



# City of Aurora

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

## Legistar History Report

**File Number: 18-0219**

**File ID:** 18-0219

**Type:** Resolution

**Status:** Agenda Ready

**Version:** 3

**General Ledger #:**

**In Control:** Planning & Development Committee

**File Created:** 03/08/2018

**File Name:** The Missner Group / Final Plat Revision / 1998 Melissa Lane, 2706, 2717, 2718 Dancer Drive

**Final Action:**

**Title:** A Resolution Approving a Revision to the Final Plat Consolidating Lots 11, 12, 13, and 14 of Podolsky Orchard 88, Phase 2 Subdivision, located at 1998 Melissa Lane and 2706, 2717, 2718 Dancer Drive and Establishing Lot 1 of Podolsky Orchard 88, Phase 2 Resubdivision

**Notes:**

**Agenda Date:** 05/24/2018

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Final Plat - 2018-04-12 - 2018.048.pdf, Property Research Sheet - ID #68715 - 2706 Dancer Drive - 2017-06-07.pdf, Property Research Sheet - ID #68716 - 2718 Dancer Drive - 2017-06-07.pdf, Property Research Sheet - ID #68717 - 1998 Melissa Lane - 2017-06-07.pdf, Property Research Sheet - ID #68718 - 2717 Dancer Drive - 2017-06-07.pdf, Land Use Petition and Supporting Documents - 2018-03-07 - 2018.048.pdf, Plat of Survey - 2018-03-07 - 2018.048.pdf, Legistar History Report (Final Plat Revision) - 2018-05-08 - 2018.048.pdf

**Enactment Number:**

**Planning Case #:** SG12/2-18.048-VAC/ Fsd/R/SUPD/Fpn

**Hearing Date:**

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

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	03/13/2018	referred to	Planning Council			
	<b>Action Text:</b>		This Petition was referred to to the DST Staff Council (Planning Council)				
1	Planning Council	03/20/2018					
	<b>Notes:</b>	<i>Representatives Present: Bob Nomellini and Glenn Missner</i>					
		<i>Mr. Missner said on page 1, I believe that you have just the overall site plan. The proposed facility is</i>					

172,654 square feet. All the critical data is in the right column. We provided for the parking. We will be having a relocation of Dancer Drive as we move on here. Dancer Drive is essentially riding in the middle of the site in the same direction. It is currently 4 lots that will be turned into 1 lot. There is a small variance that we are asking for to create 10 additional parking spots. If you see that dotted line...

Mr. Sieben said you are referring to the bulb at the north end of Melissa?

Mr. Missner said right, the bulb at the north end of Melissa. If you see that dashed line, those approximate 10 to 11 parking spots, that's just basically some relief on the setback from the road for additional parking. If you go to your next page, you have all 4 elevations. We've beefed up the elevation along the Tollway to kind of have the corners kind of like it will look in front of the building, so it will be more appealing as you drive by the building. Your next page is the landscape plan. You see heavy landscape per Aurora. The next page, so this is the way the lots sit right now and where Dancer Drive runs through the middle. So we will be subdividing that into 1 parcel and building Dancer Drive down at the bottom of the site and then dedicating it to the city. The next page, now this shows a layout of the building in its current subdivision, which is the 4 lots with Dancer Drive running through the middle of the site. Obviously, that is going to be relocated down to the bottom and again dedicated. The next page, this would be what it will look like resubdivided into 1 lot. The last page is the vacation of the easement and right-of-way.

Alderman Franco said I don't know if we've met. I'm Alderman Franco. I've been dealing with your brother and Ed Adler, so I just wanted to let you know who I was sitting over here. I'll have some questions at the end.

Mr. Missner said my brother would have liked to have been here. He had a doctor's appointment that couldn't be changed.

Mr. Sieben said I know this is a spec building, but if you want to talk about how you are doing the loading docks. This is single sided and what kind of your intent is here. You are showing enough parking on that west side, but that also could be a flex area, depending on the user. I think we had talked about that. Do you want to just talk a little bit more on what your thinking is?

Mr. Nomellini said this is a speculative building. Our intent isn't a distribution building. It is more warehouse type, maybe small production, so we don't have excess trailer or dock placement. We tried to cut that down. Again, it is a spec building so we don't specifically know who is coming in at this time. On the west side of the building we do have both trailer with dolly pads on there just in case there is trailer storage along with a car parking area. It is more flexible depending on the use that's coming into the building. Landscaping, what we did is we tried to increase some green area on west side, adding more landscaping just to try to increase the landscaping. Then we also did a little additional landscaping on the Tollway side, the north side, of the property also.

Mr. Sieben said it is not filed yet. It will be filed soon. I know your engineer is working with our engineering team. You guys are working on realigning the intersection of Deerpath and Sullivan. Maybe I can pull up an aerial real quick just to kind of show what we are taking about.

Mr. Nomellini said this is an overlay of the realignment of Deerpath and Sullivan.

Mr. Sieben said so that will come in with the roadway agreement and if there is any additional right-of-way that needs to be gotten there. I think a little bit on the southwest corner there, whether it is a tiny little clip or not.

Mr. Nomellini said actually from your e-mail the other day, if the radius changes, so part of the question too that we need answered...

Mr. Sieben said have you gotten you answer from Dan Feltman yet?

Mr. Nomellini said no.

Mr. Sieben said Dan is off sick today. I just texted him. I don't know if I heard back. Souts, do you know the answer to that question yet or were you in the loop on that?

Mr. Thavong said I was not in the loop, but I'll follow up with Dan. The question is regarding the radius?

Mr. Nomellini said no. So the situation was is that the existing road right now in the right-of-way that's there isn't necessarily centered in it, so if we were to expand that to a 66 foot right-of-way there's really no reason to. Right now as it currently sits, I believe it is 55 feet, 6 inches give or take, the right-of-way that's existing right now. So what you have from the curb to the property line to the south is 18 feet, which is more than it would be if we had it centered in a 66 foot. So we don't really know why we would need to expand the dedication to the south. The other question was this corner. The other issue that we had was clipping that corner, the southwest corner, so you see the hashed area, that would be the expanded dedication.

Mr. Thavong which is not on your property, right?

Mr. Nomellini said all of that is off-site. Our property in itself is all the way up north. It was part of the original approval process when Podolsky put the entire subdivision in. So we're taking the expansion, or I should say, the alignment. That's going onto us. The other thing that came up with your truck turning if we don't want the radius, what happens there is that that's a 30 foot radius and the only reason I'm bringing it up is at this point Ed, we don't need to expand dedication. So that's really the biggest question right now.

Mr. Sieben said so you think you can do the improvements without having to acquire any additional land.

Mr. Nomellini said right.

Mr. Sieben said so Souts that's the question. Well the first question was that they don't need turn lanes on Deerpath, which I thought the city was coming to that conclusion because you are not going to have trucks on Deerpath using that. Then what is the radius and do they need to still acquire any right-of-way on that southwest corner? We'll get back to you on that right-of-way. I do apologize. Dan is off sick today so I thought we would have a nice discussion on it, so we will get back to you right away on that.

Mr. Nomellini said our engineer will be by tomorrow, if not this afternoon. He is going to submit the geometry. If we're going to get this engineering done to make the agenda, we need an answer on it as soon as possible.

Mr. Thavong said the geometry has been submitted to the city?

Mr. Nomellini said no. If he doesn't have it today he'll have it tomorrow.

Mr. Sieben said he was kind of waiting for a blessing, but he didn't really hear that. It sounded like it was leaning in that direction. I responded right away, but I'm not the engineer.

Mr. Nomellini said but if your request says not to have trucks going south, then that resolves the other problem.

Mr. Thavong said we'll find something out. We'll talk to the city Traffic Engineer. Like Ed said, I think there is some discussion already, but I don't think the answer has been determined.

Mr. Nomellini said you guys want us to submit final engineering for that intersection also.

Mr. Sieben said what will happen in the process, so this is just starting now. I don't think that we've set a Planning Commission date yet. We will do that soon. Tracey is off this week, but she will get the

comments back to you shortly on Planning's end, Planning and Zoning's end. I don't think there's a lot of it. The goal is that the roadway agreement for the intersection, that petition would catch up with this at P&D because that only needs to start at P&D Committee, which is after Planning Commission.

Mr. Nomellini said we should have the roadway agreement into you today also. We kind of did what we were going to do with it. There wasn't much.

Mr. Sieben said let's get other staff comments and then Alderman Franco.

Mr. Beneke said on the Fire side, a couple of minor things. We just need to confirm that the Melissa Lane address will be the correct address for the property. I know you've got a couple of other things located here on Dancer and things. It is important because it dictates where the FDC has to be. So as long as it is Melissa Lane I think these other comments will fit in place. If it becomes a Dancer, then we have to have the FDC and everything facing Dancer. If it Melissa Lane then that works for the other comments. The only other things I have is so the Fire Department Connection that you are showing needs to be moved within 100 feet of the fire hydrant, the supply hydrant. He's got it shown at 126 feet, so he's got to move it a little closer. It's got to be within 50 to 100 feet. If you just slip it down a little bit that takes care of that. Then the other comment is that from the Fire Department Connection all the way to the fire lane needs to be a clear shot. We can't have a parking space in front of it. If the guys have to throw a hose out they don't have a car in their way. That's really the only comments Fire and Building have.

Mr. Sieben said Mike Frankino is with Fox Metro. Mike do you have any comments?

Mr. Frankino said I see that it's annexed. I think the flows from this facility will be pretty minimal, probably in the 5,000 gallon per day range.

Mr. Nomellini said we don't foresee any big water usage person coming in.

Alderman Franco said some of my questions have been answered. We had 22 truck docks in there. Is that what it is?

Mr. Nomellini said I believe so.

Mr. Sieben said I think it might be 24 if you count each of the end doors. Those are a little bit of a different type of a door, but it would be 24, I thought, with those, but you are right, 22 in between.

Alderman Franco said that originally was 32 and then down to 22.

Mr. Sieben said and that was one of the big things on the old bay that we had talked about.

Mr. Nomellini said it is 22.

Alderman Franco said because for me a lot of the concern is truck traffic coming down Sullivan there. It is a winding road. The less truck traffic the better. Certainly we don't want anything going down north or south on Deerpath. We want everybody going to the expressway to Sullivan to get there, but the less truck traffic the better. So I was happy to see that there were less docks there. And we don't have any potential renters yet?

Mr. Nomellini said not at this time.

Mr. Sieben said because we are doing this as a Special Use Planned Development, besides the varying of the setback of the bulb there, we did add an additional use in case we did get a food processor, we did add that just in case, so giving them some flexibility. Tracey will be getting you guys comments back early next week.

Mr. Thavong said we did start looking at the Final Engineering design. We do have some minor comments, nothing that is going to affect the overall layout. There are some comments regarding the

entrance and so on and locations of water main service.

Mr. Sieben said do you want to mention too at Dancer?

Mr. Thavong said it doesn't look like there is a sidewalk.

Mr. Nomellini said we know that we have to put one on the north side of Dancer. We already know that. I think that came up in some conversation. It is existing now, so I know we have to put it back.

Mr. Thavong said so we are just trying to match whatever is there right now. We were hoping to get comments out to guys hopefully this week.

Mr. Nomellini said we put it on the site plan that we revised.

Mr. Sieben said I see it is on this one, but it wasn't on engineering's.

Mr. Nomellini said we figured we take that up with comments.

Mr. Thavong said we'll try to get all the comments regarding the final engineering and final plat out to you guys.

Mr. Sieben said we will get our comments back to you probably early next week. Then we will work with you on a date, a Planning Commission date. Once we have Planning Commission date, you final date for City Council would be set also. It is usually 3 weeks after Planning Commission.

Mr. Nomellini said do we have to have the final engineering for Sullivan Road before that?

Mr. Sieben said we need to have that in so we can match it up at P&D, but that's the week after Planning Commission, so we be good.

Mr. Frankino said I wasn't aware that there could be a possibility of a food processing facility here. Just if it does change, that means there could be the possibility of a pre-treatment unit of some kind for that.

Mr. Nomellini said that was in their works, but I don't know.

Mr. Sieben said it is just speculative. We're just making it a possibility that we don't want zoning to hold it up if that was case.

Mr. Frankino said that could just change our end just a little bit if there is something there that is discharging.

Mr. Missner said I'd say it is probably less likely. The cost of the interior construction on these, on the food stuff, when they start seeing the numbers, a new building and then new interior construction, more times than not it becomes kind of cost prohibitive.

Mr. Frankino said if it does head that way, just get a hold of us.

1 Planning Council 03/27/2018

**Notes:** Mrs. Vacek said I will be reviewing these this week and sending out comments.

Mr. Cross said I have sent comments out already.

Mr. Thavong said Engineering has sent out review comments already. There is still some internal discussion on the roadway improvements. We'll get back to the developer on that.

Mr. Sieben said the roadway improvements meaning the intersection?

Mr. Thavong said correct.

*Mr. Sieben said which is a separate issue, but will eventually come up on the agenda here.*

1 Planning Council 04/03/2018

**Notes:** *Mrs. Vacek said I'm just finishing up their landscape comments and then I will be getting these out hopefully today if not tomorrow.*

*Mr. Feltman said we sent out comments and I think we got a resubmittal back in.*

1 Planning Council 04/10/2018

**Notes:** *Mrs. Vacek said I sent out comments on this. I'm just waiting to get new plans in. I did send out comments on the Roadway Agreement, which is not up there, but it will line up with this.*

*Mr. Beneke said Fire has also sent out comments on this.*

*Mr. Sieben said Dan can you update us on the intersection improvements?*

*Mr. Feltman said we got a Traffic Study, or Traffic Report. I think we are in agreement that left turn bays on Deerpath are not necessary at this point. They are just going to realign the intersection. It still seems like they need right-of-way at the southwest corner, but they are claiming they don't. I talked to Jamie. He said he was going to put a turning template on for a bus, not a semi, and see if they can make that curve. He hasn't gotten back to me yet.*

*Mr. Frankino said we are already annexed and waiting for a submittal for some kind of review, so we are good on this one.*

1 Planning Council 04/17/2018

**Notes:** *Mrs. Vacek said I did review it. I actually got a resubmittal last week, so I will be taking a look at that resubmittal and sending out any additional comments that I may have.*

*Mr. Feltman said we had some comments on the intersection improvements at Sullivan and Deerpath and I see that we got a response, so I'll correspond back with them.*

*Mr. Beneke said we signed off on the Fire Plan this morning.*

*Mr. Frankino said the District received plans on this. It was Thursday, I think, last week. We'll probably start reviewing those in the next day or two.*

1 Planning Council 04/24/2018

**Notes:** *Mrs. Vacek said I actually got revisions and sent out a few more comments. This is tentatively set for the May 16th Planning Commission, so we will be moving this forward shortly.*

*Mr. Feltman said we got a resubmittal back in and we're in review.*

*Mrs. Vacek said Javan did you guys sign off on that one?*

*Mr. Cross said yes.*

1 Planning Council 05/01/2018

**Notes:** *Mrs. Vacek said I'm just finalizing up some stuff with them. They are published for the May 16th Planning Commission, so this will be voted out in a couple of weeks. The Roadway Agreement is going to be meeting up with this at the Planning and Development Committee, so we are kind of working through that too.*

*Mr. Sieben said can you, just for the record, update the changes that they have made that we've asked for related to the elevations and the landscaping?*

*Mrs. Vacek said they've added a couple of windows to the elevation along the north and the east side to kind of get rid of that big box feeling and kind of make it more of an office type looking building. I think they added 6 windows on the east side and maybe 4 or 5 on the north side. In addition, they've changed the landscaping to meet our ordinances, so they have done some buffer along the north*

side along the Tollway, some additional there. I think they are good to go.

Mr. Feltman said we sent out comments, nothing major. We've been going back and forth with their engineer that's looking at the intersection of Sullivan and Deerpath. I gave them direction on a radius on the southwest corner. I have not heard back from them.

Mr. Sieben said but aren't you generally in agreement with what they were showing without the need for additional right-of-way?

Mr. Feltman said well they have not responded to me. The e-mail said that they could do different radii and it was all predicated on how close the curb would be to the power pole that's existing. We are fine with it being 2 feet from the power pole, but they have not shown us that turning template. The other turning templates, the bus and/or fire truck was going out into the other lane, into the northbound lane, which is not a good thing.

Mr. Sieben said it sounds like you are coming to an agreement.

Mr. Feltman said yes.

Mr. Sieben said this will go to the May 16th Planning Commission.

1	Planning Council	05/08/2018	Forwarded	Planning Commission	05/16/2018	Pass
---	------------------	------------	-----------	------------------------	------------	------

**Action Text:** A motion was made by Mrs. Vacek, seconded by Mrs. Morgan, that this agenda item be Forwarded to the Planning Commission, on the agenda for 5/16/2018. The motion carried by voice vote.

**Notes:** Mrs. Vacek said I am actually going to vote this out. This is going to the May 16th Planning Commission. There will be some conditions placed on the Final Plan as of timing for the public improvements to the road at the intersection of Deerpath and Sullivan. Then if there are any other outstanding things that I just need to take a look at. I do make a motion to move all 4 of these forward. The Plat of Vacation will actually be going to P&D. That does not go to Planning Commission. Mrs. Morgan seconded the motion.

Mr. Thavong said Engineering has no objection to moving these forward.

Mr. Sieben said I think you guys have the intersection, I think it is all worked out, correct, with Dan?

Mr. Thavong said I assume so.

Mrs. Vacek said the Roadway Agreement will actually meet up, it is not on here, but it will also meet up at P&D Committee.

The motion carried unanimously.

2	Planning Commission	05/16/2018	Forwarded	Planning & Development Committee	05/24/2018	Pass
---	---------------------	------------	-----------	--	------------	------

**Action Text:** A motion was made by Mrs. Cole, seconded by Mr. Pilmer, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 5/24/2018. The motion carried.

**Notes:** See Attachment for Items 18-0219, 18-0220 and 18-0221.

Aye: 8 At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Valley Park District Representative Chambers, At Large Owusu-Safo and SD 129 Representative Head

---

- 18-0219 A Resolution approving the Final Plat Revision Consolidating Lots 11, 12, 13 and 14 of Podolsky Orchard 88, Phase 2 Subdivision, located at 1998 Melissa Lane and 2706, 2717, 2718 Dancer Drive and establishing Lot 1 of Podolsky Orchard 88, Phase 2 Resubdivision (The Missner Group – 18-0219 / SG12/2-18.048-VAC/Fsd/R/SUPD/Fpn – TV – Ward 5)
- 18-0220 An Ordinance establishing a Special Use Planned Development and approving the Missner Development Plan Description for the property located at 1998 Melissa Lane and 2706, 2717, 2718 Dancer Drive (The Missner Group – 18-0219 / SG12/2-18.048-VAC/Fsd/R/SUPD/Fpn – TV – Ward 5) (PUBLIC HEARING)
- 18-0221 A Resolution approving a Final Plan on Lot 1 of Podolsky Orchard 88 Phase 2 Resubdivision located at 1998 Melissa Lane and 2706, 2717, 2718 Dancer Drive (The Missner Group – 18-0219 / SG12/2-18.048-VAC/Fsd/R/SUPD/Fpn – TV – Ward 5)

13 We will move on to a resolution  
14 approving the final plat revision consolidating  
15 Lots 11, 12, and 13, and 14 of Podolsky Orchard 88,  
16 Phase 2 Subdivision, located at 1998 Melissa Lane  
17 and 2706, 2717, 2718 Dancer Drive and establishing  
18 Lot 1 of Podolsky Orchard 88 Phase 2 re-subdivision.  
19 The Missner Group in Ward 5.

20 MS. VACEK: Also read the next two. They're  
21 all connected.

22 CHAIRWOMAN TRUAX: An ordinance establishing a  
23 special use planned development and approving the  
24 Missner Development Plan description for the



1 property located at 1998 Melissa Lane and 2706,  
2 2717, and 2718 Dancer Drive in Ward 5.

3 And this is a public hearing.

4 MS. VACEK: And the last one.

5 CHAIRWOMAN TRUAX: Okay. Then we have a  
6 resolution approving a final plan on Lot 1 of  
7 Podolsky Orchard 88 Phase 2 re-subdivision located  
8 at 1998 Melissa Lane and 2706, 2717, 2718 Dancer  
9 Drive in -- also in Ward 5.

10 MS. VACEK: That's a mouthful.

11 Good evening.

12 The petitioner is requesting approval  
13 of a final plan revision; a final plat of vacation,  
14 which is actually not before you but it will be up  
15 with this project at our Planning and Development  
16 Committee; and then a special use planned  
17 development; a final plan; and then a roadway  
18 agreement for some offsite improvements. Again, the  
19 roadway agreement will be up with this at our  
20 Planning and Development Committee.

21 So what's really before you tonight  
22 is the final plan revision, the special use planned  
23 development, and then the final plan.

24 But I will kind of talk about all of

1       them just so you understand all of the concept  
2       that's going on here.

3                       The final -- or the petitioner is  
4       requesting approval of a final plat revision. The  
5       details of the request include consolidating Lots 11  
6       through 14 of Podolsky Orchard 88 Phase 2  
7       Subdivision.

8                       In order to consolidate these four  
9       lots, they will need to relocate Dancer Drive about  
10      300 feet south of this property on the south edge of  
11      Lots 13 and 14 and then there would be establishing  
12      Lot 1 of Podolsky Orchard 88 Phase 2 re-sub, which  
13      is about 9.6 acres total.

14                      So they're relocating Dancer Drive  
15      basically 300 feet south and then consolidating the  
16      remainder of the property.

17                      Concurrently with the proposal they  
18      would be requesting a final plat of vacation for the  
19      Dancer Drive to be able to be relocated. So that  
20      would be at Planning and Development and that  
21      ordinance would come forward or, I guess, it's a  
22      resolution.

23                      The petitioner is also requesting an  
24      establishment of a special used planned development

1 on the subject property. The special use planned  
2 development includes modifications to the ORI zoning  
3 regulations allowing for food, textile, and related  
4 products as an additional use. It also establishes  
5 a 10-foot setback for parking along Melissa Lane  
6 reducing the requirement of the 20-foot. It also  
7 outlines the roadway improvement responsibilities.

8 The petitioner is also requesting  
9 approval of a final plan on Lot 1 of Podolsky 88  
10 Phase 2 re-sub. The request includes 172,654 up to  
11 a three tenant speculative office and industrial  
12 building with 22 docks on the west side of the  
13 building and an associated 174 automobile parking  
14 spaces and 12 parking -- 12 trailer parking spaces.

15 As part of the project, the  
16 petitioner has agreed to construct offsite road  
17 improvements to realign Sullivan Road at the  
18 intersection of Sullivan Road and Deerpath. The  
19 improvement will alleviate that awkward turning  
20 movement there and it will be -- it will help  
21 improve that traffic safety there.

22 The final plan does include a full  
23 landscaping plan that will be implemented throughout  
24 the lot. We did make sure that they did have

1       adequate landscaping along 88 there as well as along  
2       Melissa Lane.

3                       And then storm water detention has  
4       already been accounted for for this project within  
5       the overall subdivision.

6                       With that, I think I will turn it  
7       over to the petitioner. He can tell you about the  
8       elevations as well as a little bit more detail about  
9       what they're looking at.

10              CHAIRWOMAN TRUAX: Are there questions for  
11      Tracey before we ...

12              COMMISSIONER HEAD: Yes. I don't get where  
13      Dancer is. I can't find it anywhere.

14              MR. SIEBEN: Give me one second.

15              MS. VACEK: I'll pull up an aerial.

16              COMMISSIONER HEAD: I don't have it on my stuff  
17      at work, so I was like ...

18              MR. SIEBEN: So Dancer is the road that runs  
19      east/west through the middle of that red box.

20              CHAIRWOMAN TRUAX: So it's halfway up.

21              COMMISSIONER COLE: Is there a road there?  
22      There's no road there now, is there?

23              MR. SIEBEN: That's all there.

24              MS. VACEK: There is. It dead ends into --

1 COMMISSIONER COLE: I couldn't find it today.

2 COMMISSIONER HEAD: Impressive.

3 CHAIRWOMAN TRUAX: Okay. Are we ready for the  
4 petitioner?

5 (Mr. Kasson sworn.)

6 MS. VACEK: Any other questions for me before I  
7 turn it over to petitioner?

8 COMMISSIONER HEAD: Yes.

9 I don't understand what you're going  
10 to do with Deerpath.

11 MS. VACEK: They'll get into it. They'll go  
12 ahead and show you what they're actually planning on  
13 doing at Deerpath and Sullivan.

14 Deerpath really nothing is happening,  
15 just realigning Sullivan to actually line up.  
16 They'll show you, there's two things in here that we  
17 will pull up that you can kind of see that.

18 Okay?

19 MR. KASSON: Good evening.

20 My name is Tracy Kasson. I'm with  
21 the Law Firm of Rathje Woodward, 300 East Roosevelt  
22 Road in Wheaton, Illinois.

23 Here for the application as Tracey  
24 summarized to basically consolidate what are four

1       lots that exist now into one and move Dancer Drive  
2       300 feet south to basically the southern portion of  
3       what would be reconsolidated Lot 1 to build the  
4       proposed warehouse building.

5                       Barry Missner with the owner, and the  
6       owner is here, to summarize along with Jeff Jacob,  
7       our engineer; Tim Sjogren, our traffic engineer;  
8       John Ox, our architect; and David McCallum, our  
9       landscape architect. Some will be here to answer  
10      questions and others will summarize what's happening  
11      both on site and off site for you.

12                      (Mr. Missner sworn.)

13                      MR. MISSNER: Good evening.

14                      My name is Barry Missner. I'm with  
15      the Missner Group. We're located at 1700 West  
16      Higgins Road, Des Plaines, Illinois.

17                      First, thank you for the time tonight  
18      to all the commissioners to be able to present this  
19      project and thank you for staff, especially you  
20      Tracey, I know that this was a lot of work and I can  
21      already see some confused faces, so, hopefully, we  
22      can provide a little bit of clarity as to what our  
23      vision is and what the development is.

24                      So the aerial -- I'm going to step

1 back a little bit here so I can see it.

2 The aerial that you have, we've  
3 identified the two locations that are subject here,  
4 which is the red rectangle, which is the four  
5 subject sites, which are divided by Dancer Drive  
6 that currently exists go east to west into the  
7 undeveloped site to the west, and then the yellow  
8 box, which is the area of Sullivan and Deerpath  
9 Road, that will be realigned.

10 So those sites in the red box that  
11 are north and south of Dancer Drive were subdivided  
12 in, I believe, 2007 in four separate parcels. We  
13 don't show them as four, we just show the overall  
14 four parcels there.

15 As Tracey earlier said, our plan is  
16 to consolidate the four sites along with the  
17 existing Dancer Drive and vacate Dancer Drive and  
18 then relocate Dancer Drive all within the southern  
19 boundaries of our property. So we won't be gaining  
20 or losing any property. We'll essentially just be  
21 taking Dancer Drive and moving it from its current  
22 location to the south end of our property.  
23 Essentially north of the red line at the bottom.

24 And then the area identified in

1 yellow, again, is just a realignment. And we can go  
2 to further slides that will show in greater detail  
3 closer up what the realignment means in terms of  
4 what is existing there and completed as part of the  
5 improvements which will allow kind of turn traffic  
6 at that intersection to work more efficiently.

7 What I thought I would do is give you  
8 kind of a brief overview of our development.

9 We have as Tracy -- Attorney Tracy  
10 has said, we have a team of people that are much  
11 smarter than me that can answer a lot of the  
12 detailed questions, but I think I can give you an  
13 overall perspective of the development and then we  
14 are happy to dive into the weeds and answer any  
15 questions that you may have.

16 Can we go to the next one?

17 We can go to -- do you want me to  
18 address, Tracey, the re-subdivision?

19 I think we gave them to you in order,  
20 so the next one should probably be the plat of  
21 re-subdivision and consolidation.

22 So this will kind of give you --  
23 maybe make you more confused or give you greater  
24 clarity, but essentially this is the plat of



1 re-subdivision and consolidation. So what you see  
2 on this plat is it essentially does two things, or  
3 more than that, but it essentially consolidates the  
4 four lots that we currently own, it vacates the  
5 existing Dancer Drive, and then at the southern end  
6 rededicates Dancer Drive at the southern end of the  
7 property.

8                   It gives you a visual of where the  
9 property lines will exist and where the dedication  
10 would be after the re-subdivision was completed.

11                   We can go to the next one now.

12                   That's the site plan.

13                   That's fine.

14                   So this is essentially the building  
15 that would be constructed on the four consolidated  
16 sites, so you obviously no longer see Dancer Drive  
17 because it has been relocated to the south. If we  
18 dotted it over, it would cut across essentially the  
19 middle of the building where the cul-de-sac is on  
20 Melissa Lane.

21                   The building is a 172-plus-thousand  
22 square feet. Tracey had mentioned it is designed  
23 for up to three tenants. It's really designed up to  
24 four tenants. You'll be able to have two end

1 tenants and then be able to put two more tenants  
2 somewhere divided in the middle of the building, so  
3 it really can divide up to four tenants. Your  
4 tenant size would be somewhere around plus or minus  
5 40-, 45,000 square feet.

6 As Tracey said, I'm not going to bore  
7 you with all the details because she went through  
8 the number of docks and the number of parking spots  
9 and the PUD additions in terms of -- this property  
10 essentially complies with the ORI. The PUD  
11 additions are the use, as Tracey previously said,  
12 which was food and textile related, I believe, and  
13 also a slight variation on the setback for our  
14 parking lot because of the cul-de-sac, it would be  
15 kind of odd that we would have to have a curved  
16 landscape portion that would probably take out, I  
17 think, about five or six parking spots, so we're  
18 asking for the relief on the setback from the --  
19 there it is right there -- in terms of where that  
20 setback line would be dotted out would encroach upon  
21 four or five parking spots. So that was the other  
22 portion of variance relief that is embedded in the  
23 PUD request.

24 Again, I have our civil engineer, our

1 architect, our landscape architect, our traffic  
2 consultant here to answer any questions.

3 Why don't we go to the Sullivan Road  
4 alignment and then we can field the questions.

5 So what we attempted to do here is  
6 kind of show you a dotted out existing condition and  
7 as aligned. And so I believe the City has acquired  
8 enough land -- or we know the City has acquired  
9 enough land where we this alignment can be done on a  
10 property that is currently part of the right-of-way  
11 or owned by the City. And as Tracey said, there's a  
12 roadway agreement dictating the terms of what our  
13 requirements are to complete that road.

14 So if I can answer any questions. I  
15 know that there's a lot in terms of lots and  
16 consolidations and dedications and vacations.

17 COMMISSIONER HEAD: My concern is for the home  
18 that actually parallels. What are you doing about  
19 that driveway?

20 MR. MISSNER: The home that parallels?

21 COMMISSIONER HEAD: Yeah. We actually pick up  
22 children right next to where the --

23 MR. SIEBEN: What she's referring to, there's a  
24 driveway at the south end of the Podolsky lot right

1 at the intersection.

2 COMMISSIONER HEAD: Yeah. You see that drive?

3 That's a very long drive.

4 MR. SIEBEN: The driveway can stay where it is.

5 There's no work on that.

6 MR. MISSNER: There's no work on that side of  
7 the road. All the work is on the north side. We're  
8 not affecting that driveway at all. We're just  
9 realigning right at the intersection, which doesn't  
10 really require any encroached land on the south end.

11 COMMISSIONER PILMER: I have a question, or  
12 maybe it's for staff, I think that was in '05 or in  
13 '06 that was the plan when this came through was to  
14 realign Sullivan Road.

15 MR. SIEBEN: Correct. If you remember the  
16 southeast quadrant of that intersection there was a  
17 townhome development that got preliminarily approved  
18 and never went forward. That was -- the  
19 intersection was going to be improved at that time  
20 but because that development didn't move forward, it  
21 didn't happen. Yes, we do have the right-of-way for  
22 that.

23 COMMISSIONER PILMER: What about the south side  
24 of Sullivan west of Deerpath, there's no curb there?

1           MR. SIEBEN: Maybe they -- Bob could explain  
2           that.

3   (Mr. Nomellini sworn.)

4           MR. NOME LLINI: First of all, my name is Bob  
5           Nomellini.

6   First of all, I wanted to answer the  
7           other question relative to the existing drive.

8   Tracey, I don't know if you can put  
9           the plan -- the final plan on and then blow up the  
10          west corner there.

11    So you can see all the -- all the way  
12          on the west side of Dancer, we take that driveway  
13          and tie it into the -- we take the existing driveway  
14          and tie it into the road. They won't have to access  
15          the entire southern line to the corner, they would  
16          access further west.

17          MR. SIEBEN: We're in the wrong spot.

18    I believe what Mr. Pilmer is  
19          referring to -- can you repeat the question,  
20          Mr. Pilmer?

21          COMMISSIONER PILMER: So west of Sullivan or  
22          west of Deerpath on the south side of Sullivan has  
23          never been curbed and the property owner pretty much  
24          shortens their driveway and cuts over to Sullivan

1 oftentimes. I just wondered why it was never  
2 curbed.

3 MR. SIEBEN: It's on the lot line of that --  
4 that's actually the leek farm on the south side  
5 there, the Patterman Leek Farm, the driveway cuts  
6 across it back to the farmhouse.

7 I believe you guys are just improving  
8 the intersection. There's going to be no additional  
9 curbing at this time on the south side of Sullivan.  
10 So that driveway will remain. They're supposed to  
11 use that driveway all the way to Deerpath but  
12 there's a cut through where sometimes they come in  
13 on Sullivan.

14 MR. NOMELLINI: The radius will hit that,  
15 though. The new radius when we put the intersection  
16 will hit that.

17 So we created a drive access all the  
18 way on the left side for them to access from their  
19 property onto Melissa Lane.

20 MR. SIEBEN: Is that on the --

21 MR. NOMELLINI: It should show on the final  
22 plan.

23 MR. SIEBEN: The final plan doesn't go down  
24 that far.

1                   Go back to the intersection.

2                   So it looks like you're showing the  
3 connection there at the elbow.

4           MR. NOMELLINI: By the time you get to  
5 Deerpath, that will cut that off. So we give them  
6 access on the west side.

7           MR. SIEBEN: You would allow for that there?

8           MR. NOMELLINI: Yes.

9           COMMISSIONER HEAD: Thank you.

10          COMMISSIONER PILMER: I don't know if that's  
11 the City's responsibility or the developer's.

12                   Wouldn't that be, on the south side  
13 of Sullivan, end up with a curb and gutter?

14          MS. VACEK: Yes, it would, but, I believe --  
15 I'm just looking at how wide it.

16                   The expectation might be once we got  
17 right-of-way to the property to the south that would  
18 be expanded a little bit to the south and that may  
19 be why they did not curb it at this time. I'll talk  
20 to engineering about that.

21          COMMISSIONER PILMER: I think the petitioner is  
22 making a nice investment in the City. I find it odd  
23 that there's a big investment out there and we've  
24 never put a curb and gutter on the road. I find

1 that odd.

2 MS. VACEK: It's the south side of Sullivan  
3 Road?

4 MR. SIEBEN: Yes. It's not curbed. That never  
5 has come up to be honest with you. We will find out  
6 by P&D.

7 We were so concerned with the  
8 intersection alignment.

9 COMMISSIONER PILMER: They're working with the  
10 neighbor behind, that alleviates that driveway.

11 CHAIRWOMAN TRUAX: So I have a question.

12 If a truck is leaving -- once the  
13 warehouse is there and a truck is leaving the  
14 warehouse or coming into the warehouse, what's  
15 their -- how do they get from, say, I-88 to your  
16 property?

17 (Mr. Sjogren sworn.)

18 MR. SJOGREN: Good evening. Tim Sjogren with  
19 Kimley-Horn.

20 We did the traffic work as well as  
21 looking at the alignment issue.

22 Truck traffic will use Sullivan Road  
23 to get to Orchard Road. It was a big deal with this  
24 realignment. It allows the trucks to move straight



1 without having to do any turns through the Deerpath  
2 intersection. It's problematic today and we  
3 certainly didn't want that to condition.

4 We'll align those up and the  
5 movements will be straight through the intersection  
6 just with a stop.

7 CHAIRWOMAN TRUAX: Will they be allowed to go  
8 to the -- through the 31 entrance and exit to the  
9 tollway on Sullivan?

10 MR. SJOGREN: Will they be allowed to?

11 CHAIRWOMAN TRUAX: Will you have -- the reason  
12 I ask is there's a lot of truck congestion on  
13 Randall and Sullivan in that intersection, which I  
14 hope this wouldn't -- this is far enough away it may  
15 not add to it unless someone wants to go east.

16 MR. SJOGREN: I think it is for people that  
17 would go east.

18 One of the nice things about this  
19 side is there are locations so people could go north  
20 and make the connection there. There's some  
21 facilities that are on the north side of the tollway  
22 that they may have an origin or destination.

23 But we would assume that the majority  
24 of the truck traffic, which is for a building of

1       this size, we're talking in the neighborhood of,  
2       like, five trucks an hour, so, one every ten minutes  
3       or so, would be using one of the two paths and  
4       primarily Sullivan.

5               MR. SIEBEN: I think your question, Mrs. Truax,  
6       they would come up Orchard to the interchange. I  
7       don't think they'd continue east on Sullivan to  
8       Route 31.

9               CHAIRWOMAN TRUAX: Okay.

10              MR. SJOGREN: Yeah. Unless they had an origin  
11       or destination right there, yeah.

12              CHAIRWOMAN TRUAX: So even if they're going --  
13       if they're intending to east on I-88, they'd go west  
14       to get to I-88 is what you're saying?

15              MR. SJOGREN: If they're getting onto 88, I  
16       would think the vast majority of them would use the  
17       Orchard Road interchange.

18              CHAIRWOMAN TRUAX: Okay.

19                              Other questions?

20              COMMISSIONER OWUSU-SAFO: Just a minor  
21       question.

22                              Is there a reason bus 40 was used for  
23       the design vehicle for your fire access as opposed  
24       to your typical fire truck?

1           MR. SJOGREN: For the purposes of just doing  
2           the preliminary layout until we got the exact  
3           dimensions from the fire district, that's the  
4           typical vehicle that we use to approximate.

5           COMMISSIONER OWUSU-SAFO: Okay.

6           COMMISSIONER COLE: I'm not sure who this  
7           question is for, but it's maybe a comment on the  
8           road between -- well, Sullivan Road between Deerpath  
9           going west to Melissa, not only doesn't have curbing  
10          on the south side, that road is really kind of sad.  
11          It looks like it could use some work.

12          MR. SIEBEN: We can relay that to engineering.  
13          That road is actually off their site, so they're  
14          really just responsible --

15          COMMISSIONER COLE: That's what I'm saying. I  
16          don't know who is responsible for that.

17          MR. SIEBEN: It's a City road.

18          COMMISSIONER COLE: Well, then if it's going to  
19          have five trucks an hour going over it five days a  
20          week, it's really going to be sad after six months  
21          of use.

22          MR. MISSNER: I think the truck traffic  
23          estimate is not considered super heavy and these  
24          sites are designed right now where they could be

1 built per ORI zoning and trucks could be utilizing  
2 the road unaligned right now.

3 So what we're doing is --

4 COMMISSIONER COLE: I think what you're doing  
5 is great. I'm just concerned about and it might --  
6 it probably is the City's road between Deerpath and  
7 Melissa needs some TLC.

8 MR. MISSNER: Understood.

9 CHAIRWOMAN TRUAX: Okay. Other questions for  
10 the petitioners?

11 If not, this is a public hearing, so  
12 if anyone in the audience wishes to ask a question  
13 or make a comment, this is your opportunity to do  
14 so.

15 Seeing that no one has come forward,  
16 I'll close the public hearing.

17 MR. KASSON: I can just summarize the standards  
18 real quick just to summarize some of the things  
19 you'll address and how we meet them if I can do that  
20 quickly in conclusion.

21 It's in accordance with the official  
22 physical development policies and our related  
23 official plans as Tracey and Mr. Missner said, this  
24 property is zoned ORI and so this use is consistent

1 with those policies represents the logical  
2 establishment of the existing land use, existing  
3 classifications, and essential character. It  
4 certainly does given its zoning.

5 The property to the east is zoned ORI  
6 as well as the property to the south. You have the  
7 tollway and business zoning to the north and then  
8 it's vacant and unincorporated Kane to the west.

9 Same with standard 3 about being  
10 consistent with the trend of development and  
11 official physical policies, will permit uses which  
12 are more suitable to the uses permitted by the  
13 existing zoning class. We're only adding one here,  
14 which is the textile and food just to give more  
15 flexibility, since this is a spec building, and  
16 those are very similar to the other ORI permitted  
17 uses, which are warehouse type of uses.

18 Will maintain a compatible  
19 relationship with traffic pattern and volume on  
20 adjacent streets. It certainly will given what's  
21 happening to the realignment of Sullivan, and,  
22 again, this whole area was contemplated for ORI  
23 uses. Adequate public uses and utilities exist.  
24 They are there.

1                   Take adequate measures to provide  
2                   ingress and egress, et cetera. There are two  
3                   separate car entrances, one on Dancer and one on  
4                   Melissa. This keeps cars out of the truck area.  
5                   And then there's two separate truck entrances.

6                   And then your additional standards  
7                   for special use, will not preclude orderly  
8                   development and improvements of the surrounding  
9                   area. Again, given the surrounding zoning and what  
10                  exists there and what was contemplated for this  
11                  area, it does not in all other respects in  
12                  conformance with the applicable regulations of the  
13                  district, it is except for the one additional use  
14                  we're adding and that minor deviation for the  
15                  landscape setback along Melissa where that curve  
16                  bump out is.

17                  And I know staff will have two  
18                  conditions. We're kind of discussing those and  
19                  refining those with them at this current time.

20                  Thank you.

21                  CHAIRWOMAN TRUAX: Thank you.

22                  Do we have recommendations?

23                  COMMISSIONER CAMERON: I have a question.

24                  CHAIRWOMAN TRUAX: Mr. Cameron has a question

1 first.

2 COMMISSIONER CAMERON: My understanding is is  
3 that driveway to this far west piece of property,  
4 the service with the school buses is my  
5 understanding, does that mean that approximately  
6 600-foot of that driveway will no longer be able --  
7 need to be maintained by the owner of that house?  
8 Is that the --

9 MR. NOMELLINI: Yes, correct. We're giving  
10 them access a lot farther west.

11 COMMISSIONER CAMERON: Because it's a City  
12 road, it will be plowed to the maintenance of that  
13 600 plus feet will come as a benefit to that --

14 MR. NOMELLINI: It's just a dirt road right  
15 now, so, yeah, certainly.

16 COMMISSIONER CAMERON: I thought that was the  
17 case but I wanted to verify it in my own mind.

18 Thank you.

19 MS. VACEK: I'm going to give the  
20 recommendation to the final plat and then take a  
21 vote on that and we'll move forward.

22 Staff would recommend additional  
23 approval of a resolution approving the final plat  
24 revision consolidating Lot 11, 12, 13, and 14 of

1 Podolsky Orchard 88 Phase 2 subdivision located at  
2 1998 Melissa Lane and 2706, 2717, 2718 Dancer Drive  
3 and establishing Lot 1 of Podolsky Orchard 88  
4 Phase 2 re-sub with the following condition: That  
5 the final plat be recorded concurrently with the  
6 plat of aviation.

7 CHAIRWOMAN TRUAX: Okay. You've heard staff  
8 recommendation. What's the wish of the commission?

9 COMMISSIONER COLE: Move for approval.

10 COMMISSIONER PILMER: Second.

11 CHAIRWOMAN TRUAX: Would you call the roll  
12 please.

13 MR. SIEBEN: Mrs. Anderson.

14 COMMISSIONER ANDERSON: Yes.

15 MR. SIEBEN: Mr. Cameron.

16 COMMISSIONER CAMERON: Yes.

17 MR. SIEBEN: Mr. Chambers.

18 COMMISSIONER CHAMBERS: Yes.

19 MR. SIEBEN: Mrs. Cole.

20 COMMISSIONER COLE: Yes.

21 MR. SIEBEN: Mrs. Duncan -- sorry, it is not  
22 crossed out.

23 Mrs. Head.

24 COMMISSIONER HEAD: Yes.



1 MR. SIEBEN: Mrs. Owusu-Safo.

2 COMMISSIONER OWUSU-SAFO: Yes.

3 MR. SIEBEN: Mr. Pilmer.

4 COMMISSIONER PILMER: Yes.

5 MR. SIEBEN: Mr. Reynolds.

6 COMMISSIONER REYNOLDS: Yes.

7 MR. SIEBEN: Motion carries.

8 CHAIRWOMAN TRUAX: Motion carries.

9 Do we have a recommendation on the  
10 special use planned development.

11 MS. VACEK: The staff would recommend approval  
12 of the ordinance establishing a special use planned  
13 development and approving the Missner development  
14 plan description for the property located at 1998  
15 Melissa Lane and 2706, 2717, 2718 Dancer Drive.

16 CHAIRWOMAN TRUAX: Okay. You've heard the  
17 staff recommendation.

18 What's the wish of the Commission?

19 COMMISSIONER ANDERSON: Move for approval.

20 CHAIRWOMAN TRUAX: Second?

21 COMMISSIONER OWUSU-SAFO: Second.

22 CHAIRWOMAN TRUAX: It's been moved and  
23 seconded.

24 MR. SIEBEN: I'm sorry.

1                                   Who was the first and second?

2                   CHAIRWOMAN TRUAX: Mrs. Owusu-Safo seconded.

3                   MR. SIEBEN: And who was the first?

4                   COMMISSIONER ANDERSON: I was.

5                   CHAIRWOMAN TRUAX: Would you call the roll,  
6 please.

7                   MR. SIEBEN: Mrs. Anderson.

8                   COMMISSIONER ANDERSON: Yes.

9                   MR. SIEBEN: Mr. Cameron.

10                  COMMISSIONER CAMERON: Yes.

11                  MR. SIEBEN: Mr. Chambers.

12                  COMMISSIONER CHAMBERS: Yes.

13                  MR. SIEBEN: Mrs. Cole.

14                  COMMISSIONER COLE: Yes.

15                  MR. SIEBEN: Mrs. Head.

16                  COMMISSIONER HEAD: Yes.

17                  MR. SIEBEN: Mrs. Owusu-Safo.

18                  COMMISSIONER OWUSU-SAFO: Yes.

19                  MR. SIEBEN: Mr. Pilmer.

20                  COMMISSIONER PILMER: Yes.

21                  MR. SIEBEN: Mr. Reynolds.

22                  COMMISSIONER REYNOLDS: Yes.

23                  MR. SIEBEN: Motion carries.

24                  CHAIRWOMAN TRUAX: Motion carries.

1                   Should we do findings of fact now or  
2                   wait until --

3                   MS. VACEK: Go ahead and do findings of fact.

4                   CHAIRWOMAN TRUAX: All right. Let's do  
5                   findings of fact.

6                   We need to evaluate the proposal with  
7                   respect to the following:

8                   Is the proposal in accordance with  
9                   all applicable official physical development  
10                  policies and other related official plans and  
11                  policies of the City of Aurora?

12                  COMMISSIONER COLE: These are listed in the  
13                  staff report.

14                  CHAIRWOMAN TRUAX: Does the proposal represent  
15                  the logical establishment and/or consistent  
16                  extension of the requested classification in  
17                  consideration of the existing land uses, existing  
18                  zoning classifications, and essential character of  
19                  the general area of the property in question?

20                  COMMISSIONER REYNOLDS: The proposal represents  
21                  the highest and best use of the property.

22                  CHAIRWOMAN TRUAX: Is the proposal consistent  
23                  with a desirable trend of development in the general  
24                  area of the property in question, occurring since

1 the property in question was placed in its present  
2 zoning classification, desirability being defined as  
3 the trend's consistency with applicable official  
4 physical development policies and other related  
5 official plans and policies of the City of Aurora?

6 COMMISSIONER REYNOLDS: Again, the proposal  
7 represents the highest and best use of the property.

8 CHAIRWOMAN TRUAX: Will the proposal maintain a  
9 compatible relationship with the traffic pattern and  
10 traffic volume of adjacent streets and not have an  
11 adverse effect upon traffic or pedestrian movement  
12 and safety in the general area of the property in  
13 question?

14 COMMISSIONER OWUSU-SAFU: The realignment with  
15 Sullivan and Deerpath will improve traffic flow and  
16 therefore should not have any adverse effect.

17 CHAIRWOMAN TRUAX: Will the proposal allow for  
18 the provision of adequate public services and  
19 facilities to the property in question and have no  
20 adverse effect upon existing public services and  
21 facilities?

22 COMMISSIONER CAMERON: Either in place or will  
23 be provided.

24 CHAIRWOMAN TRUAX: Does the proposal take

1 adequate measures or will they be taken to provide  
2 ingress and egress so designed as to maximize  
3 pedestrian and vehicular circulation ease and  
4 safety, minimize traffic congestion, and not  
5 substantially increase the congestion in the public  
6 streets?

7 COMMISSIONER OWUSU-SAFO: Based on this  
8 anticipated volume, there shouldn't be a substantial  
9 increase and congestion in the public streets.

10 CHAIRWOMAN TRUAX: No. 9a: Will the special  
11 use not preclude the normal and orderly development  
12 and improvement of surrounding properties due to the  
13 saturation or concentration of similar uses in the  
14 general area?

15 COMMISSIONER HEAD: There should be no adverse  
16 effect.

17 CHAIRWOMAN TRUAX: Is the special use in all  
18 other respects in conformance to the applicable  
19 regulations of the district in which it is located,  
20 except as such regulations may in each instance be  
21 modified by the City Council pursuant to the  
22 recommendations of the Plan Commission?

23 I believe it's in conformance with  
24 the applicable regulations.

1                   Those are the findings of fact.

2                   MS. VACEK: One more.

3                   Staff would recommend conditional  
4 approval of the resolution approving the final plan  
5 of Lot 1 Podolsky Orchard 88 Phase 2 re-sub with the  
6 following conditions: No. 1, That the number of  
7 docks be limited to 22 unless an e-commerce use  
8 occupies one of the spaces; No. 2, That an off-site  
9 road improvement -- the off-site road improvements  
10 be substantially completed as to find in the roadway  
11 agreement prior to the issuance of the occupancy  
12 permit for the subject property; and, No. 3, That  
13 Dancer Drive roadway improvements be substantially  
14 completed prior to the issuance of the occupancy for  
15 the subject property.

16                   In this case the substantial  
17 completion shall mean all work is completed, record  
18 drawings have been submitted and reviewed, and final  
19 inspections of the underground improvements, water  
20 main, and sanitary sewer, storm sewer, streetlights,  
21 et cetera, and the punch list repair completed of  
22 said underground improvements other than the  
23 required final surface course. The final surface  
24 course shall be installed in accordance with the

1 state's policy for such installation.

2 The last one I was trying to explain  
3 what the substantial completion meant.

4 CHAIRWOMAN TRUAX: Okay.

5 You heard the staff recommendation.

6 What's the wish of the Commission?

7 COMMISSIONER CHAMBERS: Move for approval with  
8 the conditions that staff has listed in their  
9 report.

10 COMMISSIONER HEAD: Second.

11 CHAIRWOMAN TRUAX: It's been moved and  
12 seconded.

13 Would you call the roll, please.

14 MR. SIEBEN: Mrs. Anderson.

15 COMMISSIONER ANDERSON: Yes.

16 MR. SIEBEN: Mr. Cameron.

17 COMMISSIONER CAMERON: Yes.

18 MR. SIEBEN: Mr. Chambers.

19 COMMISSIONER CHAMBERS: Yes.

20 MR. SIEBEN: Mrs. Cole.

21 COMMISSIONER COLE: Yes.

22 MR. SIEBEN: Mrs. Head.

23 COMMISSIONER HEAD: Yes.

24 MR. SIEBEN: Mrs. Owusu-Safo.

1 COMMISSIONER OWUSU-SAFO: Yes.

2 MR. SIEBEN: Mr. Pilmer.

3 COMMISSIONER PILMER: Yes.

4 MR. SIEBEN: Mr. Reynolds.

5 COMMISSIONER REYNOLDS: Yes.

6 MR. SIEBEN: Motion carries.

7 CHAIRWOMAN TRUAX: Okay. Where does this go  
8 now?

9 MS. VACEK: These petitions will be heard at  
10 Planning and Development Committee on May 24th here  
11 at City Hall on the 5th floor conference room at  
12 4:00 p.m.

13 CHAIRWOMAN TRUAX: Good luck with the project.  
14 Thank you for your long wait to get  
15 heard.