



City of Aurora

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

Legistar History Report

File Number: 19-0170

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Type: Resolution

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In Control: Planning & Development Committee

File Created: 03/01/2019

File Name: Pulte Homes / Laurelton Place Subdivision / N. of Hafenrichter, E. of Barrington Drive E / Preliminary Plat and Plan

Final Action:

Title: A Resolution Approving a Revision to the Preliminary Plan and Plat for Property located north of Hafenrichter Road, east of Barrington Drive, and west of Whitethorn Drive (Pulte Group - 19-0170 / WH05/1-18.151-PD/R/Ppn/Psd/R - JM - Ward 9)

Notes:

Agenda Date: 04/25/2019

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A-1" Preliminary Plan - 2019-03-28 - 2018.151.pdf, Exhibit "A-2" Preliminary Plat - 2019-03-28 - 2018.151.pdf, Property Research Sheet - #71034 - 2019-03-01 - 2018.151.pdf, Property Research Sheet - #71033 - 2019-03-01 - 2018.151.pdf, Property Research Sheet- #71032 - 2019-03-01 - 2018.151.pdf, Land Use Petition and Supporting Documents - 2019-03-01 - 2018.151.pdf, Plat of Survey - 2019-03-01 - 2018.151.pdf, Fire Access Plan - 2019- 04-11 - 2018.151.pdf, Legistar History Report (Preliminary Plan and Plat Revision) - 2019-04-10 - 2018.151.pdf

Enactment Number:

Planning Case #: WH05/1-18.151-PD/R/Ppn/Psd

Hearing Date:

Drafter: jmorgan@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	03/05/2019	Forward to Planning Council	Planning Council			
Action Text: This Petition was Forward to Planning Council to the Planning Council							

1 Planning Council 03/12/2019

Notes: Representatives Present: Russ Whitaker and Rob Getz

Mr. Sieben said just for the record, on the TV north is to the right.

I'm Russ Whitaker. I'm an attorney at Rosanova and Whitaker. I'm here this morning on behalf of Pulte. Pulte is the contract purchaser of the New Song property depicted on the plan here. We're looking for a Preliminary Plan Revision for the development. This was previously planned for, I believe it was, 34 homes. We found some efficiencies in working with the church that is located to the south. As a result, we've reconfigured some of the detention basin and we're proposing to increase the subdivision to 41 lots. We've made the preliminary submittal and are looking for some feedback here this morning.

Mr. Sieben said so the original preliminary, I believe, was approved in 2010 by Oakhill Builders. Essentially like you said, you guys are reconfiguring the detention. You worked out a deal with the church. Originally, this was a part dry/part wet. The intent was the church was going to use some of the dry area for some recreational facilities, so that's been negotiated and you guys have reconfigured that with your engineer. Essentially you guys, I believe, have added 6 lots on the west side of the reconfigured detention pond and I think you've managed to squeeze one more lot in along that far west row of lots essentially, still meeting the minimum lot width and area. This is keeping with the intent. However, because of the major change is the reason we are going through the revised preliminary. Much of this is going to be Engineering related. Jill, did you have anything before we turn it over to Engineering?

Mrs. Morgan said no, nothing major. I haven't done an official review. I hope to get that out today or tomorrow.

Mr. Sieben said we can go over timing in a few minutes, but Mark do you want to go ahead and touch on for the record the engineering?

Mr. Phipps said what's the status of your coordination with the church to the west regarding the easement in order to make a storm sewer connection?

Mr. Getz said they verbally said they are going to do it. We're just waiting for the city to inform them on the easement plat at this point.

Mr. Phipps said I wouldn't have any problem approving the Preliminary Plan at this point. Obviously before we would approve Final Engineering or a Mass Grading permit, we would need to see that that easement has been recorded and then also that the Conditional Letter of Map Revision has been approved by FEMA. Those are things that would be the necessary first steps. Then as we do a review of the engineering on this, we are going to be looking closely at overland flow path. There is overland flow from adjacent developments that need to come onto this property so, obviously, this property can't obstruct the flow, the intended overflows from detention basins and such. Another thing that we will be looking closely at, and we want to make sure that you are mindful of, is that the lowest floor elevations in those houses, whether that's basement or first floor, has to be at least 2 feet above the design high water elevation detention basin. It looks like from some of the foundation elevations that you are showing in there that some of those lots are going to be really close, potentially not able to have a basement. We wanted to mention that to you.

Mrs. Morgan said Planning would like to get as many basements as possible.

Mr. Getz said it is out intent to have them with basements.

Mr. Sieben said so you goal is to have all basements?

Mr. Getz said absolutely.

Mr. Whitaker said and you said the lowest opening is 2 feet above, right?

Mr. Sieben said is it above high or normal?

Mr. Phipps said if we are looking at the normal water level, the basement, the lowest floor elevation has to be higher than that. We want to make sure that if there was a basement that they don't have a sump pump that's running all the time pumping water that's at the normal water elevation of the pond.

Mr. Whitaker said so it's not the opening, it is the basement floor elevation has to be?

Mr. Phipps said the lowest opening has to be set above the design high water elevation also, so there's really 2 considerations. I think in this one, the more challenging probably will be making sure if you've got a basement that that basement floor is 2 feet higher than the normal water level.

Mr. Sieben said and any opening, the second part is any opening needs to be above the high water level?

Mr. Phipps said yes.

Mr. Sieben said you guys are going to be close there, but your goal is to do that.

Mr. Getz said got that.

Mrs. Morgan said so just to touch on the off-site easement, Engineering was saying that connecting for the Homeowners Association that we want that to be a city easement dedicated to the city.

Mr. Whitaker said there already a city easement there. We are just getting the wording changed.

Mr. Getz said we are happy to get you a copy of the draft documents. We've had to do this before. We put together an easement agreement. The easement agreement has them granting an easement that would allow us to go in and construct. I think there is already an easement over the detention basin for the city to enter in to do maintenance of their detention basin, but there was an issue with the language on being able to get in, construct and connect. I'll double back on that and I'll get you a copy of that easement.

Mrs. Morgan said do they have the plat of what exactly, what area is included in the city easement? We just want to make sure of the area you are connecting to.

Mr. Getz said the Homeowners Association has produced the easement plat. That had it and we are going to get it notarized, so certainly we are going to have it in plenty of time.

Mrs. Morgan said if it is a new easement, we have to actually take that all the way to City Council for approval, so we just want to confirm where you are going is a current easement so we don't have to worry about having to go to the City Council for approval of it. If you are dedicating any actually new easement, we have to go to City Council for approval.

Mr. Getz said and we need to just get that Plat of Easement to you then?

Mrs. Morgan said if you send it to me, I'll forward it to our Engineering Department.

Mr. Cross said so you have Whitethorn that's on the south side, which would be on the left. We noticed that the hydrant spacing is over 500 feet in between they hydrants. They need to be 300 feet. Then the same is true on the other side, Seaview, on the north side. I noticed that was about 460 feet in between the hydrants, so just drop in another hydrant in between the existing hydrant that's off the plan and where this plan begins.

Mr. Beneke said is it 300 feet for Engineering?

Mr. Phipps said yes.

Mr. Beneke said I think that also there is one alone Bayfield that might be 380 or something. The rule is 300 feet between hydrants, so you'll need to readjust that.

Mr. Betz said got it.

Mrs. Morgan said so we are looking at getting the Preliminary to Planning Commission April 3rd and then it would go to P&D, or Planning and Development Committee on April 11th and then it would follow up with our Committee of the Whole April 16th and City Council April 23rd. I think as we discussed on the phone, that we suggest submitting for Final after April 11th, waiting until P&D. Usually, typically by then any major change would have come up and it is just kind of after that typically just kind of going through the process.

Mr. Sieben said the Final then will only need to go Planning Commission and P&D Committee. There is a 5 day appeal period after P&D Committee where then your entitlements are done. Obviously, you'll have to have Final Engineering approved and all the conditions Mark mentioned done. We would anticipate that if the Final is submitted when Jill said, sometime in May going to Planning Commission.

Mr. Getz said so as far as the CLOMR submittal to you to get your signature on it to get it over to FEMA, at what point in this process are you willing to take that submittal and get that signature? That, obviously a slow process.

Mr. Phipps said do you have the CLOMR application already prepared?

Mr. Getz said yes.

Mr. Phipps said and we've got your preliminary engineering. I would think that we could take a look at it now.

Mr. Getz said I think you've got it already.

Mr. Phipps said we haven't completed our review of the Preliminary Engineering, but it doesn't look like a whole lot has changed from an Engineering standpoint since the prior approval.

Mr. Sieben said so you guys took out the former sliver lot at the south there from the church. You guys got rid of that. Is that accurate?

Mr. Whitaker said yes. That was an access route from the church to the detention basin.

Mr. Sieben said I can't remember if that was a separate lot or an easement.

Mr. Whitaker said it was part of the church property to the south, so we're working through revisions with the church.

Mr. Sieben said the other question was there current pond on the west end of their property, was that going to stay or was that going to go away and you guys were accommodating?

Mr. Getz said whether it stays or goes away is up to them. We are providing additional detention in this pond above and beyond what our (inaudible). What they do with their property, I don't know. The agreement was that we allow it to be able to be built. We are actually going to build it for them as a part of this process. There will be extra detention there is they decide to do something. You'll see that under the stormwater review.

1 Planning Council 03/19/2019

Notes: Mrs. Morgan said staff has been working with them. Planning has sent out some review comments. After further review, and working with Pulte, we have determined that they will also need a Plan Description Revision, so they are coming in for a land use petition requesting that. This will be a public hearing now. Originally we were shooting for April 3rd, so this will be pushed back to April

17th with a public hearing. Staff is going to work with them this week on notifications for that.

Mr. Thavong said Engineering-wise, the Preliminary Plans are under review right now. Once we are done with that, we will send out the review comments and go from there.

Mr. Beneke said we had noticed, and Engineering is aware of, that the hydrants need to be respaced. They are more than 300 feet along the street.

1 Planning Council 03/26/2019

Notes: Mrs. Morgan said after review once they submitted for the Preliminary Plan and Plat Revision, we determined that they will actually need a Plan Description Revision, so that is being referred today, so it should be at Planning Council next week. We will then have a public hearing. We are starting notifications for that for the April 17th Planning Commission. Planning has sent out some comments for the Preliminary Plan and Plat. I think they are working on revisions on that. Engineering, any updates?

Mr. Phipps said no.

Mrs. Morgan said Fire, have you guys had a chance to...

Mr. Cross said no, they just had to add an extra hydrant on the 2 sides just to meet the 300 foot distance between. I haven't seen anything on that yet.

1 Planning Council 04/02/2019

Notes: Mrs. Morgan said the Preliminary Plan and Plat has been on the agenda for a while. After review, we did add a Plan Description Revision to the Petition as well. Planning is in the process of reviewing it. We sent out one round of comments. We are working with the Petitioner on doing all the notifications and publishing it in the newspaper for the public hearing on April 17th.

Mr. Cross said we just had the hydrants on Whitethorn and Seaview.

Mrs. Morgan said you still haven't gotten a resubmittal, correct?

Mr. Cross said no.

1 Planning Council 04/09/2019 Forwarded Planning Commission 04/17/2019 Pass

Action Text: A motion was made by Mrs. Morgan, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 4/17/2019. The motion carried by voice vote.

Notes: Representatives Present: Dwayne Gillian, Russ Whitaker and Rob Getz

Mr. Sieben said this is the Pulte development, the former New Highlands Subdivision. They are finishing it out to be called Laurelton Park.

Mrs. Morgan said staff has sent out comments. They have submitted a resubmittal. I'm taking a look at that. I don't envision on the Planning side anything major. Fire does need a resubmittal for their comments.

Mr. Sieben said are you guys aware of that? It had to do with the spacing. I'm not sure why Fire is not here, but we're relaying that.

Mrs. Morgan said so we are going to condition that to vote out. I think Engineering had some comments as well.

Mr. Phipps said Mary Garza put together a full detailed review letter that I think your staff has received, so we expect to see those comments addressed. Two that I'd like to mention, one is that the Preliminary Plan shows stormwater easements where overland flow would be coming from another property in the subdivision and from this subdivision into another property, specifically between lots 1 and 2, lots 40 and 41 and lots 16 and 17. We would like to see those as outlots, not easements. I think that's a much better way to make sure that property owners don't build fences across them and

sheds in them and things like that. As a condition of approval, we'd like to see those converted to outlots and not easements. Then also I would like to mention that before we could give final approval for engineering, we'll have to have an approval from FEMA on the Conditional Letter of Map Revision, the CLOMR, so I just wanted to remind you because it is a time consuming process. As you guys are moving along with your final engineering for city approval hopefully you are making progress on the Conditional Letter of Map Revision, which would have to be approved by FEMA before we can approve the final engineering.

I'm Dwayne Gillian with V3. For FEMA, if we could make approval contingent upon receiving that CLOMR, which is not unusual.

Mr. Phipps said obviously you couldn't start construction without the Conditional Letter of Map Revision, so how does it benefit you to have final engineering approved.

Mr. Whitaker said I think just from a process standpoint of knowing that we've got the ordinances approved, everything set and then we obviously have permit issues that we've got to tackle moving forward, but it allows us to continue to work through the corporate process with approvals. It allows us to satisfy contract contingencies with respect to the purchase of the property, which are obviously deadline dates built into a contract. We've always considered that the CLOMR had to come as part of the process, but it allows us to continue working through the project without that CLOMR being an effective stop on the project.

Mr. Phipps said that's understood. Yes we could approve final engineering with the condition that the CLOMR has to be approved before any construction starts.

Mr. Whitaker said on the other issue with respect to the stormwater conveyance areas being non-easements but being in outlots, that's actually the first I'm hearing of that. I'm not saying it hasn't been conveyed, but we haven't had a chance to look at that. If it is in dedicated outlots I think the issue, or the concern, is going to be that with it being in an outlot it is going to reconfigure all of the setbacks within the property. So instead of having the setback measured from the property line, well it would still be measured from the property line, but I now have a 10 foot area that we weren't, assuming it is a 10 foot easement...

Mr. Sieben said are you talking about these pipes right here?

Mr. Phipps said between lot 16 and 17 would be one example.

Mr. Sieben said this is the first time I've heard about it, but I would concur with Pulte a little bit because that could greatly affect some of the issues with lot size and setback and things like that. Maybe if you guys had something in mind, but I'd like to take a look at that.

Mr. Phipps said we did make the comment at a previous Planning Council meeting that one of the items that we were very concerned as the Preliminary Engineering plans were coming in is that we were concerned about overland flow into the property and out of the property. So this is an item that was put into our review comments. I can appreciate that this creates some other problems potentially, but one of things that we've seen when overland flow paths, which are critical for flood control, are not put in outlots and are left in easements is that the property owners encroach upon those and then it becomes a long term problem for the property owners and for the city because fences are up and sheds are up.

Mr. Sieben said no, I totally understand it, but to me based on the design they've got, they may very well lose a lot to make that work, so I think that's something that we need to kind of identify.

Mr. Getz said on depending on the locations, we are talking about a couple of different areas, it could be more than one lot.

Mr. Sieben said is it more than just these two pipes that I see here on both sides of 17?

Mr. Phipps said it is between lot 16 and 17, not between lot 17 and 18, but at the southeast corner, the lower left corner of this drawing between lots 1 and 2 and then across the street from there between lots 40 and 41 you have the same issue where you have overland flow coming from the south. It needs to be able to go between those houses between lots 1 and 2 and in between lots 40 and 41 to get into that detention basin.

Mr. Sieben said how big of a width are you looking for do you think?

Mr. Phipps said it would depend on their engineer's calculations, what cross sectional area they would need to have, but something like 20 feet.

Mrs. Vacek said probably a minimum of 20 feet and it would probably go up from there depending on what...

Mr. Sieben said so it is going to be more than 20 feet?

Mrs. Vacek said a minimum of 20 feet. It could go up.

Mr. Sieben said well they're going to lose a lot of lots, so I think we need to take a look at this. It is kind of a big issue.

Mrs. Vacek said but they were gaining 7 lots to begin with, right? So even if they lose 1 or 2 lots, they are still gaining 5 lots from what they had. So that's something that we should just take a look at.

Mr. Phipps said the Preliminary Plan that was approved before this project came back live had those as outlots, not as easements. This isn't a change from what was previously approved. If we were to approve this, it would be a change. It would be one of the other changes that is new with this Preliminary Plan.

Mr. Getz said and just so I understand it, is it because of the overland flow or is it because of the storm sewer in the ground?

Mr. Phipps said the overland flow. There are other places where there are storms proposed in between houses that this isn't a concern for us. It is because of the necessity of the overland flow path. The water has to continue to be allowed to come from an offsite property into this one and you guys have made that part of the overland flow path in your subdivision design.

Mr. Whitaker said and I totally get that and I certainly appreciate the concern. I think the question becomes, it is sort of a unique issue I don't see in a lot of places where it is a dedicated outlot for the overland flow. Typically we would handle something like that with a declaration. In the covenants we could place conditions on a plat, conditions in the covenants. For that matter, we could put deed restrictions that would show on title that would be specific to the lots that would, for example, prohibit fencing, landscaping, etc. within that defined easement showing on the lot. I guess I would ask that we look at alternative mechanisms for solving that same problem. I completely understand and appreciate the problem. I think other than just putting it in a dedicated outlot though, there are more efficient means of tackling the same issue.

Mr. Phipps said Ed, do you see any other way forward?

Mr. Sieben said well again, this is a Preliminary, but I think we have to really identify the issue. We are going to have to, obviously, finalize it before the Final. The Final is going to come right behind this, but I think we have to put pencil to paper and see how it is going to affect the layout here.

Mr. Whitaker said I think we can work on that immediately following this meeting and be able to follow up with staff on some very specific detail for the implications of that and then propose an alternative solution how we think we can tackle the problem.

Mr. Sieben said so we need to vote it out today because we've already published for next

Wednesday. This is, though, kind of a major issue still out there, but again, keep in mind this is Preliminary, but it is something we want to put on the record that it may impact lot count. Like Tracey did say, you did add 7 lots, but this maybe could affect that number. Let's try to circle back after this. We'll still have it for the 17th, but let's see if we can come to some agreement before the 17th so at least we can give Planning Commission some indication where we are going.

Mr. Getz said just so I can understand, maybe just to rephrase, or restate things, there's nothing, the physical conditions, the way we've got it graded, the way the storm sewers are in the ground, the spacing between the houses, none of the physical conditions out there are at issue. What's at issue is more of an enforcement issue that the city is concerned that people are going to build things on their lot where they are not supposed to. You don't have any issues with the way the site is designed. It's more the concern is a regulatory issue as far as can we keep people from building fences on their lots where they are not allowed to and how do we enforce that.

Mr. Phipps said I would agree with that.

Mr. Getz said I just wanted to make sure because we were talking getting the pencil to paper. If there is nothing wrong physically, we're just focusing on the regulatory aspect of this and how do we keep fences out of there, right?

Mr. Whitaker said I think it is understanding the impact of what would happen if we did put them in outlots. I think you and I can look at that and know that.

Mr. Getz said I appreciate the concept that there were less before, there are more lots now, but the deal, and the financial deal with the seller, was predicated on the number of lots that we had out there now. I understand that there were less before and more now, but Nick is getting more money now because there are more lots now. It is just the way it is. We are locked into that as well.

Mrs. Vacek said unfortunately you have an approved Preliminary Plan that shows less lots.

Mr. Getz said absolutely.

Mrs. Vacek said we will obviously work with you, but we do want to make sure that we get this right.

Mr. Getz said that's why I was kind of focusing on whether it was the physical attributes of the site or it was just the matter of how we keep fences out of that area.

Mr. Sieben said can I clarify? We are talking between lot 1 and 2 and 40 and 41. Is that accurate Mark?

Mr. Phipps said yes.

Mr. Sieben said and then there is only one other one, which is between 16 and 17?

Mr. Phipps said that's correct.

Mr. Sieben said that it? There are no others?

Mr. Phipps said yes.

Mr. Beneke said so one thing in the Fire side of this one is that we never received the revised Fire Plan showing the hydrant coverage meets the 300 foot spacing. We will need to see that.

Mr. Gillian said that we won't have a problem with at all.

Mr. Morgan said so this will be going to the April 17th Planning Commission. I do make a motion that we vote this out with the conditions of the Fire Access comments and the conditions that Mark mentioned about engineering for overland flood routes between lot 16 and 17, 1 and 2 and 40 and

41, as well as the CLOMR condition. Mr. Minnella seconded the motion. The motion carried unanimously.

2 Planning Commission 04/17/2019 Forwarded Planning & Development Committee 04/25/2019 Pass

Action Text: A motion was made by Mrs. Duncan, seconded by Mr. Hull, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 4/25/2019. The motion carried.

Notes: See Attachment for Items 19-0227 and 19-0170.

Aye: 12 At Large Cameron, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, SD 204 Representative Duncan, At Large Owusu-Safo, SD 129 Representative Head, SD 131 Representative Hull, At Large Tidwell, At Large Gonzales and At Large Elsbree

3 Planning & Development Committee 04/25/2019 recommended for approval Pass

Action Text: A motion was made by Alderman Jenkins, seconded by Alderman Franco, that this agenda item be recommended for approval. The motion carried.

Aye: 3 Chairperson Saville, Alderman Jenkins and Alderman Franco

Attachment for Items 19-0227 and 19-0170:

Mrs. Morgan said the Petitioner, Pulte Group, is requesting a Plan Description Revision to the Special Use Planned Development, which includes a revision to the 2005 ordinance to allow for the development of additional acreage of single family homes. The subject property is currently vacant with R-1(S) One Family Dwelling District with a Special Use zoning as part of the New Song Highlands Special Use Planned Development. Just to give you a little bit of background on the project, the development was originally approved pursuant to two ordinances in 2005, which approved a religious institution with a daycare and 21 single family homes. In 2010, the City of Aurora approved a revised Preliminary Plan and Plat, which modified the boundaries of the religious institution and permitted the development of 34 single family homes. At that time in 2010, they didn't change the Plan Description to actually show that the acreage is changing. They are reducing acreage from the church property and adding acreage to the single family home property, so that wasn't reflected in the Plan Description Revision. They didn't do a revision in 2010. Pulte Group is coming forward to ask for a revision to align the Plan Description boundaries with the 2010 resolution, as well as to align them to the proposed Preliminary Plan and Plat that will be approved under the next resolution. Just to note, this Plan Description Revision does not modify the provision applicable to the church property other than changing the acreage. The Plan Description also doesn't change the underlying zoning, which will remain R-1(S) One Family Dwelling District. It does include removing acreage from Parcel B, which is the church property and adding additional acreage to Parcel A, which is the single family homes. We are also proposing a Parcel C, which is being created and identifies stormwater detention. Concurrently with this proposal, the Petitioner is requesting approval of a Revision to the Preliminary Plan and Plat for the New Song Highlands Subdivision. Now they are calling it Laurelton Place. The revision is to allow 41 homes. In 2010, the New Song Community Church had wanted a detention to be partially dry as well as wet and allow them to use that dry area for recreation. The church is no longer interested in that, so this, along with the reduction of the detention area and some shifting of some lots has allowed them to come forth for additional single family homes. All the lots meet the minimum 8,000 square feet and 60 foot width at the 20 foot setback line required by the Plan Description along with all the required setbacks identified in the Plan Description. The average lot is 10,000 square feet. The average width is 73 feet. The minimum lot size is around 8,600 square feet. The minimum lot width is 67 feet. The existing stubs at Whitethorn Drive, Seaview Drive and Bayfield Drive will be extended and will match the existing 60 foot right-of-way. Just also to note, the Engineering Division is requesting that the CLOMR be submitted prior to Final Engineering, which is reflected in some conditions that staff is suggesting. Engineering is also requesting the creation of 3 small outlots. They would be between Lot 1 and 2, Lot 16 and 17 and Lot 40 and 41 to address their concerns regarding preventing obstruction of home improvements by homeowners to the overflow path that carry large volumes of water from off-site developments. Staff is still working, the Petitioner and staff, Engineering staff, is still working on figuring all that out and the requirement of that, but at this time Engineering would like those outlots. We would like the Final Plat and Plan to reflect those outlots. Staff is also requesting that some comments from the Fire Marshall be addressed. We have a resubmittal, so those might be addressed at this point, but we haven't had a chance to review it. Are there any questions for staff?

Ms. Tidwell said yes. Can you tell me what a CLOMR is?

Mr. Sieben said it is a Conditional Letter of Map Revision.

Ms. Tidwell said thank you. Just a procedural question with the engineering issues, I guess I don't understand why this wasn't held until these, as well as the Fire Access, wasn't addressed.

Mrs. Morgan said the Fire Access are really minor. It is just a change of location of hydrants. It is easy for them to do. They just hadn't had it at the time we were ready to submit for Planning Commission. The Engineering, it was put in after reviewing it. The Engineering Division decided that they wanted these outlots, so it was already when we started submitting for the Planning Commission public hearing. It came a little later in the project.

Mr. Sieben said and the other issue with the outlots is if the outlots are implemented, it will not impact the zoning, the setbacks, the lot size. They meet the minimums. This will also come back to the Planning Commission for the Final Plan and Plat, so we'll get another little bit of a bite at the apple.

Ms. Tidwell said and one more time, as I didn't write fast enough, CLOMR? Conditional Letter...

Mr. Sieben said Conditional Letter of Map Revision.

Mr. Elsbree said I've got a question. Just so I'm clear, it came up about church property and lots. Is any of the property owned by the church? Is this a land swap?

Mr. Morgan said not a land swap. A portion of the property, like a small little portion is still owned by the church, so the church has done a Letter of Authorization allowing this plan to go forward. It is just a small little sliver that is still owned by the church.

Mr. Elsbree said there won't be a residence on it? The residence will be taxable property?

Mrs. Morgan said the little sliver that the church owns will now with the plat become part of the single family homes.

Mrs. Owusu-Safo said are they donating it?

Mrs. Morgan said I believe there is a sale, but the Petitioner could answer that. I'm not for sure how that it going.

Mr. Elsbree said but there is no way that property is tax exempt?

Mrs. Morgan said no. It is going into the single family lot.

The Petitioners were sworn in.

Good evening. Russ Whitaker. I'm an attorney at the law firm of Rosanova and Whitaker, 127 Aurora Avenue in Naperville. I'm here this evening on behalf of Pulte Home Company, LLC as the contract purchaser of the property that Jill went through. So the aerial here shows the property, which is 16 acres outlined in red to the right of the screen. The reason I wanted to put this aerial up is I also have Deerbrook, which is on the left hand side of the screen highlighted. Deerbrook is the subdivision that Pulte just completed construction in. Pulte was the owner of 76 lots in Deerbrook and was building in Deerbrook from 2016 through 2018. It turned out to be a very successful project, moved through 76 lots very quickly and I think was highly regarded by both the city and Pulte. What we are proposing here is sort of a tag onto what had been done at Deerbrook. You'll see that in the elevations, the lot sizes. Again, what we are trying to do at New Song is duplicating what has proven to be successful at

Deerbrook. Jill talked a little bit about the change in acreage and that's what this map is intended to depict. If you look at the black lines here, that is the ultimate configuration that we are proposing. Parcel B is the church parcel. Parcel A is what will ultimately be the residential development parcel. Parcel C is what will ultimately be the stormwater parcel. If you look sort of behind the black lines, you can see the grey scale lines. Those grey scale lines reflect the existing configuration of the parcel, so kind of coming north out of Parcel B you see that very small sliver, that's a portion of the property that's owned by the church. It like 20 feet. It was intended to provide access to a dry detention basin, which was to be located where Parcel C is. So given that we are no longer going with the dry detention basin there was no need for the sliver parcel. That sliver parcel is being ultimately conveyed to Pulte as part of their acquisition of the whole property. You can see here, we also had the detention basin sized slightly larger in the past. That detention basin has shrunk in size. The reason being, as Jill noted, that we are going from a dry bottom detention basin to a wetland bottom detention basin. If you look back at the aerial slide, I think you can kind of see why. The property immediately east of the subject property is, in fact, a wetland bottom detention basin, so it would be a little awkward with that dry bottom detention basin immediately adjacent. What we are proposing with respect to the reconfigured detention basin is effectively a continuation of what's happening with the wetland detention basin that's located immediately east of the property. As a result of going to that wetland bottom detention basin, we end up with a more efficient site plan. What you see in this site plan is really the exact layout that was approved all the way back in 2005 and then added onto in 2010. The roadway configuration is the same. We've just become more efficient with the layout of that detention and as a result, and I would note that this plan is actually flipped 90 degrees, so north is to the right of the screen, but on the west side of the new detention basin we were able to add in some lots. So by virtue of creating that efficiency in the detention basin we've created some nice lots there that will provide premium opportunities for home buyers and, of course, create some additional taxable value for the city. Jill kind of ran through the lot dynamics. Everything is compliant with the Plan Description as it was written. We are really kind of working on technical detail with the Plan Description Revision here and the, of course, the increase in lot count from 34 to 41. I did just want to show, and this is a tax parcel map, this shows the subdivision that is immediately adjacent to the north of our property. The intent here was just to show that what we are doing is very consistent with what's existing in the community. If you look at Seaview Drive to the right of the screen, we will be building lots off of Seaview Drive and continuing that as it connects into Bayfield Drive. The lots on Seaview Drive are the same size, if not a little bit smaller, that what we are proposing as part of the development. I just wanted to show here that the character of what we are doing is substantially consistent with the adjacent neighborhood that is existing. The landscape plan depicted here, there is an Exhibit D to the existing Plan Description, or existing ordinance, that lays out landscape requirements. What we are showing here in the landscape plan is compliant with that Exhibit D, which dictates landscape regulations. Finally, we are not actually looking for elevation approval at this point in time, but we submitted them as part of the package. We didn't know if they would already be in front of you or not, but just a couple of elevations here. Again, these are plans that we took out of Deerbrook and will be using again in Laurelton Place. In Deerbrook, we had homes that were both 40 feet wide and 50 feet wide. In Laurelton we will be eliminating the 40 foot wide product and we will be building 50 foot product, a little bit higher value homes. Those were the more popular selections in Deerbrook, so obviously, that's what we are moving forward with here in Laurelton Place. Just here we have the Hilltop floor plan and you can see that there are four different options with different architectural elements for each option. The second floor plan here is the Greenfield. Again, you can see that there will be different options, different front elevations options associated with the floor plan to give optionality and to make sure that there is diversity in the community. There are other elevations or other floor plans that we will be proposing as part the project certainly. Rather than going through all of those since we weren't seeking approval of elevations

tonight, I just thought I'd give you a little flavor of what it was that we would ultimately be looking at approval of as part of the final improvement. With that, I think that sort of wraps up the overview along with what Jill had already presented. If you have any questions, I would be happy to answer them.

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

I'm Eileen Roberts. I live on the other side of New Song Church and I'm representing our neighborhood with a few other member here. I think some of our concerns are we very concerned about the detentions and easement of the area. That is a true wetlands and it floods often, which is why the farmer did not have success and then we are going to now put property on it. We are very concerned about where that runoff is going to go, whether it is going back into our subdivision or other locations. The increase in houses there is a concern. We have very small houses being added to what we consider very larger houses and there is overcrowding in the district, so you are adding 41 houses, which originally was 21. I know what is proposed, that tax bracket or what is taxable, will not be comparable to what my house and some of my neighbors is. So that's a much smaller house that's being added to our subdivision so that's a concern. We are concerned about all the mud and issues that are going to be going on through construction and how that will be maintained because we are going to be that thorough fare through for houses to go through. How will that be managed so we can maintain our regular consistency of living? I think we are very concerned about the home values actually creating a reduction to the home values that exist for my house and my neighbors. We're concerned that's going to cause a decrease. I think the dry bottom basin versus the wet bottom basin, I don't know enough about that so I'd like to ask, I don't know, some more questions, so I'd like to learn more about that. But I guess, how will we address the overcrowding, the retention ponds and the reduction in value to our subdivision that exists would be the questions that I pose.

Chairman Pilmer said we'll get those answers after the testimony.

My name is Nicole Nelson. I live on Whitethorn Drive, which is the road that's going to be added onto. This is all very new to me, so forgive me if some of these questions are not appropriate at this time. I back up to the current retention area, so that is a big concern of mine. I couldn't tell from the drawing. Is this going to be two separate retention areas or are they connecting on to it? Who is going to be responsible for maintaining that? I also curious if there is going to be a square foot minimum and maximum for the homes that are going to be built. Actually what my neighbor said since we've gone from 24 to 41 homes, is that simply because of the added acreage that they got or are they kind shrinking the lots and housing sizes down? I also had a question about Laurelton because we have a subdivision name. We just don't have a sign. Our sad little dead-end and cul-de-sac is called Glenmore Ridge. It is documented with the city, so I'm just curious if we are going to have Glenmore Ridge and Laurelton Place and then whatever that one is behind us.

Mr. Sieben said Harbor Springs.

Ms. Nelson said it is going to be a little confusing. I think that's it, so thank you.

My name is Brandon Bigelow. I live at the very last house on Whitethorn Drive next to the church there. My primary concern is I have a 4 year old son and 2 year old daughter that are often outside playing and the increase in traffic is my biggest concern right now. With the increase of the number of homes going in, I'm worried that the traffic is going to explode. I see people that drive down my street now who

don't realize it is a dead-end and when they get to my house they are going pretty fast and I'm just worried what that's going to look like after the development. Thanks.

Good evening. I'm a resident of Seaview Drive, 1984 Seaview Drive. My name is Rajesh. I echo a similar point to what he has made just now that our drive right now is a dead-end and not many people realize that. They usually back up again and go back. When the drive gets extended, do you plan to put in some speed breakers or stop signs? How will that be handled? The other question is, what about the wetland, which is right behind my house? Right now it is empty completely, completely open. Will that be affected in anyway? Will anything be built on that? Just these two questions. Thank you so much.

Good evening. My name is Michael King. I live at 1973 Bayfield Drive. That's Harbor Springs. That's the last dead-end road that's projected on some of the drawings. I noticed that the projection now is to have that street have a straight line all the way through the subdivision. Currently at Bayfield Drive's entrance there is a daycare center. Lots of kids play in that lot. It is very tough to control a whole bunch of small little kids who no doubt run into the streets an awful lot. Pets. We see a lot of those in that development as well. My concern is the increased traffic that you'll see, especially if people cut through the subdivision to get somewhere. We see that stop signs have very little effect. People tend to rush through them. There is simply no control. Speed bumps don't tend to work very well. I also note that from a safety perspective speed bumps are not necessarily what you want to see when it comes to emergency vehicles having to get through there. That's my primary concern. Thank you for your time.

Chairman Pilmer said if no one else would like to speak about this case, I'd have the Petitioner come back and address those questions.

Mr. Whitaker said so from a traffic management standpoint, the subdivisions that are adjacent were all designed with roads stubbed to this property with the intention that they would create. If you look at the broader aerial here, you can kind of see that there was a lot of thought that went into the broader layout as how these subdivisions would operate so that everything was interconnected and there were different ways in and out of the subdivision. Of course, we always want multiple points of access so that in the event someone is stopped in one location there are opportunities to get to it from another location. The dead-end off of Whitethorn is a unique condition. It wasn't intended as a permanent condition. It was always contemplated that would continue through this New Song property. In fact, that's been shown that way since 2005 on the original plat that approved the New Song Church. We think the addition from 34 to 41 homes is going to have very, very minimal impact on overall traffic generation on this property.

Ms. Tidwell said do you have schematic that shows what the roads will look like?

Mr. Whitaker said I don't have one that's overlaid on an aerial, but if we look at this plan here we have to the left of the screen is where you would connect into Whitethorn and just as a point of reference, Whitethorn is at the bottom of the property here.

Ms. Tidwell said I've got a Google map in front of me, so I see the existing road. I just don't know what they'll look like when the development is finished.

Mr. Whitaker said we will matching roads at existing locations and carrying the condition of those roads straight through our subdivision so that they connect from the south to the north. Does that answer your question?

Mrs. Owusu-Safo said so you are going to have the same width and the same right-of-way width, right?

Mr. Whitaker said correct? There are not changes being proposed to any of those type of design standards. They were all set with the original plan that was established in 2005 and we are not proposing any changes to those. What we are doing in terms of a roadway network is not changed from 2005, the original plan approved.

Ms. Tidwell said it looks to me that Seaview will continue through what is now the vacant land and match on the north side of the vacant land. Is that correct?

Mr. Whitaker said so we'll have Seaview here to the top of the screen and Whitethorn here. If you are thinking about the aerial, you've got sort of an s-curve coming in here curving back around into the existing road at the top of the screen. I think, again, this was designed thoughtfully where it is not a straight shot where someone has the opportunity to really step on the gas and get speeding and get up to a high rate of speed with all of the turns that are naturally built into the subdivision. I think there are some natural calming measures that were built into the plan back when it was approved in 2005. I think that's a real benefit to what's happening here.

Ms. Tidwell said thank you.

Mr. Whitaker said other questions related to home sizes and lot sizes, again, we are not asking for any change to minimum lot sizes. I think our minimum lot size is over 8,635 square feet. Our average lot size is 10,000 square feet. Those are all well above the minimums established by the ordinance in 2015. There is no change to any minimums with respect to increasing the number of lots. The increase in the number of lots is really just driven by the change in engineering practices. That's moving from the dry bottom detention, which could be used when not soaking wet as some open space to more of a wetland bottom basin. I've got Bryan Rieger here. I'll ask him to come up in just a minute. I think the other note on those lot sizes is we range from 71 wide. We are 115 deep where we are constrained by it and have adjacent lots that are 115 deep. We are otherwise 125-130 feet deep, which is exactly how the subdivision was designed back in 2005. Again, above all of the minimums. The houses being proposed, again, are all 50 foot wide homes with setbacks consistent with the Plan Description that was approved in 2005. Those homes will range from 2,600 square feet up to 3,400 square feet. Base pricing will start at \$335,000 with the expectation that homes will be closing about \$400,000. We certainly don't think that that sizing of homes or the pricing of those homes is inconsistent with the neighborhood. If anything, if you look at existing home sales that have occurred in that immediate area over the last year or two years, our base pricing is over what has generally sold on the adjacent streets that we will be connecting into. I think that addresses the questions I'll answer. I'll turn it over to Bryan and ask him to address the issue of stormwater detention and how that is going to function.

Good evening. Bryan Rieger with V3 Companies. The address is 7325 Janes Avenue. For stormwater management, as you can see on the screen, north is to the right just to get our bearings straight again. On the bottom side of the sheet is the existing wetland area and that is what Russ was referencing the wetland detention area. So that's just directly east of this plan and east of our proposed detention facility. You can kind of see a black line that extends up through the property. It kind of circumvents the property. That black line is actually existing flood plain and that is why we need to go through the CLOMR process through FEMA, the Conditional Letter of Map Revision, and that basically pulls that flood plain and moves it into our detention facility as we are showing. To compensate for any fill that we have

on the property due to the houses and to the roadways, we are over excavating that detention area. We are providing about 18 acre feet of storage in that area in that detention facility that is not there now. So that is a significant amount of volume that we are adding to this. As Russ has mentioned, the previous plan accounted for a portion of that detention facility to be dry. The elevation of that dry area is below what would be considered the high water level, so in a big rain event it would be under water, but under normal conditions that would have been dry and usable for space. The church found no need for that area anymore so that's why the entire detention facility now is going to be wet instead of having that dry portion to it. So one of the questions was is this facility going to be tied in with the facility to the east. There is actually currently a path that runs along our east property line. That path will be maintained and then that will start our detention facility. Hydraulically, they are not connected unless the water builds up above the path, but below the path they are completely separated. I think that answers the questions that were raised. If there are any additional, I'd be happy to take them. Just the last thing, concern over wetland bottom versus a dry facility. The wet facility is pretty much what is required now in these types of areas where you are doing more of a naturalized detention facility. It provides habitat and also water quality benefits, so you find that a lot of birds, a lot of animals are using those types of areas rather than what we had before where it was natural turf. It was mowed turf. You have fertilizers. You have a lot of things like that that get into that area. It is an ecology, water quality and environment benefit over the typical dry detention facilities that we used to do.

Mrs. Owusu-Safo said I have a question. There is no outlet into the existing wetland area, right? That's what you are saying.

Mr. Rieger said that's correct. The outlet for the detention facility actually goes to the west and then it ends up going up to the north. This whole area is kind of like a big watershed and the outlet to the pond actually goes to the west and then to the north.

Mrs. Owusu-Safo said I guess my question was so this was specifically sized just for these lots and if they had concerns on the other areas, which drains into this existing wetland areas, if they are already having some flooding concerns, but if that's what they are having to the east and they are not connected, if there is any overflow I'm assuming it will come into your new detention and that's now going to fall somewhere west, right and then taken at some point into account?

Mr. Rieger said the rectangle is the site that we are looking at now, so the east of that is that wetland area. Where our current facility is, that is farmland. That is higher than the elevation of the wetland area to the east. In order to get up to that elevation where it fills into that area, it is a large rain event, a significant rain event.

Mrs. Owusu-Safo said like 100 year?

Mr. Rieger said a 100 year, exactly, a 100 year rain event. There's maybe a foot of water that kind pools on this area before it drains down and then everything drains into that wetland to the east. What we are doing is we are over excavating that area and providing detention for the specific lots that you see on the site plan as well as the church to the south. So we are providing detention for the church to the south and these lots and then we are also providing flood plain and compensatory storage for the houses that are being put there.

Mr. Whitaker said so I think what you were saying is absolutely correct. We're providing detention on our property for what we are proposing to do. There is detention provided elsewhere for the existing

homes that are in the area. We will not be impacting the detention that is provided for any of the adjacent homes. I think the one thing that you didn't have because we hadn't told you is that we are actually not just providing detention for our residential subdivision. There is a temporary basin on the church parcel and if you can see where the entrance to the church is, there is an old house that was not incorporated as part of the original 2005 approvals. That house has been acquired by the church. They see having the ability to expand the church and take up some of that open space that is to the west of their parking lot. What we've done in association in working with the church is we've oversized our detention in order to include everything that they would need in order to expand the church facility. So we are not just providing detention for our residential subdivision. We are providing well over that. In the event the church doesn't expand, that's there and is providing additional benefit. In the event the church expands, they will use that additional detention, but they will have no cost for expanding or tearing out the detention and all of it will be existing when they move forward. There is some additional benefit on top of what we would normally be doing.

Mrs. Owusu-Safo said just one last question on detention and that is I see what you are saying, so if you build your new detention pond over on the east side and that elevation is naturally higher than the existing wetland area, does that create any flow that would have generally with the 100 year event go onto this property? Now where would that go? I'm assuming these are sized with 100 year flood events, but what happens then?

Mr. Rieger said so the natural flow goes to the east from this property.

Mrs. Owusu-Safo said it goes east?

Mr. Rieger said yes.

Mrs. Owusu-Safo said okay because your outlet is actually west.

Mr. Rieger said it will be to the west. You can see on the screen there are a lot of large detention areas around the area. Ultimately what happens is this wetland area drains up to the north to the detention facility just north of Harbor Springs and then it heads off to the west. Currently everything kind of builds up in this wetland area and then drains to the north. What we are doing, instead of trying to get the majority of the water to the east, the water is going to go to the west and then shoot up within pipes to that detention facility to the north.

Ms. Tidwell said to the detention facility that is just to the west of the H on that map?

Mr. Rieger said yes.

Mr. Cameron said I'm assuming that the drainage is in that kind of a kick-out that runs to the west on the detention lake. Is the correct? That's the one that runs straight through to the back lot line on the west side. That portion that's going directly up and then it goes out and over into the drain right?

Mr. Rieger said that's correct.

Mr. Cameron said because the other ones are all inputs into the...

Mr. Rieger said that's correct.

Mr. Whitaker said that is also the area as staff mentioned the discussion about the outlots. That was something that just came up. I think we heard it last week, so we are having conversations with the Engineering staff. We can accommodate it. We told them we can accommodate that. We're just going back and forth on how we are going to handle maintenance and stuff like that. We're absolutely agreeable to accommodating and making sure that we have frankly a redundant system. So we've got the underground pipes taking it in that direction and then we've got the overland flow. If a pipe was closed, you've got a route that it would go over to.

Mr. Cameron said what kind of a slope do we have on that detention area? What are we looking at, about a 10 foot bottom?

Mr. Rieger said it is a 5 to 1 slope and it is a 6 foot bounce. From normal water level to higher water level it is 6 feet.

Mrs. Owusu-Safo said so ordinary high is where, is what elevation?

Mr. Rieger said the normal water, so that is your typical water level at any time, is 687 and the high water level for this specific site is 693. The 100 year flood plain elevation is actually 394.32, which basically just goes on the top side of that detention facility.

Mr. Cameron said you said 18 acre feet?

Mr. Rieger said 18 acre feet. That is correct.

Ms. Tidwell said will any of the homes in this new area be considered in the flood plain so that they are required to buy federal flood insurance?

Mr. Rieger said no. That's part of the CLOMR process too, to verify where that proposed flood plain line will be. Then we'll also go through a LOMR process at the end where you actually make that Letter of Map Revision come into effect with FEMA and that will be the actual limits of the flood plain based on the actual physical conditions once the development is constructed.

Chairman Pilmer said I think there were two other questions. One regarding construction traffic and debris and one regarding if you can comment on the name of the subdivision in relation to neighboring subdivisions.

Mr. Whitaker said so with respect to the name, that is a good question. We're not proposing any monumentation. Certainly when we first build you are going to see some delineation between old and new, but over time our perspective is those things will effectively melt, both at the south and at the north and it will see as though it is one continuous community. No monumentation trying to call it out as separate. I guess by law actually, we have different names of subdivision plats all the time so you often, even within a subdivision, have multiple units that would have different names. We are required to have a different name. We do have a different name and we'll market it as the other name in order to distinguish it from marketing purposes on preliminary build, but there will be no functional difference in active daily life. Rob do you want to address construction and debris?

I'm Rob Getz, Vice President of Land Acquisition for Pulte Homes. As far as the construction traffic goes, we have three means to get out of the property. There are three right-of-ways; one off of Whitethorn and the two to the north. We don't access to any public road on any of the periphery of our subdivision. Sometimes if we get a large subdivision and we border a public road we would put like a temporary construction entrance or something of that sort. In this case, we don't have the ability to do that because, again, we are surrounded by private property everywhere but the three roads that enter the project. We will be using the public roads to enter the project and do our construction. We are very careful at Pulte Homes about construction debris. I think Russ brought up our Deerbrook Subdivision, which was the last one we just completed in Aurora. In that case, we actually were building within an already completed community and we were doing basically every other house type scenario and filling in the gaps in that community. We were very careful in our construction methods and our cleanup and our street sweeping and our scraping and the way we managed our trades. I can say I'm not aware of actually seeing a complaint. I don't know if the city knows of any complaints we had as far as our construction activities there. So we managed to build within the existing community there, 76 houses, and I think that is a testament to the work that we do at Pulte to make sure that we are clean and very careful about our construction process. But certainly we will be accessing off the existing roads.

Mr. Sieben said I also believe Harbor Springs to the north was a Pulte Development just for comparison, so there are some neighbors here from Harbor Springs.

Mrs. Owusu-Safo said I have one last question for you. In terms of traffic again with the concerns, what kind of control is proposed at the intersection of Bayfield and Seaview if you've gotten that far?

Mr. Whitaker said I don't think we've gotten that far. That would typically be something that we would address at final engineering. My guess is that Bayfield would flow through from left to right on your screen as you are looking at it and there will probably be a stop control at Seaview, but again, we haven't gotten to that point. We would be bringing that back as part of final engineering.

Ms. Nelson said I just had a question regarding the path that they had mentioned that runs along the end of a retention area where they are going to be building. I would invite anyone to come and look at that glorious path. It is blacktop, I believe, for emergency vehicles because there is no other outlet. It is so wonky with roots and holes. It is unbelievable. I'm just curious as to why they are planning on keeping it and not connecting the two if there is a reason to that or if it will be fixed and maintained again.

Ms. Roberts said I guess we were just inquiring what does this do for the taxes that exist. These lots will be 20% smaller than our existing lots, the same square footage, so what does that do for comparison purposes and then what does that do for resale for our community?

Mr. Whitaker said if we picked the largest lot in one and the smallest lot in the other they might be 20% smaller, but there is a variety of lot sizes as I mentioned. We are 8,600 on the small end where we've got an average lot size of 10,000. I haven't looked at the average lot size, but at the end of the day for a comparison purpose people are generally looking at home size and home value and better in counting those type of things. Based on what we are seeing in terms of sales that have occurred over the last couple of years in those adjacent subdivisions, our homes will be base priced higher than those sales that have occurred. With options, they will be selling at substantially higher. In theory, by building homes that will be selling for more adjacent, that should help to live the value of the existing homes. There was another question.

Chairman Pilmer said regarding the path. I guess there is evidentially an existing path.

Mr. Whitaker said absolutely. That path is not located on our property, so we do not have any rights with respect to the path. I know it is there. I'm guessing it's owned and maybe not maintained by the adjacent Homeowners Association.

The public input portion of the public hearing was closed.

Mrs. Morgan said staff would recommend approval of an Ordinance approving a Revision to the New Song Highlands Plan Description on 16.136 acres for property located north of Hafenrichter Road, east of Barrington Drive and west of Whitethorn Drive.

MOTION OF APPROVAL WAS MADE BY: Ms. Tidwell

MOTION SECONDED BY: Mr. Cameron

AYES: Mrs. Anderson, Mr. Cameron, Mr. Divine, Mrs. Duncan, Mr. Elsbree, Mr. Gonzales, Mrs. Head, Mr. Hull, Mrs. Owusu-Safo, Mr. Reynolds, Ms. Tidwell

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. Anderson said these are all 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. Reynolds said the proposal does represent the highest and best use of the property.

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 and, again, represents the highest and best use of the 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?

Chairman Pilmer said I would say that this traffic pattern is consistent with what was approved in 2005 and should not have any adverse effect in the general area.

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

Mr. Cameron said they are in place or will be as part of the proposal.

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

Mr. Cameron said it is an extension of the existing plans for the neighborhood.

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

Ms. Tidwell said it is consistent with the original plan.

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

Chairman Pilmer said I would say it is conforming to the applicable regulations in the district to which it is located.

Mrs. Morgan said this will next be heard at the Planning and Development Committee on Thursday, April 25, 2019, at 4:00 p.m. on the fifth floor of this building.

Mrs. Morgan said staff would recommend conditional approval of a Resolution approving a Revision to the Preliminary Plan and Plat for property located north of Hafenrichter Road, east of Barrington Drive and west of Whitethorn Drive with the following conditions:

1. That the Fire Access Plan be revised to reflect the Fire Marshall's comments at the Planning Council meeting on March 12, 2019.
2. That the Preliminary Plan and Plat be revised to include outlots between Lot 1 and 2, Lot 16 and 17 and Lot 40 and 41 that meet the minimum width needs to address the Engineering Division's concerns.
3. That the Petitioner have an approved CLOMR before start of construction of the public improvements.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mrs. Duncan

SECONDE BY: Mr. Hull

AYES: Mrs. Anderson, Mr. Cameron, Mr. Divine, Mrs. Duncan, Mr. Elsbree, Mr. Gonzales, Mrs. Head, Mr. Hull, Mrs. Owusu-Safo, Mr. Reynolds, Ms. Tidwell

NAYS: None

Mrs. Morgan said this will next be heard at the Planning and Development Committee on Thursday, April 25, 2019, at 4:00 p.m. on the fifth floor of this building.