

Sec. 2-465 – 2.47~~5~~². Reserved.

DIVISION 5. - AURORA FOXWALK OVERLAY DISTRICT DESIGN REVIEW COMMITTEE RIVERWALK COMMISSION

Sec. 2.473. - Created.

There is created the Aurora FoxWalk Overlay District Design Review Committee, herein after referred to as the "Design Review Committee" Aurora Riverwalk Commission.

(Ord. No. O87-5641, § 1, 3-17-87)

Sec. 2.474. – Purpose.

The Design Review Committee shall guide the revitalization of downtown Aurora by providing a flexible framework that melds private and public sector efforts under a unifying design concept, respecting Aurora's significant architectural history, ensuring that new development projects meet the highest design, imagination, and execution, and recognize that the Fox River is the downtown's greatest asset by guiding development of the FoxWalk public walkway per the approved Master Plan.

Sec. 2.475. - Membership.

(a) The Design Review Committee riverwalk commission shall consist be comprised of thirteen (13) members as follows:

(1) The Zoning and Planning Director and/or designee of the City as an *ex officio* member; ~~Nine~~ (9) general members to include one chairman, all to and one (1) alderman, who shall be appointed by the ~~M~~ mayor with the advice and consent and subject to approval of the ~~C~~ City Council.

(2) The general members shall at all times include one (1) representative from each of the following five (5) entities: ~~President of the Aurora Downtown, Aurora Public Art Commission, Bicycle, Pedestrian & Transit Advisory Board, Fox Valley Park District Historic Preservation, and four (4) , the mayor and the Aurora Township Supervisor. If the President of the Fox Valley Park District, the Aurora Township Supervisor or the mayor are unable to serve on the commission, members shall to be appointed~~ by the Mayor subject to the approval of ~~C~~ City Council to complete the commission.

(b) ~~(3)~~ All general members appointed shall be residents of the city or shall be owners of property within the FoxWalk Overlay District, or owners or executive or managerial employees of businesses in the Foxwalk Overlay District.

(4) City of Aurora elected officials shall not be appointed as members of the Commission during their time in office.

(5) With the exception of the *ex officio* member, City of Aurora staff shall not be appointed as members of the Commission during their time of employment with the city.

(c) Initial general appointments to the commission shall be for staggered terms as determined by lots drawn at the first regular meeting of the commission, and shall in each instance

~~terminate on January 1 of the appropriate year or when a successor is appointed and qualifies, such terms to be as follows:~~

~~(1) Three (3) members to serve until January, 1988.~~

~~(2) Three (3) to serve until January, 1989.~~

~~(3) Three (3) to serve until January, 1990.~~

~~(d) All subsequent general appointments shall be for full terms of three (3) years, or until a successor is appointed and qualifies. Any general member may be reappointed at any time. Vacancies shall be filled by appointment for the remainder of the unexpired term. Any general member may be removed by the mayor for cause, subject to approval of the city council. All members shall serve without compensation.~~

Sec. 2-476. ~~-~~ ~~Created~~ Chairman.

The chairman of the Design Review Committee shall be appointed by the Mayor for a term of one (1) year or until his/her successor has been duly appointed.

~~There is created the Aurora Riverwalk Commission.
(Ord. No. 087-5641, § 1, 3-17-87)~~

Sec. 2-477. ~~-~~ ~~Membership~~ Terms of members.

The nine (9) general members of the Design Review Committee shall be appointed for the following terms: Three (3) members, including the chairman, for a term of one (1) year, three (3) members for a term of two (2) years and three (3) members for a term of three (3) years from the time of their appointments and each and every year thereafter.

~~(a) The riverwalk commission shall consist of thirteen (13) members as follows:~~

~~(1) Nine (9) general members and one (1) alderman, who shall be appointed by the mayor with the advice and consent of the city council.~~

~~(2) The President of the Fox Valley Park District, the mayor and the Aurora Township Supervisor. If the President of the Fox Valley Park District, the Aurora Township Supervisor or the mayor are unable to serve on the commission, members shall be appointed to complete the commission.~~

~~(b) All general members appointed shall be residents of the city or shall be owners of property, or owners or executive or managerial employees of businesses in the Foxwalk Overlay District.~~

~~(c) Initial general appointments to the commission shall be for staggered terms as determined by lots drawn at the first regular meeting of the commission, and shall in each instance terminate on January 1 of the appropriate year or when a successor is appointed and qualifies, such terms to be as follows:~~

~~(1) Three (3) members to serve until January, 1988.~~

~~(2) Three (3) to serve until January, 1989.~~

~~(3) Three (3) to serve until January, 1990.~~

~~(d) All subsequent general appointments shall be for full terms of three (3) years, or until a successor is appointed and qualifies. Any general member may be reappointed at any time. Vacancies shall be filled by appointment for the remainder of the unexpired term. Any general member may be removed by the mayor for cause, subject to approval of the city council. All members shall serve without compensation.~~

(Ord. No. 087-5641, § 1, 3-17-87; Ord. No. 094-046, § 1, 5-17-94)

Sec. 2-478. - ~~Officers.~~ Successors.

All persons appointed as members of the Design Review Committee shall serve in their official capacities, respectively, until their successors have been appointed and qualified as provided in this article.

~~The mayor shall annually designate a chairman of the riverwalk commission. The commission shall elect a vice chairman, a secretary and such other officers as it may deem advisable from amongst its own members, to serve for one (1) year. The initial election shall be held at the first regular meeting of the commission with subsequent elections being held on the first regular meeting date of each calendar year.~~

(Ord. No. O87-5641, § 3, 3-17-87)

~~**Cross reference**— Human services department to provide staffing and liaison for boards, etc., § 2-284.~~

Sec. 2-479. - ~~Meetings.~~ Vacancies in Office.

In the event of the death, resignation, removal, or incapacity of any member of the Design Review Committee, or if a vacancy occurs for any reason, a member shall be appointed by the Mayor subject to approval of the City Council to hold the office for the duration of the unexpired term. Any general member may be removed for cause by the Mayor, subject to approval of the City Council.

~~Meetings of the riverwalk commission shall be held at regularly scheduled times and at the call of the chairman. Seven (7) members of the commission shall constitute a quorum for the conduct of all business of the commission. If a member is not present without good cause for three (3) consecutive meetings, the chairman of the commission may request the appointment of a replacement with a majority of the commission members concurring in such request. The commission shall adopt rules for the conduct of its meetings and its work. A copy of said rules shall be filed with the city council.~~

(Ord. No. O87-5641, § 3, 3-17-87)

Sec. 2-480. - ~~Functions.~~ Executive Secretary, Ex Officio Member.

The Zoning and Planning Director and /or designee shall be considered an *ex officio* member with non-voting authority on all issues, and shall be the executive secretary of the Design Review Committee. The executive secretary shall record and maintain the minutes of all meetings of the Design Review Committee, and keep the same in his or her custody and control. The Zoning and Planning Director and staff shall provide support to the Design Review Committee as needed.

~~The riverwalk commission shall:~~

- ~~(1) Promote, encourage and guide the development and use of the riverwalk.~~
- ~~(2) Solicit and obtain funds, services and real or personal property for uses related to the goals and purposes of the commission, from individuals, organizations, municipal corporations and any other source permitted by law. All funds, services and real and personal property received by the commission shall be received in the name of the city, and such funds shall be forthwith delivered to the city treasurer.~~

- ~~(3) Submit an annual budget request regarding the funds designated in paragraph (2) above, to the budget officer in accordance with the budget approval calendar requirements from time to time established.~~
- ~~(4) Provide an annual report not later than February 1 of each year to the city council and render such reports and recommendations as the city council may request.~~
- ~~(5) Constitute and operate as an agency of the city in regard to all expenditures, purchases, personnel and accounts.~~
- ~~(6) Arrange for building and grounds maintenance and repair to be performed either by city personnel, by such other means as are provided for in the commission's annual budget, or by the Fox Valley Park District by and with its approval.~~
- ~~(7) Recommend regulations to the city council for the riverwalk properties and facilities supervised by the commission.~~
- ~~(8) Appoint members to a riverwalk advisory board as the commission shall from time to time deem necessary, in accordance with its rules. Such board shall render advice to the commission on matters upon which the commission may from time to time deliberate. The commission may appoint one (1) or more members of the advisory board to any committee of the commission on an ex officio basis.~~
- ~~(9) Coordinate the development of the riverwalk in cooperation and harmony with the redevelopment plan and project approved by the city on December 2, 1986 pursuant to Ordinance No. 086-5596 for the Downtown Aurora Redevelopment Project Area designated by the city on the date pursuant to Ordinance No. 086-5597.~~

~~(Ord. No. 087-5641, § 5, 3-17-87; Ord. No. 099-96, § 3, 11-9-99)~~

Sec. 2-481. - Functions.

- Committees.

The Design Review Committee riverwalk commission shall:

- (1) —Promote and guide redevelopment of the downtown while protecting its character as a historic center city; and

Promote, encourage and guide the development and use of the riverwalk.

- (2) —Reviews changes to building exteriors and sites in the district using the FoxWalk Overlay District Design Guidelines; and

Solicit and obtain funds, services and real or personal property for uses related to the goals and purposes of the commission, from individuals, organizations, municipal corporations and any other source permitted by law. All funds, services and real and personal property received by the commission shall be received in the name of the city, and such funds shall be forthwith delivered to the city treasurer.

- (3) —Promote, encourage and guide the development and use of the Riverwalk, while maximizing awareness of the Fox River's potential as the City's greatest natural asset, and Submit an annual budget request regarding the funds designated in paragraph (2) above, to the budget officer in accordance with the budget approval calendar requirements from time to time established.

- (4) —Advance implementation of the Revised FoxWalk/Riverwalk Master Plan, Aurora Riverfront Vision Plan, and Downtown Master Plan; and Provide an annual report not

later than February 1 of each year to the city council and render such reports and recommendations as the city council may request.

- (5) — Establish a pedestrian friendly, commercially-viable destination district; and
Constitute and operate as an agency of the city in regard to all expenditures, purchases, personnel and accounts.
- (6) — Honoring Aurora's architectural history while encouraging innovative and imaginative redevelopment projects; and
Arrange for building and grounds maintenance and repair to be performed either by city personnel, by such other means as are provided for in the commission's annual budget, or by the Fox Valley Park District by and with its approval.
- (7) Collaborate among developers, citizen volunteers, elected officials, Aurora Downtown, and staff to guide restoration projects and new developments that reflect the highest standards of design and execution. Recommend regulations to the city council for the riverwalk properties and facilities supervised by the commission.
- (8) Appoint members to a riverwalk advisory board as the commission shall from time to time deem necessary, in accordance with its rules. Such board shall render advice to the commission on matters upon which the commission may from time to time deliberate. The commission may appoint one (1) or more members of the advisory board to any committee of the commission on an ex-officio basis.
- (9) Coordinate the development of the riverwalk in cooperation and harmony with the redevelopment plan and project approved by the city on December 2, 1986 pursuant to Ordinance No. 086-5596 for the Downtown Aurora Redevelopment Project Area designated by the city on the date pursuant to Ordinance No. 086-5597.

(Ord. No. 087-5641, § 5, 3-17-87; Ord. No. 099-96, § 3, 11-9-99)

- (a) — Executive committee. The executive committee of the riverwalk commission shall consist of the President of the Fox Valley Park District, the mayor, the Aurora Township Supervisor, the alderman who is a commission member, and the commission chairman, provided that if the commission chairman is not a general member of the commission then the commission shall designate an additional member of the executive committee. The executive committee shall be a working committee and shall meet as necessary to manage the business of the commission, to accomplish and effectuate the goals and purposes of the commission and for such other matters related to the development, maintenance and operation of the riverwalk as may be designated by the commission from time to time. If any member of the committee is unable to serve thereon, the commission shall designate a replacement thereof.
- (b) — Other committees. The riverwalk commission may appoint such committees of its own members as it may deem necessary or appropriate to accomplish and effectuate the goals and purposes of the commission, including, but not limited to a finance committee, to be responsible for the budget, accounting, fund raising plans and events and securing of gifts and grants; and a construction committee, to be responsible for developing, recommending and implementing plans for expansion, extension and improvement of the riverwalk. The finance, construction and/or other committees as may be created by the commission shall be responsible to and report to the executive committee which shall, in turn, be responsible to the commission.

(Ord. No. 087-5641, § 4, 3-17-87)

Sec. 2-482. - Meetings.

~~-Exceptions to jurisdiction.~~

~~Meetings of the Design Review Committee riverwalk commission shall comply with the Open Meetings Act, shall be held at regularly scheduled times and at the call of the chairman and by a properly posted agenda. Special Meetings may be called at any time by the chairman or any member that submits a request in writing to the chairman, and shall be held after the proper posting of an agenda in accordance with the Open Meetings Act. All meetings shall be conducted pursuant to applicable state and local requirements. Seven (7) members of the commission shall constitute a quorum for the conduct of all business of the commission. If a member is not present without good cause for three (3) consecutive meetings, the chairman of the commission may request the appointment of a replacement with a majority of the commission members concurring in such request. The commission shall adopt rules for the conduct of its meetings and its work. A copy of said rules shall be filed with the city council.~~

~~Any private development located along and affecting the banks of the Fox River within the area thereof contemplated for a riverwalk which development has been separately approved by the city council through ordinary and customary procedures therefor, shall not be subject to any decision or power of the riverwalk commission hereunder.~~

(Ord. No. O87-5641, § 6, 3-17-87)

Secs. 2-483 ~~—2-485. —Reserved—~~ Quorum.

~~Five (5) members of the Design Review Committee shall constitute a quorum. No business of the Design Review Committee shall transpire without a meeting that has a quorum present.~~

Sec. 2-484. - Attendance.

~~All members shall attend the meetings of the Design Review Committee. If a member is absent from three (3) consecutive regular meetings, it may be considered a voluntary resignation of office. A majority vote of the Design Review Committee members present at a properly posted meeting may declare the position vacant and request that the Mayor appoint a new member to fill the vacancy.~~

Sec. 2-485. – By-laws/Rules and Regulations.

~~The Design Review Committee shall adopt and promulgate its own by-laws and any other rules and regulations as may be necessary and proper to govern its structure and operations, as well as the conduct of its meetings and the business to be performed, subject to approval by the City Council.~~