



## Legislation Details (With Text)

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**On agenda:** 5/28/2024      **Final action:** 5/28/2024

**Title:** A Resolution accepting the improvements and waiving the maintenance security for Chick-Fil-A Drive Thru Expansion, 4435 Fox Valley Center Dr.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. 2024-05-20 Cover Letter

Date	Ver.	Action By	Action	Result
5/28/2024	1	City Council	approved on the Consent Agenda	

**TO:** Mayor Richard C. Irvin

**FROM:** Jason Bauer, P.E. - Assist. Dir. Of Public Works - Assist. City Engineer

**DATE:** May 28, 2024

### SUBJECT:

A Resolution to accept the public improvements and waive the maintenance security for the completed Chick-Fil-A Drive Thru Expansion, 2021.131, 4435 Fox Valley Center Dr, in Aurora, Illinois Ward 10.

### PURPOSE:

To accept the public improvements installed by the Developer of this project and to waive the normally required, one year maintenance security for these improvements.

### BACKGROUND:

This is a commercial development that redeveloped an existing commercial site's private parking lot and drive thru with very minimal public improvements constructed. In accordance with Section 43-55 (a)(3) of Aurora's Municipal Code, the Developer of the Project posted a security to ensure completion of these improvements including, earthwork, erosion and sediment control and storm sewer.

### DISCUSSION:

This development has now completed all installations, inspections and submissions that make it eligible to be recommended by the Engineering Division for final acceptance of these improvements. As required by Section 43-103(c) of the Municipal Code, the Engineering Division has reviewed, approved, and filed as-constructed record plans for the development which depict these limited public improvements and has completed and approved a final site inspection of said improvements via our onsite consultant. Based on our review and approved site inspection, it is recommended by the

Engineering Division, that City Council accept the public improvements. All improvements were installed over a year ago and the length of time that has passed since these overall improvements were completed we also recommend that the normally required one year maintenance security be waived, and the original security posted for the site be returned.

**IMPACT STATEMENT:**

This action did not add or replace any public infrastructure.

**RECOMMENDATIONS:**

Approve the acceptance of improvements and waiving the one year maintenance security for Chick-Fil-A Drive Thru Expansion.



CITY OF AURORA, ILLINOIS

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

A Resolution accepting the improvements and waiving the maintenance security for Chick-Fil-A Drive Thru Expansion, 4435 Fox Valley Center Dr.

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, Chick-Fil-A, Inc. has completed the public improvements for said project; and

WHEREAS, these said improvements have been properly inspected during construction by the Engineering Division, or their authorized representative, and were found to be in substantial conformance with the approved plans; and

WHEREAS, the City Engineer has recommended acceptance of the improvements and due to site specific circumstances has also recommended waiving the normally required one year maintenance security;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the acceptance of these public improvements be approved and that the normally required one year maintenance security be waived, and the original security posted for the site be returned.