



City of Aurora

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Legistar History Report

File Number: 19-0901

File ID: 19-0901	Type: P&D Resolution	Status: ATS Review
Version: 2	General Ledger #:	In Control: Building, Zoning, and Economic Development Committee
File Name: Liberty Property Trust / 701 Bilter Road / Warehouse Facility / Final Plat Revision		File Created: 10/03/2019
		Final Action:

Title: A Building, Zoning and Economic Development Committee Resolution Approving a Revision to the Final Plat for West Ridge Corporate Center Phase III 1st Resubdivision generally located at the southeast corner of Bilter Road and Mitchell Road (Liberty Property Trust - 19-0901 / AU02/1-19.118-Fsd/Fpn/R - JS - Ward 1).

Notes:

Agenda Date: 11/13/2019

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit A: Final Plat - 2019-10-28 - 2019.118.pdf, BZE Appeal Sheet - Final Plat - 2019-11-07 - 2019.118.pdf, Land Use Petition and Supporting Documents - 2019-10-02 - 2019.118.pdf, Property Research Sheet #65943 - 2019-07-25 - 2019.118.pdf, Legistar History Report (Final Plat Revision) - 2019-11-01 - 2019.118.pdf

Enactment Number:

Planning Case #: AU02/1-19.118-Fsd/Fpn/R

Hearing Date:

Drafter: jsodaro@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	10/08/2019	referred to	Planning Council	10/15/2019		
	Action Text: This Petition was referred to to the Planning Council						
1	Planning Council	10/15/2019					
	Notes: <i>Representatives Present: Bill Perry, Haley Wittenkeller and Neal Driscoll</i>						
	<i>I'm Bill Perry with Watermark Engineering, the Civil Engineer.</i>						
	<i>I'm Haley Wittenkeller. I'm one of the designers for the project.</i>						

I'm Neal Driscoll with Liberty Property Trust, the owners and developers.

Mr. Perry said so we are here for 701 Bilter. It is part of the Liberty Business Center. Liberty Business Center has been around since I think I started working on it in 2001. So this actually, I think, is the final building that will be built in the development. Liberty also has a development in North Aurora on the west side of Mitchell Road that still has some vacancies, but that we are still working on, but this is the last piece in this. We are coming in. We are really building the building that was planned all the way along to be in this spot. The building itself did shrink a little bit in order to have some additional truck parking on the south side just because that's what the demand is nowadays versus what we thought it was 10 years ago and so we are allowing for that and admit that the building actually got smaller from what was initially proposed. The perimeter conditions are really all in. There's a ring road on the east side and west side of the building that are in. They are serving the existing PPG building that is south of here that is currently vacant.

Mr. Driscoll said so it is a vacant 200,000 square foot building that utilizes both the existing drive lanes that are already there. We're doing our best to try to keep the building landscaped and shielded from the building behind us. It has been a great park for us and we'd love to get this building vertical as quickly as we can.

Mr. Perry said so the plan is that is it going in as a spec building. They don't have a proposed tenant at this point. Like a lot of the other buildings that we've done in this park, they are going in spec and hope to get a tenant within a year or less. We've set it up with parking and truck parking and docks and whatnot as a spec building and would do any tweaks from there. We are showing a number of land banked parking spaces and that is to meet the code, although from a word on the street and what Neal is looking at as far as tenants are concerned, we don't think that we need all those parking spaces, so we are proposing a number on the north and Planning has actually commented on that and would like us to put in some additional ones and the ones that would probably make sense are the ones that are dashed in the northwest corner and Liberty doesn't have an objection to that.

Mr. Sieben said and just the reason for that, if I can just give the history, so we modified our parking for warehouse/industrial buildings about 10 years ago. Prior to that it was kind of a hit or miss. It was based on the assumed employment base during the shift where there was the most employees. It was kind of hard to regulate, so we went to a kind of a little bit of a flexible based on square footage and then the bigger the building is then the number starts to go down as you get higher square footage and then whatever the office portion is, and again, we've got to kind of guess that too. We have been flexible allowing banked for "X" amount of it. However, you guys were really at about 48% of your proposed car parking was banked. You were building 52/48 banked. We looked at what we have been allowing in other developments and we really were not above 40% banked, so we were trying to get it maybe a little bit closer to that so we suggested if those 13 there getting closest to the actual office area were built, I think that would satisfy or would come pretty close to that. That's where that comment is coming from. I know landscaping was sent. Do you have a comment on that?

Mr. Perry said landscaping was sent and we can talk about this off-line if that's the way you want to do it. It is a business park that has been established and was approved with the original development. We are coming in and really just operating inside the envelope that we were given. Again, the perimeter roads were established and landscaping was established on the east side and west side of those roads when the original park was developed. The way we looked at the code was just inside of that.

Mr. Sieben said right.

Mr. Perry said so we are providing the adequate landscaping for the parking lot per code, for the north setback per code, for the south setback per code and for the foundation landscaping per code. We're just not looking at the east and west because the east and west are already developed.

Mr. Sieben said so I have not looked at that, but Jake did review that per our standards. I know sometimes there are unique situations. Why don't we discuss that after here today? Let's take a look

at that because sometimes with an infill there are some unique circumstances where, like you said, those 2 drives are already built on the edge there. Jake and I can sit down with you later this week and take a look at that.

Mr. Perry said the only other comment was with regard to a sidewalk. Right now, we have it shown with sidewalks coming from what would be 3 different options for entrances where offices could be, depending upon how this is leased out; one on the far west, one in the middle and one on the far east, all on the north façade of the building. We show sidewalks that are coming from those locations to the parking lot. The request was 2 different pieces. One is to get an ADA accessible pad from the public sidewalk along Bilter Road to those entrances.

Mr. Sieben said so we're thinking maybe like right up here might be the best bet. It is up to you guys where you think you might want to put that, but we were kind of thinking connecting it kind of in that area.

Mr. Perry said and I think that's really the logical place to put it. On the far east, we wanted to do that as well, but there's so much grade change that to do an ADA accessible...

Mr. Sieben said we were thinking at least just get one to the public walk on Bilter. I think that's what we were looking for.

Mr. Perry said then the other request was to put a sidewalk in front of the parking stalls running east/west that would really connect all of the doors up.

Mr. Sieben said it would be kind of like this one that runs left to right, but extended across that curbing there.

Mr. Perry said yes, and going all the way to the east really to the other entrance, correct?

Mr. Sieben said correct.

Mr. Perry said and Liberty has questioned that. If this were a retail use that people were going for multiple doors that that would make sense, but for an industrial use and a use where there are separate tenants...

Mr. Driscoll said right. Typically the way the parking ends up getting allocated between tenants, they are allotted the spaces essentially in front of their entrance. We as a company have sort of used this as our best practice across the country because we'd prefer to have the green space there versus more hard surface.

Mr. Sieben said do you guys just want to kind of respond to that then in the response back? So you guys think multiple tenants and then they would come in at that...

Mr. Driscoll said that's generally the way it works out.

Mr. Sieben said maybe we could get a few more bushes then.

Mr. Driscoll said we'll work on that.

Mr. Sieben said so if you could just respond on that.

Mr. Perry said not a problem. Other than that, they would like to get a mass grading permit still this fall to try to get in the ground to see what mass grading we can get in and possibly foundations. A lot of that is based upon the construction schedule with regard to panels coming.

Mr. Driscoll said there is a very, very small window of season left here where we can do this before the entire project slides into the spring and now we are not delivering a building until late in 2020. The grading permit would be significant help to keep this moving.

Mr. Phipps said the Engineering Division is open to that. In our review letter, we identified a few items that would need to be addressed before then. Mainly it is a permit from Kane-DuPage Soil and Water Conservation District and it's getting the notice of intent filed with the IEPA and then squaring away the permit fee and security with Engineering. So just a few items and then we could issue a mass grading permit.

Mr. Perry said and we're very close to being able to do that. I think with a couple of these answers will be revised sets and those little pieces. Mike, as I talked before, the Fox Metro submittal will be pretty quick, but it is a spec building and so inside the building really is just floor drain and then outside the building it was very minimal.

Mr. Frankino said one question. The sanitary sewer that's existing that runs along the west side of the property I noticed goes to another building. Is that public main?

Mr. Perry said it is. When we did some research here with this development, we found that there were some easements, there's a platting issue that really occurred with it. At one time we talked about and we made a plat to subdivide this into 2 separate lots and that didn't get recorded for some reason and it still is today 1 lot. On that plat there were easements that were proposed. Well those easements never got recorded.

Mr. Sieben said we are doing a plat now, so we are trying to clean up those issues.

Mr. Perry said so we determined what easements were not platted at that time and then we are platting now a 2 lot subdivision, so it is going to the existing building, the existing PPG building, and this building are 2 separate lot and then we will be creating those easements at the same time. The lines were put in as mains. It turns out we're not (inaudible).

Mr. Frankino said we just want to make sure that it first wasn't 6 inch and that second if it was 8 if was public.

Mr. Perry said it was 8 and it was meant to be public, yes. It was set up on the EPA permits and everything initially to be public.

Mr. Sieben said I think we had a tentative date we were shooting for. Is that November 6th?

Mr. Sodaro said November 6th.

Mr. Sieben said so November 6th Planning Commission, not a public hearing, just general discussion item. Then the following Wednesday, which would be the 13th would be hopefully your final vote at BZE Committee, which is the old P&D Committee. Then there is a 5 day appeal period, so it would be the following Tuesday that the full permit could be issued. But if you want to go for grading and stuff before that, that would be fine.

Mr. Beneke said Fire did have a few comments out there, so we'll need a resubmittal. There were a couple of hydrants you were using that's on the other property. You've got to have the hydrants on the property on a fire access easement. You need to look at that. Also, the fire apparatus lane, there needs to be one fire apparatus lane along the entire side of the building, which has got to be at least 15 away and no more than 30 feet away.

Mr. Phipps said I think you've got that on all sides of the building.

Mr. Beneke said they are over 30 feet on those areas and then the sides are less than 15. They've got to be at least 15 feet away and nor more than 30 feet.

Mr. Perry said well 30 feet away encompassing the whole lane?

Mr. Beneke said no, to the edge of the fire lane.

Mr. Perry said to the front edge of the building?

Mr. Beneke said yes. To the face of curb by the fire lane to the building. So like on this side, I think you have maybe 13½ feet or something. If you make that 15 you'd have it covered.

Mr. Perry said well what about the north side?

Mr. Beneke said the north side is over 30 feet away.

Mr. Perry said the stalls are 20 feet and you've got...

Mr. Beneke said you've got to be outside the stalls. You've got to be at the drive lane.

Mr. Perry said right, so 20 feet plus, I guess if that's 10 feet...

Mr. Beneke said you can only be 10 more feet, right. Look at it and you'll see where we are talking about. If you have any questions, feel free to contact us on it. Also, the fire lane designation should be face to face for 26 foot wide lanes. I think it is just a matter of labeling them and making sure that we have what we need. We also noticed that you did a combined, or you need to combine your water and fire service together. The State plumbing code changed to require combined services. On the other side, if you are interested in grading and you want to get in for a foundation only permit, that is also okay.

Mr. Perry said can we talk about the hydrants for a second? On this plan that you can see in front of you, there is a hydrant like on the east of the eastern property line. It is in an easement. It is in the center just in the building next to us that Liberty also owns, but it is in a public easement and so we are counting that as one of our hydrants.

Mr. Beneke said that's too far from the lane. It's got to be no more than 5 feet from the fire lane, so that one would not count unless you move it closer to the fire lane. I think there was something further down, if I recall right, that might be able to be used.

Mr. Perry said there is, but we do need that eastern one in order to count because you need 2 hydrants within 400 foot circles of the hydrant.

Mr. Beneke said correct. You've got to encompass all building within a 400 foot radius. I think with losing the one down south, which is on the other property, I think that made a dead space in your building and you may need to add something in there.

Mr. Perry said did that change Herman because this is the approved Fire Plan from when we originally did PPG. This was part of it and I have the original approved Fire Plan at that time.

Mr. Beneke said that hydrant needed to work for PPG, but you can't use a hydrant on somebody else's property because that could end up changing.

Mr. Perry said it is in an easement.

Mr. Beneke said if you have it on a fire easement that will never change, the lane or nothing will ever change, which is complicated to do and buildings and things change, we would accept that.

Mr. Sieben said your question Bill when the original got approved, which was what, 2004, but there has been some changes on their entrance.

Mr. Perry said okay. It was part of that approved plan at that time and we had all the hydrant coverage that was approved at that time.

Mr. Beneke said which covered that building.

Mr. Perry said no, it covered both.

Mr. Sieben said at the time they had approval for 2 buildings.

Mr. Perry said I didn't bring the old F-1 plan, but I brought the old P-4 plan, which showed both buildings and that fire plan did show the hydrants for them and the one hydrant is right here, but I had a fire plan that was part of approved package for this building.

Mr. Beneke said well send it to me and I'll look at it, but that's what we are looking for.

Mr. Sieben said what year was the Bill?

Mr. Perry said 2006.

Mr. Sieben said well you guys can, again, talk off-line afterwards

1 Planning Council 10/22/2019

Notes: Mr. Sodaro said I sent out comments regarding their proposal. I sent out the comments and the redline plan. I'm still waiting for them to get back to me.

Mrs. Vacek said I believe this is tentatively set for the first Planning Commission in November, so hopefully they should have comments back to us by the end of the week.

1 Planning Council 10/29/2019 Forwarded Planning Commission 11/06/2019 Pass

Action Text: A motion was made by Mr. Sodaro, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 11/6/2019. The motion carried by voice vote.

Notes: Mr. Sodaro said Planning just received a resubmittal and we are going over the landscape revisions now. We are ready to vote it out to next week's Planning Commission.

Mr. Phipps said the only comment from Engineering is there are a few details to work out with Final Engineering, so we'd like to attach a condition that it be approved subject to satisfactorily addressing the Final Engineering comments.

Mr. Sodaro said I make a motion to move this forward to the November 6th Planning Commission with the condition that they address the Final Engineering comments along with potential landscape as well. Mrs. Vacek seconded the motion. The motion carried unanimously.

2 Planning Commission 11/06/2019 Forwarded Building, Zoning, and Economic Development Committee 11/13/2019 Pass

Action Text: A motion was made by Mr. Chambers, seconded by Mrs. Anderson, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 11/13/2019. The motion carried.

Notes: See Attachment for Items 19-0901 and 19-0902.

Aye: 10 At Large Cameron, Aurora Twnshp Representative Reynolds, At Large Anderson, SD 204 Representative Duncan, Fox Valley Park District Representative Chambers, At Large Owusu-Safo, SD 129 Representative Head, SD 131 Representative Hull, At Large Tidwell and At Large Gonzales

Attachment for Items 19-0901 and 19-0902:

19-0901 A Building, Zoning and Economic Development Committee Resolution approving a Revision to the Final Plat for West Ridge Corporate Center Phase III 1st Resubdivision generally located at the southeast corner of Bilter Road and Mitchell Road (Liberty Property Trust – 19-0901 / AU02/1-19.118-Fsd/Fpn/R – JS – Ward 1)

Mr. Sieben said I just want to introduce a new Planner on our staff, Jacob Sodaro. He goes by Jake. He is going to present this first item on Liberty Property Trust on Bilter Road. Jake started with the City of Aurora back in July. He is a May graduate of the University of Illinois. He is an Oak Lawn resident, a fellow south-sider just like me. We went to the same Community College also. We welcome Jake to our staff and hopefully he is here for a long time. I'll turn it over to Jake.

Mr. Sodaro said first of all it is nice to meet all of you and I look forward to working with you all in the future. The petitioner is currently requesting approval of a revision to the Final Plat for the property generally located at the southeast corner of Mitchell Road and Bilter Road. This encompasses 701 and 801 Bilter Road. The property was informally subdivided with the County in 2004 and as such, is being officially recorded with this proposal. Lot 1A, the north lot, is roughly 10.375 acres with Lot 1B being the south lot being 9.69 acres with the entire subdivision being roughly 20.326 acres. Cross access easements are already pre-existing for the properties located 701 and 801 Bilter, but are also being formalized with this proposal. Concurrently this this, the Petitioner is requesting approval of a revision to the Final Plan for the property located at 701 Bilter Road to construct a 161,986 square foot warehouse building. A Final Plan was submitted for the property in 2006 along with a plan for the property at 801 Bilter Road. This property is slightly smaller than it was proposed in order to accommodate for more trailer parking stalls. The plan currently proposes 167 parking spaces to be built with 13 to be built to accommodate future uses resulting in roughly 7% of the parking being banked.

Ms. Tidwell said there is a note about the approval being contingent upon Engineering approval. Can you speak to those please?

Mr. Sodaro said all Engineering regarding that was they have already given approval for the earthwork and mass grading to begin on the site. They just have a few more details that need to be addressed before they would give final engineering approval. It wasn't anything major.

Ms. Tidwell so relatively minor?

Mr. Sodaro said yes relatively minor details that they just wanted to address.

I'm Andy Perille of Liberty Property Trust. I'm joined by Bill Perry with Watermark Engineering, our Civil Engineer. The building is the last building in our park at Bilter Road. Originally it was designed to be one building. In 2006 we did a build to suit at 801 Bilter, which is PPG, which caused the subdivision on the land. This is the remaining piece and we feel that the market is right for the final building in the park.

Mr. Sodaro said staff would recommend conditional approval of the Building, Zoning and Economic Development Committee Resolution approving a Revision to the Final Plat for West Ridge Corporate

Center Phase III 1st Resubdivision generally located at the southeast corner of Bilter Road and Mitchell Road with the following condition:

1. That all of the review comments per the Engineering Department be addressed prior to approval of the Final Engineering Plans.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mrs. Anderson

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

NAYS: None

Mr. Sodaro said this will next be heard at the Building, Zoning and Economic Development Committee on Wednesday, November 13, 2019, at 4:00 p.m. on the fifth floor of this building.

19-0902 A Building, Zoning and Economic Development Committee Resolution approving a Revision to the Final Plan on Lot 1A of West Ridge Cop=prorate Center Phase III 1st Resubdivision located at 701 Bilter Road for a Warehouse, Distribution and Storage Services (3300) Use (Liberty Property Trust – 19-0902 / AU02/1-19.Fsd/Fpn/R – JS – Ward 1)

Mr. Sodaro said staff would recommend conditional approval of the Resolution approving a Final Plan Revision for Lot 1A, Phase III of West Ridge Corporate Center Resubdivision located at 701 Bilter for a Warehouse Distribution and Storage Services Use with the following condition:

1. That all the review comments per the Engineering Department be addressed prior to the approval of the final engineering plans.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Ms. Tidwell

MOTION SECONDED BY: Mr. Chambers

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

NAYS: None

Mr. Sodaro said this will next be heard at the Building, Zoning and Economic Development Committee on Wednesday, November 13, 2019, at 4:00 p.m. on the fifth floor of this building.