



City of Aurora

44 East Downer Place
Aurora, Illinois 60505
www.aurora-il.org

Legistar History Report

File Number: 15-00793

File ID: 15-00793	Type: Ordinance	Status: ATS Review
Version: 3	General Ledger #:	In Control: Planning & Development Committee
File Name: Michael Poulakidas / Spartan House / 1032 Prairie St. / Rezoning		File Created: 08/28/2015
		Final Action:

Title: An Ordinance Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by Rezoning Lots 2 and 3 of Hercules Park Addition Subdivision, generally located at 1032 Prairie Street, from B-2 General Retail to B-1 Local Retail

Notes:

Agenda Date: 10/15/2015

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description.pdf, Property Research Sheet - 2015-04-29 - 2015.115.pdf, Land Use Petition and Supporting Documents - 2015-08-20 - 2015.115.pdf, Plat of Survey - 2015-09-28 - 2015.115.pdf, Legistar History Report (Rezoning) - 2015-10-05 - 2015.115.pdf

Enactment Number:

Planning Case #: AU29/2-15.115-Rz/Su/Fpn

Hearing Date:

Drafter: tvacek@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	09/01/2015	Forward to Planning Council	DST Staff Council (Planning Council)			
	Action Text: This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	09/08/2015					
	Notes: Mrs. Vacek said this is just a follow up to the Spartan Ale House. Part of it is zoned B-1 and B-2, so we are just making it consistent B-1, so we are rezoning it to B-1.						
1	DST Staff Council (Planning Council)	09/15/2015					
	Notes: Mr. Seiben said Tracey just began reviewing this yesterday. She may have already gotten the full comments out by the end of the day, so those, I think, have gone out.						
	Mr. Feltman said we still do not have Final Engineering submitted, which the way this project is moving						

could really become an issue.

Mr. Seiben said I believe this is an October 7th Planning Commission meeting. It is mixed B-2 and B-1. It would rezone it all to B-1.

1 DST Staff Council 09/22/2015
(Planning Council)

Notes: Mrs. Vacek said I sent out comments last week. I'm waiting for them to resubmit. They should resubmit by next Monday. This I tentatively set for the October 7th Planning Commission.

Ms. Phifer said we just need to make sure that the order on the agenda is actually opposite of what it is there. The Rezoning needs to happen prior to the Special Use being established.

Mr. Feltman said Engineering does not have a submittal. We are still waiting for a submittal.

Mrs. Vacek said my understanding is that they have an engineer on board so they are working through that right now.

1 DST Staff Council 09/29/2015 Forwarded Planning 10/07/2015 Pass
(Planning Council) Commission

Action Text: A motion was made by Mrs. Vacek, seconded by Mr. Krienitz, that this agenda item be Forwarded to the Planning Commission, on the agenda for 10/7/2015. The motion carried by voice vote.

Notes: Mrs. Vacek said I make a motion to vote this out. It will be going to the October 7th Planning Commission. There will be some conditions. I did receive a resubmittal yesterday, so I will be reviewing that today and there will probably be some conditions to that.

Mr. Feltman said Engineering has not received Final Engineering yet.

Mrs. Vacek said I know that Engineering did the plans, so I'm assuming that they also did the Final Engineering Plans.

Ms. Phifer said Engineering Enterprises?

Mrs. Vacek said there is an engineering company. I don't recall off-hand. I just briefly looked at it this morning of who did their plans. I'm assuming that engineering will be submitted.

Mr. Krientz seconded the motion. The motion carried unanimously.

2 Planning Commission 10/07/2015 Forwarded Planning & 10/15/2015 Pass
Development Committee

Action Text: A motion was made by Mrs. Cole, seconded by Mr. Cameron, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 10/15/2015. The motion carried.

Notes: Mrs. Vacek said we're going to kind of take all these together and then at the end we can do a separate vote for each one. The first one, which is the rezoning, the subject property is at 1032 Prairie Street. It is actually made up of 3 lots, but it is considered 1 zoning lot, which was formerly the Colonial Drug Store. The single property has actually multiple zoning designations on it, so the proposal is to clean up this discrepancy and rezone the entire property to B-1 Local District. Currently Lot 1 is zoned B-1 and Lot 2 and 3 are zoned B-2, so we would rezoning everything to B-1. So that's the first portion of it.

Mrs. Vacek said the second portion is that we would be establishing a Plan Description or a Planned Development for this property. The Plan Description really is being proposed to codify the setbacks that are currently existing and to bring the property into zoning conformance. Right now the property does not meet setbacks, so we would just be codifying those setbacks that are existing out there.

Mrs. Vacek said the last petition or case that is moving forward tonight would be the Special Use for the Liquor License. The Petitioner is proposing to redevelop the property as a restaurant with an outdoor patio and is requesting a Special Use in order obtain the liquor license since the site is within 500 feet of residential property and not within a shopping center. The building will be renovated, which will include a new entrance. I will let the Petitioner kind of go into what the proposal for the building will look like. In addition, they will be adding a new cooler to the rear of the building and as part of the whole entire redevelopment the parking lot will be reconfigured with 37 parking spaces, which does meet the city's requirements. The Petitioner will be curbing a portion of Prairie Street and creating a landscaped parkway with 2 access points to create a loop around the building and then new

landscaping will be supplemented around the property. With that, I will turn it over to the Petitioner unless you have any questions for me.

The Petitioner was sworn in.

Thank you for the time this evening. My name is Michael Poulakidas. I've been an attorney for almost 18 years now, since 1998. I have had my office on Lake Street in Aurora since I got out of school. I had mentors that had owned the building and then I purchased the building in 2000. My family has been in Aurora actually since 1974. My father has had businesses. Since that time, he has owned the property at 701 Hill Avenue, which is currently O'Malley's Pub and Eatery. In 2001 I had actually started helping him with the overseeing of the operations and that's kind of when we rebranded from what it was to what we are very proud of now. He also has owned what is now the End Zone, which is on Farnsworth, so he's been in the area for a long time. We know this area very well. We are very proud of this area. We want to keep growing in this area. Like I said, we do own O'Malley's Pub and Eatery, which is on Hill Avenue. It is mostly a restaurant, but it also does have a bar and I believe that's why we were approached to consider putting a neighborhood restaurant in this facility. We are very proud. I could bore you for more than the 45 minutes that I'm allowed by talking about this project because we are very proud of what we've designed. We've taken this corner for what was Colonial, another longstanding business. We've forged a great relationship with the owners once we purchased it. They are great people. They are super excited with the plans that we had shown them. If you know what the area is now, on Prairie Street there is actually 3 entrances where cars can go in and out. We are cutting that down to 2 and putting a sidewalk there so that we increase the walkability along Prairie so that you can go all the way from Aurora University to all the way past Pilmer Real Estate. We're taking that and cleaning that up. Then along Hartford, there's actually even an entrance along Hartford as it sits now. So we are eliminating that and making the ingress and egress on the west side of the building and then just egress on the east side of the building. We are putting curb along the east side along Hartford. In working with our engineering, the elevations and the flow of the drainage of the water works really well with how we've planned it and how we worked actually with the staff and with the city to make sure that everything works properly. So we are very excited. If I could show the elevations. Because we've forged such a nice relationship, I don't like to say that it is bad now, but we are improving it. We are super excited that we are improving it. Our architect has worked really closely with us. If you see on the bottom, the bottom part is actually the north elevation and what would be the front entrance. Currently the front entrance is at what would be the northwest side. We are moving that to the northeast side so that you can come off of the sidewalk and go into the building. The view that you are seeing, you would be coming basically from Aurora University or from Priscos and that's the view to the west that you would be seeing. We felt like because it is a neighborhood eatery we wanted to take all of the elements from the neighborhood, so we took a lot of natural elements meaning the stone. You see the brown is actually a wood rain screen and then we also took EFIS and we mixed the three together and came up with what we believe is a really sharp plan. I say that it pops, but we feel like it is going to blend in nicely and quietly in the community, kind of what our business model is. We want to pop but fit in nicely and quietly with the community. On the east side, so you would be coming from Lake Street, this is what you would see. Again it is a mixture of the stone, EFIS and wood rain screen. We are super proud of what we've created and the mixture of materials that we've created. Our plan is to be primarily a restaurant with approximately 70 tables, 30 seats in the pub area. There will be TV's throughout. Our menu is going to be everything from sustainable seafood to hand-made patties to wings and pizzas, something that we, in our business plan, in looking at the community, it is going to be a good mix of what we feel the neighborhood will like. So we feel like we are going to be coming in and making great improvements to a property on Prairie Street that we believe is calling for an establishment like this. I would just like to reference, and I've been referencing the University Neighborhood Plan. There was a lot of time put into the University Neighborhood Plan and the call for that plan was to attract businesses to Prairie. We know part of that was bringing in a neighborhood eatery and we know we are going to be able to offer that and offer the community something very viable. We also are quite proud of the landscape plan. If you go throughout that community, the one thing you notice is how the city has done such a nice job of maintaining the landscaping and making sure that the businesses do. We feel like we're going to be adding to that. Again, if you know the property now, the only current landscape shrubbery is on the very west side of the building that splits the parking lot and the city water well. That's it. That's the only landscaping. We're going to be coming in with all new parkway trees and with a great landscape plan in the front and all along the side of Hartford and really clean up that corner for lack of a better phrase. It is almost as if it is just sitting there on an island by itself and everything else around it has been so nicely taken care of and then you have this that was kind of sitting for about 5 or 6 years, so we feel like we are going to come in there and fit into the entire plan of the city and of the Neighborhood Plan for lack of a better phrase. One thing I'd also like to point out, by doing this project we are also investing back into the community. We don't have any permits, but we already had ADS

install an alarm system. We are using a contractor that just built a house on Prairie Street and is moving in the next couple of months. Our architect was a local architect. Our bank is a local bank. We believe in Aurora. We love Aurora and we feel like we are the perfect operators to put an eatery in the neighborhood.

Mrs. Cole said I have a question and a request. There is a very large tree on Hartford. Is that tree going to have to go to tree heaven?

Mr. Poulakidas said you are not the first person to ask me that. If the parking works, we wouldn't be opposed to it, but I would have to review it with my team to make sure that it works and that we could fit the parking in.

Mrs. Cole said and I understand that. My second is just a comment or a request. You don't show any bike racks on your plan. Have you thought about bike racks because I could see people from that area riding their bikes there in the summer?

Mr. Poulakidas said I think that would be a great idea and no we didn't think of that to be honest.

Mrs. Cole said actually I was out there today and I drove south to what will be one of your, well not really competitors, I believe is used to be called Stoney's, there was actually a bicycle parked outside of there. No bike racks, but there was a bicycle.

Mr. Poulakidas said actually I think that is a great idea. I feel like we would be able to find room for that.

Mrs. Anderson said what would be your business hours?

Mr. Poulakidas said they are a little bit varying. Monday through Thursday it would be 11:00 a.m. to 1:00 a.m. Friday would be 11:00 a.m. to 2:00 a.m. We are offering breakfast on Saturday and Sunday, so as of right now the plan is to open up approximately 7:00 o'clock on Saturday and Sunday offering breakfast. On Saturday we would go to 2:00 a.m. and then on Sunday we would close at 11:00 p.m. This has been brought up and the reason why those are our hours is we have what we consider is a great second shift crowd at O'Malley's. We don't cater to the younger element, the 21 to 25, 26, and 27 looking for a place to party on weekend nights. We cater to the man or the woman who is getting off at work at 10:00 or 11:00 that wants to come in and have a pizza or some wings or a sandwich and a drink. We cater to the crowd that will come in on a Monday night for a Monday night football game, but the game doesn't end until 11:00, 11:30, 12:00 o'clock and then they go home. We really need those hours because that is a vital part of our business model.

Mr. Reynolds said could you explain ingress and egress because I don't think I understand?

Mr. Poulakidas said so there would be 2 entrances from Prairie. On the west most entrance, there is enough room for ingress and egress, so the people that park could leave from the west side or they can come around and then leave from the east side. Now if parking is full on the west side, then the customers will have to come around and then go to the east side and park, but they can only leave on the east side. They couldn't come back around to the west side and leave. It is actually ingress and egress on the west side, but if the parking is full there then it would be coming to the east side and then they would have to back out and then leave on the east side. On this side there is plenty of room to come in and then leave that way. But if this is full, a person would come around to the east side of the building and park, but once they leave, they would be leaving from the east side.

Mr. Reynolds said when they come out of the parking lot on the east side can they only go right or can they go...

Mr. Poulakidas said they can go left or right.

Vice Chairman Truax said so to be sure I have the numbers right, there are 37 parking places and you have 70 tables and 30 seats in the pub?

Mr. Poulakidas said actually 70 seats. It is actually a little bit less, I think it is 65 seats in the dining area and about I think it is like 26 actual pub seats.

Vice Chairman Truax said where would you anticipate people would park if the parking lot is full?

Mr. Poulakidas said we have started working with Priscos to share the lot in the middle of us, the city lot next to us. I know their lease is up August 2016. We've actually already had lunch with Andy from Priscos and have started a great dialog. We are very excited to be working so closely with each other. We are going to be working there. If we do get busy it would be more in the evening. To get that busy we wouldn't anticipate it unless it was a Friday or a Saturday and we would have a few employee cars, again in collaboration with him. We have also discussed the possibility of meeting with the owners of the property to the east of us. I believe her name is Mrs. Egert. I'm not sure I'm pronouncing her name properly, but to see if we can work something out with her, but we feel as though between the foot traffic because a lot of our dining is going to be, we believe, foot traffic from the neighborhood. Between foot traffic, hopefully traffic, which we didn't think about, but between that and then the spots that we have and then working in collaboration with Priscos we feel like we will have plenty of parking.

Vice Chairman Truax said can you flip back to the view of the east side of the building? What are the colored panels?

Mr. Poulakidas said sports figures. Because of copyright issues if we are not allowed to use professional athletes we'll be using some sort of athlete.

Vice Chairman Truax said so those are signs?

Mr. Poulakidas said they will be framed out and then correct, they will be, not lit signs because the lighting will come from above.

Mrs. Vacek said they are considered signs under our ordinance and we did make sure that they are still under their 10% for that façade.

Mr. Cameron said one of the problems when you use different materials in a wall is that, particularly on this east side, the wood looks like a wart in effect. I'd recommend that you at least take a look at extending that as you have on the other side up to the pedestal tower. At least it might fill that in and have a little more continuity. You just need to take a look at that. Then on the west side you've introduced a contrasting color where on the other side you have that same grey tone. Is there a reason for that?

Mr. Poulakidas said this plan calls to leave the natural beauty of the brick. If this goes forward, we have discussed retaining a designer, we haven't taken that step yet, to see if he feels as though we should color the brick. I know the architect, Ted, wants to leave it at its natural state. It is probably a little darker, but just because it is a color rendering, but he is trying to leave natural stone and that's why he left that. On the other side, unfortunately, it is CMU and that's why we decided to cover it. Ultimately, it will be in the hands of a designer, although we are very pleased with the majority of the exterior and will we will probably leave it unless he, again, makes a comment like we should color that. I do know, and I've driven it a million times, I feel like now you really have to be looking at it to see it because of the shrubbery and the trees from the city lot. You are really pressed to see that area unless you are out of your car and in the parking lot. But that is something that we will consider.

Mr. Engen said is the refrigeration unit in the back? Is it fairly quiet so it is not noisy for the neighbors?

Mr. Poulakidas said yes, especially with today's technology. The other thing that is not shown on here is that, or actually it is shown, it is going to have the color of the building so it is not going to stick out. I don't know how recent it has been, but they now from the manufacturer allow you to, almost like you are at Menards, color coding whatever you want, so the anticipation is to color coat that to fit exactly in and blend in with the building.

Vice Chairman Truax said when do you anticipate opening?

Mr. Poulakidas said we would love to be able to open in March or April. The reason I couldn't give a definitive answer is because we don't know how harsh of a winter we'll have. And God willing if we get approvals and then the permits, that all has to work out perfectly in our favor and if we do that and winter is delayed a little bit as far as being too harsh it might be March, but we're probably realistically looking at April.

Vice Chairman Truax said so the building pre-renovation is structurally sound and has no issues that you've found?

Mr. Poulakidas said correct. Actually our architect has retained a structural engineer and has found

that, correct, that the building is very structurally sound. Actually we'll be signing off on that. Our bank is going to require that to be honest with you.

Mrs. Cole said you are going to have outside dining?

Mr. Poulakidas said correct.

Mrs. Cole said but I think you are closing that and stop serving at 10:00?

Mr. Poulakidas said correct. Again, out of respect for the neighborhood we are willing to close that early so that there are not people outside causing commotion. The average person wouldn't, but we're closing that down so that there is no outside activity because of the neighborhood.

Mrs. Cole said and you are going to supply the extra security like you have at O'Malley's at this new facility?

Mr. Poulakidas said yes. I think that's why we were approached. We already have a retired officer who wants to come and help us day manage. He doesn't have restaurant experience, but we don't need him for that. We need him to do certain tasks and then to offer his experience and guidance not only with the Spartan House but also with O'Malley's so we're going to be able to improve on what we already feel is a great program that we have. I think I could probably bring officers in here that will say that for a local establishment being O'Malley's that we go above and beyond with making sure that there is security there probably more often than most establishments would. If I could, I be remiss if I didn't at least acknowledge, because there is a Cubs game and a Hawks game and we have a west side resident who dedicated his time today to come out and support. He knows what type of establishment that we run. Our plan is only to improve with the Spartan House. I just wanted to thank him on the record for coming out.

The public input portion of the public hearing was opened. The witnesses were sworn in.

Good afternoon everybody. I'm David Ecton. I'm the owner of actually the apartment building right behind this establishment here. I've talked to quite a few of my tenants. It is a multi-family complex. It's got 16 units in it, a lot of families, and it is 2½ stories high. I'm very, very concerned about the traffic, the lack of parking. I have a parking area right on Hartford Avenue that I think would probably end up catching a lot of the overflow and then also I have a lower parking down below that I think would catch some of it. I'm kind of concerned about the clientele that's going to be going there. It is going to be basically college kids. I think that's what they are going to be catering to. It is not Mrs. Johnson that's 35 or 40 years old coming down for a pizza at 2:00 o'clock in the morning. It is all catered to college kids. These are all families. I've owned the building since 1998, so about 17 years. I'm a great neighbor to the community. We've never been issued a citation. We take good care of the property. We've got a lot of good people that are living in that building. I actually have a part-time manager that actually lives in that unit. I've got a lot of experience running buildings. I have 3 other buildings also, not including this one here. This is actually 16 units. It is two 8 unit buildings with townhouses on the ends with 11 garage stalls. I'm very concerned about the noise, the litter, the overflow or the lack of the parking, some of the vandalism. They are talking about a beer garden or a pizza garden and stuff until 10:00 o'clock at night, open until 2:00 o'clock in the morning. Imagine trying to get up in the morning after you've been kept awake until 2:00 o'clock in the morning on a Friday night and Saturday night. It is just going to be very hard. It is going to be hard to attract good tenants. We've really been working with the City of Aurora here trying to attract good tenants and we've got a great group there at that building. There is another liquor establishment right down the street, which is called Stoney's. We've got plenty of liquor establishments right there in that area. You go down Prairie right toward River down there, there is another liquor establishment down there. I'm all about a restaurant open until 10:00 o'clock, 9:00 o'clock at night that's basically contained inside, but you start adding a beer garden for a bunch of college kids and you start getting them coming in whooping at 1:00 or 2:00 o'clock in the morning and that's what happens. I went to college. I lived in a college town and stuff and that's what happens. I'm very, very concerned. I know O'Malley's is over there off Hill Avenue. It backs up to a golf course. It is not in a community. It is right across the street from a, I think there is a trailer park over there across the street from it, and I'm not saying that they aren't great proprietors. They run a great business over there, but my tenants are very concerned that it is just going to be loud. They keep their windows open at nighttime because it gets cool and stuff. Could you imagine trying to keep your windows open, you've got a beer garden right there and it's a cramped area. It is not really suited for the type of business that they are looking to try to attract, 37 parking spaces, you've got employees there also. I know they've got some overflow plans and stuff with Priscos right next door, but I guarantee you they are going to be parking up and down the streets

and stuff. Not everybody drives and car pools into these establishments. I really pride myself on running a nice little multi-unit building complex over there. My people, my tenants that actually live over there enjoy living there. I just don't know really honestly how they are actually going to be able to contain it. They are catering to the college kids. Then you are worried about the under-age drinking and stuff and pre-gaming in the parking lot before they go in there so they don't have to spend all their college money before they go into the bar and watch the games and stuff. So you've got beer bottles and liquor and stuff all over the parking lot and stuff there and it is going to overflow into my unit there too. You've got a little bit of a retirement center across the street from me over there on Hartford Avenue. I'm just concerned about that type of traffic and stuff at 2:00 to 2:30 in the morning. I don't know how they are really going to address this type of traffic. I think they are going to get a decent amount of business. It is a growing area. I like what they are doing over at Aurora University with just really bringing, you know, they bought a lot of areas, they've torn some things down and actually built some fieldhouses and things of that nature over there and stuff and I like what's going over there. I think the neighborhood needs that stuff, but there are lots of other kinds of businesses that could be at that corner other than just a bar and that's really what it is catered to, you can see with all the sports posters and stuff up there. They are trying to attract the younger crowd, not Mrs. Johnson that's 45 years old or Mr. Johnson. They are trying to attract the college kids and stuff and I think it is going to be a little bit of a rattlesnake pit. My tenants aren't going to be real happy at 2:00 o'clock in the morning with people whooping and screaming and the noise. I'm not sure if they are planning on having music out there on the beer garden or the food court. I'm not sure if they are going to put it on the front side or on the back side, but I'm not sure exactly how they are going to control it. That's part of the reason I came to this meeting just to kind of get a little bit of information and stuff and see actually what the proposal was.

Mrs. Cole said I have a question. Actually I was out there today. I had never driven off of Prairie and it's the first time I ever saw this apartment complex. It is a very nice looking complex. Now you are parking on the west side of the building. That would be private parking.

Mr. Ecton said right.

Mrs. Cole said but on Hartford I truly can't remember, is that on-street parking?

Mr. Ecton said no it is actually along the street, but I actually own that parking area there.

Mrs. Cole said so if you posted it probably people wouldn't park there more than once.

Mr Ecton said it is posted. It is just going to be a lot of nuisance and controlling and stuff. We're posted and stuff, but it is going to be a lot of nuisance. I even have signs down below. They've had some issues and stuff down at Stoney's down there where the police have had to come in, not all the time, but sometimes and stuff and really honestly love the new business. I really want to see that part of town actually grow and get a little bit of upscale. I've been able to, over the course of the last 7 to 10 years, actually my rents are going up, I've been doing a lot of remodeling and really putting a lot of money into that complex there and that's what it is. It is like its own little community within that area there. I enjoy owning it and it is one of those things where we really want to make sure that we keep that solitude and I think honestly the tenants that live across the street, there is a little one level flat. There are a lot of retired people and stuff. I don't think they are really looking for this type of business and stuff on Hartford Avenue. I lot of my tenants have shown a lot of, they've called me and said what's going on with this thing. I like to leave my windows open. I like not having to worry about my kids and having a bunch of kids coming down there and drinking and things like that. Honestly, I think it is just not right for the community right there on that corner. I think there is just not enough room at that point and spot. I see a lot of the stuff on the drawing, but really honestly if you look at the pictures up here they are catering to the younger crowds and with that a little bit of mischief sometimes. Most of us have all been there.

Mrs. Cole said how big are your units and how many children are in that?

Mr. Ecton said there are 16 units. There are 12 two bedroom, there are 2 townhouses on the end and then there is also 2 one bedrooms right above the garages and there are 11 garage stalls. It is a little courtyard, but they are probably about 800 to 900 square feet, the 2 bedrooms. The townhouses are probably 1,200 square feet and the 1 bedroom apartments right above the garage area there are about 600 to 700 square feet. But like I said, we've got 1 and 2 kids. There are small families. There are not 3 bedrooms and stuff where you have a lot, but a lot of young kids and stuff. We've got our own laundry facility and everything there and stuff so I really put my heart and soul in it. I want it to be a nice place. I reinvest a lot of money over into that building. You've got a small fence that runs on

the back side of this. I'm a little bit concerned about the morning garbage. I used to manage a lot of Dominick's stores before they left the marketplace and now they've come back and are actually part of Jewel now, the Safeway Corporation, but I've never seen one of these air conditioning units or air handlers that were quiet. They are noisy and they just run all the time and then you get a refrigeration unit that's the same thing. They get very noisy, they aren't muffled and stuff. They are not like in our basements and stuff where you can't hear these things. They are up on the roofs or back right behind the building and stuff. My apartment building back there is going to take all the brunt and then you add in all the food court or the courtyard out there, the beer gardens, they are going to be loud and if you have to have security out there and all this other stuff, there is going to be a lot of noise. People like music so they are going to want to place some music out there and stuff too and imagine living in a residential community and having a food court or a beer garden right next to your house and playing music and stuff all night long and stuff. You wouldn't enjoy it and it is all about quality of life and stuff and that's why I've been able to attract a lot of good tenants out there that have been with me since, actually before I bought the place since 1996.

Hi. I'm Kurt Fogleman. I've been a resident of the area for 12 years. I live on Commonwealth, 4 blocks away from this location. When I heard about it, I was really excited. My family and my friends have been going to O'Malley's for several years now. It is a great place to just go and have some food and a couple of drinks. You get great service. Management is excellent. It's really turned that location and when I talk to some of my friends and say well we go to O'Malley's they look at me and I don't bat an eye. My kids love going there. My friends and their kids love going there. It is really good. The people take care of us. So when I heard that this type of business was coming into our neighborhood, this is something that we've needed for a long time. There's been some eateries along Prairie there that have just not made it. They've been too small. They didn't have the capacity. They didn't have parking. I think this is going to be the kind of place that really will invigorate the neighborhood and give it what's it's needed for a long time. A couple of reasons why I don't have some of the concerns that the previous gentleman had is one, like I said, the management team. I know Mike and Ron and they run a first class operation. They are not going to let some of those things happen, so I don't share those concerns. There is going to be a lot of people walking there. He said there aren't going to be 30 and 40 year olds, I'm 41 so maybe I don't qualify, but I know I will be there a lot and my friends who are my age will also be there a lot. The other thing is I know how the college kids are. I have 4 college kids who have lived next to me for 5 years renting and I don't have any problems. When they first moved in, we maybe got a little bit, but we worked with the city and cut that off and 4 years going now and we've never had a problem. I think the kids who maybe go to Aurora University are a little bit different than some of the other colleges that have a Greek Row and there is a lot of partying going on. They are in the neighborhood and they realize there are people living there with families and they respectful. I think you will get some college kids, but I think that they will be able to manage it and make sure that it is under control and you'll get a lot of people who are in the neighborhood walking to it, going and enjoying some time there. I'm really excited about it and hopefully it will be approved.

The public input portion of the public hearing was closed.

Mr. Poulakidas said the patio is going to be on the north side of the building, so it will be on the completely opposite side of where the apartments are currently. The reason why we wanted the patio, it is going to be all seating and just to make the panel understand, our crowd, there is no money. If we were downtown Chicago with 16 colleges, there would be money in a University bar. There is no money in 1 University with 3,000 students and then out of those 3,000 students how many of them are over 21 and out of those that are over 21 how many of them are actually going to go out and drink. If that was the only basis of this establishment we would have never gone into it. First and foremost, out of the whole statement that was made, the only thing I really get upset about is about the underage drinking. We pride ourselves in making sure that there is nobody underage. I have 3 children of my own. I don't want karma coming to me and letting them drink somewhere when they are 19 or 20. I want them to go to an establishment by an owner who is someone like me that's going to say no, sorry, you are not going to be able to drink. That and the fact that unless they are with a parent they are not going to be allowed in under 21. I don't even believe that that's a requirement. It is not even a requirement at O'Malley's, but we don't allow it. So if you are 20 and you are coming in with a 21 year old, you are not allowed in. We know that that's not your father. We know that that's not your mother. If you are 14, 15, or 16 and you come in with someone we know is your parent or guardian we are going to allow you in because, again, we are not ignorant operators. We know that 3 kids that are 18 or 19 coming with 4 kids who are 22 or 23 are going to be sharing their drinks and we want no part of that. That is not going to be allowed. That's how we curb that. We believe we are very good at curbing that. Everything else, I'd like to just let the Board know currently we have 3 walk-in units in O'Malley's and those are all inside. They are going to be similar cooling units. The noise level is very

appropriate. It is not something where it is even bothering the customers when they are inside the eatery, so we believe that that's not going to be an issue. One thing that I probably neglected to say is the trucks coming in and out. Right now, for instance, we know that the garbage trucks at O'Malley's come on Thursday between around 9:00 and 10:00 o'clock. We have enough of a relationship with Republic Waste Service that we'll be able to set our time and we already know we are setting our time for after 9:00 o'clock because we don't want the neighborhood to be awakened at 4:00 in the morning by a big garbage truck coming in at 4:00 in the morning. We are not going to be getting deliveries before 8:00 or 9:00 o'clock in the morning out of respect, again, for the neighborhood. So as far as that noise it is not going to happen. As far as refuse, or garbage littered, we can't stop every person from throwing something out of their pocket or out of their car. It happens. But what we do is a good job of, and it may not be perfect, but we'll get as close to perfect as possible, is making sure daily garbage is picked up on our site. I think if you drive by O'Malley's, will there be a day where our cleanup crew misses something? Maybe, but I guarantee you that either my General Manager or me are on property every single day and correcting the problem. We don't consider it a beer garden. It is not going to be somewhere where people are playing bags. Might there be somebody strumming some music in the lunch or early dinner crowd before 6:00 or 7:00 o'clock? Possibly, but we doubt it because it is such a small area. There is going to be barely enough room to get some tables in there and just give the community a feel of eating outside. Again, regarding the pre-gaming, at O'Malley's we take pride and, again, you can ask the officers, we have video cameras everywhere. My kids love them. You can go on my camera system and see, there might be one small dead spot that we are going to be fixing, but we have to get a new board and there won't be any dead spots at the Ale House, we have a camera system over the entire place. The police know now that if there is an incident they can call us and say we need your video. Not that there are incidents. I think that has happened twice, but they know that we have camera systems. I can't stress enough that we believe we are part of this community and our only intent is to be a part of the improvements that have already been made and not be the sore thumb on Prairie Street. Everybody from people in my church to people like Kurt to people that work in the city, that's our business model. From 30 to 50, 55. That's our business model. Those are the people that have disposable income. Those are the people that are going to come in and spend the money that we are going to need to pay our bills and to have a future for ourselves. That being said, I would just like to thank the Board for their time, thank everyone for their comments and if this does pass, we will be working closely with everybody to make sure that we fit in very well with the community.

Mrs. Vacek said staff would recommend approval of the Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the zoning map attached thereto, by rezoning Lots 2 and 3 of Hercules Park Addition Subdivision generally located at 1032 Prairie Street from B-2 to B-1.

Mr. Cameron said I have a question of staff. Tracey, do you know where the city limits exist in that area to the south?

Mrs. Vacek said I believe it is just past the apartment buildings.

Mr. Cameron said that White, whatever that street is that runs east and west there?

Mrs. Vacek said yes.

Mr. Pilmer said is that building in the Township or in the City?

Mr. Sieben said this gentleman is in the City of Aurora.

MOTION OF APPROVAL WAS MADE BY: Mrs. Cole

MOTION SECONDED BY: Mr. Cameron

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mrs. Duncan, Mr. Engen, Mr. Pilmer, Mr. Reynolds.

NAYS: None

FINDINGS OF FACT

1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Cole said these policies and plans are listed in the staff report.

2. Does the proposal represent the logical establishment and/or consistent extension of the

requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?

Mr. Cameron said this brings the rezoning for the 3 lots, which are basically created as 1 building lot, into conformity for that site.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification (desirability being defined as the trend's consistency with other applicable official physical development policies and other related official plans and policies of the City of Aurora)?

Mr. Pilmer said this is consistent with the retail district in that neighborhood along with the development policies of the City of Aurora.

4. Will the proposal permit uses which are more suitable than those uses permitted under the existing zoning classification?

Mr. Cameron said the uses that are permitted are bring brought into a single zoning classification for this site.

5. Will the proposal maintain a compatible relationship with traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mr. Pilmer said this Petition is limiting 1 entrance off of Prairie Street and providing enough off-street parking to support the use.

6. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Mr. Cameron said they are either in place or will be done as part of the zoning request.

Mrs. Vacek said this will next be heard at the Planning and Development Committee meeting on Thursday, October 15, 2015, at 4:00 p.m. in the 5th floor conference room of this building.

Aye: 7 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson and At Large Engen
