



City of Aurora

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Legistar History Report

File Number: 16-00874

File ID: 16-00874

Type: Petition

Status: Draft

Version: 1

**General
Ledger #:**

In Control: Planning
Commission

File Created: 09/08/2016

File Name: O'Reilly Automotive / 1435 E New York / Vacation

Final Action:

Title: Requesting the Vacation of a public utility easement for the property at 1435 E. New York Street generally located on the south side of New York Street east of Farnsworth Avenue (O'Reilly Automotive Stores, Inc. - 16-00874 / AU24/3-12.402-Rz/Su/Fsd/Fpn - SB- Ward 7)

Notes:

Agenda Date: 12/07/2016

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Property Research Sheet - 2015-06-16 - 2012-402.pdf, Land Use Petition and Supporting Documents - 2016-09-08 - 2012.402.pdf, Plat of Survey - 2016-09-08 - 2021.402.PDF, Plat of Vacation - 2016-10-28 - 2012.402.PDF

Enactment Number:

Planning Case #: AU24/3-12.402-Rz/Su/Fsd/Fpn

Hearing Date:

Drafter: sbroadwell@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	09/13/2016	referred to	DST Staff Council (Planning Council)			
	Action Text: This Petition was referred to to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	09/20/2016					
	Notes: Mr. Sieben said do you want to touch on the proposed development? Also, as part of that, could you tell use the status of the demolition of the current building? This came up yesterday at a meeting with city staff, so if you could go over that too, that would be great.						
	Representatives Present: Thom Lundberg, Bobby Deitz, Bernard Bauer						
	Mr. Lundberg said basically again, it is a retail of auto parts. O'Reilly is purely retail. It is a new development that is basically splitting, and Bernie can talk about the platting a little more, but it deals with a platting issue, splitting the lot into 2 portions, if you will. One is for the actual development and						

one is really used for detention. It's got a large detention basin on a little less than half the lot as you can see on the plans. Again, adding the new building, new parking lot, demoing the buildings. I don't have detail information yet. O'Reilly is handling the demo of the buildings themselves.

Mr. Sieben said Herman, do you know the status of that? We talked about it yesterday.

Mr. Beneke said I don't. But I believe that it is still being held up by, my understanding was that you bid it and didn't accept the prices and are rebidding it. I think that Engineering is still waiting for a contract.

Mr. Feltman said yes. I believe that was the case.

Mr. Sieben said I know it is in the pipeline. We'd just like to see it, obviously, down ASAP. It is a Property Standards issue.

Mr. Deitz said I believe the traffic control plan...

Mr. Lundberg said but that was primarily for the curb cut and the tap to the water main for the domestic.

Mr. Beneke said that sounds familiar that they were looking for some things there too. Just work directly with Dan Goewey in Engineering.

Mr. Lundberg said I'll make sure I send out O'Reilly's wanting to demo. It is just a matter of getting the contractor scheduled and all that.

Mr. Sieben said do you want to add any more on the new construction then?

Mr. Deitz said the entrance is close to the existing, but we are changing location. We're lining up with that one across the street. We just have the one entrance. We have parking on 2 sides of the building. We have customer egress at the front of the building and then we've got employee egress on the west side along with a dealer door for deliveries. All the deliveries are usually made after hours. In regard to that detention basin, to our knowledge, it adheres to all the stormwater ordinance for the city and that area to the north is a flat area. I'm not sure what that will ever be used for. Probably nothing. Because of the setbacks and what not, I don't think there could ever be anything developed on that.

Mr. Sieben said do you want to talk about the building elevations a little bit?

Mr. Lundberg said it is a painted split faced block. You can see it has a band of darker at the bottom with lighter on top. There is kind of what they call a portal around the entry that defines the entry area. That's kind of one of the things they like to throughout the country, try to keep that unified look, just a little bit of a trademark, if you will, showing that that's the entry. For the most part, it is a pretty clean and straightforward building design.

Mr. Wiet said is that your kind of a prototype, the split faced?

Mr. Lundberg said pretty much. If they could do anything they want, they would put a metal building on it. So this is the next step up from what they would typically do.

Mr. Sieben said Dan, do you want to touch on engineering then?

Mr. Feltman said obviously we want to verify that the access drive is lining up with the other one. I don't know if this came up in our DST meetings. It has been a little while since we first initially met, but the detention basin is basically a berm and typically when we have basins like that we want to have a geotechnical design and then also have certification with you that it was built to that design because it is a berm. The rest of it is pretty straightforward. Utilities are all available.

Mr. Sieben said you guys are showing, I think, the proposed right-of-way dedication that we had talked about due to future improvements to New York Street here. This will be the next phase. We are rezoning to B-2(S), so that will allow for some variations of the setback after the right-of-way dedication. Then you guys are vacating a public utility easement that goes through the property.

Mr. Sieben said does Fox Metro have any comments at this time?

Mr. Frankino said we were wondering what that existing building was and whether or not it was on sewer. That service would have to be dealt with.

Mr. Deitz said I believe that is on sewer.

Mr. Sieben said that was originally a restaurant years ago.

Mr. Frankino said we would just want to deal with the abandonment of that sewer. We'll deal with that on the review.

Mr. Feltman said I guess with that said, were you going to reuse any of the services?

Mr. Deitz said it will be new taps into the existing. Basically we typically won't use existing lines. We'll make a new tap out to the main.

Mr. Feltman said so do you want to abandon those services as part of the demo permit, or do you want to abandon the services as part of this construction.

Mr. Lundberg said probably really as part of the construction.

Mr. Feltman said because typically we want it as the demo, and the reason being is we want to make sure that those are removed. That would be our preference knowing that you are not reusing any of them just so we know that they are getting done as part of the demo just in case there is lag. People forget that it is in there.

Mr. Lundberg said that shouldn't be a problem.

Mr. Feltman said so we'll deal with that as part of the demo. They are in for building permit right now.

Mr. Frankino said if that's the case, that's a different permit, a no charge permit, but it would be specified, the demo side would specified strictly on there and we would have to know what contractor was doing it.

Mr. Deitz said is that typically shown on a plan? The abandonment of those?

Mr. Frankino said through the demo or on the construction side. It is fine with use. It just depends on what way you want to go with.

Mr Deitz said we have a site utilities plan that talks about all that, so it will be shown on that sheet.

Mr. Feltman said but like I said, you have a permit in place right now to do the demo and then, like I said, typically we want that disconnection done as part of that. I think that was the direction that Dan was giving to your contractor.

Mr. Lundberg said do we show that on the demo plan? Is there a demo plan and we have to show those services on the plan, or just a note that all existing services are to be abandoned.

Mr. Feltman said you mean on your engineering plans for the site?

Ms. Phifer said for the demo.

Mr. Feltman said for the demo, whatever documentation we already have.

Mr. Frankino said there is a detail we would want to see. I can get that to you.

Mr. Feltman said I think we have a detail as well, a disconnection detail that we have.

Ms. Phifer said so what is the timing on the project with regard to the new construction?

Mr. Lundberg said we just have to go through the building permit process and once they get approved then O'Reilly will schedule a contractor to go from there. Coming up with the weather here in the near future, it is going to be a little cooler, so they may have to hold off a little while, but it just kind of depends on how fast we can get through the permitting process.

Mr. Beneke said you can apply for the building permits at any time so we can work through the process concurrently. If you are ready, just submit them and we can start reviewing them.

Mr. Cross said we had a number of comments on the fire side in regard to the fire hydrant location to make sure they were located within 5 feet of the fire lane. There is a supply hydrant that is on the northeast corner of the building and where it is at will not satisfy that condition, so that needs to be relocated. Then direct access with approved walkway from the apparatus access road to the sprinkler room.

Mr. Deitz said we are showing a door that goes into that fire riser right there in the northeast corner. What was the 5 foot?

Mr. Cross said so the fire hydrant needs to be within 5 feet of the fire lane. I think you have a proposed location for a hydrant there on that side.

Mr. Deitz said we moved that fire hydrant a couple of times.

Mr. Cross said where it was located on the submittal didn't satisfy those terms of conditions, as well as that fire hydrant making sure that it is between 50 and 100 feet from the building as well, or from the FDC.

Mr. Deitz said I was thinking we had it this last time. We got the fire lane when you first pull into the site. We got the FDC on the building.

Mr. Beneke said I think you had a hydrant between the sidewalk and the parking spaces and it's got to be within 5 feet of the actual fire lane. You can't be on the wrong side of the sidewalk and if you move it up to the road I think it is going to be over 100 feet from the fire department connection.

Mr. Deitz said it might make us have to put in that island right there where our sign is or something.

Mr. Beneke said the lane itself that it's on has to be 26 feet wide. It has to be a 26 by 40 staging area, so if you move it over to that entry I think that probably works for us. It's just got to be facing that entry though. You just have to make sure it is within that 50 to 100 feet or move the FDC over closer to the hydrant if that's where you are going to put it.

Ms. Phifer said Steve has started his review so hopefully we'll get those comments out to you yet this week. We didn't see anything substantial. The main comments are probably going to be on the landscape plan, but other than that I think we are in pretty good shape.

Mr. Deitz said in regard to engineering, is the design of the berm, is that mostly what you saw on the comments from engineering?

Mr. Feltman said I mean yes. We have to look at the detailed grading plan. We should have comments out probably in about a week or two.

Mr. Bauer said the one thing I'd like to mention on landscaping is that I know we have spoken to you in the past about we're showing a reduced amount of landscaping from the ordinance and mostly because of the large area of the overall lot and, of course, a lot of landscaping will be due to that detention basin, so if you'd consider that when you are looking at the fact that if we were to put in some of the plantings on the street, we kind of double up with what's already around the detention basin so it would basically be screening trees of a screened in basin. So if you can consider that when you are reviewing it, that's one of the things that we proposed. We realize we are proposing less, but just because it is a large lot that becomes a huge amount of plantings. We are trying to meet the intent, but because of the situation we're trying to see if we can get some reduced landscaping.

Mr. Sieben said are you reducing it on both lots?

Mr. Bauer said a little bit on both. Primarily on the detention. That's the bulk of it.

Mr. Sieben said do you have existing material you've identified on that too?

Mr. Bauer said yes. It is shown, you can see it as a dashed line, on the south side. There is one tree and then there is a whole forested area, if you will, on the south. It is just a massive forest of trees on that south side that already screens the whole south.

Mr. Sieben said we'll take a look at it.

1 DST Staff Council 09/27/2016
(Planning Council)

Notes: *Mr. Broadwell said I'm working on tightening up the landscape review.*

Mr. Wiet said what's actually coming down for that?

Mr. Sieben said the building that's there, the old restaurant. That's where the detention is going to be. And they have applied for the demo permit. I don't think it's an issue.

Mr. Beneke said no I don't think so either. I think they were still waiting on rebidding it. The Fire Marshall has sent his comments out on this.

Mr. Feltman said we were going to have them pull all the services out as part of the demo permit just in case O'Reilly's doesn't go in a timely manner.

1 DST Staff Council 10/04/2016
(Planning Council)

Notes: *Ms. Phifer said we are almost finished with comments. We are hopefully going to get them out in the next day or so.*

Mr. Cross said we've got our comments out. We are still waiting for a fire access plan addressing the issues that we have.

1 DST Staff Council 10/11/2016
(Planning Council)

Notes: *Mr. Broadwell said I'm still tightening up the landscape review. It should be sent out soon.*

Mr. Feltman said Engineering is in review.

Mr. Cross said we are still just waiting for the plan to come back addressing the issues that we had.

1 DST Staff Council 10/18/2016
(Planning Council)

Notes: *Mr. Broadwell said we sent out comments last week. Still haven't heard anything back. It should be soon.*

Mr. Sieben said I'm going to contact them. We need to get the existing building demoed as soon as possible. Javon, Herman and I were in a meeting yesterday, so this is a potential issue. Last year we

had homeless in there starting fires in the building. I'll follow up with them related to this.

Mr. Feltman said they have a building permit that they have applied for. There is nothing stopping them.

Mr. Sieben said we just need them to get moving.

- 1 DST Staff Council 10/25/2016
(Planning Council)

Notes: *Mr. Broadwell said we were hoping to get the documents from the Petitioner last Thursday and they are still working on it. They told me this Thursday, so we moved the Commission date back tentatively to December 7th.*

Mr. Feltman said Engineering is still in review.

Mr. Frankino said we've got many items pending and have been for a while, so no movement on this one in quite a while.

Mr. Beneke said we also are waiting for revisions.

- 1 DST Staff Council 11/01/2016
(Planning Council)

Notes: *Mr. Broadwell said we sent them comments previously. On Friday we received their resubmittals. Mostly what we had sent to them was Final Plan and Landscaping. They addressed most of the Final Plan. There is some landscaping stuff to go back through.*

Mr. Sieben said so they are getting closer though?

Mr. Broadwell said they are getting closer. We had set the date for December 7th, I think, for Planning Commission.

Mr. Feltman said Engineering sent out comments. We had quite a few comments. We haven't received a resubmittal back.

Mr. Frankino said the District hasn't received a submittal back either on comment we've made.

Mr. Cross said the same with Fire.

- 1 DST Staff Council 11/08/2016
(Planning Council)

Notes: *Mr. Broadwell said we are finishing up the review comments for the second submittal.*

Mr. Feltman said we sent a first round of comments and we are waiting for a resubmittal.

Mr. Cross said I sent out comments as well. I had a conversation with a few of the members of their team because there was some lack of understanding, I think, of some of the comments, so I kind of walked them through each one of them, so I'm expecting some good things. It is being demolished as we speak. I sent out an email to members of team letting them know that.

Mr. Frankino said we are still out with review too. We're waiting for comments to come back.

- 1 DST Staff Council 11/15/2016
(Planning Council)

Notes: *Mr. Broadwell said we put some conditions on it and sent out the mailing notices.*

Mrs. Vacek said this is going to the December 7th Planning Commission meeting.

Mr. Cross said we still haven't gotten a revision yet from them.

Mr. Feltman said Engineering sent out comments. We haven't received revisions either.

Mr. Frankino said the same with us. We've sent out comments and haven't gotten a response.

Mr. Sieben said hopefully we'll get those before the 7th; otherwise, we'll have to have conditions on it.

- 1 DST Staff Council 11/22/2016
(Planning Council)

Notes: *Mr. Broadwell said we are voting this out with conditions next week.*

Mr. Feltman said we have not received a resubmittal yet.

Mr. Cross said we have not either. I talked to the Project Manager, Bob Deitz, I think is his name. He said he was wanting to put everything in all at the same time. He didn't want to piecemeal it in. He wanted to address everything and then send one set of plans in to take care of everything.

Mr. Sieben said so this will go to the December 7th Planning Commission, so whatever we don't have in we'll have to condition.

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|---|---|------------|-----------|------------------------|------------|------|
| 1 | DST Staff Council
(Planning Council) | 11/29/2016 | Forwarded | Planning
Commission | 12/07/2016 | Pass |
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Action Text: A motion was made by Mr. Broadwell, seconded by Mrs. Morgan, that this agenda item be Forwarded to the Planning Commission, on the agenda for 12/7/2016. The motion carried by voice vote.

Notes: *Mr. Broadwell said this is going to the Planning Commission on December 7th. I make a motion to move this forward.*

Mrs. Vacek said will there be conditions placed on it?

Mr. Broadwell said yes.

Mr. Beneke said we are waiting for a resubmittal. We've got several thing we need.

Mrs. Vacek said so you need a condition placed on it for Fire comments?

Mr. Beneke said yes, but we have to send them to you.

Mr. Feltman said we sent out comments, but have not received a resubmittal.

Mrs. Vacek said we'll have some landscaping conditions and revisions to the Final Plan.

Mrs. Morgan seconded the motion. The motion carried unanimously.
