



Legislation Details (With Text)

**File #:** 24-0386      **Version:** 2      **Name:** C1 Chicago Aurora III LLC / 2725 Bilter Road / Preliminary Plan and Preliminary Plat

**Type:** Resolution      **Status:** Passed

**File created:** 5/16/2024      **In control:** City Council

**On agenda:** 6/11/2024      **Final action:** 6/11/2024

**Title:** A Resolution Approving a Preliminary Plan and Plat for Butterfield Phase II Unit 5B, on vacant land located at 2725 Bilter Road being south of Bilter Road, west of Eola Road, and north of Interstate 88

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit "A-1" Preliminary Plan - 2024-05-02 - 2024.158, 2. Exhibit "A-2" Preliminary Plat - 2024-03-21 - 2024.158, 3. Land Use Petition and Supporting Documents - 2024-03-21 - 2024.158, 4. Qualifying Statement 5-2 - 2024-05-02 - 2024.158, 5. Preliminary Landscape Plan - 2024-05-02 - 2024.158, 6. Preliminary Building Elevations - 2024-05-02 - 2024.158, 7. Location map - 2024-05-17 - 2024.158, 8. Legistar History Report - Preliminary Plan and Plat - 2024-05-24 - 2024.158

Date	Ver.	Action By	Action	Result
6/11/2024	2	City Council	approved on the Consent Agenda	
6/4/2024	2	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
5/29/2024	2	Building, Zoning, and Economic Development Committee	recommended for approval	Pass
5/22/2024	1	Planning and Zoning Commission	Forwarded	Pass

**TO:** Mayor Richard C. Irvin

**FROM:** Planning and Zoning Commission

**DATE:** May 23, 2024

**SUBJECT:**

A Resolution Approving a Preliminary Plan and Plat for Butterfield Phase II Unit 5B, on vacant land located at 2725 Bilter Road being south of Bilter Road, west of Eola Road, and north of Interstate 88 (C1 Chicago Aurora III LLC - 24-0386 / NA06/4-24.158 - CUPD/Ppn/Psd - JM - Ward 10)

**PURPOSE:**

The Petitioner C1 Chicago Aurora III LLC is requesting approval of a Preliminary Plan and Plat for Butterfield Phase II Subdivision, Unit 5B located at 2725 Bilter Road being south of Bilter Road, west of Eola Road, and north of Interstate 88 for a Warehouse, Distribution and storage services (3300) in the form of a data center and a Telecommunications Facility (4211) use to allow for the development of a data center campus with two towers and associated communication facilities.

**BACKGROUND:**

The Subject Property is currently vacant with PDD Planned Development District zoning, which is part of the Butterfield Planned Development District.

The Petitioner is requesting approval of a Preliminary Plan and Plat for Butterfield Phase II Subdivision, Unit 5B for a Warehouse, Distribution and Storage Services (3300) use in the form of a data center campus on approximately 32 acres. Improvements to the Data Center Campus will be constructed in three phases. The first phase will include the construction of a 411,000 square foot building, two generator yards (one facing Bilter Road and one facing the Interstate), and two towers with associated communication support facilities. The second phase is for the completion of a utility substation to support the electrical requirements of the data centers. The third phase is a future approximately 153,000 square foot building constructed adjacent to the first building with generator yard facing the western property line.

There are two means of ingress and egress for the Data Center Campus off Bilter Road. The western most entrance will serve as the primary means of ingress/egress and will be a full access. A secondary access point is being proposed towards the eastern edge of the property, which will be limited to a right-in and right-out. This access will be limited to serve as ingress/egress for the public utility substation and egress for any traffic that is not granted access to the secure portion of the data center. This proposed access point is contingent upon approval by the Tollway Authority due to the close proximity of the interstate ramps.

The data center complex will be screened from the surrounding properties in a variety of manners. A 3-foot berm is proposed along a portion of Bilter Road where feasible. The northeast corner of the property and much of the southern and eastern property lines feature detention facilities. The complex will be secured by an 8-foot decorative security fence. In addition, the generator yards will be screened by a 20 -foot wall. The walls will be designed to achieve the noise mitigation rating required of a noise modeling study. The substation will be screened by a 12 -foot decorative wall as coordinated with ComEd. The rooftop will include equipment screening, but additional noise mitigation measures will be provided if required to comply with the noise modeling study.

While not being approved until Final Plan and Plat, a draft Landscape Plan and Elevations are provided. Views of the buildings and substation are heavily buffered by berms and trees. Elevations are still being coordinated with staff but will incorporate architectural treatments atypical of traditional warehouse or industrial buildings.

The Preliminary Plat shows the subdivision of the property into one lot for the data center and two lots for the associated detention. In addition, per the requirement of ComEd, the Plat shows one lot for the substation and one lot for the detention associated with the substation.

Concurrently with this proposal, the Petitioner is requesting approval of an amendment to the Plan Description to allow a 3300 Warehouse, Distribution and Storage Services Use in the form of a data center only. All other 3300 Warehouse, Distribution and Storage Services would be prohibited on the parcel. In addition, other minor variations from the Plan Description are being approved, including allowing all uses within the building to be calculated under the general parking requirement for an Electronic Data Storage use, to permit a twelve-foot screen wall within the district setback, and to allow lots to not have direct access to a street if an access easement is provided.

In addition, the Petitioner is requesting approval of a Conditional Use for a Telecommunications Facility (4211) use and the establishment of modified standards. The details of the request include allowing two telecommunications facilities, specifically 350-foot, non-guyed tower structures with associated antennas and communication support facilities. The first tower is proposed to be located

199 feet from the northern property line and 140 feet from the eastern property line. The second tower will be located at the southeast corner of the property about 185 feet from the closest property line.

The petitioner is seeking a Conditional Use to construct a tower within the I-88 Technology Corridor and to waive or reduce the burden on the application pursuant to Chapter 19 Article III, including the following:

- a. Height of the proposed communications facility is above what is allowed as an Administrative Review (Sec. 19-70): The Conditional Use process allows for the Petitioner to seek a tower which is greater than the 200-foot Administrative Review allotment. The towers being requested are 350 feet.
- b. Facility Setback requirement from any adjoining lot line (Sec. 19-68 (o)): The Conditional Use process allows for the Petitioner to seek a Facility Setback which is less than 75% of the height of the facility or 263 feet. The request is for a Facility Setback of 135 feet.
- c. Separation of the communications facility from other communication facilities (Sec. 19-68 (p)(2)): The Conditional Use process allows for the Petitioner to seek a Category D tower (being more than 200 feet in height) that is less than 2,000 feet from a Category A tower (being more than 50 feet and less than 100 feet in height) and less than 3,000 feet from another Category D tower. The request is for a separation requirement between the proposed new Category D towers and existing towers to be 1,600 feet for a Category A tower and 1,550 feet for a Category D tower. In addition, the proposal requests to waive the separation requirement with respect to towers on the Subject Property to allow two towers on the property with an approximate 600-foot separation.
- d. The communications support facilities used in association with such antennas (Sec. 19-72 (c)): The Conditional Use process allows for the Petitioner to seek a communication support facility that is in the front and exterior rear yards that are greater than ten (10) feet in height or 240 square feet in gross floor area. The request is for support facilities that have a maximum building height of 20 feet and a maximum floor area of 1,500 square feet.

#### **DISCUSSION:**

Staff has reviewed the Planned Development District Ordinance petition and have sent comments back to the petitioner on those submittals. The petitioner has made the requested revisions to these documents and they now meet the applicable codes and ordinances, with the exception of the items reflected in the conditions listed in the Staff Recommendation below.

In 2015, the owners agreed to restrict certain uses seen as more industrial and heavy truck traffic, including Warehouse, Distribution and Storage Services (3300) use. Since then, the business and retail markets have substantially changed, reducing the market demand. Staff felt that the data center would not be a heavy traffic use and would have little truck traffic compared to other warehouse uses. Staff believes that the Plan Description revision to allow a data center would still adhere to the goal of the 2000s revisions to restrict more industrial and heavy truck uses. Staff worked with the developers to provide heavy buffering to the project through berms, screen walls, and heavy landscaping.

The proposed towers are integral to the development of the site as they will provide all the wireless network colocation space required to interconnect to the data center complex for the foreseeable future. The towers will contain a large number of networks and antennas in a limited space to avoid

the proliferation of other smaller towers adjacent to the site. Given the site context along I-88 and the existence of other towers in the area, the proposed towers will not impact public health or general welfare. Per the developer, there are no suitable existing communications facilities, other structures, or alternative technologies which could address the anticipated demand associated with the Data Center Campus. There have been a number of inquiries regarding the installation of new towers in the area; leading staff to believe that, although there are several existing towers in the corridor, there is still a demand for even more connectivity.

**POLICIES AND GUIDELINES:**

The Staff's Evaluation and Recommendation are based on the following Physical Development Policies:

10.0 To provide for the orderly, balanced and efficient growth and redevelopment of the City through the positive integration of land use patterns, functions, and circulation systems. To protect and enhance those assets and values that establishes the desirable quality and general livability of the City. To promote the City's position as a regional center.

11.1 (5) To guide and promote development to areas where public utilities, public roads and municipal services are either available or planned.

12.0 To plan and provide for the growth of the city through the integration of land use patterns and functions that promotes complementary interactions between different land use components.

40.1 (1) To attract and encourage industrial, office and office-research development to planned sites where requisite public facilities are either present or proposed.

40.1 (5) To plan and promote the extension of the office and office-research corridor along the tollway in the City of Aurora.

40.1 (6) To promote attractive, well-maintained industrial and office-research areas through landscaping and site design.

**RECOMMENDATIONS:**

The Planning and Zoning Commission recommended **CONDITIONAL APPROVAL** of A Resolution Approving a Preliminary Plan and Plat for Butterfield Phase II Unit 5B, on vacant land located at 2725 Bilter Road being south of Bilter Road, west of Eola Road, and north of Interstate 88 with the following conditions:

1. That the Final Plan show a 12-foot decorative screen wall with fencing along the top of the wall for security around the substation as coordinated with ComEd.
2. That the Elevations for Final Plan be enhanced with additional architectural features.
3. That the screen wall be as decorative as possible contingent upon coordination with any noise mitigation measures required.
4. That the walls around the generators be designed to achieve the noise mitigation rating required by the noise modeling study that is currently being prepared.
5. That the rooftop include equipment screening with additional noise mitigation measures being provided if required to comply with the noise modeling study.

6. That the easternmost access be contingent upon approval of the Tollway Authority.
7. That a raised median may be required contingent upon approval of the easternmost access point. Raised median would be from intersection with Tollway ramp access to where existing striped median ends, approximately 600 ft west.
8. If Tollway Authority will not allow easternmost access, a turnaround on site will be needed to direct traffic back to full access
9. That the documents be revised to incorporate the Engineering Staff comments prior to petitioning for Final Plan and Plat approval.
10. That the Petitioner continue to work with staff prior to approval on the Final Plan on the location of the temporary power equipment yard.

**ATTACHMENTS:**

**EXHIBITS:**

- Exhibit "A-1" Preliminary Plan
- Exhibit "A-2" Preliminary Plat
- Preliminary Landscape Plan
- Preliminary Elevations
- Land Use Petition with Supporting Documents
- Legistar History Report

Legistar Number: 24-0386

cc:

- Alderwoman Patty Smith, Chairperson
- Alderwoman Shweta Baid, Vice Chairperson
- Alderman Michael B. Saville
- Alderman Bill Donnell
- Alderman Carl Franco



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution Approving a Preliminary Plan and Plat for Butterfield Phase II Unit 5B, on vacant land located at 2725 Bilter Road being south of Bilter Road, west of Eola Road, and north of Interstate 88 WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, by petition dated March 21, 2024, C1 Chicago Aurora III LLC filed with the City of Aurora a petition requesting approval of a Preliminary Plan and Plat for Butterfield Phase II Subdivision, Unit 5B located at 2725 Bilter Road being south of Bilter Road, west of Eola Road, and north of Interstate 88 for a Warehouse, Distribution and storage services (3300) in the form of a data center and a Telecommunications Facility (4211) use and related required documents as attached hereto as Exhibits "A-1" through Exhibit "A-2"; and

WHEREAS, the Planning and Zoning Commission conducted a hearing on May 22, 2024, reviewed the petition and recommended CONDITIONAL APPROVAL of said petition; and

WHEREAS, on May 29, 2024, the Building, Zoning and Economic Development Committee of the Aurora City Council reviewed said Preliminary Plat and Plan and the before mentioned recommendations and recommended CONDITIONAL APPROVAL of said petition; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, finds as facts all of the preamble recitals of this Resolution and hereby grants CONDITIONAL APPROVAL of said Preliminary Plan and Plat with the following conditions:

1. That the Final Plan show a 12-foot decorative screen wall with fencing along the top of the wall for security around the substation as coordinated with ComEd.
2. That the Elevations for Final Plan be enhanced to include spandrel glass or other suitable alternative on the north elevation, that metal paneling being extended approximately 180 feet on the south elevations, and that an additional wall sign be added to the south elevation.
3. That the screen walls around the generator yards incorporate architectural detail, such as a decorative reveal.
4. That the screen walls around the generator yards be designed to ensure that the screened equipment will comply with applicable Illinois Pollution Control Board noise limits.
5. That the rooftop equipment is screened and that the equipment screening incorporate such noise mitigation as may be required to ensure that the screened equipment will comply with applicable Illinois Pollution Control Board noise limits.
6. That the easternmost access is approved by the City subject to concurrence of the Tollway Authority. If the easternmost access is fully approved, the City may require the Developer to construct a raised median from the Tollway ramp west approximately 600 feet.
7. If the eastern access is not fully approved, the final plan shall be updated to include an on-site turnaround such that all traffic utilizes the singular western point of ingress and egress and in which case the City shall approve the singular point of access for the property.
8. That the Final Plan and Plat shall incorporate all outstanding engineering staff comments issued prior to the date of this Resolution.

9. That the Petitioner continues to work with staff for appropriate screening of the temporary power equipment yard and the removal of said equipment upon full operation of the on-site substation

BE IT FURTHER RESOLVED that the City Council of the City of Aurora hereby adopts the Preliminary Plat and Plan and related required documents as attached hereto as Exhibit "A-1" Preliminary Plat and Exhibit "A-2" Preliminary Plan.