



# City of Aurora

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

## Legistar History Report

**File Number: 17-00649**

**File ID:** 17-00649

**Type:** Ordinance

**Status:** ATS Review

**Version:** 3

**General Ledger #:**

**In Control:** Planning & Development Committee

**File Created:** 09/07/2017

**File Name:** CyrusOne LLC / Annexation Agreement

**Final Action:**

**Title:** An Ordinance Providing for the Execution of an Annexation Agreement with the Owners of Record Providing for ORI Office, Research, and Light Industrial, E Estate Single Family Detached Dwelling District, and OS-1 Conservation, Open Space, and Drainage District zoning for the territory which may be Annexed to the City of Aurora located south of Diehl Road north and south of the Prairie Path and west of 2905 Diehl Road being Vacant Land in DuPage County, Aurora, Illinois.

**Notes:**

**Agenda Date:** 09/14/2017

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Annexation Agreement 2017-08-08.pdf, Property Research Sheet - ID 62154 - 2016-09-20 - 2016.165, Property Research Sheet - ID 62155 - 2016-09-20 - 2016.165, Property Research Sheet - ID 62159 - 2016-09-20 - 2016.165, Land Use Petition and Supporting Documents - 2017-07-13 - 2016.165, Plat of Survey - 2017-07-13 - 2016.165, Legistar History Report (Annexation Agreement) - 2017-08-23 - 2016.165.pdf

**Enactment Number:**

**Planning Case #:** NA07/2-16.165-PA/A/Rz

**Hearing Date:**

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

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	07/18/2017	Forward to Planning Council	DST Staff Council (Planning Council)			
<b>Action Text:</b> This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)							
1	DST Staff Council (Planning Council)	07/25/2017					

Notes: Representatives Present: Juan Vasquez, Payman Homayouni and Matt Letson

Mr. Vasquez said we are annexing some property that was purchased. The property is to be 3 lots. Lot 1 is the existing building. What we are calling Lot 2 is the new building we are having and Lot 3 is the future site, which is at the bottom of that corner. That has been an unincorporated piece of property and we are incorporating that into the city.

Mr. Homayouni said just a quick overview as just a continuation, so the proposed project is the second phase of the data center. The building is located at the far southwest corner of the proposed to be annexed property. The access for this building is going to come from the ring road of the Phase 1, basically at 2 locations as far away as possible for the fire access. The drainage from the site itself is basically everything is gravity toward the north side of the site. Now with the proposed stormwater management facility and just north of that we are trying to basically preserve as much trees and existing wetland there as much as possible. Basically we'll leave the northern portion the same and preserving all the trees along side of the ComEd easement and the electric lines. The sewer for the site is going to come from the northwest corner of the proposed building and just goes along side parallel to the west property line all the way north and connect to the existing sanitary sewer on Diehl Road. The water for the building is just basically going to get connected to the loop, the water main loop that's being installed as part of Phase 1. As part of this basically annexation, the site actually consists of the triangle that we see on the west side of the ComEd easement and also there is a piece on the south side of the trail. It is about 3½ acres and that's also part of this property.

Mr. Beneke said we've looked at the fire plan. It looks good. I think we've already signed off on this. This site, just for everybody's information, is the one where we had the request for the 3 different addresses. This is the 2705, I believe, address that they are requesting, so everybody be aware of that. The FDC will be facing Diehl and all that kind of stuff. I think, in general, we are in good shape with this.

Mrs. Vacek said I sent out comments for this yesterday. I don't know if you have any questions for me on those comments or anything.

Mr. Vasquez said it's regarding the (inaudible) we do. I don't know if that is something we want to have off line.

Mrs. Vacek said yes, we can talk afterwards for the annexation agreement.

Mr. Frankino said Fox Metro is going to require annexation of the area north of the path and then eventually some of the spotty area below the path as well. I'd be happy to send information on the petition form and our plat sample. It is a simple process. I'd recommend getting going on it.

Mr. Feltman said we are in review.

Mr. Sieben said this is Tracey's case, so start working with Tracey on this one.

Mr. Beneke said do you have a feel for a construction timeframe on this?

Mr. Vasquez said right now it is likely going to be either the first or second quarter of 2018. We are trying to see where that goes. It is a different market we are attacking in this particular project. Worst case scenario for me is it would be like the third quarter of 2017, but I highly doubt it. It is going to be pushing in 2018. Our goal is to just be ready, permits, get everything ready to go so we are not inhibited by process, so we are trying to get smarter to do things ahead of the game so that when that customer comes in and says we'll take that property or we'll rent it from you guys we are off to the horse race.

Mrs. Vacek said you are in for preliminary, so this does have to come back for a final plan and plat, so just keep that in mind. It looks tentatively that it will be going in September to Planning Commission. That's what we have you scheduled for. Once it goes through Planning Commission and P&D then we can start having conversations with the final plan and plat so you guys can come

*back in to get that done.*

1 DST Staff Council 08/01/2017  
(Planning Council)

**Notes:** *Mrs. Vacek said I sent out comments. I just received a resubmittal, so I will be taking a look at that. There was nothing that was significant or anything, so I think that we should be wrapping this up. This is tentatively set for the September 6th Planning Commission.*

*Mr. Thavong said Engineering is starting to look at it. There are some concerns regarding drainage, particularly off-site. We should be able to get out comments this week.*

*Mrs. Vacek said Souts, Payman did and Juan did bring up to me about some of those concerns of off-site. They have met with the property owners to the south and they were going to have a conversation with you. Did that take place?*

*Mr. Thavong said no.*

*Mrs. Vacek said you may want to circle back with, or I'll circle back with Payman, but I know that they have done some preliminary look at it because I know that that was one of the concerns.*

*Mr. Thavong said one of the things that Payman was going to further investigate was drain tile.*

*Mrs. Vacek said I believe that they did look at that or they are doing the report now, but I think that that is one of the things that he said he was going to look at.*

*Mr. Thavong said I'll plan on getting comments out this week.*

*Mr. Cross said we already approved this. We have already signed off on it.*

*Mr. Frankino said we sent out information regarding annexation, but we are yet to start a review.*

1 DST Staff Council 08/08/2017  
(Planning Council)

**Notes:** *Mrs. Vacek said they sent in some revised plans, so I am reviewing that and getting comments out. They are really close with me. This is tentatively set for the September 6th Planning Commission, so this will be moving forward to that.*

*Mr. Thavong said Engineering has sent out comments and we are waiting for resubmittals. There is not much in terms of engineering. They need to verify the wetland mitigation. There are some questions regarding the detention volume. I think there is enough room for them to expand the pond, so we are going to wait for a resubmittal.*

*Mr. Cross said we already approved it.*

*Mr. Sieben said and you are working on them with notices or they already have the notice?*

*Mrs. Vacek said they already have the notices, so they should be getting those out.*

1 DST Staff Council 08/15/2017  
(Planning Council)

**Notes:** *Mr. Sieben said this has been noticed. This will go to the September 6th ZBA and Planning Commission.*

*Ms. Phifer said so we will probably vote this out next week.*

*Mr. Feltman said Engineering sent out comments and we haven't gotten a resubmittal back yet.*

*Ms. Phifer said that's why I think we are leaving it here for another week just to see where they are at with Engineering.*

1 DST Staff Council 08/22/2017 Forwarded Planning 09/06/2017 Pass  
(Planning Council) Commission

**Action Text:** A motion was made by Mr. Sieben, seconded by Mr. Beneke, that this agenda item be Forwarded to the Planning Commission, on the agenda for 9/6/2017. The motion carried by voice vote.

**Notes:** *Mr. Sieben said this is published and it will be going to the September 6th Planning Commission. I have taken a number of calls from surrounding property owners and explained it. There really hasn't been too much of an issue. One of the neighbors that lives on Molitor Road just was asking about the height and screening and so on. They all acknowledged it kind of fits in with the White Oak Business Park there. Because this is going to the September 6th Planning Commission I'm going to make a motion to vote this out to move forward to Planning Commission. I think staff mostly had approved what we had received.*

*Mr. Beneke said Fire is approved.*

*Mr. Frankino said the District's only issue is that this hasn't been petitioned to annex to Fox Metro yet and I'd hate to see it get too far behind because then the plans will come in for review and it will be ready with Herman, so the sooner the better with that.*

*Mr. Beneke seconded the motion. The motion carried unanimously.*

2 Planning Commission 09/06/2017 Forwarded Planning & 09/14/2017 Pass  
Development  
Committee

**Action Text:** A motion was made by Mrs. Cole, seconded by Mr. Chambers, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 9/14/2017. The motion carried.

**Notes:** See Attachment for Items 17-00649, 17-00651, 17-00652 and 17-00653.

Aye: 9 At Large Bergeron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, SD 204 Representative Duncan, Fox Valley Park District Representative Chambers and SD 129 Representative Head

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Attachment for Items 17-00649, 17-00651, 17-00652 and 17-00653:

- 17-00649      An Ordinance providing for the execution of an Annexation Agreement with the owners of record providing for ORI Office, Research, and Light Industrial, E Estate Single Family Detached Dwelling District, and OS-1 Conservation, Open Space and Drainage District zoning for the territory which may be annexed to the City of Aurora located south of Diehl Road north and south of the Prairie Path and west of 2905 Diehl Road being vacant land in DuPage County, Aurora, Illinois (CyrusOne, LLC – 17-00649 / NA07/2-16.165-PA/A/Rz – TV – Ward 10 (PUBLIC HEARING))
- 17-00651      An Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by rezoning property located south of Diehl Road and north and south of the Prairie Path and west of 2905 Diehl Road to ORI Office, Research, and Light Industrial, E State Single Family Detached Dwelling District and OS-1 Conservation, Open Space, and Drainage District, pursuant to an approved Annexation Agreement (CyrusOne, LLC – 17-00651 / NA07/2-16.165-FA/A/Rz – TV – Ward 10) (PUBLIC HEARING)
- 17-00652      A Resolution approving a Preliminary Plat for CyrusOne Subdivision, Phase 2 located south of Diehl Road and west of Eola Road (CyrusOne, LLC – 17-00652 / NA07/2-17.130-Ppn/Psd – TV – Ward 10)
- 17-00653      A Resolution approving a Preliminary Plan on Lots 1 and 2 of CyrusOne Subdivision, Phase 2 located south of Diehl Road and west of Eola Road (CyrusOne, LLC – 17-00653 / NA07/2-17.130-Ppn/Psd – TV – Ward 10)

Mr. Sieben said there 4 separate petitions. It is for the Annexation Agreement, Rezoning, Preliminary Plat and Preliminary Plan. The Variance Petition was heard at the ZBA at 6:30. There is a separate Annexation Petition, but that is not heard at Planning Commission. That begins at the Planning and Development Committee meeting. The subject property is currently located south of Diehl Road and north and south of the Prairie Path and west of 2905 Diehl Road. The property consists of 3 parcels, all of which are currently vacant. There is additional information in your Property Research Sheet. The Petitioner is requesting approval of an Annexation Agreement and Annexation for 22.47 acres. The agreement includes provisions to annex and rezone the property. Although the Annexation Agreement outlines the rezoning of the property into 3 zoning districts, the property will be annexed into the city as R-1 One Family Dwelling District, as this is the city's standard practice. The agreement also includes provisions which limits direct access to Diehl Road due to the proximity of the I-88 Interchange and provides for the dedication of right-of-way along Molitor Road. The Petitioner is also requesting approval to rezone the property pursuant to the Annexation Agreement. The details of the request includes rezoning the subject property once annexed from R-1 One Family Dwelling District to ORI Office, Research and Light Industrial District for Lot 1, which is the main lot, OS-1 Conservation, Open Space and Drainage District for Lot 2, that is the detention pond lot to the northwest, and finally E Estate Single Family Detached Dwelling District, which is Lot 3, which is the parcel just to the south of the Prairie Path abutting Molitor Road. The Petitioner is also requesting approval of a Preliminary Plat for CyrusOne Subdivision, Phase 2. The details of the request include creating a 3 lot subdivision, which

includes 40 feet of right-of-way dedication from the centerline of Molitor Road to be consistent with the rest of Molitor Road. Lot 1 of CyrusOne Subdivision's Phase 2 combines the existing lot to the east, being Lot 1 of CyrusOne Subdivision with a portion of the property that is being annexed, which is located north of the Prairie Path. This lot consists of the existing and newly proposed data center. Lot 2, located along Diehl Road, consists of a detention facility and Lot 3, south of the Prairie Path along Molitor Road, consists of a future residential lot. The Petitioner just had a hearing for the Variance to allow 2 principal buildings on a zoning lot. Lastly, the Petitioner is also requesting approval of a Preliminary Plan for Lots 1 and 2 of the proposed subdivision. The details include construction of a 2 story data center with a 113 space surface parking lot on Lot 1. The building is approximately 316,000 square feet. That is due to the fact that it is 2 levels inside the building. That's not the footprint. That's the square footage within the building. It will include 6,500 square feet of office space within there. Due to the proximity of the I-88 Interchange, there is no direct access to Diehl Road for the portion of the property being annexed into the city. Therefore, the data center will utilize the existing controlled access off of Diehl Road through the existing development to the east. A security fence will be constructed, which will encompass both the existing and proposed data center. Stormwater management is being provided on Lot 2. That's really all 4 of the requests. Unless there are any questions for me, I can turn it over to the Petitioners.

The Petitioners were sworn in.

My name is Juan Vasquez with Cyrus One. The address is 2905 Diehl Road. We are here to petition to annex the property onto our current lots. The property currently stands in the White Oak Business Park. We feel that the building is suited for what it is intended for on this property.

My name is Payman Homayouni from Bowman Consulting, the project's Civil Engineer. Just a quick overview of the project that Mr. Sieben mentioned. The proposed development is a 2 story data center. The site is basically located on the west side of the current expansion. With the Preliminary Plan, we are basically showing the orientation of the project, the project the way it is located. The access for the proposed development would be in 2 locations from the existing ring road for fire protection and access. This site is located so that the drainage for the site basically would be conveyed to the north side. Water and sewer will be connected to the city. The buffers and the parking and everything else will be basically in accordance with the city requirements.

Vice Chairman Cameron said a couple of these are public hearings. As you know, some of the areas such as landscaping and those types of things are not a part of this Petition. They come in at Final Plat time. That's an area that when they come back for Final Plat, assuming that it gets approved, then comments will be made on that. We did have some questions answered and asked in our Zoning Board of Appeals. I think most of the Commissioners were here and so if there is anyone that didn't hear some of them, please be brief in your remarks, as they've been answered once and I think we had the answers to most of those.

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

My name is Dorothy Drueck. I live at 5S174 Eola Road. The only comment that I have, which was unclear from the papers that I received, is that I want the parcel which is not showing on here, which is

south of the Prairie Path, to be separated from the rest of the parcel and zoned residential. It would be the parcel that's south of the Prairie Path and next to Molitor Road.

Mr. Sieben said and that is part of the Petition.

Ms. Drueck said it doesn't say that on the letter I got from the Commission. I just wanted to bring it up.

Mr. Sieben said yes. The proposal is the parcel south of the Prairie Path abutting Molitor Road will be zoned E Estate Single Family Residential.

Ms. Drueck said thank you.

My name is Paul Jaskowiak, 2732 Shetland Lane. I just wanted to reiterate the questions I had previously about fuel storage, both in the tanks and also in the units themselves as a safety concern, as well as get a true reading on what the sound impact is of the neighborhood, including the chillers and the running of the generators, which are typically exercised on a regular basis.

My name is Laura Evans. I'm at 2702 Shetland Lane. Is there any proposed idea how that residential lot will lay out? It seems awfully narrow to go from Molitor. Is there going to be a separate driveway into the residential?

Mr. Sieben said that has not been planned out yet. Maybe the Petitioner can say what their plans are with that. It is actually a very wide lot. The width is 258 feet wide, so it is fairly wide.

Ms. Evans said I didn't know if they were trying to go, if that existing road was going to be remaining.

Mr. Sieben said no, that would not remain. It would be a regular driveway if it ever gets developed as a house.

Ms. Evans said and that is still residential?

Mr. Sieben said correct.

Ms. Evans said so there is no access to the industrial area?

Mr. Sieben said correct. This lot fronting on Molitor south of the Prairie Path would have no access or no contiguity with the data center lot to the north.

Ms. Evans said and the driveway is gone?

Mr. Sieben said yes.

Ms. Evans said and that's what I'm assuming that was part of it, so it is much wider. Security gates were mentioned. I know we talked aesthetics and I know that's a different meeting, but if there is any way to expand as far as what the security is going to look like back there as well because I know it is quite

extensive. We were running on the Prairie Path and we saw like cars being checked with mirrors under their cars. So I'm just kind of curious about the security and how that's going to look.

Mr. Vasquez said we had 3 or 4 questions asked in general. Sound attenuation, what we want to claim is that generators that we are providing are within the building code ordinance for sound attenuation within the business park district. I don't have the actual number, the decibel readings, the sound or the noise that it is going to emit, but we can claim that it would be everything within code. As far as the residential property, the sliver of property down south of the Prairie Path, that is going to remain residential. Our plan is not to build on it at all. If we do, it will be a residential home and sell the property or sell the property for someone to build on it. It is not going to have a driveway to access our property on the north of the Prairie Path. You can't even cross the Prairie Path with a car legally. We are not going to have any type of business with that residential property. As far as security gates are concerned, there are not going to be any gates along the Prairie Path. There are not going to be any future gates other than what we currently have. The existing gate on Eola Road is the one we are going to use to access the property. There is one on the north end that we're going to access the property from Diehl Road. It is in our best interest to minimize the amount of openings around the property. As far as the appearance is concerned, we are going to have an ornamental fence on the perimeter. It is not going to be some cheap plastic or chain link fence. It is not in the interest of our property and our business to have a low secured fence. We go with an ornamental fence because we care about the appearance and the security aspects of it.

Vice Chairman Cameron said there was a question on fuel storage.

I'm Jason Hanna with Corgan. Regarding the fuel storage, each generator has an individual tank. What this eliminates is separate larger tanks that would fuel the entire system and all the distribution piping for that, which is typically where you will find a lot of problems. So in recognition of the safety issue and environmental issues that come with fuel storage, all fuel will be in individual tanks directly beneath the unit that are UL listed for safety.

Vice Chairman Cameron said do you know the capacity on those?

Mr. Hanna said I want to say it is 2,400 gallons. We would have to back and check that. It is 24 hours of fuel storage for each generator.

Mrs. Head said do you presently follow the Illinois Fire Commissioner and get your fuel tank, I know you have one underneath, is that storage tank approved every year through the Illinois Fire Marshall?

Mr. Hanna said I'm not a part of the project with the underground fuel storage with the existing building on the east side of the property, but we have submitted and followed all guidelines for both the addition to that building and for this this one.

Vice Chairman Cameron said and all of those units are powered by diesel fuel. Is that correct?

Mr. Hanna said that's correct, diesel fuel.



Vice Chairman Cameron said which doesn't have the same degree of combustibility.

Mr. Hanna said absolutely, in UL listed tanks.

Vice Chairman Cameron said is there any way to find out the capacity of the underground tanks on the existing facility?

Mr. Hanna said yes, we can get that back to you. We could check with the manufacturer to see what they are providing for that.

Mr. Sieben said maybe if they could provide that for the P&D meeting. I'm sure one of the Aldermen may ask that.

Vice Chairman Cameron said do you know what the sound guidelines in the ordinance are? We've had the questing asked in multiple different ways. Can you get that information? Can you do similar to that one?

Mr. Hanna said we can provide some specification sheets from the manufacturer. I think by the next meeting we'll have a good idea of who is going to be providing the generators and relate that back to the sound ordinance.

Vice Chairman Cameron said my assumption is that the sound attenuation is over a certain number of feet and certain decibel level.

Mr. Hanna said at the property line and for frequency wave links.

Vice Chairman Cameron said although sometimes that doesn't work real well because I live on the west side of Aurora and we hear the railroad trains coming right up some nights when the cloud cover is low and it just telegraphs.

Mr. Hanna said exactly. Atmospheric conditions can change the acoustics quite a bit. I will say that this building is actually a prototype design that's being part of a building program across the United States. The early schemes of this actually had the building rotated 90 degrees, which put generators right up against the southern property line. Our client, the owner, was sensitive to the residents and asked that redesign be done to rotate that 90 degrees to put it on the east and west sides, which are not residential in accommodation for that.

Mr. Pilmer said can staff just clarify there are guidelines that they have to follow in the city that monitor that from a decibel level?

Mr. Sieben said in fact, I was looking at this for another business in town where it is manufacturing adjacent to residential. We don't actually have decibel levels, unfortunately, in the ordinance, which actually would be easier to gauge, but there are general noise guidelines and generally it is in the overnight hours and very early in the morning that there can't be excessive noise from commercial or industrial property that is heard on residential property.

Mrs. Anderson said what are the hours of operation?

Mr. Vasquez said this is a data center. I can give you a brief overview of what the building is. We call it the Sky. So if you've heard of the Cloud, the Cloud are the major enterprise companies like Microsoft or those type of customers and all those customers that make up the Clouds reside in our building, which we call the Sky. The building must remain 100% operational every day for the next umpteen years. It doesn't mean that it is making noise, that generators are running every day. When generators are not running it is actually a good day. When they are running it is not a good day, something bad happened. The systems require a lot of energy and energy requires a lot of cooling systems to cool that energy, but it is a byproduct business. We've taken all these design constraints into consideration and we've had numerous discussions internally about how can we make systems better, faster, quieter, and less expensive. We feel like we are using the latest technologies to abide by all those design constraints.

Vice Chairman Cameron said because anything you can do to reduce the heat lowers the operating costs dramatically.

Mr. Vasquez said that is correct.

Mr. Jaskowiak said sorry to keep bringing the generators back up, but you mentioned that they would meet the sound requirements for the ordinance, but is that on an individual basis or for an aggregate for the whole property? I've got to believe that there are at least 30 or 40 plus generators in total that would be running at a single time if an incident occurred. Secondly, the same question for the fuel. What is the total aggregate fuel on the property? If there is a spill or any kind of an incident there, how is that going to be handled?

Vice Chairman Cameron said the information on the total fuel on the site will be at the Planning and Development Committee.

Mr. Sieben said yes. Sometimes the Petitioner, if they want to trade contact information with the neighbor, sometimes that's not a bad idea either so they can get that information also. I would suggest maybe just doing that after the meeting.

Vice Chairman Cameron said and do you know the guidelines for generators, his question on whether or not individual or total facility and what those levels are supposed to be?

Mr. Sieben said no. The noise ordinance, obviously I don't have it in front of me, but it is a little bit more general and it is during certain hours of the day. Then there are certain provisions for emergency services, but again, I don't have that in front of me. It is on our Website under the Municipal Code, so that is available to anyone on our Website.

Mr. Vasquez said I do like to state the fact that our facility is a two end facility, which means it has two normal sources of power, so if power were to go, one leg would go, we still have another leg of power, normal power coming from the utility company and that would be way before even generators would

start kicking on because there is no power outage at that point for us. So the likelihood of an emergency power outage is reduced by another 1/3.

Vice Chairman Cameron said you will see that the Planning and Development Committee receives that information?

Mr. Sieben said yes.

The public input portion of the public hearing was closed.

Mr. Sieben said there are 4 requests. The first 2, the Annexation Agreement and the Rezoning, will also require Findings of Fact. The last 2, the Preliminary Plat and Preliminary Plan, do not. The staff has reviewed all the documents that have been submitted by the Petitioner and they have met all the city requirements and on all 4 of these staff does recommend approval of each of those. There are no conditions currently on the 4 requests.

Staff recommends approval of an Ordinance providing for the execution of an Annexation Agreement with the owners of record providing for ORI Office, Research, and Light Industrial, E Estate Single Family Detached Dwelling District, and OS-1 Conservation, Open Space and Drainage District zoning for the territory which may be annexed to the City of Aurora located south of Diehl Road north and south of the Prairie Path and west of 2905 Diehl Road being vacant land in DuPage County, Aurora, Illinois

MOTION OF APPROVAL WAS MADE BY: Mrs. Cole

MOTION SECONDED BY: Mr. Chambers

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mrs. Head, Mr. Pilmer, Mr. Reynolds

NAYS: None

#### FINDINGS OF FACT

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

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

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

Mr. Pilmer said this is a logical consistent extension of the existing zoning in the area, as the parcels to the south will be zoned R-1 consistent with the neighborhood and to the north is consistent with the adjacent properties.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning

classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Vice Chairman Cameron said it is the extension of an existing use on the adjacent property.

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

Mr. Chambers said it should not have any adverse effect on the traffic pattern.

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

Mrs. Anderson said they are all in place right now, and they will be provided if needed.

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

Vice Chairman Cameron said there is very low traffic in this area and it will use the existing access, so there should be no change and the congestion is relatively small in terms of number of people.

Staff recommends approval of an Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by rezoning property located south of Diehl Road and north and south of the Prairie Path and west of 2905 Diehl Road to ORI Office, Research, and Light Industrial, E State Single Family Detached Dwelling District and OS-1 Conservation, Open Space, and Drainage District, pursuant to an approved Annexation Agreement.

MOTION OF APPROVAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mrs. Duncan

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mrs. Head, Mr. Pilmer, Mr. Reynolds

NAYS: None

#### FINDINGS OF FACT

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

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

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

Vice Chairman Cameron said it is conjunction with the adjacent property, which is known for similar uses.

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

Mr. Reynolds said the proposal is consistent with the desirable trend of development.

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

Mrs. Anderson said there should be no adverse effect upon traffic or pedestrian movement and safety in the general area of this property.

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

Vice Chairman Cameron said they are either existing or will be provided.

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

Vice Chairman Cameron said it will use existing access, so there should be no difference.

- 7a. Is the rezoning a consistent extension of the existing land uses, existing zoning classifications, and essential character of the general area?

Mrs. Head said yes.

- 7b. Is the rezoning consistent with the desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mr. Pilmer said this is consistent with the City of Aurora's official physical development policies and their desirable trend of development in the general area.

7c. Will the rezoning permit uses which are more suitable than uses permitted under the existing zoning classification?

Vice Chairman Cameron said it will be the same zoning that exists on the adjacent property that is now being combined with this property.

Staff recommends approval of a Resolution approving a Preliminary Plat for CyrusOne Subdivision, Phase 2 located south of Diehl Road and west of Eola Road

MOTION OF APPROVAL WAS MADE BY: Mrs. Anderson

MOTION SECONDED BY: Mrs. Head

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mrs. Head, Mr. Pilmer, Mr. Reynolds

NAYS None

Staff recommends approval of a Resolution approving a Preliminary Plan on Lots 1 and 2 of CyrusOne Subdivision, Phase 2 located south of Diehl Road and west of Eola Road

MOTION OF APPROVAL WAS MADE BY: Mrs. Head

MOTION SECONDED BY: Mr. Chambers

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mrs. Head, Mr. Pilmer, Mr. Reynolds

NAYS: None

Mr. Sieben said this will next be heard at the Planning and Development Committee on Thursday, September 14, 2017, at 4:00 p.m. on the fifth floor of this building.