
From: Vince Rosanova <vince@rw-attorneys.com>
Sent: Wednesday, September 20, 2017 3:32 PM
To: Phifer, Stephane
Cc: Curley, John; Wiet, William; Sieben, Ed; Vacek, Tracey
Subject: RE: Eola Venture I (2016.162)

Hello Stephane,

Yes, I was just able to print out the documents about an hour ago. Yes, please provide my email to the PC members. Also, we would like to request this is continued for 30 days so that we can review the development plans and hopefully meet with the developers. I do not see what the downside of allowing us 30 days to review the plans prior to them going before the PC would be.

Vince Rosanova
Rosanova & Whitaker LTD
30 W. Jefferson Ave, #200
Naperville, Illinois 60540
630-880-8820 (C)
630-355-4600 (O)
630-352-3610 (F)

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From: Phifer, Stephane [mailto:SPhifer@aurora-il.org]
Sent: Wednesday, September 20, 2017 2:41 PM
To: 'Vince Rosanova' <vince@rw-attorneys.com>
Cc: Curley, John <JCurley@aurora-il.org>; Wiet, William <BWiet@aurora-il.org>; Sieben, Ed <ESieben@aurora-il.org>; Vacek, Tracey <TVacek@aurora-il.org>
Subject: RE: Eola Venture I (2016.162)

Hi Vince,

Sue Jackson from our office left you a voicemail message on how to access the casefile documents for the public hearing tonight. I wanted to follow up and provide you with a link to the agenda and if you click on the blue item numbers you will find the staff memo and all attachments. Here is a link to the agenda:

<https://www.aurora-il.org/AgendaCenter/ViewFile/Agenda/09202017-1176>

I have passed your concerns on to the attorney and have requested that they address them at the meeting tonight. If you like I can also provide a copy to the Planning Commission so that they can have it in front of them, just let me know.

--Please Let Me Know If You Have Any Questions

Stephane A. Phifer AICP, Director
City of Aurora Planning and Zoning Division
1 South Broadway, 2nd Floor
Aurora, Illinois 60507
p (630) 256-3080
f (630) 256-3089
SPhifer@aurora-il.org
www.aurora-il.org

From: Sieben, Ed
Sent: Wednesday, September 20, 2017 10:12 AM
To: 'Vince Rosanova' <vince@rw-attorneys.com>; Phifer, Stephane <SPhifer@aurora-il.org>; Vacek, Tracey <TVacek@aurora-il.org>
Cc: Curley, John <JCurley@aurora-il.org>; Wiet, William <BWiet@aurora-il.org>
Subject: RE: Eola Venture I

Hi Vince, this is Stephane's case and she can additionally respond, but she's tied up in meetings currently.

As you know this is the former equine property in the middle between Air Products and your client. A concept plan was approved as part of the entitlement process in 2010. This is a revised preliminary plan with additional SU for tower.

Notices did go out certified at least 15 days prior to the public hearing. This preliminary was designed, and access shown, in keeping with the previously approved concept plan from 2010. Access lines up with the proposed spine road on your property, and the previously approved shared access to Eola Road shared with the Air Products property. They will need approval from DuDOT. No work will take place on your client's property. We asked them to conceptually show that their layout will blend with your property and be in keeping with the approved concept from 2010. Access will only be from Eola currently.

Detention will only be constructed on this property for their use. Nothing off-site.

Water and sewer and necessary easements will come from the south.

No residential proposed. This will include Scientel's new headquarters, tower, detention, parking, and a front commercial outlot to be developed later.

Ed

From: Vince Rosanova [<mailto:vince@rw-attorneys.com>]

Sent: Wednesday, September 20, 2017 9:52 AM

To: Phifer, Stephane <SPhifer@aurora-il.org>; Sieben, Ed <ESieben@aurora-il.org>; Vacek, Tracey <TVacek@aurora-il.org>

Subject: FW: Eola Venture I

Mr. Sieben

Ms. Phifer

Ms. Vacek

Prior to the plan commission meeting this evening, I am hoping discuss Eola Ventures I's proposal. My client, Yorkville Partners II owns the 6 acre property immediately to the north. We have just become aware of this proposal in the last week and we need to fully understand what is being proposed here. I was able to pull some information from the City's online system, but I am going to need all the supporting plans and documents submitted by the petitioner which I am hoping you can provide to me. Frankly, I am surprised that this proposal made it this far without hearing from the petitioner. Based on my preliminary review and a discussion with my clients, we have the below concerns that I would like to discuss with the petitioner before this proceeds any further. Up until last week we had not been approached to discuss this or offered the opportunity to discuss the plans which is really unusual these days. When I called Richard Williams yesterday, he did not seem interested in discussing this proposal with us unless there were "engineering issues". I do not have all the plans yet, but what I have been able to find online tells me there are definitely areas of concern as well as engineering issues.

Eola Access Point - they are showing access along their southern property line. D-DOT did not approve of this access point. Last we spoke to D-DOT they wanted the access to be shared and placed on our common property line. Has the petitioner met with D-DOT and obtained approval?

Stub Street To YP II's Property: the petitioner is showing a stub street to my client's property. The plan also included a connection to Diehl that says "this road shall be extended to Diehl Road" and "by others" First, my client does not agree to the location of this stub street. If the petitioner wants to develop on its own, we understand that. However, they cannot dictate where a road will be on my client's property. We have multiple interested parties and require the flexibility to develop the property as works best for my client. Also, D-DOT and Naperville Township have not approved the Diehl Road access yet and this will also require easements from ComEd which has not been granted.

Detention: The petitioner is showing detention on my client's property. We do not have any approved plats of subdivision, so I am perplexed by this. I suspect they are working off one of

the old concept plans. We need the flexibility to locate our detention where we see fit in the future.

Tower: It is my understanding that they want to locate a 195' tower on a property that is only 178' deep and place it on the corner adjacent to my client's property. We have not been provided with any information on the structure, the fall radius, the lighted beacon that will undoubtedly effect my clients property, FAA or all other approvals that are necessary for such a structure. This is a huge structure. It also appears as if they are requesting three variances from the newly approved Telecommunications Ordinance including reducing the required setback from my client's property. We were not notified of this, nor do we understand why it is necessary.

Water & Sewer: Have they obtained easements for water and sewer so they can actually build the proposed buildings? Are they running the water and sewer to their far property line and stubbing it into their south north property as required by the City's Subdivision Control Ordinance? Without the water and sewer all they can build is the 195' tower.

Development Data Table: this shows 80% 3 bedroom and 20% 4 bedroom. Is there a residential component? Looks like a typo.

Annexation & Plan Descriptions: there are annexation and plan descriptions in place for all three properties and I have not been provided with all the submittal materials to make sure they are in compliance.

Notice: I still can't believe the first we heard of this proposal was 8 days before the Plan Commission meeting. Also, I am having a hard time following the notice and don't see where it lists the exceptions for the telecommunications ordinance.

I am sure that once I am provided with the submittal documents there will be more questions. As Mr. Williams did not sound inclined to meet to make sure all property owners interests are taken into account, I will be at the meeting tonight.

Vince Rosanova
Rosanova & Whitaker LTD
30 W. Jefferson Ave, #200
Naperville, Illinois 60540
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