

**CITY OF AURORA
PLANNING COMMISSION
PUBLIC HEARING MINUTES
MARCH 20, 2019**

The Aurora Planning Commission met in a specially scheduled public hearing on Wednesday, March 20, 2019, in the Council Chambers of Aurora City Hall. The hearing was called to order at 6:30 p.m., by the Planning Commission Chairman, Kathi Grandillo.

ROLL CALL:

Present: Laura Duguay
 Peter French
 Sarah Gilmore
 Kathi Grandillo
 Dixie Benschhoff

Also Present: Denise Januska, Director, Planning, Zoning & Building Division
 Justin Czekaj, City Engineer
 Sara Cooper, Engineer
 John Kudley, Councilman
 Dean DePiero, Law Director
 Marie Lawrie, Secretary
 Ken Lahmers, Aurora Advocate

AGENDA ITEM:

Old World Classics, 600 Prestige Woods Blvd – Riparian Setback Variances in conjunction with the proposed construction of a new residence (1902008)

Andrew Eggeman, 7056 Mears Gate Drive, North Canton, Ohio was present to discuss the project. Kelly Hersh, homeowner was also present. They are proposing to construct a new home on the parcel and were seeking riparian setback variances. It was stated that the house itself will not be constructed within the setback; however they would need to do some grading in various increments from 17 – 20 feet into that setback. He further stated that there are streams on the front of the property, as well as, the rear portion of the property.

The Chairman opened the floor for public comment.

Matt Schneider, 265 Yorkshire Drive was on hand to give public comment. The proposed construction would be near his side yard. His first concern was that water from the overflow pipe of the Yorkshire retention pond drains toward that lot. He stated that it did not seem like a buildable lot. His second concern was the orientation of the proposed home. He stated that the back yard of the neighboring house would then become the front yard of the newly constructed home. He was concerned for the value of that existing home.

Kara Trem, 580 Prestige Woods Blvd was on hand to make public comment. She read a statement she prepared for the meeting. She stated that it would be wonderful to have the neighborhood completed and the sidewalks completed. She also stated that she has had no water or moisture issues in the 9 years that she has owned the home and no issues were reported from the first owner of her home. Over that time period she has seen water problems on this undeveloped lot. She wanted to know if the property was a buildable lot. Although she had confidence that Planning Commission would do their due diligence with this application, she was concerned that not all possible outcomes would be perceivable. She was concerned that water would be an issue for her property as she is downstream from this proposed development. She also mentioned concern for loss of vegetation, alteration of the flow of the stream, and soil erosion. She asked who would be responsible for any unforeseen

outcomes due to this development. She stated that she hoped the development went well, but also wanted her concerns on the record.

B. K. Hall, of 460 Regal Oaks Circle was on hand to make public comment. She had information from 1998 on the development of that subdivision with her. She stated that this property floods. She mentioned 2 other builders who previously proposed to build on this lot and backed out due to the stream on the property. She stated that it was determined that the stream could not and should not be re-routed. She mentioned that proposals by four other property owners along the stream have been denied when requesting modifications to the stream. She stated the water flows as a stream for approximately 7 months of the year and escalates to a river for the remaining months of the year. She mentioned that a bridge would need to be installed that can accommodate a fire truck. She also stated that in 2004 a sewer was installed on that property without notification to the property owners or homeowners association. She stated that this was an accommodation made by the Planning Commission and the Mayor. It is her understanding that no driveway or equipment can go across that easement. She stated that they have no ill-will toward the property owners, but have concerns for the sewer and any changes to that stream.

John Kudley, Councilman at Large, 520 W. Pioneer Trail was on hand to make public comment. He read a statement he prepared for the meeting. He asked that the members walk the property including walking along the adjacent property at the rear of Yorkshire Drive to see the steep drop that exists from this angle. He stated that this parcel may be unsuitable for a home. He was concerned how a 100 year storm would impact the structure. He was concerned that as the city reaches build-out that developers are seeking approval to build upon lands that require numerous riparian setback variances and wetland mitigations. Building codes have been revised to help the city deal with these types of applications.

Eser Manav, of 610 Prestige Woods Blvd was on hand to make public comment. He stated that he is an Engineer. He asked who determined that original high watermark in February of 2019. Did that determination take into consideration the 100-year flood plain? He stated that if members walk the property they will clearly see a wetland. He disagrees with the high watermark and would categorize the parcel as a category 2 wetland, making the setback 75 feet and not 25 feet. He further stated that this parcel should have been a community space. He stated that a comprehensive water study should be completed. He did not see that a clear-spanning bridge could be possible on this lot. He had concerns about tree removal and the flooding issues. He requested an opportunity to review the results of any studies on the property.

Ms. Grandillo asked for further comments and there were none.

ADJOURNMENT:

Ms. Grandillo adjourned the public hearing at 6:46 p.m.

Kathi Grandillo-Chairman

Marie Lawrie, Secretary