



City of Aurora

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

Legistar History Report

File Number: 15-00209

File ID: 15-00209

Type: Petition

Status: Draft

Version: 2

General Ledger #:

In Control: Planning & Development Committee

File Created: 03/13/2015

File Name: AZO Amendment / Alternative Financial Services / Driveways / Findings of Fact

Final Action:

Title: An Ordinance Approving an amendment to Ordinance Number 3100, entitled the Aurora Zoning Ordinance to modify certain portions of Sec. 19.2 Adoption, Sec. 3.3 Definitions, Sec. 4.3 Special Uses & Structures, Sec. 5.13 Off-Street Parking & Loading, Sec. 8.8-3.1.C-ii Standards, Sec. 10.5-3 Standard for variations, Sec. 10.6-5 Standards, Sec. 10.8-13 Standards, Sec. 11 Amendments, and Table One: Use Categories (City of Aurora - L15-00209 / KDWK-15.067-TXT - BW) (PUBLIC HEARING)

Notes:

Agenda Date: 08/13/2015

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit A REDLINE 2015-07-31 - 2015.067.pdf, Qualifying Statement.pdf, AFS Zoning Laws Summary Communities.pdf, AFS Sample Report Summaries.pdf, AFS Legal Challenges.pdf, AFS Lake Street.pdf, AFS 800-900 N. Lake Street.pdf, AFS Lake and Indian Trail.pdf, Controlling the Growth of Payday Lending Through Local.pdf, Payday Lending Protecting or Harming Consumers.pdf

Enactment Number:

Planning Case #:

Hearing Date:

Drafter: bwiet@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	03/17/2015	Forward to Planning Council	DST Staff Council (Planning Council)	03/24/2015		
	Action Text: The request and Referrals were referred to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	03/24/2015					
	Notes: Mr. Wiet said this is for Payday Loan stores, Auto Title Loans, and Check Cashing establishments.						

When I noticed a meeting was scheduled at the end of the month with PLS because they were thinking about the Fannie May candy building, I said that was the last straw. Whoever I talked to, it was like now they may, after we approved these plans for this nice looking new building that PLS will get into, now they thought maybe they could go into Fannie May, dress it up a little and then we've got that on one corner and then we still have an old looking Currency Exchange on the other corner. So I talked to Alayne and others and a couple of things occurred. We could either do a moratorium on them or we could submit a quick Request and Referral that would halt everything right now until we decide the fate of the Text Amendment. So we did that instead. What we are proposing is defining all these places and making them special uses and possibly doing it like a spatial separation of 1,000...

Mr. Sieben said a saturation type of thing.

Mr. Wiet said 1,000 or 1,500 feet between them. I counted 13 of these on Lake Street alone and 8 of them within a mile. In a mile section between Illinois and Indian Trail there were 8 of them. Arby's, KFC, all these places are now turning into these places. I just started Googling this stuff and like every community has done something. So we didn't have much research to do. It is all in that PAS and what we did in just a day's worth of looking. I think we have enough argument for controlling these. I talked to the Mayor a week ago Friday and he said it was about time we did something. Once we get something on Requests and Referrals, which we did at the last Committee of the Whole last Tuesday, nobody can open one of these places until they know the result of the Text Amendment. We are going to go that route for sure.

1 DST Staff Council 03/31/2015
(Planning Council)
Notes: Ms. Phifer said this in the process.

1 DST Staff Council 04/07/2015
(Planning Council)
Notes: Mr. Wiet said this is the change to the zoning regarding Pay Day Loan stores and Title Loans, etc., so we are going to be moving forward with a Text Amendment to create them as all Special Uses and consider a couple of spatial distribution options, which we've done a plethora of research on, so all we've got to do is, or I can do, is structure a report based on all that stuff.

Ms. Phifer said so right now we are looking probably at June for a public hearing.

1 DST Staff Council 04/14/2015
(Planning Council)
Notes: Mrs. Vacek said they are working on this. This in regard to Pay Day Loans, so we will move this forward once we have a Text Amendment finished.

1 DST Staff Council 04/21/2015
(Planning Council)
Notes: Mr. Wiet said has anyone submitted or asked to submit something?

Mr. Sieben said no.

Mr. Wiet said I'll try to put this together.

1 DST Staff Council 04/28/2015
(Planning Council)
Notes: Ms. Phifer said we are going to be looking at our calendar to see when we can schedule this for a Planning Commission date.

1 DST Staff Council 05/05/2015
(Planning Council)
Notes: Ms. Phifer said I think we are looking at some time in July on this one.

Mr. Wiet said I'm getting hounded by the Fannie Mae guy.

Ms. Phifer said Ed, can you please contact the Fannie Mae people and let them know that they should be coordinating with you and not be coordinating with Bill?

Mr. Sieben said I've had no correspondence with Fannie Mae.

Mr. Wiet said well it's through Shomon and they want to have a meeting with the Mayor. I'm trying not to get it to that level.

Mr. Sieben said but this is from the property owner of Fannie Mae?

Mr. Wiet said no, it is the PLS people.

Ms. Phifer said according to what they are telling Ed, they are not looking to file. If that's different then we need to know that. Ed why don't you contact them and find out what their status is, if they are looking to move forward or not.

Mr. Sieben said we will follow up on that.

- 1 DST Staff Council 05/12/2015
(Planning Council)
Notes: Mr. Wiet said I'm adding a couple more things to the Text Amendment. I talked to the Mayor yesterday, so I'll be probably wrapping that up in the next couple of days and then we'll take it from there.
- 1 DST Staff Council 05/19/2015
(Planning Council)
Notes: Mr. Wiet said I am done with the Text Amendment.
- 1 DST Staff Council 05/26/2015
(Planning Council)
Notes: Mr. Wiet said this won't go until the first Planning Commission in July. I haven't heard back from the PLS people. I wonder if they'll remove their operations at River Street, what I thought was temporary. I wonder if they are going to keep them up permanently. We'll see.
- 1 DST Staff Council 06/02/2015
(Planning Council)
Notes: Mrs. Vacek said this is tentatively set for the July 8th Planning Commission.
- 1 DST Staff Council 06/09/2015
(Planning Council)
Notes: Mrs. Vacek said this is scheduled for the July 8th Planning Commission.
- 1 DST Staff Council 06/16/2015
(Planning Council)
Notes: Mrs. Vacek said this is tentatively set for the July 8th Planning Commission.
- 1 DST Staff Council 06/23/2015
(Planning Council)
Notes: Mr. Sieben said this is set for the July 8th Planning Commission meeting. We will be putting together the exact language. The notice has gone out.

Ms. Phifer said yes and we will vote it out next week.
- 1 DST Staff Council 06/30/2015 Forwarded Planning 07/08/2015 Pass
(Planning Council) Commission
Action Text: A motion was made by Mr. Minnella, seconded by Ms. Phifer, that this agenda item be Forwarded to the Planning Commission, on the agenda for 7/8/2015. The motion carried by voice vote.
Notes: Mr. Sieben said we need to vote this out today. This will be going to the July 8th Planning Commission and we will be putting together the language this week.

Mr. Wiet said I should be done Wednesday with my stuff.

Mr. Sieben said hopefully I will too.

Ms. Phifer said and there is one thing missing from this. The official title is that the parking table is also being modified.

Mr. Minnella made a motion to move this forward to the July 8th Planning Commission. Ms. Phifer seconded the motion. The motion carried unanimously.
- 2 Planning Commission 07/08/2015 Held in Planning 08/05/2015 Pass
Commission
Action Text: This item was continued to the August 5, 2015 Planning Commission meeting.
Notes: Mrs. Vacek said I would ask that the Public Hearing be opened and then staff will ask that it be continued.

The public input portion of the public hearing was opened. No witnesses came forward. The public

input portion of the public hearing was closed.

Mrs. Vacek said staff would recommend that this be continued until the August 5th Planning Commission.

MOTION TO CONTINUE TO 8/5/2015 WAS MADE BY: Mrs. Hoffman

MOTION SECONDED BY: Mr. Bergeron

AYES: Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Engen, Mrs. Hoffman, Mr. Pilmer

NAYS: None

Aye: 7 At Large Bergeron, At Large Cameron, At Large Cole, Fox Valley Park District Representative Hoffman, At Large Pilmer, At Large Engen and At Large Truax

2	Planning Commission	08/05/2015	Forwarded	Planning & Development Committee	08/13/2015	Pass
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Action Text: A motion was made by Mr. Bergeron, seconded by Mr. Pilmer, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 8/13/2015. The motion carried.

Notes: 4

2 VICE CHAIRMAN TRUAX: We have another issue
3 tonight, which is an ordinance approving an amendment
4 to Ordinance No. 3100 entitled The Aurora Zoning
5 Ordinance to modify certain portions of Section 19.2,
6 Adoption, Section 3.3 Definitions, Section 4.3 Special
7 Uses and Structures, Section 5.13 Off-Street Parking
8 and Loading, Section 8.8-3.1.C-ii Standards,
9 Section 10.5-3 Standard for Variations, Section 10.6-5
10 Standards, Section 10.8-13 Standards, Section 11
11 Amendments, and Table One, Use Categories. This is
12 also a public hearing.

13 MR. WIET: Good evening, Madam Chairman and
14 members of the Aurora Planning Commission. My name is
15 Bill Wiet, W-i-e-t. I am the development director for
16 the City of Aurora, and I'll be presenting on behalf
17 of the text amendments to the zoning ordinance.

18 There are a few items that are being
19 recommended to be included in the zoning ordinance
20 modifications. However, there's one that I'm going to
21 focus on more than the others, and I think you
22 received quite a lot of information on that, and

23 *that's how the City of Aurora can regulate payday loan*

24 *stores, currency exchanges, check cashing, title loan*

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1 *stores, pawn shops, and the like.*

2 *What I'd like to do right now is just --*

3 *I'll just read the qualifying statement for the*

4 *record, and then we can just go into how staff has*

5 *looked at this over the past couple or few years and*

6 *began to take some serious action for that.*

7 *"The City of Aurora has experienced a high*

8 *density of alternative financing financial services*

9 *within some of Aurora's retail corridors. These*

10 *establishments are commonly referred to as check*

11 *cashing facilities, payday loan agencies, currency*

12 *exchanges, title loan business, and the like.*

13 *"The use of these alternative financial*

14 *services reduces reliance on the more typical bank and*

15 *financial institutions. These uses can cause*

16 *borrowers triple-digit interest rates and can be*

17 *damaging to families that live on the financial edge.*

18 *But also important is that these types of uses do not*

19 *meet the economic development goals that come with*

20 *commercial development.*

21 *"It has been shown that these alternative*

22 *financial services have been grouping together along*

23 *some of the City's retail corridors precluding the*

24 *orderly development of these commercial districts,*

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1 *impairing property values, and being unreasonably*
2 *detrimental to the general welfare of the community in*
3 *part due to the lack of regulation of these fast*
4 *growing businesses.*

5 *"In fact, there are 11 such uses located*
6 *within less than a mile stretch of Route 31 (Lake*
7 *Street), but these facilities are also prevalent along*
8 *other retail corridors, as well. The City is*
9 *anticipating that more of these types of uses will*
10 *follow given that these are permitted uses in all of*
11 *the business districts.*

12 *"Staff has researched the various zoning*
13 *regulations and techniques on restricting these*
14 *particular uses, including those that can apply to*
15 *Aurora due to the characteristics of locating these*
16 *users in certain areas being similar.*

17 *"Therefore, a text amendment is being*
18 *proposed to further define these issues, creating a*
19 *classification for these types of issues different*
20 *from financial institutions, and requiring a special*
21 *use permit with spacial separation requirements.*

22 *"The City's experience with enacting zoning*
23 *regulations in other uses that have or had the ability*
24 *to saturate commercial districts such as drive-throughs*

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1 *and auto-related businesses has shown that orderly*
2 *development can occur while still allowing for a*
3 *variety of commercial uses in a given district."*

4 *There was a lot of research done on this*

5 topic. However, I think the results are pretty
6 simplistic, is that we're coming before you to just
7 require all these uses as special uses, and we are --
8 through all of our research that we've done, we are
9 recommending that the separation between these uses be
10 1,500 feet.

11 We did the research -- and this is just a
12 small amount of research that occurred. We wanted to
13 make sure that we did take out some of the documents
14 that we researched, put them in the packet so we can
15 have justification for our actions.

16 I believe what I did, I went through about
17 4 inches thick of research that we had done with the
18 help of Tracey and our planning advisory service that
19 provides us links. So for our library -- I didn't
20 bring the binder, but a lot of research was done. And
21 if you noted and read through it, we tried to cherry-
22 pick a lot of the language we thought was, again,
23 found in other locations, number two, looked to be
24 legally defensible, and we took those and we narrowed

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1 that down.

2 The reason for the special use requirement
3 is that we can actually take a look at each individual
4 request. We can look at them on their own merits; we
5 can see their location; we can see their impact on
6 neighboring businesses, and I'll report later we have
7 added some additional findings to our special use
8 provisions on this so we have the ability to judge

9 that more as they would come in.

10 What became fairly bothersome to me and some
11 staff and probably some of you, as well, is if you
12 drove down Lake Street at a time when you saw an
13 obvious architectural feature that indicated something
14 was like an Arby's Roast Beef, something was a
15 Kentucky Fried Chicken, something was an obvious store
16 at one point in time, but guess what, they all turned
17 into title loan stores, they all turned into payday
18 loan stores, cash for gold, et cetera.

19 So we wanted to try to turn back the clock
20 to at least try to provide for more retail opportunities
21 in our commercial corridors. I only picked Lake Street
22 because I thought that was more obvious. This is also
23 prevalent on New York Street, as well, maybe not to
24 that degree.

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1 But we had felt strongly that if we could
2 take a look at these -- which, if approval if granted
3 we would -- these uses would become legal nonconforming.
4 So if one did leave, a special use would be required
5 to come back in.

6 We also looked at some of the spacial
7 distribution aspects. We looked at 1,000 feet; we
8 looked at a quarter mile; we looked at 1500 feet. A
9 couple of aerial photos that were provided showed
10 two clumps say on Lake Street. One near, I want to
11 say Northgate. The other one is near the intersection
12 of Indian Trail and Lake Street. I think there's five
13 or six around each one of those areas. If we utilize

14 the provisions that are recommended, we think that we
15 could reduce five or six of these establishments down
16 to two establishments in these areas because of the
17 spacial distribution.

18 Now, anyone can find -- you know, if you
19 went 1500 foot, 1500 feet along Lake Street, you could
20 probably fit some more in, but it's all about where
21 people want to locate.

22 There were other things we looked at that we
23 did not include at this time that were in other
24 ordinances about proximity to residential districts and

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1 the like. We figured that how we are defining the
2 locations of these establishments is by property.
3 Northgate would be one entire property, even if the
4 tenant space might be located on the Lake Street end
5 but, you know, the residential district actually would
6 be Palace behind it. We didn't want to -- what it
7 would have meant is that that would have an effect on
8 a residential district that's right across the street.

9 So we wanted to give the chance for the
10 Commission to look at these on an individual basis.
11 We feel that some of these uses might come and go. So
12 we will have that opportunity, I feel to reduce the
13 number of these establishments, maybe get back to
14 other retail uses that would be -- could be enjoyed by
15 all of the citizens of Aurora, and, therefore, I am
16 and staff is proposing the recommendation for that.

17 Just to be very brief, as well, there's a

18 couple other changes. And, again, while we had the
19 text amendment open for changes, we looked at including
20 a couple others, as well. And these are all based
21 upon our zoning administrator looking at the complaints
22 and items that have come in for him to look at, which
23 is Ed Sieben, and lot of times these particular items
24 are not adequately addressed in our zoning ordinance,

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1 so we just wanted to do some cleanup.
2 The first one actually has to do with our
3 historic districts, and this is something that we do
4 not have in the zoning ordinance, a provision about
5 properties that are currently in our historic
6 districts that basically would be able to have a
7 zoning inspector through the zoning ordinance
8 provision say stop a job that's being done without a
9 permit or a certificate of appropriateness in our
10 historic districts.

11 If we put that provision in the zoning
12 ordinance, our zoning inspectors can then go out and
13 talk to property owners that may be doing work without
14 a certificate of appropriateness in a historic
15 district, make them come in. So we felt that having
16 that extra layer in the zoning ordinance would allow
17 more people to be active in our districts as we try to
18 do more with less to move development forward.

19 Another item that we looked at is how to
20 treat gravel driveways in the city. A lot of times
21 gravel driveways become dirt driveways, and then when
22 somebody is cited, they'll just throw some gravel

23 back, and it will be a constant wearing down of the
24 surface.

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1 We had thought that the only way to keep up
2 a gravel driveway is to keep it up consistently, and
3 we would always maintain it. If someone keeps up a
4 gravel driveway, that would still be allowable.
5 However, under certain circumstances of deterioration
6 that could include loss of gravel, dirt surface
7 sinking in dips, pooling of water, lack of any border,
8 and/or encroachment or growth of vegetation, we would
9 then find that in violation, and they would have to
10 either use asphalt, concrete, or pavers.

11 So we have the ability now to take a look at
12 these failing driveways and try to react to them once
13 they get to a degree of neglect that we feel we could
14 make them move forward on.

15 Again, one other item that came up
16 historically that we made notes on our ordinance to
17 change is vacant lots and the inability for a vacant
18 lot to have a driveway curb cut or other vehicular
19 accident.

20 A case occurred where a neighbor bought -- a
21 house was torn down next to a neighbor's property. It
22 still had a curb cut off of the street. The neighbor
23 bought the vacant lot and then decided to build
24 another driveway that basically led to nowhere.

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1 So you had one house, a driveway for that
2 person's house. They bought the lot next door that
3 had a curb cut and put in a drive access that actually
4 made them have two driveways. We felt that a vacant
5 should be just that, a vacant lot. So someone just
6 added another vehicular storage area next door to them
7 on a vacant lot. So it was due to our zoning
8 ordinance that we weren't able to find something that
9 critical to point to that we figured we'd like to do
10 that tonight, as well.

11 We also have a number of additional findings
12 for the Planning Commission for special uses when they
13 talk about rezoning petitions, when it talks about
14 variation petitions, about particular hardship. We
15 also talked about the special use provisions that will
16 not preclude the normal and orderly development and
17 improvement of surrounding properties due to
18 saturation of concentration of similar uses in a
19 general area, which could be used, again, for the
20 payday loan stores and the like.

21 We also are looking at the additional
22 standards for alternative financial services
23 businesses that no other currency exchange, payday
24 loan store, title loan store, installment loan agency,

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1 cash for gold business, or pawn shop is located within
2 1500 feet of the proposed use measured from the
3 property line. No special use permit for said uses be

4 granted unless the Plan Commission finds that in this
5 particular case.

6 So in the packet of information are several
7 changes to the zoning ordinance. Tracey is also
8 reminding me of something else I didn't say -- oh,
9 yeah, simply about the size of a trailer in a
10 residential district, that instead of being allowed
11 one axle we have just a height restriction of 20 feet
12 long, and that's something else that's being proposed,
13 again, due to probably a constant review of our zoning
14 administrator of a way to at least make it easier to
15 tell someone whether a trailer can be permitted or not
16 in a residential district by its -- before we just
17 limited it to one axle. So that's another -- while
18 we're here doing modifications to the zoning ordinance
19 we might as well put that one in there, too.

20 I apologize for rambling all over the place,
21 but we have definitions, and we have a lot of things --
22 and it really is something we wanted to get to
23 quickly.

24 We had been in discussions or a developer

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1 had talked to us about another payday loan store at a
2 location that we would have found inappropriate. So
3 what we did, we entered a request for referral to City
4 Council, and we were able to do that prior to any
5 submittal of any building plans, and all inquiries
6 once we put a request for referral to City Council on
7 a text amendment, all future developments of that type
8 have to be on hold until the City Council reviews and

9 takes action on it.

10 So we were able to at least pause another
11 payday loan store on Lake Street due to the action
12 that we took pretty quickly.

13 MEMBER CAMERON: On the trailers, two axles
14 are allowable now? It's just that they can't be in
15 excess of 20 foot, and 20 foot is 20 foot measured how?

16 MS. VACEK: It's the length of the actual
17 trailer. But what was happening is that we were
18 finding that there was a lot of one-axle trailers that
19 were actually larger than the two-axle trailers, but
20 since they had the two axles we were putting them in
21 violation, when there are several one-axle trailers
22 that were bigger.

23 So we wanted just to define it, and I'm
24 pretty sure that Ed did do research on kind of what

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1 the length of the trailers were, and he came up with
2 the 20.

3 MEMBER CAMERON: Is that from the hitch?

4 MS. VACEK: The hitch back.

5 MEMBER CAMERON: The hitch back to whatever
6 the physical length of the trailer is?

7 MS. VACEK: The physical length, yes.

8 MEMBER CAMERON: So, for example, a boat
9 trailer could be -- have a boat bigger than a certain
10 size simply because the physical part of the trailer
11 is it's not the trailer when it's loaded or how
12 does that --

13 MS. VACEK: Right. It's the physical size
14 of the trailer.
15 VICE CHAIRMAN TRUAX: So a double axle
16 trailer, if it's under the -- is still is okay or not?
17 MS. VACEK: It would be permitted now. Like
18 I said, before it really didn't matter the number of
19 axles. We were getting a lot of one-axles that were
20 actually larger than the two-axles. So we wanted just
21 to make sure that we limited the size of the trailers,
22 not necessarily if it had one axle or two axles.
23 VICE CHAIRMAN TRUAX: Okay.
24 MEMBER CAMERON: I think some of the double-

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1 axle trailers that probably the landscapers use, you
2 know, primarily adds to stability of the trailer.
3 MR. WIET: With the load they're carrying.
4 MEMBER CAMERON: Right.
5 VICE CHAIRMAN TRUAX: Okay. Linda?
6 MEMBER COLE: On the alternative financial
7 services. First off, whoever did the research, my,
8 more information than -- and it was also fairly
9 presented because all sides of it were given.
10 MR. WIET: Correct. And I think -- yes, it
11 was -- made sure that we did provide arguments from
12 both sides because there are arguments that some
13 population does feel comfortable at these, and it's a
14 service that they currently can't get through any
15 financial institution. They don't qualify and they
16 find it sometimes necessary.
17 MEMBER COLE: So my question is, if a

18 financial -- alternative financial service sells to
19 another owner, does that new owner have to come in for
20 the special use, or is it still grandfathered in as
21 long as it remains an alternative financial service?
22 MR. WIET: It is -- it was my opinion in
23 putting this together that the use will stay with the
24 property. If it's a payday loan store, it can change

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1 from PLS to Joe's Payday Loan Store, but I think these
2 questions are probably more appropriate whenever we
3 get to discussing business licenses within the city
4 that we can be able to be add maybe more of those as
5 far as a business license. We don't have that for
6 these right now. If we do ever bring that up, we can
7 always look at provisions about transfer of ownership.

8 MEMBER COLE: And you're not looking at
9 limiting the time that they're open?

10 MR. WIET: Not in the text amendment because
11 there are, again, varying circumstances that I
12 particularly reviewed in terms of where something
13 could be operational more hours than others, some that
14 may or may not be closer to residential districts and
15 the like. So we felt comfortable not including that,
16 maybe having that be a topic of discussion when they
17 did come through with their special use.

18 If we had put more conditions on these
19 payday loan stores, we more than likely might have
20 made them permitted except with a laundry list of
21 conditions, but I think in some of these I think it's

22 best to go through the special use process so we can
23 take a look at exact locations.

24 MEMBER COLE: And my next question is, on

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1 the driveways on empty property. If there's a home on
2 the piece of property and it's destroyed, it would
3 have a driveway there. Does that driveway just then
4 go away?

5 MR. WIET: In the particular case -- one of
6 the cases that brought this forward is that the house
7 and the driveway were demolished and ripped up.
8 However, the curb cut to the street remained, and that
9 provided an opportunity for a neighbor to purchase
10 that property and put another drive in.

11 MEMBER COLE: So should a home -- a
12 residence say burn down and it's just a vacant lot,
13 would that curb cut remain, or would somebody have to
14 close off that curb cut?

15 MR. WIET: Generally, the curb cut would
16 remain from the street, but the -- usually the
17 approach gets ripped up, but the depressed curb
18 remains on the street and it's grassed over. And,
19 also, parking vehicles on a vacant lot is prohibited
20 right now. This was a circumstance that a property
21 got joined to another one and provided for an
22 additional driveway.

23 MEMBER CAMERON: So this would give you
24 teeth in not allowing --

- 1 MR. WIET: Correct.
- 2 MEMBER CAMERON: -- a new driveway to be put
3 at that existing curb cut?
- 4 MR. WIET: Correct. Yes.
- 5 VICE CHAIRMAN TRUAX: Okay. Other
6 questions?
- 7 Tracey, I'm assuming you have a
8 recommendation here.
- 9 MS. VACEK: Bill does.
- 10 VICE CHAIRMAN TRUAX: Bill, someone want to
11 give us a recommendation?
- 12 MR. WIET: Simply that I'd refer to
13 Exhibit A, which is the modifications to the zoning
14 ordinance. It's actually the red-lined version, and
15 we would recommend that that Exhibit A be approved in
16 its entirety.
- 17 VICE CHAIRMAN TRUAX: Okay. Do we have a
18 motion?
- 19 MEMBER PILMER: I think it's a public
20 hearing.
- 21 MEMBER BERGERON: So moved.
- 22 VICE CHAIRMAN TRUAX: Oh, yeah, you're
23 right. This is a public hearing.
- 24 I'm going to open the public hearing. If

- 1 anyone in the audience wishes to come forward and
2 speak on this issue, this is your opportunity.
- 3 (No response.)

4 VICE CHAIRMAN TRUAX: Seeing that no one
5 came forward, I'm going to close the public hearing.
6 Thank you, Don, for reminding me.
7 Now, do we have a motion?
8 MEMBER BERGERON: So moved.
9 MEMBER CAMERON: Second.
10 VICE CHAIRMAN TRUAX: Sue, would you call
11 the roll, please.
12 MS. JACKSON: Mr. Bergeron.
13 MEMBER BERGERON: Yes.
14 MS. JACKSON: Mr. Cameron.
15 MEMBER CAMERON: Yes.
16 MS. JACKSON: Mrs. Cole.
17 MEMBER COLE: Yes.
18 MS. JACKSON: Mr. Divine.
19 MEMBER DIVINE: Yes.
20 MS. JACKSON: Mr. Engen.
21 MEMBER ENGEN: Yes.
22 MS. JACKSON: Mr. Pilmer.
23 MEMBER PILMER: Yes.
24 MS. JACKSON: Mr. Reynolds.

22

1 MEMBER REYNOLDS: Yes.
2 VICE CHAIRMAN TRUAX: Okay. The motion
3 carries. Any further business for us?
4 MEMBER ENGEN: I've got a question for
5 Tracey.
6 MS. VACEK: This is going to go to the
7 planning and development committee next Thursday,

8 August 13th, at 4:00 p.m. in the 5th floor

9 conference room.

10 VICE CHAIRMAN TRUAX: Thank you.

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