



City of Aurora

44 E. Downer Place
Aurora, IL 60505
www.aurora-il.org

Legistar History Report

File Number: 23-0891

File ID: 23-0891

Type: Petition

Status: Draft

Version: 1

General Ledger #:

In Control: Building, Zoning, and Economic Development Committee

File Created: 11/01/2023

File Name: James Larson / 316 S LaSalle St / Downzoning

Final Action:

Title: An Ordinance Amending Chapter 49 of the Code of Ordinances, City of Aurora, by Modifying the Zoning Map attached thereto to Rezone Property located at 316 South LaSalle Street, from R-4, Two Family Dwelling District, to R-3, One Family Dwelling District (James Larson - 23-0891 / AU27/1-23.459-RZ - SB - WARD 4) (PUBLIC HEARING)

Notes:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" - Legal Description - 2023-11-20 - 2023.442, Land Use Petition and Supporting Documents - 2023-10-30 - 2023.459, Property Parcel Maps - 2023-11-21 - 2023.459, Rezoning Findings of Fact Sheet - 2023-11-29 - 2023.459

Enactment Number:

Planning Case #: AU27/1-23.459-RZ

Hearing Date:

Drafter: sbroadwell@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	12/06/2023	Forwarded	Building, Zoning, and Economic Development Committee	12/13/2023		Pass
Action Text:		A motion was made by Mrs. Martinez, seconded by Mr. Lee, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 12/13/2023. The motion carried.					
Notes:		Stephen Broadwell, Planner, Division of Zoning and Planning presented petition for rezoning property at 316 South LaSalle Street from R-4, Two Family Dwelling District to R-3, One Family Dwelling District which includes converting the property from a Multi-Family Dwelling (1140) use to a One Family Dwelling (1110) use. Some background is the Subject Property is zoned R-4, Two-Family Dwelling District. The structure currently has four (4) dwelling units. The structure is a Multi-Family (1140) use, which is legally non-conforming in the R-4 zoning district. The Comprehensive Plan designates the Subject Property as Low Density Residential. Per O78-4739, the South Broadway Area Neighborhood, which is a generally residential area, and which includes the Subject Property, was downzoned from a majority					

R-5, Multiple-Family Dwelling zoning, to its current mix of R-3, and R-4 zoning. The Petitioner, James Larson, is requesting to downzone the property at 316 S. LaSalle St from its current R-4, Two Family Dwelling District to R-3, One Family Dwelling District. The current Multiple-Family Dwelling (1140) use is not permitted in the R-4 zoning district and is considered non-conforming. As part of this downzoning approval process, the structure is to be converted to a One Family Dwelling (1110) use, which is permitted in the R-3 zoning district.

Staff has reviewed the Downzoning ordinance petition and have sent comments back to the Petitioner on those submittals. The Petitioner has made the requested revisions to these documents, and they now meet the applicable codes and ordinances.

Due public notice was given for the public hearing on this matter. As of the date of this memo, Staff has received one (1) public inquiry regarding the nature of this petition.

Findings of Fact read into record:

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?*

Staff feels that the proposal to downzone this multi-family dwelling to single-family dwelling is consistent with the Comprehensive Plan's designation of the Subject Property as Low Density Residential. Staff also feels that the single-family dwelling use is consistent with the nature of the neighborhood's-built character as one- or two-family dwellings.

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?*

By downzoning the Subject Property from R-4 to R-3, the structure is required to be converted from its existing, non-conforming multi-family use to a single-family use, which is a permitted use by right. With this in mind, Staff feels the proposal to downzone the property to the R-3 zoning district represents a logical and consistent extension of the existing land uses, existing zoning classifications, and general area of the property in question.

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?*

Staff feels the proposal is consistent with the general character of the surrounding neighborhood's built environment as that of single-family and two-family residential dwellings. The single-family dwelling is also consistent with the Comprehensive Plan's designation of the Subject Property, as well as the surrounding neighborhood, as Low Density Residential.

4) *Will the rezoning allows uses which are more suitable than uses permitted under the existing zoning classification?*

Staff feels the rezoning allows for a single-family use, which is permitted and is a more suitable use in the R-3 zoning district than the existing multi-family use, which is not permitted in the current R-4 zoning district.

5) *Is the rezoning a consistent extension of the existing land uses, existing zoning classifications, and essential character of the general area?*

Staff feels the rezoning is a consistent extension of the existing land uses, existing zoning classifications, and essential character of the general area. The R-3 zoning is consistent with the Comprehensive Plan's designation of the Subject Property as Low Density Residential, as is converting the structure to a single-family use, which is permitted. The single-family use is also consistent with the surrounding neighborhood as generally built for single-family and two-family residential structures.

Staff would recommend APPROVAL of the ordinance amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the Zoning map attached thereto to rezone property located at 316 South LaSalle Street, from R-4, Two Family Dwelling District, to R-3, One Family Dwelling District.

MOTION OF APPROVAL OF FINDINGS OF FACT WAS MADE BY: Mrs. Owusu-Safo
MOTION SECONDED BY: Mr. Gonzales
AYES: Chairman Pilmer, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, and Mrs. Owusu-Safo.
NAYS: 0
Motion carried.

MOTION OF APPROVAL OF ORDINANCE WAS MADE BY: Mrs. Martinez
MOTION SECONDED BY: Mr. Lee
AYES: Chairman Pilmer, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Martinez, and Mrs. Owusu-Safo.
NAYS: 0
Motion carried.

Aye: 8 Chairperson Pilmer, At Large Lee, At Large Chambers, At Large Gonzales, At Large Owusu-Safo, At Large Roberts, At Large Martinez and At Large Kuehl

Text of Legislative File 23-0891