



# City of Aurora

44 E. Downer Place  
Aurora, IL 60505  
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## Legistar History Report

**File Number: 25-1041**

<b>File ID:</b> 25-1041	<b>Type:</b> Petition	<b>Status:</b> Draft
<b>Version:</b> 2	<b>General Ledger #:</b>	<b>In Control:</b> Building, Zoning, and Economic Development Committee
<b>File Name:</b> Ugalde Enterprises, LLC/ Tortilleria El Rey / 1955 E New York St / CUPD		<b>File Created:</b> 05/11/2026
		<b>Final Action:</b>

**Title:** An Ordinance Establishing Conditional Use Planned Development and Approving the Tortilleria El Rey Development Plan Description for the property located at 1955 E. New York Street (Ugalde Enterprises, LLC/ Tortilleria El Rey - 25-1041 / AU24/4-25.397-CUPD/FPN - AM - Ward 7) (PUBLIC HEARING)

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Legal Description, Exhibit "B" Plan Description, Land Use Petition and Supporting Documents, Location Map

**Enactment Number:**

**Planning Case #:** AU24/4-25.397-CUPD/FPN

**Hearing Date:**

**Drafter:** minnellaa@aurora-il.org

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning and Zoning Commission	05/20/2026	Forwarded	Building, Zoning, and Economic Development Committee	05/27/2026		Pass
	<b>Action Text:</b> A motion was made by Mr. Chambers, seconded by Mrs. Martinez, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 5/27/2026. The motion carried.						
	<b>Notes:</b> <i>Mr. Minnella said good evening, Chairman and members of the Commission. Alex Minnella with the Zoning &amp; Planning Division, Senior Planner. Before you tonight, the 2 items just read related, the Petitioner, Ugalde Enterprises, LLC, which is represented tonight by Edwin Ugalde here in the audience, doing business as Tortilleria El Rey, is requesting approval of a Conditional Use Planned Development with the underlying zoning B-3, Business and Wholesale zoning district. The Conditional Use Planned Development is justified by the fact that we, Zoning, and the Petitioner are pledging your approval for additional uses that will be entailed with the operations of Tortilleria El Rey. For instance, we are allowing...we would allow production of tortillas and other products related at 1955 E. New York, which is a commercial corridor, and we do know that this use is slightly more intense than the regular retail but still less intense than</i>						

*other uses such as auto body related businesses.*

*With that being said, the Conditional Use before you tonight among those attachments contains also some performance standards to limit the impact to the community and the surrounding areas. We believe, we feel that we are protecting the community by addressing noise, odor, and vibration. Also, concurrently with this proposal, the Petitioner is requesting the approval of a Final Plan which is on the following item, (25-) 1042. The Final Plan entails a pretty substantial Landscaping Plan which you will be able to appreciate. It's a nice improvement to the corridor and to the property itself. They met all the requirements for the landscaping plan. And we bring these items before you tonight for approval. Due notice has been facilitated, and Staff receives a couple of calls from nearby businesses wondering what kind of business was going to be placed at 1955 E. New York St. As a result of those phone calls, the adjacent businesses welcome the new Tortilleria El Rey at 1955 E. New York St.*

*Chairman Pilmer said questions of...do you have more?*

*Mr. Minnella said no.*

*Chairman Pilmer said questions of Staff?*

*Mr. Pickens said I have a couple here.*

*Chairman Pilmer said go ahead.*

*Chairman Pilmer said questions of Staff?*

*Mr. Pickens said I have a couple here.*

*Chairman Pilmer said go ahead.*

*Mr. Pickens said you said they addressed the odors so we're not gonna be having the neighborhood...*

*Mr. Minnella said should. Right, should use intensify at any point, at any time, they will have to come back for entitlements for approval from the City of Aurora. No outside storage.*

*Mr. Pickens said that's what I was going to ask. If all their raw materials are handled by pallet and no silos for flour or anything like that.*

*Mr. Minnella said the production and any operation related to the business will be entirely conducted within the premises of the building.*

*Mr. Pickens said okay. Only one other comment. They show now added walks on the south side and east side of the building. I imagine they are just emergency exits...*

*Mr. Minnella said that's correct.*

*Mr. Pickens said but there's no lighting, at least it's not shown on the photometrics plan of any type of lighting, and I think that code would require something there. There's stairs involved so I would think that both should be lit up somehow or another.*

*Mr. Ugalde said (off mic, from audience) there's lighting in the rear building.*

*Mr. Minnella said please...*

*Mr. Ugalde said (off mic, from audience) yeah, there's lighting in the rear building...(inaudible)...*

*Mr. Pickens said in the side?*

*Mr. Ugalde said (off mic, from audience) in the back and the side...*

*Mr. Pickens said just...and the side...*

*Chairman Pilmer said you know what, I'm sorry. We record this. And I need to swear you in. This is a Public Hearing. If you'll raise your right hand. Do you swear to tell the truth, whole truth, and nothing but the truth?*

Mr. Ugalde said yes, sir.

Chairman Pilmer said and if you'll just state your name, please. Thanks.

Mr. Ugalde said I'm Edwin Ugalde from Ugalde Enterprises. To answer your question, we already do have lighting on the rear side of the building, the side of the building, it's all around the building. So, I mean...(inaudible)...

Mr. Pickens said all the way around...

Mr. Ugalde said we should submit pictures...(inaudible)

Mr. Pickens said so, there is safe passage on the new sidewalks...

(OVERSPEAKING)

Mr. Ugalde (inaudible)...

Mr. Pickens said okay. Alright. That's all I had.

Chairman Pilmer said thanks. Any other questions of Staff? The Petitioner is here. I don't know if you want to add anything or if there are any additional questions of the Petitioner.

Mr. Ugalde said you did mention silos. So, our plans do not include silos as of yet, but I mean if production does increase later on, we will be asking for silos later on.

Mr. Pickens said okay...

Mr. Ugalde said not now. But maybe later on.

Mr. Pickens said and I assume that would then come through here again?

Mr. Ugalde said yes.

Chairman Pilmer said anything else? Thank you.

Mr. Ugalde said they had mentioned something about the parking lot. So, I did see that...

Mr. Minnella said yeah, so the parking lot currently features 26 parking stalls. The Petitioner is increasing the number of parking stalls, is restriping the parking lot, is beautifying the property, and is going to provide 56 parking stalls onsite.

Mr. Chambers said I have a question. Either the Petitioner or the Staff is more than welcome to answer the question. What would be the hours of operation?

Mr. Ugalde said the hours of operation will vary from Monday to Friday, and then Sundays. Usually, we'll start from 7 to 7. We'll keep it open to the public starting at 7. Our employees will get there earlier and leave later.

Mr. Minnella said and allow me to correct the record. So, the site provides or features currently 26 parking spaces. The Petitioner is improving the parking with 54 total parking stalls.

Chairman Pilmer said but the requirement is 26?

Mr. Minnella said that's correct.

Chairman Pilmer said yeah.

Mr. Pickens said and no plans of added docks? You only have 1 now?

Mr. Ugalde said we only have 1 now, yes sir. We're going to...(inaudible)...

Mr. Pickens said is that enough?

Mr. Ugalde said it should be for now, yeah.

Chairman Pilmer said do you want to add anything else?

Mr. Ugalde said no, I think we should...(inaudible)...

Chairman Pilmer said alright. Thank you.

Mr. Ugalde said as far as (inaudible), I actually prefer...I think I had mentioned last at our DST meeting. I know they wanted to do the whole repaving. I know initially we had just talked about sealing the whole driveway but, I mean, now we're requesting more...we're getting additional quotes for the whole repaving. So, I think it might just...we're gonna wait to see how...which quotes come out better, just to see how soon we can get that done. But, I mean, it's definitely something we're going to get done. That's about it.

Chairman Pilmer said thank you.

Mr. Minnella said Staff has evaluated, also, the proposal based on Findings of Facts.

Chairman Pilmer said yeah, I just got to go to the Public Hearing so...

Mr. Minnella said oh, that's right...

Chairman Pilmer said you can go ahead and have a seat. This is a Public Hearing. If anyone in the audience would like to address the Commission, they will have an opportunity to do so. And I would note that for the record, no one has come forward. And I will close the Public Hearing and then turn it back to Staff. There are Findings of Fact for the Conditional Use as well as...I guess, the Conditional Use.

Mr. Minnella said that's correct. So, I will provide...I will read the answers to the questions of the Findings of Facts:

1. The development will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare as it will actively contribute to the health, welfare, and safety of the residents and the surrounding neighborhood by repurposing a vacant, underutilized building while accommodating the needs of Aurora's population and business community.
  
2. The development will not be injurious to the use and enjoyment of surrounding properties in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values as the property is adjacent to a landscaping business to the south and vacant properties to the west, east and southeast.
  
3. No, the establishment of the conditional use planned development for Tortilleria El Rey is not expected to impede the normal and orderly development of the surrounding property as the surrounding properties are developed with business uses or zoned for business uses with the exception of vacant land located southeast of the subject property zoned Park (P). The project is expected to complement the area's existing commercial character and enhance community welfare by improving a vacant building.
  
4. The proposed development provides for all necessary infrastructure and implements comprehensive site improvements to meet all City of Aurora requirements.
  
5. The project is intended to redevelop a site that has already been improved to accommodate ingress and egress of commercial traffic to and from the existing full access off New York Street. The parking lot is being improved with a more functional parking facility to best accommodate commercial use.
  
6. The proposed development is designed to conform to all applicable regulations of the B-3 Business and Wholesale District, with any necessary deviations to be addressed through the Establishment of a Conditional Use Planned Development.
  
7. For Hotels – Is not applicable.

8. *The uses permitted by such exceptions are necessary and appropriate with respect to the primary purpose of the development as it allows food and textile use in order to permit the business to manufacture tortillas for distribution to major and local retailers.*

9. *The permitted uses will not exercise an undue detrimental influence on surrounding neighborhood as the property to the south is a landscaping business and the remainder of the area are other commercial uses. There are no residential uses in the immediate vicinity.*

10. *Yes, upon approval the zoning map will be updated to reflect the change to a Conditional Use for a Planned Development.*

11. *The Food, textile and related product (3110) use will conform to all City of Aurora's performance standards. All operations will be conducted fully in the enclosed building.*

*Chairman Pilmer said does Staff have a recommendation?*

*Mr. Minnella said Staff Recommends Approval of An Ordinance Establishing Conditional Use Planned Development and Approving the Tortilleria El Rey Development Plan Description for the property located at 1955 E. New York Street.*

*Chairman Pilmer said you've heard Staff's recommendation. Is there a motion?*

*MOTION TO APPROVE WAS MADE BY: Mr. Chambers*

*MOTION SECONDED BY: Mrs. Martinez*

*AYES: Chairman Pilmer, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, Mrs. Martinez, and Mr. Pickens*

*NAYS: 0*

*ABSTAIN: 0*

*Motion carried.*

*Chairman Pilmer said motion carries. And then, Staff also read into the record the Findings of Fact related to the Conditional Use. Are there any additions or corrections? Hearing none, is there a motion to accept those as read into the record?*

*MOTION TO APPROVE FINDINGS OF FACT WAS MADE BY: Mr. Kuehl*

*MOTION SECONDED BY: Mrs. Martinez*

*AYES: Chairman Pilmer, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, Mrs. Martinez, and Mr. Pickens*

*NAYS: 0*

*ABSTAIN: 0*

*Motion carried.*

*Chairman Pilmer said motion carries.*

*Aye: 6 Chairperson Pilmer, At Large Chambers, At Large Gonzales, At Large Pickens, At Large Martinez and At Large Kuehl*

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## **Text of Legislative File 25-1041**