



City of Aurora

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

Legistar History Report

File Number: 15-00665

File ID: 15-00665

Type: Petition

Status: Draft

Version: 2

General Ledger #:

In Control: Planning & Development Committee

File Created: 07/22/2015

File Name: St. Paul Lutheran Church / 85 S. Constitution Drive / Mobile Class Rooms / Special Use Revision

Final Action:

Title: An Ordinance Granting a Special Use Revision to extend the use of the Six (6) Modular Classroom Units until July 31, 2016 on the Property located at 85 S. Constitution Drive (St. Paul Lutheran Church - L15-00665 / AU19/1-15.106-Su - TV - Ward5) (PUBLIC HEARING)

Notes:

Agenda Date: 12/10/2015

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description.pdf, Exhibit "B-1" Plat of Survey - 2015-07-21 - 2015.106.pdf, Exhibit "C" Memorandum of Agreement.pdf, Property Research Sheet - 2015-11-05 - 2015.106.pdf, Land Use Petition and Supporting Documents - 2015-07-21 - 2015.106.pdf, Legistar History Report - 2015-11-24 - 2015.106.pdf, Findings of Fact - 2015-11-24 - 2015.106.pdf

Enactment Number:

Planning Case #: AU19/1-15.106-Su

Hearing Date:

Drafter: tvacek@aurora-il.org

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	07/28/2015	referred to	DST Staff Council (Planning Council)			
	Action Text:		This Petition was referred to to the DST Staff Council (Planning Council)				
1	DST Staff Council (Planning Council)	08/04/2015					
	Notes:	<p><i>Mr. Sieben said there are obviously some other things going on on the property, but they are asking for 7 years. We do need to kind of talk to them about this. We actually had this set for a Planning Commission meeting, I think, this month and they did not get their submittal into us until about a week ago, so we would just need to see where they could fall for a future Planning Commission meeting.</i></p> <p><i>Mr. Wiet said I thought there were going to use their building next door for this.</i></p>					

Mr. Sieben said that's what they said, but apparently don't have money for that either.

Mr. Wiet said we should tie the two together.

1 DST Staff Council 08/11/2015
(Planning Council)

Notes: *Mrs. Vacek said I'll setting this for public hearing. There is really not much to review.*

Mr. Seiben said really the only thing is the time period. We just need to look at that.

Mrs. Vacek said we just need to have a conversation.

1 DST Staff Council 08/18/2015
(Planning Council)

Notes: *Mrs. Vacek said I'll be tentatively setting this for hearing.*

1 DST Staff Council 08/25/2015
(Planning Council)

Notes: *Mrs. Vacek said this is tentatively scheduled for the October 7th Planning Commission.*

1 DST Staff Council 09/01/2015
(Planning Council)

Notes: *Mrs. Vacek said this is tentatively set for the second one in October. We just really need to get with the Mayor's office and see if the 7 years is what they want to do.*

1 DST Staff Council 09/08/2015
(Planning Council)

Notes: *Mrs. Vacek said we will have a tentative schedule. I think it is probably going to go on the 2nd one in October, but we'll have to confirm that.*

1 DST Staff Council 09/15/2015
(Planning Council)

Notes: *Mr. Sieben said Tracey is reviewing this.*

1 DST Staff Council 09/22/2015
(Planning Council)

Notes: *Mrs. Vacek said this will be set for a public hearing once we have a slot for it.*

Ms. Phifer said but first we need to have a discussion with them about their long-term plans because I think we don't want to continue to have these trailers just renewed and renewed. I think we want to tie some tight milestones and a plan to this renewal and limit the renewal based on them hitting these milestones.

1 DST Staff Council 09/29/2015
(Planning Council)

Notes: *Mrs. Vacek said we will be working on a Master Plan for this and moving it forward sometime in November.*

1 DST Staff Council 10/06/2015
(Planning Council)

Notes: *Mrs. Vacek said we'll be moving this forward sometime in November.*

1 DST Staff Council 10/13/2015
(Planning Council)

Notes: *Mr. Sieben said this is still in review by staff. We need to have some correspondence with the Petitioner on this regarding some related issues.*

Ms. Phifer said hopefully within the next couple of weeks.

1 DST Staff Council 10/20/2015
(Planning Council)

Notes: *Mrs. Vacek said I need to set up a meeting with the Petitioner.*

1 DST Staff Council 10/27/2015
(Planning Council)

Notes: *Planning and Zoning had no report.*

Mr. Frankino said Dan, is there going to be service related work on these temporary connections on these modular rooms?

Mr. Feltman said they are already there, so any services that were associated with this was done back in whatever that was.

Mr. Frankino said this is modular rooms they've had in the past, right?

Mr. Beneke said yes, they've been there for quite a while now and they had some, I'm trying to think if they had connections.

Mr. Feltman said they did.

Mr. Frankino said just sticking up out of the ground and they put a trailer over it?

Mr. Beneke said they were trailers yes. It is like 3 or 4 classrooms as part of this.

Mr. Feltman said this is just to renew the Special Use.

1	DST Staff Council (Planning Council)	11/03/2015				
	Notes: Mrs. Vacek said we are meeting with St. Paul on Friday to kind of go over this.					
1	DST Staff Council (Planning Council)	11/10/2015				
	Notes: Mrs. Vacek said we had a meeting last week with them. This is actually only going to be extended for 7 months instead of 7 years. We met with them and we will putting a condition on this saying that they have to kind of come up with a master plan of what they are doing with their entire site, including the Cub site. We will be moving this forward to the December 2nd Planning Commission with that condition. They do need to get their notices out today, so that will be dependent on that.					
1	DST Staff Council (Planning Council)	11/17/2015				
	Notes: Mrs. Vacek said this is set for the December 2nd Planning Commission meeting. I will be voting this out next week and I will have my conditions for that meeting.					
1	DST Staff Council (Planning Council)	11/24/2015	Forwarded	Planning Commission	12/02/2015	Pass
	Action Text: A motion was made by Mrs. Vacek, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 12/2/2015. The motion carried by voice vote.					
	Notes: Mrs. Vacek said this Special Use is actually going to be extended until July of 2016. I am going to vote this out. It is going to the December 2nd Planning Commission so I do make a motion to move this forward with 2 conditions:					
	1. That the Petitioner shall meet the following milestones:					
	By March of 2016: A concept plan should be approved by their Board and a Final Plan be developed for submittal to the city.					
	By May of 2016: A Final Plan, along with a timeline for implementation, is filed with the city for approval.					
	2. That an outside agency is to do a yearly inspection of the modular units and report to the city. That is just a condition that was in the other 2 Special Uses.					
	With that I make a motion to move this forward. Mr. Minnella seconded the motion. The motion carried unanimously.					
2	Planning Commission	12/02/2015	Forwarded	Planning & Development Committee	12/10/2015	Pass
	Action Text: A motion was made by Mr. Bergeron, seconded by Mrs. Anderson, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 12/10/2015. The motion carried.					
	Notes: Mrs. Vacek said the property is 10.5 acres and is the home of St. Paul Lutheran Church with R-1(S) zoning, which is part of the Reimer's Special Use Planned Development. The Special Use is to extend the use of the 6 modular classrooms on the campus until July 31, 2016. Just to kind of give you some history, in 2009 the church did get approval for the Special Use for the 6 modular classrooms for a period of 3 years. At that time, they already had the school for the nursery and the pre-school and the Kindergarten and they were moving all of their 1st through 8th grade classes over from the east side campus. With that being said, they did come back in 2012. The church received another extension					

for the Special Use for another 3 years in order to evaluate options. Due the financial downfall, since 2008 had some low enrollment, so they wanted to keep them. They are back again to ask for an extension. Under the discussion part in your Legistar, we did want to allow them to extend it throughout the school year, but we also wanted to make sure that they are thinking of a permanent solution. With that, I can turn it over to them. You'll see in my recommendation that we did add a couple of conditions on there so that we can come up with a permanent solution. I will turn it over to the Petitioner and let them talk unless you have any other questions for me.

The Petitioner was sworn in.

Hi everyone. I'm Ann West and I'm the current Chairperson of the Board of Directors at St. Paul Lutheran Church and School. I'm going to be very brief. I think you are well aware of some of our situations at St. Paul. St. Paul has been a part of the Aurora community for 160 years with the church and 150 years with the school and we want our school to continue. We'd like to thank the city for granting us the modulars. It has helped us get the movement of the church and school from the east side to the west side and our original plan was when we were able to purchase the Cub Foods property next to our church was we had developed some plans to move the school into that Cub Foods building, but that was all predicated on having a lease partner to lease out half of the space because it is a huge 64,000 square foot building and we did not need that much room for the school and even the other ministries that were going to be involved there. For the last 3 to 4 years, we have been diligently searching for the elusive lease partner and for several times twice we have gone down the road with District 129 trying to partner with them when they were giving grant programs. That didn't work out. We went down that road for another 6 months with Aurora University. They looked very promising and then they ended up going out near I-88. So since we have not been able to find a lease partner, we have to be fiscally responsible to our congregation, so we are probably not going to be putting the school into that building at this point and we are looking at adding classrooms onto our current facility where the church is located on that property. We actually have some preliminary design plans, but we are trying to work on finalizing those and we definitely are happy to comply with the suggesting here about coming back with preliminary plans and then final plans. We probably would not have everything built in time for the next school year, so we may need to ask for a slight additional extension, but once we have our final plans you'll know what we are doing. It is not that we indefinitely want to be in the modulars. We want to be out of the modulars as much as you want us out of the modulars because it is the best way for us to grow our school. We've been able to stabilize and even grow our enrollment slightly despite the economics and despite the modulars, but we know that to really grow our school we need to be in a permanent structure.

Mrs. Cole said how many students do you currently have?

Ms. West said we currently have 163 students.

Mrs. Cole said is that K through 8?

Ms. West said that is Pre-School through 8.

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 conditional approval of the Ordinance granting a Special Use Revision to extend the use of the 6 modular classroom units until July 31, 2016 on the property located at 85 S. Constitution Drive with the following conditions:

1. That the Petitioner shall meet the following milestones:

By March of 2016: A concept plan be approved by the Board and a Final Plan be developed for submittal to the city.

By May of 2016: A Final Plan along with a timeline for implementation is filed with the city for approval.

2. That within 60 days of approval a report be submitted to the city from an outside agency with the results of an annual inspection of the modular units.

MOTION OF APPROVAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mrs. Anderson

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mr. Engen, Mr. Garcia, Mr. Pilmer, Mr. Reynolds
NAYS: None

FINDINGS OF FACT

1. Will the establishment of the proposed Special Use be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare?

Mr. Bergeron said there should be no change as to what is there right now.

2. Will the establishment of the proposed Special Use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted?

Mrs. Cole said again, there should be no change whatsoever.

3. Will the establishment of the proposed Special Use substantially diminish/impair property values within the neighborhood?

Mr. Reynolds said the proposal will not diminish property values.

4. Will the establishment of the proposed Special Use impede the normal and orderly development and improvement of surrounding properties for uses permitted by their respective zoning districts?

Mr. Pilmer said there should be no change. In addition, this is a short term extension.

5. Are adequate utilities, access roads, drainage and other necessary facilities provided or shown as being proposed on the site plan for the proposed Special Use?

Mr. Cameron said they are already in place.

6. What effect will the proposed Special Use have on traffic or general area? Has ingress and egress been designed to minimize congestion in the public streets? (For automobile intensive uses (including but not limited to gas stations, car washes, and drive through facilities): if there is a concentration of similar uses within 1000 feet of said subject property, there should be consideration as to the negative impact on the traffic patterns and congestion in the area.)

Mr. Engen said we should see no change with regard to the traffic. It has already been existing. There will not be a change of what is currently going on right now.

7. Does the proposed Special Use conform in all other respects to the applicable regulations of the zoning district in which it is located, except as such regulations are modified pursuant to the Plan Commission recommendations?

Mr. Engen said this Special Use does conform to all its applicable regulations.

Mrs. Vacek said this will next be heard at the Planning and Development Committee meeting on Thursday, December 10, 2015, at 4:00 p.m. in the 5th floor conference room of this building.

Aye: 10 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, At Large Divine, At Large Engen, SD 204 Representative Duncan and SD 131 Representative Garcia
