



City of Aurora

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

Legistar History Report

File Number: 21-0337

File ID: 21-0337	Type: Petition	Status: Draft
Version: 2	General Ledger #:	In Control: Building, Zoning, and Economic Development Committee
File Name: Vernon LaVia / 632 S. Ohio Street / Rezoning		File Created: 05/04/2021
		Final Action:

Title: An Ordinance Amending Chapter 49 of the Code of Ordinances, City of Aurora, by Modifying the Zoning Map Attached Thereto by Rezoning the Property Located at 632 South Ohio Street from B-3, Business and Wholesale District to R-2, One Family Dwelling District (Vernon LaVia - 21-0337 / AU26/4-21.130-Rz - SB - Ward 3) (PUBLIC HEARING)

Notes:

Agenda Date: 06/23/2021

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" - Legal Description - 2021-05-24 - 2021.130, Land Use Petition and Supporting Documents - 2021-05-04 - 2021.130, Qualifying Statement - 2021-05-19 - 2021.130, Property Research Sheet - 2021-05-26 - 2021.130, Rezoning Findings of Fact Sheet, Legistar History Report - 2021-06-02 - 2021.130

Enactment Number:

Planning Case #: AU26/4-21.130-Rz

Hearing Date:

Drafter: sbroadwell@aurora-il.org

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
2	Planning and Zoning Commission	06/02/2021	Held in Planning and Zoning Commission	Planning and Zoning Commission	06/16/2021		Pass
Action Text: A motion was made by Ms. Tidwell, seconded by Mrs. Anderson, that this agenda item be Held in Planning and Zoning Commission, on the agenda for 6/16/2021. The motion carried.							
Notes: Mr. Broadwell said I think we have Vernon LaVia here speaking on behalf of the Petition. Vernon is calling in from London, I believe, so this might be the first ever international Aurora Planning Commission. I'm going to pull up the screen sharing. As you just heard, this is a rezoning for 632 S.							

Ohio Street. You can see the property right here on the zoning map and you can see in the staff report and the qualifying statement the property is currently a single family structure that the Petitioner is proposing to rezone to R-2. A little bit of the history of the property. It was originally, when it was incorporated in 1929 and in the zoning map, it was incorporated to the R-1 zoning district for residential. In the 1950 zoning map, it was still shown as the one family dwelling district. At some point, between 1957 and, I think we determined, the early 2000's, it was rezoned to the current B-3 zoning. I tried to find the rezoning ordinance that rezoned it to B-3 with no luck. But that's essentially the reasoning for this rezoning petition. I think Vernon has a pretty good background on the history of the property, but then also he can go into more on the history of the property itself. Before we go into that, just a little bit more background, and I'll pull up the property here so that you can see it. It fronts on Ohio Street and all of the properties to the north on Ohio Street are zoned for R-2, so this rezoning will allow for the property zoning to be consistent with the zoning there on Ohio Street, but then also maintain the residential nature of the block. As you can see, all the properties to the east here are zoned for commercial and all of their primary access is onto Hill Avenue and all the residential properties have their access onto Ohio Street, with the exception of this one on 6th Avenue. I think that's really it for staff right now unless there are any other questions.

The Petitioner was sworn in.

This is Vernon LaVia, 149 S. 4th Street, Aurora, Illinois 60505. I guess I would just ask that as staff said for you to consider this change so that it is consistent with the rest of the block. It is directly across the street from Phillips Park Golf Course, so really when I bought it thinking I could do some kind of business there, I really don't want to since it would really ruin the tee box of the 15th hole.

Chairman Pilmer said any other questions of the Petitioner? It is a pretty straightforward residential home that's being used as residential and you have a correction on the zoning.

The public hearing was opened.

Chairman Pilmer said I don't think we have any other speakers. I will state that due to a notification error, this will need to get continued until our next meeting, which will be June 16th. At this point, I would ask if there are not any questions of the Petitioner or of staff, I would ask for a motion to continue to our next meeting, June 16th.

MOTION TO CONTINUE TO JUNE 16, 2021 WAS MADE BY: Ms. Tidwell

MOTION SECONDED BY: Mrs. Anderson

AYES: Mrs. Anderson, Mr. Bhatia, Mr. Cameron, Mr. Chambers, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo, Ms. Tidwell

NAYS: None

Chairman Pilmer said we will here this matter again on June 16th. The public hearing will at that time, once all testimony is heard, will be closed. Thank you Mr. LaVia. We will see you in 2 weeks.

Aye: 8 At Large Anderson, At Large Cameron, Fox Valley Park District Representative Chambers, At Large Elsbree, At Large Gonzales, At Large Owusu-Safo, At Large Tidwell and Chairperson Bhatia

2	Planning and Zoning Commission	06/16/2021	Forwarded	Building, Zoning, and Economic Development Committee	06/23/2021	Pass
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Action Text: A motion was made by Mr. Cameron, seconded by Ms. Tidwell, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 6/23/2021. The motion carried.

Notes: Chairman Pilmer said and just to note that this was continued from the June 2nd meeting to allow for additional public testimony. Official notification has been provided and at this point no one has registered to speak before the Commission. Therefore, I will close the public hearing and turn it back to staff for their recommendation.

Mr. Broadwell said staff would recommend conditional approval of an Ordinance amending Chapter

49 of the Code of Ordinances, City of Aurora, by modifying the Zoning Map attached thereto by rezoning the property located at 632 S. Ohio Street from B-3 Business and Wholesale District to R-2 One Family Dwelling District with the following condition:

1. That the structure's existing accessory dwelling unit may continue to be utilized as an in-law suite and shall not be rented to any individuals other than a family member.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Cameron

MOTION SECONDED BY: Ms. Tidwell

AYES: Mr. Bhatia, Mr. Cameron, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo, Ms. Tidwell

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?

Ms. Tidwell said yes, it is.

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 yes, it is.

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 applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mr. Cameron said it is a downzoning, therefore, it is more desirable for the area.

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

Mrs. Owusu-Safo said I think the requested zoning is more applicable for the proposed use, or the current use.

5. Is the rezoning a consistent extension of the existing land uses, existing zoning classification and essential character of the general area?

Mrs. Owusu-Safo said yes, it is consistent.

Mr. Broadwell said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, June 23rd at 4:00 on the 5th floor of City Hall, Conference Room B.

Aye: 6 At Large Cameron, At Large Elsbree, At Large Gonzales, At Large Owusu-Safo, At Large Tidwell and Chairperson Bhatia
