps Municipalities Monetize the Value of Green
5 Infrastructure.

6 City of Aurora is Big On Green.

7 And then there's also a map of the
8 wetlands, specifically on the -- (Indecipherable)
9 property.

10 I thank you for your time and for
11 listening to me and all of my neighbors. Please
12 consider our neighborhood. It's a great place to
13 live.

14 CHAIRMAN PILMER: Thank you.

15 Next.

16 CHAIRMAN PILMER: Next?

17 MS. KUBAL: My name is Susan Kubal and I live
18 at 30 West 600 Sunrise. It's the second house right
19 off Meridian.

20 I live with my husband, Joe, and my
21 son Joseph who has been here tonight who spoke. We
22 have lived here for 28 years, raised two sons that
23 went to Aurora high schools. I feel we have had --
24 we have a wonderful and special neighborhood. We

1 look out for each other, plowing someone's driveway
2 after a snowstorm, making chicken soup for a sick
3 neighbor, or helping trim trees after a big
4 windstorm.

5 Another thing unusual about the
6 neighborhood is we actually know each others' names.
7 We talk to each other, not just wave as a car goes
8 by. We love the outside. We have children and
9 adults bike riding. We have exercise walkers and
10 the dog walkers strolling our streets.

11 Many have swimming pools. Everyone
12 has a garden. And you'll see lots of pumpkins in
13 the fall. Birders, horseback riders, lots of family
14 parties, barbecues. Just sitting out in the evening
15 by the fire pits maybe having a brewski.
16 Stargazers.

17 My neighbor who is not here
18 tonight, Clare, she has four young girls, and the
19 girls are out in the yard all the time; homework,
20 reading. They are good bike riders and they drive
21 to the corner. They're on Sunrise and they drive,
22 you know, up and down Sunrise, and, you know, it
23 just scares me.

24 I lost my spot. Okay. And then

1 they do their homework out there. We are a
2 community in an old sense of the world.

3 Years ago we moved here from
4 Chicago to get away from noise and pollution. It is
5 very nice out here and life has been good to us.
6 Over the time we have been here we have seen the
7 neighborhood grow and the problems which are in
8 Chicago are slowly advancing upon us.

9 The newly proposed distribution
10 center will bring along with it many of the problems
11 we wanted to get away from. We will no longer be
12 able to enjoy our backyards, feel safe or even walk
13 on our streets.

14 Yes, there are distribution centers
15 in the area, but they have never been this close and
16 the traffic will affect us obviously much more.

17 As for myself, we have just spent
18 money fixing up our house, painting, putting in a
19 new furnace system, and we added solar panels. We
20 also have two other neighbors that have solar panels
21 in our neighborhood, also.

22 A lot of us have invested money in
23 our property, and with this change coming it makes
24 us wonder, what's the profit on our house now if we

1 were to sell it? Are we going to lose money?

2 I've just retired and this is my
3 plan, to retire here in gardens, and now I just
4 wonder what my life is going to be. Like I said, my
5 plan was to sit and enjoy retirement in the
6 abundance of nature that God has put in our area.

7 I am also a registered bird keeper
8 and an organic gardener, and I spend the majority of
9 my days outside growing veggies, berries, fruit
10 trees, weeds.

11 I mean, I have attached in my
12 document, which you have copies, a whole bunch of
13 information on how diesel affects bees and plants.
14 You have the packet. It's three pages; basically
15 diesel fumes bad.

16 It's late. I know everybody is
17 tired. In conclusion, I hope you will vote no to
18 the trucking facility being proposed across the
19 street from our peaceful home. Our community will
20 be ruined with the rezoning and building of a
21 warehouse.

22 There is two gates of traffic
23 emptying out to Meridian Road. That is the same
24 road the bus takes. The school bus, he comes right

1 off of Ferry -- or she -- down Ferry onto Sunrise
2 and back up.

3 I know, I can't believe I almost
4 missed that.

5 Sorry. And then for us to be
6 sitting where I would be, like I showed you on the
7 map, when those cars are coming right out, and also
8 not knowing if this is going to be a 24/7 facility
9 that has people coming out, you know, three shifts,
10 you know, we're bound to have late night people
11 coming at you.

12 You wouldn't even be able to enjoy,
13 your, you know, sleeping. You'd have to get dark
14 curtains on every window in your house, if that's
15 the case, just from the traffic of the workers
16 coming out on the road.

17 But, anyway, we would be affected
18 by the traffic, noise, pollution, and lights. Our
19 life will not be the same.

20 We moved here into what was zoned
21 R-2 residential and now you want to put a warehouse
22 200 feet from my house. I thought the purpose of
23 zoning was to stop problems like this from
24 happening. This is not a first is them contest.

1 We continue to pay our taxes in
2 support of Aurora schools. We shop in your stores.
3 We are your neighbors, as well. Thank you for
4 allowing me to speak, and you are welcome to drive
5 through our neighborhood any time.

6 Thank you.

7 CHAIRMAN PILMER: Thank you.

8 Next?

9 MR. JUNGELS: I'm Robert Jungels. I live
10 right here at 4 South 366 Meadow Road in Naperville,
11 and my wife and I purchased that lot, and we've been
12 working on putting a house on there for the last
13 year or so and have invested quite a bit of time and
14 money doing so.

15 I have many questions about this
16 whole situation, the whole process of application
17 for changing the zoning. You know, you need to
18 consider the existing zoning and land use in the
19 general area. I mean, this is all homes.

20 What's to the east of us is they
21 have the iron gate community. That's a whole bunch
22 of condos and apartments that people who own exotic
23 cars have and, you know, that area is always
24 growing. There's more and more people growing

1 there. And also, as they mentioned, the project,
2 that \$200 million project that they're building
3 at -- at 88 and 59 is also going to contain home use
4 also. So that's -- that's a big concern of mine.

5 The zoning history of the general
6 area of the property has all been farming. Nothing
7 to do with building -- nothing to do with building
8 industry has been there. So they want -- part of
9 the rezoning is also inconsistent with the entire
10 trend of development in the general area of the
11 property in question. The property in question has
12 been dormant and the only reason why it has been
13 dormant is because -- is because they haven't
14 marketed it towards selling homes.

15 This last year was the hottest
16 housing market ever. If that would have all been
17 separated out into one-and-a-half, two-acre parcels.
18 It would all have been sold without a problem.

19 Let's see. My other thing I have
20 to do with here is part of the regulations for the
21 108 -- Section 49-108, 108.10. The ORI office,
22 research, and light industry district shall be
23 designated as ORI in the zoning map. Intent and
24 purpose: The ORI, office, research, and light

1 industry district is to provide support and
2 compliment the City's comprehensive plan, including
3 the planned use and circulation plan, physical
4 development policies which guideline compatible
5 shaping of the future and present land use needs of
6 the City. District requirements are further
7 designed to govern location, intensity, and methods
8 of development in industrial areas of the City.

9 The ORI is designed to create a
10 landscape transition between it and adjacent
11 residential office and commercial manufacturing uses
12 and to provide separation to enhance the visual
13 image of the city.

14 This area here is a large wetlands
15 area that runs down pretty much the center of Old
16 Dominion's land.

17 If you take a look at all the other
18 industrial developments in Aurora -- and I looked
19 through it, and it is provided in the maps that I
20 gave you -- you do not see any -- any industrial
21 areas that share a residential street with
22 residents. They are all separated onto bus- -- onto
23 business only roads. None of them.

24 And if you also look at even the

1 space that's along Diehl Road, Molitor Road in
2 Aurora, the industrial area there is all set up so
3 that there's a transition between the industrial
4 area and where the homeowners are at. That's where
5 the Prairie Path is at. It's easy to see. There is
6 a large distance there. So there's no interference
7 between the two, and it's also consistent with
8 everything with the new development project going
9 down on -- down Route 59 and towards Fox Valley.
10 That's the way all of that area is set up. They
11 don't have any situations like this that I could
12 find.

13 So that's why this -- this
14 shouldn't happen in that area. That is set up for
15 residential, for homeowners' use. It's not a big
16 ask for Old Dominion to put residential areas in
17 there. That's what it was meant for. They've been
18 out there buying land, and then they want to throw
19 their business on there.

20 It was converted last time because
21 Old Dominion requested to, and then they switched it
22 over, but they didn't switch over the other portion,
23 and from what I understand, they chose not to build
24 on the land. Well, there is probably a good reason

1 why they didn't.

2 They have properties throughout the
3 country and if they decided not to build there, they
4 probably have good reason. They built out farther
5 west. If the look at the warehouses in the area,
6 they are all trending to move out towards DeKalb.

7 If you look at Ferrara Candy in
8 Bolingbrook. They just -- they're building a large
9 warehouse out in DeKalb along with a lot of other
10 companies because the land is cheap and the rent is
11 cheap. So the trend is to move that all out farther
12 west.

13 You have people who want to live in
14 this area who want to have a home in this area. If
15 you also allow this to happen, what's going to
16 happen is you're going to get another group just
17 like this one who is going to go into one of the
18 nicer areas in Aurora, buy 20 homes and say, okay,
19 we want to build our industrial area here or put a
20 warehouse in.

21 I don't think that would go over
22 too well in Stonebridge or any of the other
23 communities here in Aurora, because once you open
24 Pandora's Box and let this happen, they are going to

1 be pushing everywhere, as, oh, well, these homes are
2 30 years old, okay, we can just take them over and
3 put whatever we want in there.

4 I mean, I think that, you know,
5 that's something that you have to consider. Even
6 though you might not think of this as that important
7 a piece of strip, it does open the door for other
8 people to take advantage of it.

9 Another thing that I have,
10 especially with their design, because they said they
11 are an ORI District -- and if you look at Section
12 108-10, Section A, Setback Locations, setback
13 locations for ORI within -- that abuts up next to a
14 residential area, it says clearly that such a yard
15 located across the street from a residential area
16 shall equal one foot in depth for each foot of
17 building height, but in no event shall a yard be
18 less than 100 feet in depth.

19 So they have to be at least
20 100 feet off of the property, and within that
21 100 feet they can't have a parking lot.

22 And, also, anywhere where there's
23 an interior rear property line that abuts up to a
24 residential district, there shall be provided a

1 required yard of one foot in depth for each foot of
2 building height, but in no event shall each yard be
3 less than 100 feet in depth.

4 So basically their whole building
5 needs to shrink 500 feet each direction. So, you
6 know, that's definitely not addressed.

7 Also, I have other concerns with
8 the water runoff from this report. You're talking
9 six acres of blacktop and concrete. That water is
10 going to go somewhere.

11 They mentioned in their drawing
12 that they said that the -- that the Army Corps of
13 Engineers was going to run a drain down the street
14 that was going to be dragged, he said, to Ferry.
15 That's not going to happen. Ferry is higher than
16 Meridian. That's not possible to do.

17 You'd have to put a pump on there
18 and run it 24/7, and if there's an over -- if
19 there's a super heavy rain, we're going to flood out
20 because their pump is going to get overworked. The
21 street is going to block the flapper valve or
22 whatever they are going to use to keep the water
23 from going back into the neighborhood. That's not
24 going to happen.

1 Also, this is a quote from Eric
2 Schoeny, the city drainage and underground
3 coordinator of Aurora, when Aurora was doing their
4 green infrastructure to manage stormwater, to
5 improve local waterways. Basically said one thing
6 we found is that stormwater is just as dirty as
7 combined sewage because of some of the pollutants.

8 You get a lot of pollutants from
9 parking lots because vehicles have an opportunity
10 for dirt and oils to get washed onto the pavement.
11 That's why there needs to be stricter restrictions
12 on the watersheds from the property.

13 We do not need this going into our
14 lands since we are on well and septic, and it should
15 be about -- should not be allowed to pollute the
16 natural wetlands and poison the wildlife.

17 In this section, of course it's in
18 orange, but there is a wetlands there. We do have
19 Sandhill cranes that visit there, and we get other
20 animal -- other birds and such that come across from
21 the one that's located across the street. So
22 there's a lot of wildlife in the area.

23 The whole idea of the Planned
24 Development District, and even the Butterfield plan,

1 is supposed to be green spaces between the areas.

2 There's supposed to be natural green spaces.

3 What better natural green space
4 would there be then that wetlands to separate us,
5 the residential area, from the industrial area? I
6 mean, it's a perfect opportunity to just let what's
7 there be there and be a natural boundary that
8 wouldn't interfere with anybody.

9 Also, if you'll look at what their
10 plan is, with those -- with those number of truck
11 bays, if they run at full capacity, the turnaround
12 for a full truck is about two hours to unload and
13 reload a truck.

14 In that area if they only operate
15 between the hours of 7:00 and 10:00 o'clock PM,
16 you're talking about 256 trucks that go out of just
17 this facility, and according to DuPage County, they
18 are requesting that that be opened at Sunrise. So
19 we'd have 256 trucks just from this facility going
20 through our neighborhood. That's crazy.

21 Can you imagine that going through
22 any of your neighborhoods? How would you like
23 your -- how could you walk your dog or, you know,
24 your kids or anything else down the street? That's

1 a lot of people, a lot of trucks.

2 And then on top of it you'd get all
3 the UPS trucks from the other facility coming down,
4 so that could be double. That could be over 500
5 trucks going down that street.

6 That's a lot of trucks. That's not
7 including the 200-plus parking spaces they are going
8 to have, 200 parking spaces. Can you imagine having
9 200 cars plus going through your neighborhood, to
10 have two, three shifts? That could be 600 cars in
11 your neighborhood.

12 I mean, you're talking about a
13 quiet neighborhood now all of a sudden having, what,
14 maybe 1,100 vehicles going through it a day? That's
15 unbelievable. I couldn't imagine that. How would
16 anybody get anywhere?

17 And then not only that, but you
18 also have what we used to see in our own
19 neighborhood. People go out and they take their
20 breaks. They'd be sitting there taking their smoke
21 breaks in front of our houses, throwing their
22 cigarettes and their garbage out the window. It
23 happens all over the place. I'm sure you've seen it
24 in your neighborhoods.

1 The -- let's see. You know, R-2
2 is -- that's, you know, a district designed for R-2.
3 According to 49 107.6 is a one family dwelling
4 district. The one family dwelling district is
5 designed by R-2 on the zoning map. Intent and
6 purpose, the R-2 Zoning Family Dwelling District is
7 intended to provide City with a wide range of
8 quality housing opportunities by providing single
9 family areas of a medium density character with lots
10 of -- containing a minimum 8,000 square feet and
11 requiring larger rooms, dwelling sites required
12 in -- (Indecipherable) -- dwelling district.

13 All of our houses are well and
14 septic, so any pollution come in our area are going
15 to go into our drinking water. If the area gets
16 overflowed with water because they're not
17 improperly -- they're not -- they can't properly
18 drain the area, it's going into our yards. That
19 means our septic fields won't work because our
20 septic fields are depending upon the water being
21 able to percolate through the ground and it's
22 oversaturated.

23 That's not going to happen.
24 Instead of it going down, it's going to come up and

1 it's going to be a total mess. So it's -- that will
2 cause unsafe sanitary conditions.

3 I also heard from somebody that
4 they're talking about even maybe raising the height
5 of their property closer to what Ferry Road is.
6 That's five or 10 feet. I mean, can you imagine
7 them putting this area here five or 10 feet higher
8 than our area? Where is the water going to go; in
9 our neighborhood.

10 And, also, what Jim didn't mention
11 was that they -- that Old Dominion did dig a ditch
12 that drains down into -- (Indecipherable) --
13 property on the one side. So they are draining the
14 water on to somebody else's property. So they have
15 to deal with that.

16 I mean, there's a lot of problems,
17 and for them to sit there and push their water
18 issues to somebody else isn't fair. They need to
19 take care of their own water issues, besides the
20 fact that any pollution they have from their -- that
21 are coming off of their lots are going to go into
22 the natural wetlands.

23 So we preserve our wildlife. The
24 wildlife has less and less space every year. We

1 purchased our lot. It's a very beautiful lot. You
2 know, it's nice, peaceful, quiet. We hope to keep
3 the neighborhood that way, but, you know, putting
4 this there isn't realistic. Nobody would want that
5 in their neighborhood. It takes up too much space.
6 Our streets are not designed for high levels of
7 traffic. They're going to tear them up.

8 Are they going to put in all new
9 streets and have heavy duty concrete and everything
10 else? Are they going to have all the pumps required
11 to pump the water out of their area?

12 I mean, you're talking about a lot
13 of dedication of facilities just to take care of
14 this one spot. Why should Aurora have continuing,
15 ongoing expenses for developing of this area when
16 they could easily just say, okay, we'll make it
17 residential. You don't even have -- you wouldn't
18 even have to run the sewage or anything else in
19 there; just put everybody on well and septic.

20 There are other houses across the
21 country and across the world that are on well and
22 septic. They can do it on one-and-a-half to
23 two-acre lots, and all of that area would sell
24 quickly. If they put it up for sale, that whole

1 area would probably be sold by, I don't know, June
2 because it would sell very quickly.

3 If they put an ad up there for that
4 people would want it. Because why? It's in -- it's
5 in a good school district and it's close to the
6 highway. It's also in walking distance to the
7 new -- to the new \$200-million project that's going
8 on.

9 So it would benefit everybody.
10 Plus, it's easy access to the Prairie Path, and the
11 Prairie Path leads to where; downtown Aurora.

12 I go through there every weekend.
13 I ride through Aurora all the time. You've got
14 beautiful communities and, you know, the most
15 friendly bike community around. I ride all over the
16 place. It's one of the few spots you come to an
17 intersection, people wait for you. Most other
18 places, they want to run over you.

19 So a very respectful community. I
20 love riding through there. I have a friend who
21 lives close by. He owns a business in Aurora, and
22 he -- and he has nothing but praise for Aurora.

23 So I hope all of you take
24 everything we said seriously and reconsider and not

1 allow them to build because our lives will
2 drastically change.

3 It's not just a moderate change;
4 it's a drastic change because they're putting
5 something in a neighborhood nobody wants. And the
6 picture that they show, that doesn't even follow the
7 zoning rules. I don't know how the City even cared
8 to okay it. I mean, it's an ORI. It's supposed to
9 have green spaces 27 feet.

10 It's not a green space. Putting a
11 bunch of trees in there, it's not a green space, and
12 the way the rules are set up, they are not even --
13 in that green space they can't even have parking.

14 So, you know, you need to follow
15 your own rules and make this -- and show and have
16 them make a realistic drawing instead of, okay, this
17 is what it's going to be. Because to me, when they
18 show something, oh, this is what it could be,
19 they're showing you a what if. They're showing you
20 a fantasy land because they don't have a buyer for
21 it.

22 If I'm building on my property and
23 I want to build something, I gotta say something
24 concrete. I can't say, well, this is what I kinda

1 want to build, and then I build something completely
2 different after you okay it. That doesn't make any
3 sense.

4 I mean, you should see all the
5 hoops I had to go through to build on my own
6 property. I mean, you know, they want, okay, who is
7 building it, all the different people who are
8 constructing it.

9 It's a complete laundry list of
10 what's going to be on there, not, well, this is what
11 we might have, but we could change it, but we want
12 to hold you to your end, whatever you agree on, and
13 not be able to have anybody come up and complain or
14 make any changes for it, and for someone at the
15 board -- you know, I'll be honest, the City portion
16 of it, you know, for them to say, Oh, this is a
17 great idea, the City is selling it.

18 Why should the City be selling a
19 private -- something that's private? I mean,
20 really? I mean, that's private -- you know, it's a
21 private business.

22 These guys are here. All they are
23 doing is basically they are industrial flippers.
24 They're going to put the land there, build it up

1 quick, and, oh, look, we got a buyer and we're
2 selling it. They make their profits; they're gone.

3 And then the other company who is
4 sitting there is going to be, like, well, we didn't
5 agree to all of this; but they did, so now it's in
6 the rules and they have to agree to it.

7 I mean, I don't get how that -- how
8 that would work and how anybody would put up with
9 that. I mean, I can't imagine me buying a house
10 that somebody else before I bought it made all kinds
11 of agreements with the City that now I have to
12 somehow agree with.

13 That would be just not even like a
14 homeowners association. That's even worse because
15 at least with a homeowners association you kind of
16 have an idea of what's going on and you have
17 something to argue.

18 With them, okay, you're stuck with
19 it. Just like if they build something there and it
20 doesn't sell, they're stuck with it.

21 I have a client that's a UPS
22 driver. He said they can't find enough drivers.
23 They can't find people to work in the warehouses
24 right now. You know, there's a lot of problems with

1 filling vacancies in these kind of -- you know, with
2 these kind of buildings, and you want to build more
3 when there is 38, 40 percent empty in the area?
4 That's not the trend.

5 The trend in the area is homes
6 because our -- our -- our area would build up. They
7 just built a whole bunch in Warrenville there.
8 There is a lot of people who want to live in this
9 area. Please give them the opportunity to do so.

10 And, thank you. I appreciate your
11 time, and hopefully we'll get a favorable decision.
12 Thank you.

13 CHAIRMAN PILMER: Thank you. Anyone else?

14 (No response.)

15 CHAIRMAN PILMER: All right, thank you very
16 much. We've heard a lot of testimony. I've taken
17 notes, and we'll work through these.

18 I might ask the Petitioner to come
19 back and we'll work through these one at a time
20 here.

21 Could you maybe -- whether you want
22 to do this or call on somebody on your team to --
23 why don't we start with wetlands and drainage and
24 the retention area.

1 MR. PHILIPCHUCK: Okay, yeah, so let's talk
2 about stormwater management, and Will will address
3 that, civil engineer.

4 MR. FREVE: Good evening, Plan Commission.
5 My name is Will Freve. I'm with Logistics Property
6 Company.

7 Also accompanying me is Mark
8 Richards with Webster, McGrath & Ahlberg. Webster,
9 McGrath & Ahlberg was the site civil engineer.

10 Very quickly, just about the
11 wetlands, I'll speak quickly to that, and then I'll
12 turn it over to Mark to talk about some of the
13 stormwater management.

14 I saw an exhibit passed around that
15 had kind of a big, red blob indicating wetlands.
16 That is actually from the County's GIS website, and
17 those areas of wetlands that are shown on GIS
18 website are approximations of where potential
19 wetlands could be, much like a flood insurance rate
20 map or a flood map.

21 A lot of times they'll show large
22 areas of floodplain, but then you actually have to
23 do some more field work, like a topographic survey
24 to actually determine where the delineation of that

1 flood line actually is.

2 Wetlands are very much the same
3 way. There are advanced identification wetlands in
4 DuPage County, and although they are shown on the
5 GIS website, it's kind of a larger blog.

6 We actually did go out there and
7 have a field wetland delineation done by a licensed
8 engineering firm, B3 Consultants. There is a farmed
9 wetland on there. The size of that was
10 approximately .37 acres, so it's less than half an
11 acre.

12 We did, in accordance with Kane
13 County stormwater regulations, submit for a
14 jurisdictional determination to the US Army Corps of
15 Engineers. That came back as non-jurisdictional.

16 So at this point we are impacting a
17 wetland with the detention pond, which is not
18 technically considered a wetland, impact under the
19 Kane County ordinance, and the bottom of the wetland
20 basin will also be planted with native hydrophytic
21 type vegetation to help mitigate and offset that
22 impact.

23 So essentially the bottom of the
24 detention pond will become kind of an unofficial

1 wetland mitigation with that native hydrophytic
2 vegetation.

3 So with that I'll introduce Mark
4 Richards. He can correct anything if I misspoke
5 anything, and he can talk to some of the stormwater
6 detention and some of the concerns about flooding
7 that were brought up.

8 MR. RICHARDS: Thank you. As Will said, my
9 name is Mark Richards with Webster, McGrath &
10 Ahlberg, civil engineer for the project.

11 Stormwater for the project is
12 managed with two detention basins. There's a basin
13 proposed at the northeast corner of the site and
14 then also at the west side of the site. And
15 essentially what these basins do is to take all the
16 runoff from the site and store it and then release
17 it at a trickle.

18 So the basin at the west side of
19 the site provides 14.89 acre feet of storage, which
20 exceeds the required storage, which is already very
21 high, by 33 percent, and all the water leaving that
22 basin has to leave -- exit through a five-inch
23 diameter orifice.

24 So basically we're taking 68 CFS

1 currently that discharges from the site, 68 cubic
2 feet per second in the existing conditions, and
3 we're throttling that down, storing that water and
4 releasing it at a maximum rate of 1.6 CFS. So
5 that's actually a 98 percent reduction in the peak
6 runoff rate from the site.

7 UNKNOWN PARTICIPANT: Where does it go?

8 MR. RICHARDS: It goes to the south. So
9 there is an existing -- there's an existing storm
10 sewer pipe, and so while the existing site drains to
11 the site south, as well. So that's why -- oh,
12 sorry. So that's why it's such a significant
13 improvement, because the existing site drains to the
14 south, and by adding all of this storage on the
15 site, it reduces, you know, the discharge from the
16 site basically to a trickle.

17 UNKNOWN PARTICIPANT: Can you show us where
18 it is on this map? Can you show us where -- where
19 the pipe is, the drain pipe?

20 We're trying to figure out where
21 all the runoff is going to go. The storm sewer.
22 There's an existing storm sewer.

23 CHAIRMAN PILMER: Actually, I'm going to have
24 you put the testimony on the microphone, so if you

1 want to bring the map or else point on your property
2 where.

3 MR. RICHARDS: So there's an existing storm
4 sewer that we're going to be tying in to.

5 UNKNOWN PARTICIPANT: Which direction?

6 MR. RICHARDS: South.

7 UNKNOWN PARTICIPANT: So there's houses here.

8 MR. SIEBEN: There is no drainage there.
9 It's just a -- it's already -- it's already a ditch
10 drainage. There's no actual structure. This is --

11 MR. RICHARDS: So if we pull up the survey,
12 maybe we can show it on the existing -- are you able
13 to pull up the utility -- the utility plan? I don't
14 know if you have that.

15 MR. FREVE: I don't have the final
16 engineering plan.

17 MR. RICHARDS: Oh, okay.

18 UNKNOWN PARTICIPANT: You could pull up the
19 pictures of the geese in the ponds and the water on
20 there.

21 CHAIRMAN PILMER: We're not going to have a
22 lot of testimony from the audience. We've had
23 testimony earlier and we're going to -- I took your
24 questions down, and let the representative finish

1 answering the questions.

2 So one of the things that will come
3 up is final engineering on this. Ed will -- plans
4 will be approved.

5 MR. SIEBEN: As part of this.

6 CHAIRMAN PILMER: Yeah, as part of this, yes.

7 MR. RICHARDS: And, you know, I guess what I
8 would just emphasize is that the peak rate of
9 discharge from the site is being reduced by
10 98 percent, so it would be a drastic decrease in the
11 peak rate of runoff from this site based on all the
12 storage that we're providing.

13 The storage being provided amounts
14 to over -- over a 12-inch -- over a foot of storage
15 per acre is being provided, so that means for
16 every -- every acre of land we're providing
17 12 inches of storage over that acre. So it's a
18 total of 19 acre feet of storage for a 17.63 acre
19 site.

20 MR. SIEBEN: And it won't flow north. The
21 entire site will flow south.

22 MR. RICHARDS: Correct. That main basin to
23 the west will discharge to the south, and then the
24 northeast basin actually is connected to the basin

1 on the east side of Meridian and it shares an
2 outfall with that basin.

3 Thank you.

4 CHAIRMAN PILMER: Thank you.

5 MR. PHILIPCHUCK: Mr. Chairman, did you have
6 any other specific questions you wanted to --

7 CHAIRMAN PILMER: Just if you can comment
8 on -- I know there is a traffic study done in the
9 third quarter of last year by a third party.

10 MR. PHILIPCHUCK: Yes, that's correct. Will
11 has the dates. What days were the traffic studies
12 done? Was it done on a holiday? We have
13 information when those studies were conducted.

14 MR. FREVE: So, again, Will Freve, Logistics
15 Property Company. Unfortunately, our traffic
16 engineer could not be here tonight due to a positive
17 COVID test, but he did provide me information. I am
18 very familiar with the traffic study.

19 Our traffic impact analysis was
20 submitted to the City's engineering department and
21 reviewed and accepted by them. That used analysis
22 and counts from September of 2021. I don't have the
23 exact date in front of me, but it was in
24 September 2021.

1 And, additionally, because we are
2 in a pandemic condition right now, they compared
3 their traffic counts along the existing roads with
4 2018 pre-pandemic county traffic data, and then
5 applied a growth factor to the 2018 data to bring
6 that into essentially what it would be if it was
7 still that pre-pandemic traffic in 2021, and then
8 essentially what they did is they took the higher of
9 those two traffic counts.

10 So if the traffic counts that they
11 took in September were higher than what that 2018
12 data with the growth applied to it was, they took
13 that. If the previous data from the County wound up
14 being higher, they were conservative and took the
15 highest of the two data sets for all of the
16 analysis.

17 CHAIRMAN PILMER: All right. And the City
18 traffic engineers and part of the City permitting
19 process will review that and will continue to
20 monitor that?

21 MR. FREVE: That is correct.

22 And if I could just speak a little
23 bit to the total anticipated trip generation of
24 this, because I know that there was some pretty

1 large numbers thrown out as to the number of
2 vehicles that might be generated.

3 What the traffic analysis does is
4 because this is a speculative warehouse development,
5 so they refer to the ITE Traffic Manual. That's the
6 Institute of Transportation Engineer Traffic Manual,
7 and this manual has several use codes. Ours happens
8 to be ITE Code 150 which is a warehouse development,
9 and the ITE manual has trip generation rates that
10 are based on aggregate data from hundreds of
11 projects across the country that says, okay, this
12 type of use, this rough size of warehouse, this type
13 of light industrial use on average across the
14 country generates this much traffic.

15 And then we use that for
16 assumptions for what the trip generation for this
17 site will be, again, given that there's not a
18 specific tenant that we can identify traffic
19 operations for.

20 So in total, what the ITE trip
21 generation gives you for this is we would assume a
22 daily traffic count of roughly 240 vehicles into the
23 site every day and 248 vehicles out.

24 So that's a total of -- actually,

1 it's like 237 in and 237 out. So the total average
2 daily traffic would be 474 vehicles. Trucks going
3 in and out would be roughly 35 percent of that
4 volume. So we're looking at roughly 82 trucks in
5 and 82 trucks out per day, not several hundred as
6 had been assumed previously.

7 As was discussed, all truck traffic
8 is going to be limited to Frieder Lane. I know one
9 of the things that we had discussed with Mr. Setork
10 previously is that we would have no objection if the
11 City wanted to place another emergency access gate
12 east of our driveway on Sunrise just to ensure that
13 all truck traffic would go west.

14 That's something we would certainly
15 not object to and something we would be willing to
16 do, but obviously that's a city road so we would
17 need to get engineering's concurrence to put a gate
18 across a public road like that.

19 The final thing that I would say
20 about traffic is, yes, there is a driveway that we
21 have on the south side of Meridian. We feel that
22 that is important for this development because it is
23 being designed as a multi-tenant facility.

24 So we do want to be able to have

1 access for a tenant to that south side; however,
2 what we would be willing to do -- I mean, we do
3 thing operationally it is not practical for cars to
4 drive through the residential neighborhood and go
5 over to the -- take Sunrise further east to the
6 other street.

7 We would certainly be willing to
8 make that driveway a right in, left out only so that
9 any cars coming out of that site would be forced to
10 turn left and go north up Meridian and not be able
11 to drive further east into that residential
12 neighborhood.

13 And we certainly hope that that
14 would be sufficient mitigation for concerns, either
15 that gate or the left out only from that
16 subdivision, to prevent both cars and trucks from
17 going through that neighborhood.

18 CHAIRMAN PILMER: All right. Do you want to
19 have somebody cover noise pollution, air pollution,
20 lighting pollution, and trash?

21 MR. FREVE: Forgive me if I may ask you to
22 repeat that question.

23 CHAIRMAN PILMER: So, really, we've heard a
24 lot of testimony regarding concerns over lighting

1 spillover, excess lighting, and then maybe follow
2 with noise pollution, air pollution, and excess
3 trash.

4 MR. FREVE: Okay. With regard to lighting
5 pollution, there is a photometric plan that is
6 included as one of the exhibits that we're
7 requesting approval for in our PDD that has been
8 prepared in accordance with all Aurora requirements
9 in terms of cutoff levels at the property lines,
10 et cetera.

11 Ed, I'm not sure if you have that
12 available for the plan review, the photometric plan.
13 I think it was attached to the final plan.

14 MR. SIEBEN: Yes.

15 MR. FREVE: So typically what we're doing,
16 particularly on the south and east sides, is instead
17 of having pole lights on the outside of the parking
18 lot, which is pretty common, we're having
19 everything -- all lighting done with wall packs that
20 are actually attached to the wall so they are as far
21 away as possible as what they can be from that
22 property.

23 UNKNOWN PARTICIPANT: What about the property
24 across the street?

1 MR. SIEBEN: So that -- so that does meet --
2 yeah, that's a little hard to see. It's very
3 numbers, but it's a detailed photometric, and the
4 City ordinance requires less than one foot-candle of
5 spillover at the property line and this is meeting
6 that.

7 UNKNOWN PARTICIPANT: (Indecipherable.)

8 CHAIRMAN PILMER: Sir, sorry, but I have to
9 limit -- we've got the Petitioner here answering
10 questions.

11 So I think the answer was that the
12 photometrics, that the design will meet all of the
13 City requirements which limit the amount of
14 spillover at the property line.

15 MR. SETORK: It has nothing to do with the
16 lights from the trucks -- the headlights of the
17 trucks. It just includes the light from the light
18 fixtures, the light posts.

19 CHAIRMAN PILMER: Okay. I know there's a --
20 do you want to just explain again the building
21 design where the trucks enter and exit on the west
22 side of the building?

23 MR. FREVE: Certainly. As Ed mentioned in
24 his staff reports, per the City's request we have

1 located all truck docks on the west side, so there
2 are going to be no truck headlights facing the
3 residential district at all.

4 There will be a building, a
5 warehouse, in between where the truck docks are and
6 where the views from any of the residential property
7 would be.

8 With regard to the car parking on
9 the east side, we have fit in, as was mentioned in
10 the staff report, roughly a two- to four-foot
11 undulating berm, averages about three feet, that
12 should do a good job in terms of blocking headlights
13 and mitigating that.

14 In addition, there is a lot of
15 dense shrubbery, evergreen trees, landscaping, stuff
16 like that that will also help to defray any
17 headlights.

18 CHAIRMAN PILMER: Any comments on air
19 pollution?

20 MR. FREVE: So at this point this is a
21 speculative warehouse. Typically any tenants that
22 would have some sort of noxious processes release
23 into the air, first and foremost they would be
24 required to go through the IEPA for an air release

1 permit.

2 Typically this type of use is more
3 of a warehouse storage use. It's typically pretty
4 quiet. We don't often get things like paint booths
5 or chemical processes or stuff like that that again
6 would necessitate an IEPA permit and typically like
7 an environmental impact study our stuff like that.

8 Obviously if a tenant came in that
9 wanted to have one of those uses, they would be
10 responsible for going through the requisite
11 permitting with the IEPA.

12 CHAIRMAN PILMER: And any noise spillover
13 regarding trucks -- probably primarily trucks,
14 diesel running, backing up?

15 MR. FREVE: Yeah, I mean, the best thing I
16 could say in terms of noise attenuation is there's
17 going to be roughly a 300-foot deep warehouse
18 in-between where the trucks are maneuvering and
19 where the eastern residential neighborhood is.

20 You know, and for context,
21 Mr. Setork's house is actually roughly 400 feet
22 closer to the existing 551,000-square-foot warehouse
23 on the north side of Ferry Road and has actually a
24 clear view into those truck docks.

1 If you go from his property to the
2 corner of our building it's roughly 400 feet further
3 away, it's a smaller facility, and all the docks are
4 on the opposite side.

5 So my assumption would be is if
6 there's currently not problems with the existing
7 551,000-square-foot warehouse on the north side of
8 Ferry in terms of noise pollution and stuff like
9 that, then the noise from this site should be
10 inconsequential.

11 UNKNOWN PARTICIPANT: Oh, come on.

12 CHAIRMAN PILMER: Excuse me, please.

13 And then just maybe -- I know you
14 just touched on it, but can we reiterate one more
15 time traffic flow.

16 Truck traffic is not allowed on
17 Meridian; it will all flow to Frieder?

18 MR. FREVE: That is correct. Per staff
19 conditions we are instructed to have signage
20 preventing left turns from trucks there.

21 Also, as previously indicated, it's
22 understood that signage doesn't physically block
23 them. If the City was amenable to putting in an
24 emergency access gate east of our Sunrise driveway,

1 we would certainly have no objection to that.

2 CHAIRMAN PILMER: All right. I might have
3 Mr. Philipchuck just explain the requirements for
4 notification of the public hearing, and the timing
5 of that, and how that was sent out.

6 MR. PHILIPCHUCK: Yes, thank you.

7 By the way, you did a lot of good
8 research and made very good presentations.
9 Unfortunately, this is too late in the game, really,
10 as you say, because both the City of Naperville and
11 the City of Aurora previously had discussions like
12 this and developed comprehensive plans that show
13 this area to be ORI and industrial use. That's what
14 you gotta understand. And that PDD, three quarters
15 of this property could have been built yesterday or
16 two days ago or 10 years ago because it's been
17 annexed and zoned in the City of Aurora for this use
18 since 1976.

19 So if you haven't done the proper
20 research, you can't just go out and pull stuff out
21 of thin air and say, well, you're not following your
22 rules. You're violating your rules.

23 Notices that were sent were done
24 within the -- not more than 30 days nor less than 15

1 days. Those notices were properly sent.

2 There were signs posted on the
3 property, one on Meridian and one on Sunrise, again,
4 per City ordinance, 15 or 30 days. They were posted
5 on December 23rd, and newspaper publications are
6 done by the City of Aurora staff, and, again, not
7 more than 30, not less than 15 days prior.

8 So all of the proper notifications
9 of this activity on this 4.8-acre parcel were done
10 and were properly done.

11 And as far as the -- looking at the
12 ordinances, again, some people quoted miscellaneous
13 things from the Aurora Zoning Ordinance, but what
14 they don't understand is that the Butterfield
15 Planned Development District has its own set of
16 rules, just like Fox Valley had its own set of
17 rules.

18 And so you don't look to the
19 typical zoning ordinance; you look to the rules that
20 were set forth when those districts were developed
21 and annexed into Aurora and the plan descriptions
22 were established.

23 And so that's all been out there,
24 and if I were, you know, looking to buy a home or a

1 lot or develop in a neighborhood, I'm not just going
2 to go to the county. I'm going to go to the
3 surrounding municipalities and see what their plans
4 call for, what are they intending to do? That's
5 what's important, and in this case it's been out
6 there since the mid 1970s. So there are ways to
7 find out that information and if you go about it in
8 the proper manner, you'll find those things out.

9 You know, pulling things out of
10 state statute and saying, well, you can't annex this
11 because it's farmland, I'm sorry, ma'am, but you're
12 a school teacher -- I honor that profession -- but
13 as a lawyer I'll tell you that the section you
14 quoted from was for land that is less than 60 acres
15 and surrounded. That's where those rules came into
16 play. So it has absolutely nothing whatsoever to do
17 with what we're discussing here tonight, nothing.
18 I'm sorry, but it has nothing to do with that.

19 As far as any other particular
20 issues, Mr. Chairman, we touched on the lighting.
21 We touched on -- the interim use, the farming, I
22 mean, that's typical. Land is farmed until it's
23 developed, and, yes, if it is properly farmed they
24 do get farm assessments and it's less than an

1 unimproved lot. So, yeah, your taxes are going to
2 be different, absolutely, no question about it.

3 CHAIRMAN PILMER: Can you just touch base on
4 setbacks, zoning requirements, everything listed
5 meets City standards.

6 MR. PHILIPCHUCK: I mean, I could say it, but
7 Ed certainly can talk to it because he's --

8 MR. SIEBEN: Mr. Chairman, this does meet the
9 requirements of the Butterfield PDD as far as all
10 the setbacks go. Some of these are a little bit
11 less restrictive than the typical zoning
12 requirements; some of them are more restrictive. So
13 this does follow that.

14 CHAIRMAN PILMER: And maybe just a
15 clarification, for what it's worth, that I think
16 we've heard a comment about residential lots that
17 would be in the City of Aurora and potential --
18 potential well and septic.

19 And, Ed, do you want to just
20 clarify that's not allowed?

21 MR. SIEBEN: Yeah, that's not allowed, and
22 the county health department will not allow that if
23 there is municipal water line available. They don't
24 allow new wells if the water line is adjacent.

1 CHAIRMAN PILMER: And as far as the
2 permitting process and what's proposed here, all
3 guidelines will have to meet city standards at the
4 time of -- at the time of permitting?

5 MR. SIEBEN: Right. And I just want to
6 stress, too, there were comments made that they may
7 not build what they are showing.

8 This is final plan and plat. That
9 final plan, everything you see submitted, which
10 includes the elevations, the landscaping, the
11 parking, the parking layout, everything is what they
12 need to build. If they're not building that or
13 something drastically changes, they have to come
14 back through the process.

15 MR. PHILIPCHUCK: And there were some
16 concerns expressed about, well, gee, you know, what
17 could go on, and they could do things in here that
18 would be hazardous to the neighborhood, but as John
19 knows, obviously going through the building review
20 process and working with the fire marshal's office,
21 all that is looked at, all the fire protections are
22 looked at, and they do annual inspections, I
23 believe, in these buildings and so if someone is
24 utilizing it in an improper way they have

1 inspections that they perform, and they certainly
2 can react to anything that they see that would be in
3 violation of any of the city or state codes.

4 So I just wanted to clarify that.

5 MR. SIEBEN: As well as any contents that are
6 in there that has to meet by the fire -- regular
7 fire inspections, et cetera. If there's hazardous
8 substance at any time, that all has to meet fire
9 codes.

10 MR. CURLEY: That's correct, it's permitted,
11 reviewed as hazardous materials, and as John
12 Philipchuck mentioned, our annual fire inspection
13 program is expected to catch any violations of that.
14 That's why we get in the building annually, to see
15 if there are any kind of hazards, including storage
16 violations or hazardous material violations.

17 CHAIRMAN PILMER: Do you want to state your
18 name?

19 MR. CURLEY: Sorry about that. John Curley.
20 I'm Chief Development Services for the City of
21 Aurora.

22 I was asked about our annual
23 inspection program from fire as well as our
24 permitting processes. Our annual inspection program

1 for the fire department exists to catch unsafe
2 conditions, including hazardous material storage in
3 buildings. We actually do get into the buildings,
4 do the inspections, and then follow up with
5 violations should they be found.

6 In addition to that, any storage
7 from a future tenant build-out, which would be
8 required here next when an occupant is determined,
9 that build-out would be permitted and we would make
10 sure that all of the fire codes and building codes
11 would be met during that process, as well.

12 CHAIRMAN PILMER: And then the Petitioner had
13 something in their qualifying statement, but would
14 you be able to -- or feel comfortable commenting on
15 property values in the area or as far as an impact
16 on property values?

17 MR. PHILIPCHUCK: Obviously they look at the
18 highest and best use of the land. Again, I know
19 that the residents don't like to hear it, but the
20 fact is is that Aurora has designated this area west
21 with of the boundary line, which is the center line
22 of Meridian, for ORI type uses.

23 Naperville has also identified the
24 area on their side of the boundary agreement for

1 industrial.

2 MR. SETORK: (Indecipherable.)

3 MR. PHILIPCHUCK: Excuse me, sir, but the
4 municipalities have a right to do plans,
5 comprehensive plans, for areas beyond the boundaries
6 of the current municipal limits, and do you want to
7 comment on that?

8 I mean, they do the comprehensive
9 plans. That's just part of it. They go out and
10 look at these areas and they go beyond what they've
11 annexed.

12 In this case Aurora and Naperville
13 agreed on a boundary line, okay. They have a
14 boundary line. Naperville has decided what the
15 future land usage should be on this side of the line
16 and Aurora has decided what they should be on this
17 side.

18 We're trying to take a four-acre
19 parcel that is part of an 18-acre parcel and bring
20 it up to zoning speed with the balance of the
21 property. That's what we're really here for
22 tonight, is so to square it off, and then look to a
23 subdivision of the entire parcel one lot and then
24 put this proposed building on it.

1 And you see the site plan, and the
2 landscape plan, and all the those other things that
3 have bone into working with City staff to create a
4 plan that the staff is supportive of.

5 And we have made a lot of changes
6 as a result. There is a tremendous amount of
7 landscaping on this development, and as a result, I
8 think that as the area matures, it will be a very
9 nice site.

10 UNKNOWN PARTICIPANT: For who?

11 CHAIRMAN PILMER: So, Ed, do you want to just
12 comment a little bit on -- I know before we get to
13 the staff's recommendation, but as far as -- I think
14 we heard the Petitioner say they are willing -- of
15 the gate on Sunrise, which would be a city street, a
16 through street, and I don't know whether the City
17 would agree to that or the right in, left out only
18 from --

19 MR. SIEBEN: So -- so the developer is
20 willing to put a fire gate on Sunrise just the east
21 of the -- that southwest entrance.

22 I don't know that staff would have
23 a problem with it. I think we would have to run it
24 by the fire marshal and engineering to see if that

1 would be okay, but I don't think planning staff
2 would have an objection to that.

3 CHAIRMAN PILMER: I wonder if it would impact
4 any of the neighbors on the south of Sunrise.

5 MR. SIEBEN: I believe it would be to the
6 west of the last house there.

7 CHAIRMAN PILMER: Okay.

8 MR. SIEBEN: So I think it would be okay.

9 So if you want to suggest that with
10 further review by engineering and the fire marshal,
11 we'd be -- we'd be fine with that.

12 CHAIRMAN PILMER: And the same with the right
13 in, left out, which --

14 MR. SIEBEN: On the southern access on
15 Meridian, staff would be okay with that, that they
16 direct the traffic that way.

17 CHAIRMAN PILMER: Which would impact the
18 residence to the south?

19 MR. SIEBEN: Right. We'd be okay.

20 CHAIRMAN PILMER: All right. At this time
21 I'm going to close the public hearing. Any
22 questions of staff?

23 (No response.)

24 CHAIRMAN PILMER: If not, if staff would

1 cover their findings of fact.

2 MR. SIEBEN: Sure. So there are -- there are
3 four petitions. In order of on the agenda 023 is
4 for the annexation agreement. 02 -- I'm sorry, 0923
5 is the annexation agreement. 0925 is the rezoning.
6 0926 is the final plat. 0927 is the final plan.
7 Staff would recommend approval of those.

8 We would be okay with the two
9 conditions that we've just stated being added to the
10 final plan. I believe it would be -- that's the
11 site plan.

12 I do want to read in -- this would
13 be for 0925, the rezoning, there is findings of
14 fact, and staff has stated those in the staff
15 report, and let me read them.

16 No. 1 is staff has noted below the
17 physical development policies that the proposal
18 meets, that includes 40.1-1, to attract and
19 encourage industrial office and office research
20 development to planned sites where requisite public
21 facilities are either present or proposed.

22 40.1-5, to plan and promote the
23 extension of the office and office research quarter
24 along the tollway in the City of Aurora.

1 40.1-6, to promote attractive,
2 well-maintained industrial and office research areas
3 through landscaping and site design. So that's
4 No. 1.

5 No. 2, staff feels the proposal
6 does represent the logical establishment of the
7 requested classification in considering the existing
8 area as the abutting parcels to the west and to the
9 north are zoned for ORI uses within the Butterfield
10 PDD, and the areas further west are developed also
11 as light industrial adjacent.

12 3, the proposal is consistent with
13 the desirable trend of development in the area, as
14 the area has been planned for light industrial uses
15 since the 1970s, as testified. The future plans for
16 the current residential to the south would be to
17 annex into Aurora if those parcels were to be sold
18 for, again, for ORI type uses, as I explained
19 earlier, where the boundary agreement would be would
20 Naperville.

21 Also, Naperville shows this area,
22 if the properties were to be sold and developed in
23 Naperville, as a business park which includes some
24 of the area -- or all the area to the east.

1 No. 4, the rezoning will allow uses
2 that are more suitable to the existing abutting
3 development that is zoned manufacturing within the
4 Butterfield PDD. This is a logical extension of
5 that. In fact, 75 percent of the property to be
6 developed is already annexed and zoned.

7 And 5, the rezoning is consistent
8 with the existing areas. It conforms to the
9 abutting properties, and the plan provides setbacks
10 to the east and south, along with landscape
11 buffering, and tries to address truck traffic
12 concerns through the placement of docks to the west
13 side of the property, and directing truck traffic to
14 the west, and then we are adding an additional
15 condition with the gate on Sunrise.

16 So that is staff's recommendation.

17 CHAIRMAN PILMER: Thanks. And we're going to
18 do these -- we'll do these one at a time. The first
19 is item No. 21-0923.

20 Is there a motion?

21 COMMISSIONER ELSBREE: Motion to approve.

22 CHAIRMAN PILMER: We have a motion for
23 approval by Mr. Elsbree.

24 I'll second the motion.

1 Please call the roll.

2 MS. JACKSON: Chairman Pilmer?

3 CHAIRMAN PILMER: Yes.

4 MS. JACKSON: Mrs. Anderson?

5 COMMISSIONER ANDERSON: Yes.

6 MS. JACKSON: Mr. Choudhury?

7 COMMISSIONER CHOUDHURY: Yes.

8 MS. JACKSON: Mr. Elsbree?

9 COMMISSIONER ELSBREE: Yes.

10 MS. JACKSON: Mr. Gonzales?

11 COMMISSIONER GONZALES: No.

12 CHAIRMAN PILMER: The motion carries 4 to 1.

13 Ed, we'll do findings of fact on

14 the next one; is that correct?

15 MR. SIEBEN: Correct.

16 CHAIRMAN PILMER: So we'll vote now on

17 21-0925. You heard staff's recommendation. Is

18 there a motion?

19 COMMISSIONER CHOUDHURY: Moved.

20 CHAIRMAN PILMER: Motion has been made. Is

21 there a second?

22 COMMISSIONER ANDERSON: Second.

23 CHAIRMAN PILMER: Motioned and second.

24 Please call the roll.

1 MS. JACKSON: Chairman Pilmer?

2 CHAIRMAN PILMER: Yes.

3 MS. JACKSON: Mrs. Anderson?

4 COMMISSIONER ANDERSON: Yes.

5 MS. JACKSON: Mr. Choudhury?

6 COMMISSIONER CHOUDHURY: Yes.

7 MS. JACKSON: Mr. Elsbree?

8 COMMISSIONER ELSBREE: Yes.

9 MS. JACKSON: Mr. Gonzales?

10 COMMISSIONER GONZALES: No.

11 CHAIRMAN PILMER: The motion is approved.

12 With this approval we do have
13 findings of fact and we are to evaluate the proposal
14 with respect to the property in question as
15 following: 1 is the proposal in accordance with all
16 applicable official physical development policies
17 and other related official plans and policies of the
18 City of Aurora.

19 MS. ANDERSON: These are listed in the staff
20 report.

21 CHAIRMAN PILMER: 2, does the proposal
22 represent the logical establishment and/or
23 consistent extension of the requested classification
24 and consideration of the existing land uses,

1 existing zoning classifications, and essential
2 character of the general area of the property in
3 question?

4 Again, these are listed in the
5 staff's report and were read into tonight's
6 testimony by staff.

7 No. 3, is the proposal consistent
8 with the desirable trend of development in the
9 general area of the property in question occurring
10 since the property in question was placed in its
11 present zoning classification; desirability being
12 defined as the trends consistency with applicable
13 official physical development policies and other
14 related official plans and policies of the City of
15 Aurora.

16 And it is consistent with the
17 desirable trend of development as stated by the
18 staff and as listed in the staff's report.

19 No. 4, will the rezoning allow uses
20 which are more suitable than uses permitted under
21 the existing zoning classification?

22 Again, these are listed in the
23 staff's report, and the staff testified that -- or
24 presented to us that over 75 percent of this

1 property is already in the existing zoning class and
2 this is a natural extension of that development.

3 5, is the rezoning a consistent
4 extension of the existing land uses, existing zoning
5 classifications, and essential character of the
6 general area?

7 And, again, as stated by staff and
8 listed in the staff report, this is a consistent
9 extension of the existing land use and existing
10 zoning classification.

11 That is our findings of fact. We
12 will now -- we heard staff's recommendation. We
13 will vote on Item 21-0926 which is the resolution
14 approving the final plat.

15 Is there a motion?

16 COMMISSIONER ANDERSON: Move for approval.

17 CHAIRMAN PILMER: And a second?

18 COMMISSIONER CHOUDHURY: Second.

19 CHAIRMAN PILMER: Motion has been made and
20 seconded.

21 Please call the roll.

22 MS. JACKSON: Chairman Pilmer?

23 CHAIRMAN PILMER: Yes.

24 MS. JACKSON: Mrs. Anderson?

1 COMMISSIONER ANDERSON: Yes.

2 MS. JACKSON: Mr. Choudhury?

3 COMMISSIONER CHOUDHURY: Yes.

4 MS. JACKSON: Mr. Elsbree?

5 COMMISSIONER ELSBREE: Yes.

6 MS. JACKSON: Mr. Gonzales?

7 MR. GONZALES: No.

8 CHAIRMAN PILMER: Motion is approved 4 to 1.

9 And, finally, our last item is item
10 No. 21-0927 which is a resolution approving a final
11 plan on Lot 402 of Butterfield Phase II Unit 4C
12 Subdivision.

13 Is there a motion?

14 COMMISSIONER CHOUDHURY: Motion to approve.

15 CHAIRMAN PILMER: Second?

16 COMMISSIONER ANDERSON: Second.

17 CHAIRMAN PILMER: Motion has been made and
18 seconded.

19 Please call the roll.

20 MS. JACKSON: Chairman Pilmer?

21 CHAIRMAN PILMER: Yes.

22 MS. JACKSON: Mrs. Anderson?

23 COMMISSIONER ANDERSON: Yes.

24 MS. JACKSON: Mr. Choudhury?

1 COMMISSIONER CHOUDHURY: No.

2 MS. JACKSON: Mr. Elsbree?

3 MR. ELSBREE: Yes.

4 MS. JACKSON: Yes.

5 Mr. Gonzales?

6 COMMISSIONER GONZALES: No.

7 CHAIRMAN PILMER: Motion carries.

8 The staff will state where these
9 will next be heard.

10 MR. SIEBEN: Oh, sorry. This will next be
11 heard Wednesday, January 12th at 4:00 PM in this
12 room in council chambers at our Building, Zoning,
13 and Economic Development Committee. That's 4:00 PM,
14 Wednesday, January 12th.

15 And there is allowance for public
16 comment at the beginning of the meeting. Each
17 person who signs in will be allowed three minutes
18 with a total of 30 minutes.

19 CHAIRMAN PILMER: Thank you.

20 And I thank everyone who came this
21 evening to provide testimony to the Commission. As
22 I stated earlier we are a recommending body, and
23 this will continue on, as Ed just stated, to the
24 next process on the 12th.