



City of Aurora

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Legistar History Report

File Number: 24-0924

File ID: 24-0924	Type: Ordinance	Status: Agenda Ready
Version: 2	General Ledger #:	In Control: Building, Zoning, and Economic Development Committee
File Name: Continental 834 Fund, LLC / 1444 and 1380 North Orchard Road / Plan Description Amendment		File Created: 11/21/2024
		Final Action:

Title: An Ordinance Approving an Amendment to the Plan Description for the USAA Planned Development District, being a portion of Lot 1A of the Resubdivision of Lot One in Orchard Road Subdivision, located at 1380 N. Orchard Road and 1444 N. Orchard Road

Notes:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description, Exhibit "B" Plan Description Revision - 2024-12-03 - 2024.456, Land Use Petition and Supporting Documents - 2024-10-16 - 2024.456, Qualifying Statement - 2024-11-22 - 2024.456, PZC Presentation -2024-12-04, Map

Enactment Number:

Planning Case #: SG12/4-24.456-PDD/Psd/Ppn

Hearing Date:

Drafter: tvacek@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	12/04/2024	Forwarded	Building, Zoning, and Economic Development Committee	12/11/2024		Pass

Action Text: This Ordinance was Forwarded to the Building, Zoning, and Economic Development Committee

Notes: *Mrs. Vacek said good evening. Tracey Vacek, Senior Planner with the Zoning and Planning Division. The Subject Property is currently vacant land with PDD Planned Development District zoning and is part of the USAA Planned Development District. The USAA Planned Development District was established in 1989 for approximately 500 acres of land. Over the years, the USAA Planned Development District Plan Description has undergone several amendments to accommodate ongoing development. Under the Plan Description, there's currently 8 land use designations which have been divided up in 19 individual parcels. The Subject Property is currently part of Parcel 6 within the land use designation of Office, Research, and Light Industrial and Commercial. The Meijer Store Limited Partnership has owned this property for at least 24 years and has been twice fully approved for a development as a*

Meijer store and gas station. However, Meijer has recently opted not to proceed with those plans and has decided to put the property up for sale.

The Petitioner that is before you tonight is requesting approval of an amendment to the Plan Description for the USAA Planned Development District. The Plan Description amendment would add a Parcel 20 and a 9th land use designation for Multi-Family Residential for a portion of Lot 1A of the Resub of Lot 1 of Orchard Road Subdivision which is actually Lot 1 of Springs of Aurora Subdivision as shown on the Preliminary Plat that's before you tonight to facilitate a Multi-Family Residential Development use on the Subject Property. Specifically, Parcel 20 will have the base standards of R-5 Multi-Family Dwelling District with some modifications. The Plan Description does allow for the complex to be located on a single lot and reduces the lot size and the floor area ratio but requires a uniform ownership to avoid fractured ownership of individual buildings. It also requires the community to include an amenity center with an inground pool. The Plan Description requires that all units have individually accessible balconies, decks, or patios/stoops and establishes a higher minimum floor area for each unit type.

In addition, it establishes parking regulations, being a residential ratio of 1.5 parking spaces per unit and of that, 0.5 of those would be enclosed. The setbacks are being reduced to accommodate parking within the community and accessory structures within the rear setback adjacent to the open space.

The remainder of the Lot 1A of the Resub of Lot 1 in Orchard Road Subdivision, which is actually Lots 2-5 of the Springs of Aurora Subdivision which is shown on the Preliminary Plat, is intended to remain under Parcel 6 which is a designation of that Office, Research, Light Industrial, and Commercial. So, there is one lot, which is Lot 2 which is where the gas station was. That will remain commercial. So, they will eventually develop that as a commercial parcel.

Concurrently with the proposal, the Petitioner is requesting approval of a revision to the Plat. I kind of went through that. They would be dividing it into 5 lots. Lot 1 would be the development of the Multi-Family Residential Development. And then, Lot 2 would remain as future commercial site, Lot 3 would be basically an access road that's behind all of the commercial. They are going to keep that parking that is within Lot 3 for those commercial users that are out on Orchard there. Then, Lots 4 and 5 are detention ponds and they would continue to be detention ponds.

The Petitioner is also requesting approval of a Preliminary Plan for Springs of Aurora Subdivision. The proposal for Lot 1 includes the construction of a 340-unit residential development with 17 two-story apartment buildings, a community clubhouse, an amenity center, and 5 detached garage buildings. Each residential building will consist of 20 units, and 8 of those units will have a one-car attached garage. The existing detention pond is being slightly modified to accommodate for the stormwater for this stormwater for this development. And then the only thing I'll say lastly is that there is some Conceptual Building and Signage Elevations and a Preliminary Landscaping Plan that has been provided in your packet. Those will actually be reviewed fully at Final Plan and Plat time, but we wanted to give you an idea of what they would look like.

With that, I can answer any questions that you guys may have, or I can turn it over to the Petitioner. They do have a presentation for you.

Acting Chair Owusu-Safo said okay, you may ask your question.

Mr. Pickens said yeah, I'm just curious about the capacity of the cars now leaving that site. Is there...I'm a little confused about the traffic control at Orchard. Is there lights at their exit going out? Is that part of the deal or is that already there?

Mrs. Vacek said yeah, it's already there.

Mr. Pickens said okay.

Mrs. Vacek said so, the...there is an access entrance and the access entrance into the whole development is lighted off of Orchard. There is also a lighted access that is off of Sullivan and...at Sullivan and Orchard so there would be 2 signalized accesses.

Mr. Pickens said okay, good...good. Thank you.

Acting Chair Owusu-Safo said okay, are there any more questions for Staff? If not, we would like to hear from the Petitioner. Please sign in if you haven't already done that and list your name and your address.

Mr. Sieben said you need to swear them in. I don't know if you want to swear everyone in at once.

Acting Chair Owusu-Safo said if anyone who wishes to speak tonight, please stand up and be sworn in at the same time. Do you promise to tell the truth, nothing but the truth?

All said I do.

Acting Chair Owusu-Safo said alright, thank you.

Mr. Whitaker said good evening. Russ Whitaker, Rosanova and Whitaker, here this evening on behalf of Continental Properties as the contract purchaser of the property that Tracey described. I'll start out by a little bit of background on Continental. I think that's always important to understand who you're dealing with.

So, based in Wisconsin, Continental is a national footprint developer, owner, and operator of multi-family communities. This means that Continental is not here to build and flip the project for a quick project. To the contrary, Continental's business plan is to build a long-term ownership interest in the asset. I believe this type of long-term strategy ultimately translates to a better-quality community for the City of Aurora. We'll talk about why that is the case.

Over roughly 40 years in business, Continental has developed more than 125 communities representing more than 35,000 homes. It's almost impossible, driving around the Chicagoland region, to miss Continental's growing footprint in the area. Their Springs-branded communities share a common identity. I'm sure many of you have seen them in the area.

A map here shows various locations. This map is showing Continental's footprint in the Chicago metro area. Most of these are Springs-branded communities that you see on the map.

Most common...the closest locations are Oswego, North Aurora, and St. Charles.

So, Tracey said a lot about Lot 1A and resubdivision of Lot 1 and it gets a little confusing, so I'm going to break it down a little bit different and try to walk you through some details here. So, this is the property...outlined in red is the property that Continental is actually purchasing. We're under contract to purchase approximately 34 acres of property. What gets a little confusing is while we're buying 34 acres, the Plan Description that's in front of you tonight is for approximately 18 acres and we're subdividing a different acreage from that even. So, a lot of kind of hyper technical details going on that most people might not understand, but we're working through and have been working closely with Staff to get everything aligned.

So, this is the Plat of Subdivision that Tracey referenced. I've kind of color coded it to break down some of the details. So, Lot 1 is highlighted in orange. This lot is approximately 18 acres, or about 53% of the gross area that Continental is scheduled to acquire. Lot 1 is the only portion of the property that is subject to the Plan Description amendment this evening. Lot 3 is highlighted in blue. Tracey mentioned that we were preserving existing parking that is out on the property for the benefit of commercial area, that's the blue area. This area represents approximately 1.7 acres. It includes not only the parking that exists today, but cross access for the commercial out lots. Continental, in coordination with the association and City Staff, will be making some minor improvements to the parking in this area but will otherwise ensure its long-term ownership and operation for the benefit of the association.

Lot 2 is highlighted in red. This commercial out lot is approximately 1.2 acres. Continental is not a commercial developer, but they are engaged with a third party regarding the sale and ultimate development of this parcel for commercial use. Development of the commercial out lot would, as Tracey mentioned, be governed by the terms of the existing USAA Plan Development.

So, lots 4 and 5 are the easy ones. These lots provide regional storm water as part of the infrastructure for the USAA Plan Development. What Continental will perform some minor grading around the perimeter of the storm water lots. The function and operation will not change. When we come back for a Final Plat, you'll see that these parcels will be encumbered with storm water management easements that will ensure their preservation in perpetuity.

The Site Plan: Tracey showed this. So, just a couple of high-level details here. I guess I'd highlight things we just talked about. Lot 5 to the north and Lot 4 to the south. You could see both of those are being preserved for storm water detention. Lot 2 to the east along Orchard Road shows nothing being improved there. That is future commercial parcel. And then, Lot 3 is being preserved in its existing configuration. That's the area here. I would note that while it's not readily apparent on the site plan here, but there is a landscape median between the parking that is located on Lot 3 and the parking that is internal to the apartment community. There will be a decorative fence within the median clearly delineating separation between commercial parking to the east and then the onsite residential parking to the west.

Development metrics: 17 total residential buildings. Those 17 buildings will contain a total of 340 dwelling units. We just touched on egress...ingress and egress a minute ago. Primary entrance to the community is to the south. I was looking at Google Earth today, that road doesn't have a name, there's no street signs on any of the mast arms for the traffic signal, so we'll call it Entrance Road A. Entrance Road A is a lighted intersection, has a good level of service providing functionality for the overall commercial shopping center.

So, we did do a traffic study. I'll kind of hit that right now. So, we've got Javier Millan from KLOA in the

audience with us. His traffic study was submitted to Staff. So, the traffic study ultimately concludes that is sufficient reserve capacity in the roads to accommodate the residential development. When we talked today, the traffic study doesn't get into what would have happened if there was commercial development if Meijer had moved forward, but we ran some quick numbers and the traffic that would have been generated from a Meijer store on this property is roughly 2X what would be generated from this residential development.

We always talk about peak hour traffic though so it's something I don't normally talk about total number of trips from a development. I focus on AM peak and PM peak. What's probably more important is that the PM peak traffic, if this were a Meijer, would be 3X what it is with a residential development. So, what we're doing will certainly have lesser impact on the function of the surrounding roadways.

I'm going to turn to the Landscape Plan. It's a little hard to see everything that's going on with the development when we're looking at the whole site plan. So, this kind of breaks down the scale a little bit and makes it a little bit easier to see and understand the context of what's happening. So, kind of start at the entrance drive and I'll walk you through a couple of improvements because I think it's really at the entrance drive that you begin to see some of the embellishment of features. For example, the boulevard style entrance drive that includes planted medians with overstory trees and shrubs below. So, you can see the 3 medians here. Not generally the character of what's happening on the adjacent commercial, which is more just asphalt but right we're livening things up with some additional greenscape as you enter and we're transitioning towards residential development. Difficult still to see on this scale, but I would note there is decorative fence that is labeled around the property so we're clearly delineating the limits of the residential property. At the entrance to the community, there is a pool and clubhouse. That's going to be a central and very important feature of the community. So, it's placed right there at the entrance of the community so it's sort of a welcoming component on the drive into the community. The plan depicts the clubhouse building, the associated pool, and a very large pool deck. Most residents will walk to the clubhouse, I will point out parking to the east and to the south of the building. You can see pedestrian improvements kind of winding throughout the subdivision. So, I kind of pointed out there is the kind of the white lines running throughout are gonna be pedestrian improvements. You can see them winding through the buildings as well. So, we do have these pedestrian improvements winding through the entirety of the development. You'll see them connecting all of the residential buildings to the clubhouse and amongst the various buildings. I would note at the entrance a mail kiosk. I mentioned that most of the traffic will be funneled through that entrance drive. This is one of the ways we do that with a consolidated mail kiosk at that entrance. You see open space around the mail kiosk. This is one of two dog parks that will be located on the campus, or in the community, so the goal is to provide some active amenity space for residents of the development. So, a dog park and clubhouse are strong amenities that are gonna build a class A community for us here.

As I continue down that entrance drive, I would point out a trash compactor in this location kind of out of the view behind the clubhouse building. This is a bit of a unique operation. In lieu of traditional dumpsters, Continental uses a trash compactor. Residents are not permitted access to the compactor. Instead, trash is managed through a valet service. The valet service collects trash cans from individual units and is responsible for the operation of the trash compactor. Having lived in an apartment community in college and through law school, I know that probably the biggest eyesore in any apartment community is the trash corrals. Somebody's dumping a furniture, somebody's dumping a TV, and somebody missed dumping their garbage or it broke so now it's all over the ground and it's a total disaster. So, I think sort of best practice today, Continental has realized that having residents manage their garbage is probably not the best option. So, we found better solutions and that's just going to help improve the overall feel and character of the community and make people feel more at home in the community.

A little bit about parking: so, west of the dumpster corral we can kind of see a traditional layout of parking. What we see to the west is a parking field and then 2 detached parking garages. This is representative of kind of how the parking lays out throughout the entirety of the community. Since we are seeking modifications to parking standards, and I know that's always a big deal with residential communities, I want to take a second and just walk through where we're at on parking. So, we really have 3 different types of parking that are provided onsite. We've got surface stalls, 365 of them. We have attached garages so that's going to be built into the actual building. And then we have the detached garages we saw just a minute ago. There's also a parking stall with a maintenance garage. So, we have a total of 550 parking stalls, that equates to 1.62 parking spaces per dwelling unit. That number is a little bit of a misnomer in the case of this development. We also have, and what is not included in the City's parking count because they're not traditional parking spaces that meet a code definition of parking spaces, but we have 102 apron stalls, and we also have 34 attached garage tandem stalls. So, what we're talking about here is where somebody has a parking garage attached to the building, there's a driveway apron in front of that garage space. So, just like I, at my home or at a townhome, would have a driveway and I could park in the driveway, or I can park in my garage, or I

can park in my garage and have a 2nd car in my driveway, that functions very much in the same fashion here. So, those tandem spaces or those apron spaces are not counted in the technical code requirement. And so, it rolls up that it looks like we've got a more significant deviation than in practice will actually function in the operation of the community. The tandem spaces are, of course, a garage that's 2 stalls deep so you're parking frontwards and backwards. I now have a 16-year-old driver at home and a 2-car garage, so I recognize the difficulty of tandem spaces, but sometimes in life you deal with the circumstances you're dealt, right?

Talk a little bit about the interior design and layout. So, this slide is breaking down the unit mix and some details and details some of the key metrics that make the Springs an attractive community. So, we have 34 studios which are planned. These studios range from 650-675 square feet. Bulk of units are 1 and 2 bed units which speaks to the typical demographic of a Springs renter. We have a lot of background data on who's likely going to be living at this community because we operate 10 of them in the Illinois submarket.

We expect roughly 50% of the total population will be comprised of young professionals, ages 20 to 34, and again, that's based on demographic data we collect on renters. There are only 34 3-bedroom units. Again, this speaks to anticipated demographics based on data from existing communities. We anticipate less than 10% of the total population of the community will be school-aged children.

So, elevation and floor plan: here we're showing building elevations. You can see the attached garages we talked about a minute ago. What's interesting with how Continental puts this together is you've got the elevation up top and then right under that, you've got a little bit of a plan view section that shows the layout in the function of the building at the frontage you're looking at. So, you can where there are garages, and you see where there's access directly into a unit from the garage. You can see where there's a garage and then there's an exterior access that goes upstairs to a separate unit. I would point out that this is where you can that those...most of the garages, not 100% of the garages, but most of the garages do have those apron stalls that will be able to accommodate cars. I think the other thing I wanted to point out here is when I look at the snip below, one of my takeaways is that Continental is not building a basic or uninspiring box that is designed to minimize costs. The articulation of the façade that is happening here comes at significant expense but is important to create depth and shadow, lines that translate to an architecturally interesting community.

Building materials: primary building material is Hardie siding. As we all know, that's a high-quality cementitious product that comes with sort of an industry-leading 30-year warranty.

Better than our elevation drawings or pictures, we've got these things all over the place. You've probably seen them, like I mentioned before, but here's a picture of what the 2-story residential buildings will look like in practice. I would note that there are some pretty nice private residential outdoor spaces that you see in this picture. You also see the pedestrian walkways that link all of the units throughout the community with this image.

Community amenities: so, I'm not going to go through all of this stuff here. There's a lot that rolls up, but we've got a couple of pictures too. I would highlight a couple of things that I haven't yet touched on. There is our centrally located pergola that would provide a community grilling area. There's a car care center in the northern section of the community. Don't worry, nobody's changing oil there. But the car care center is intended to provide a dedicated space for apartment residents to be able to get out, vacuum, and wash cars. So, a unique element that most renters wouldn't have the luxury of. We looked at one pet park to the south. There's actually 2 onsite; one in the southern section, one in the northern section. And of course, for pet lovers, there's actually a dedicated pet-washing station. This slide shows some representative images of a couple of those amenities.

Clubhouse: Class A community is going to need a clubhouse to meet the needs of the residents here, whether that is fitness facilities or leasing facilities, or whether it's a gathering space if they don't have room for a birthday party in their unit, the clubhouse provides a flexible space to accommodate those needs. This is an actual rendering of the clubhouse that will be constructed here in Aurora. These are some images of the interior fit and finish of the clubhouse. I couldn't help but noting that the large glass doors which are in 2 of these pictures are a unique element. Not particularly helpful on a day like today, but days like today do help us appreciate the weather when we do have it in the summer. So, you see the couple of different gathering spaces in these images here. The bottom images shows the resort-style pool and the expanded fitness center.

So, with that, I think I've talked for way longer than I had anticipated, but we're excited about the project, and we would be happy to answer any questions you have.

Acting Chair Owusu-Safo said thank you. Does the Commission have any questions for the Petitioner?

Mr. Pickens said question regarding I think it's Lot 3 of the drive behind the commercial area: that...will Continental be maintaining that street? Or is that...I assume they're maintaining all the other streets within the residential area.

Mr. Whitaker said yes, Continental would be responsible for maintenance of all of the roads internal to

the development. So, 100%. I believe that...so, there's an association document, a declaration reciprocal covenant document that governs the operation of the commercial shopping center as a whole. That qualifies this as a common element, and as a common element, it's a shared improvement that is maintained commonly by all of the owners in the subdivision.

Mr. Pickens said okay, thank you.

Mr. Lee said just out of curiosity more than anything else, what's a one-bedroom projected to rent for?

Mr. Whitaker said I will ask Jen to come up and hit on rents real quick.

Mr. Lee said again, just out of curiosity.

Ms. Patton said my name is Jen Patton. I'm Development Director with Continental Properties. Thank you for having us tonight. Just some rent ranges for all of the units: the studios and one-bedrooms are between \$1,500 and \$1,875. Two-bedrooms: \$2,140 to \$2,350. And then the three-bedrooms: \$2,500 to \$2,775.

Mr. Lee said thank you.

Acting Chair Owusu-Safo said I have a question. And I believe during your presentation, you mentioned that the AM and PM peak are significantly different from if it was a commercial. What is the level of service that you proposed? I'm just intrigued.

Mr. Millan said good evening, my name is Javier Millan. I'm a principal with KLOA, Incorporated, and to answer your question the level of service of the signalized intersection of Access Road A on Orchard, for lack of having the name...for example, existing conditions now is level service C. And just to very quickly...A, B, C, D, E, F...similar to school. And then the signalized intersection will continue to operate on a level service C under future conditions. Sorry, I'm so sorry. Sorry, A and then B. So, again, similar to the grade schools, A, B, C, you are doing very well when you're at A and B. Normally, you look at an intersection and you want the design to be level service D, and the reason for that is because you don't want it to be overdesigned and you don't want it to be underdesigned either. So, this is working very well. And to your conditions, we don't analyze in a vacuum. We go beyond that, and we apply a growth factor that is provided to us by the Chicago Metropolitan Agency for Planning.

Acting Chair Owusu-Safo said okay, so if I understand correctly, the current level of services are C, and based on your new improvements, it's going to A or B?

Mr. Millan said no, no, no...

Acting Chair Owusu-Safo said okay, that's why I got confused.

Mr. Millan said so, the signalized intersections, you know, for example, to the north and to the south, the one of Indian Trail Road, those are C, and they will continue operating at C. Same thing for Sullivan Road. And then, internally, what he was just showing here, the Orchard Road at the Access Drive A, the signalized intersection right now operates at level service A and B in the afternoon, and in the future will continue to operate at A and B in the future.

Acting Chair Owusu-Safo said okay. Alright, sounds good. Thank you. I have another question. I don't know who can answer that, but obviously this is a new development. Just intrigued what kind of sustainability features do you offer? You know, there are so many different things that can be incorporated for either energy savings or storm water management. Just intrigued to see what kind of features that you have considered or included in the development?

Ms. Patton said sure, our appliances are all high-energy efficiency appliances. We also have a lot of natural light. The buildings are typically designed on the site plan to take advantage of the natural light. We also have native plantings that will be planted for the detention ponds. I'm sure CAGE can elaborate on that as we get through our Final Engineering and Landscape review. We also...State of Illinois also now requires EV charging capability. So, we will need to meet those State requirements for EV charging which means we would have the infrastructure in so that all parking stalls for this community would be EV capable.

Acting Chair Owusu-Safo said does that include the garages or just...? Wow. Okay, that's pretty cool.

Ms. Patton said yeah, it's a very large expense. It was just passed this past year, so all new communities, multi-families, single-family, and even townhomes are all going to have to abide by those.

Acting Chair Owusu-Safo said okay. Yeah, today...just going off topic a little bit...I heard about I think something called forced air heating where you don't have to use natural gas for heating, but electrical heating. Is that something that you guys also looked at? Or not?

Ms. Patton said I'm not really sure.

Acting Chair Owusu-Safo said alright. It was basically, again, improving the carbon footprint. They were just trying to encourage more instead of natural gas stoves, you know, going to electrification of buildings and dwellings. Last but not least is that, for me, is I'm intrigued by your whole trash management. How does that work? So, if I'm a resident there, you come to my house to pick up the trash or do we put it where?

Ms. Patton said so, each resident is given a specialized bin upon signing of their lease. Those bins are then put out in front of their unit 5 nights a week and the valet trash service comes around, picks them up, takes them to the compactor, brings them back.

Acting Chair Owusu-Safo said okay, thank you. Any other questions for the Petitioner?

Mr. Kuehl said school district: can they handle the anticipated increase?

Ms. Patton said so, we have a lot of data across our communities nationally. Typically, school-aged children, I think this is District 129, and so we know that there's going to be about 8 to 10% of school-aged kids here. We know based on our data also how many residents we would have. So, across the entire school footprint, let's call it, kindergarten all the way through high school, we're looking at about 60 kids. So, it's not a huge impact to the school district.

Mr. Kuehl said okay, thank you.

Acting Chair Owusu-Safo said any other questions for the Petitioner?

Mr. Gonzales said I have a question. With the tandem parking and snow removal, how does snow removal work in this community, whether it be sidewalks or the tandem driveways that are for like a single car that could be parked there?

Ms. Patton said okay, so we do have a third...we usually have a third-party snow removal company that works with our management teams. They're used to working with us. As far as exactly how that would go, I'm not 100% sure. I know we have done exhibits in the past that show where we would have areas allocated for snow removal or snow storage. We also plan our communities with the intent knowing that some of those parking stalls may need to be snow storage on a very heavy snow day. So, all of that is planned in advance.

Acting Chair Owusu-Safo said maybe this is a quick question for Staff: what is the required parking ratio? I think with all the tandem and also the apron parking, you gotta do 2.2, if I recall that correctly. What is the ordinance?

Mrs. Vacek said so, I was just looking at our normal ordinance. It would be 1 enclosed and 1 surface parking for multi-family. However, we have gone down to the 1.5, which is what is in our Plan Description for this one. All of the Fox Valley is around 1.5, up Station Boulevard, all of that is at 1.5. And it seems to be working pretty well.

Acting Chair Owusu-Safo said okay, so is that a Variance request or is it just...?

Mrs. Vacek said it's a modification...

Acting Chair Owusu-Safo said modification?

Mrs. Vacek said yeah, it's a modification to the R-5. Yeah, so it's not under...since this is a PDD, the PDD is actually the zoning of it, so this is kind of like a rezoning. So, it's not necessarily a Variance, it's just a modification to the R-5 zoning.

Mr. Gonzales said question for you: so, Lot 2 in this description of the property, parking...is that overnight parking? So, would that be considered to be overflow from...

Mrs. Vacek said Lot 2 or Lot 3?

Mr. Gonzales said I think Lot 2, would it be the thin blue line...

Mrs. Vacek said that would be Lot 3. So, yeah. So, that's really to accommodate the commercial as...if you guys have been out there...the commercial strip centers, when they were built, they were built at a really low parking ratio. These are...that actually...these, I think, probably 3 or 4 lots here are the reason why we changed our parking ratio. So, I think they were at 1 per 300. Now we have it at 1 per 175. So, they have been using that extra parking to kind of offset that parking. With that being said, at some point, they thought there was gonna be a Meijer there which would've been parking for them to be able to be used. Because of that, we did ask the Petitioner to keep that parking to accommodate the commercial users.

Mr. Gonzales said right, but it's not a tow-away zone if someone were to stay over in the evening?

Mrs. Vacek said no. I mean, well, it's private property so it would be really up to the Petitioner because they're the ones that own that property.

Mr. Gonzales said right.

Mrs. Vacek said but I would assume that they would not tow.

Mr. Gonzales said and that number was not included in the overall...?

Mrs. Vacek said correct. And I think that's 63, give or take. We did ask there are a couple spaces that have light poles in them, so we did ask them to curb those to secure those light poles a little bit more than they are right now. It was supposed to be kind of a temporary use with those parking spaces, so that might go down just a bit. But that's the intent.

Mr. Gonzales said okay, thank you.

Acting Chair Owusu-Safo said okay. Alright, thank you. This is a Public Hearing. Are there any members of the public wishing to give testimony in this matter? I'm kind of speaking to nobody here. So, seeing no one come up, the Public Hearing is now closed. So, now we can...just waiting for Staff to provide the Findings of Facts.

Mrs. Vacek said I just want to do a little bit of discussion about this. As you know, the site was owned by Meijer, and it's been at least 24 years since they have owned it, and they haven't developed it. Because of that length of time, the site has been vacant, and the construction of other grocery stores have been built in the interim, and the loss of some of the big box retail stores over the last 15 years, Staff did really feel that allowing a mixed-use with residential rooftops would be the highest and the best use of this site. The site does sit off Orchard Road, so the views are a little bit harder to see. There are some wetlands in the back, so it does make a nice area for some residential. So, I just wanted to point that out. Obviously, the City has entertained some other mixed uses, specifically Fox Valley Mall. Staff has also heard that commercial developers in this area have said that this area lacks rooftops. So, it's a lot harder to attract some of those prime commercial users so we're hoping that with additional residential in this area, that that would help attract some of those users. With that, I will go over evaluate the Findings of Fact:

1. The proposal is in accordance with the applicable official physical development policies as it provides diverse housing types and additional housing stock to accommodate the needs of Aurora's growing population and commercial uses to support the residents of the City and surrounding areas. As stated above, this property has remained undeveloped. This amendment will facilitate development of the property.

2. This proposal is a logically extension as the intent of the proposed amendment to re-designate the land use designation to Multifamily Residential from ORI/Commercial to facilitate development of otherwise vacant and underperforming property. Specifically, it is intended to allow for quality rental type dwelling units within developments that establish and maintain a safe and secure living environment while supporting the surrounding commercial and retail uses along Orchard Road.

3. The mixed-use, we have done this before, and so we feel that this is consistent with the trend of development in the area.

4. As mentioned above, because of the length of time that this site has been vacant, the construction of other grocery stores nearby in the interim, and the loss of other big-box retail stores over the last 15 years, Staff felt that allowing a mixed use with residential rooftops would be the highest and best use for this site and will help support the existing commercial and retail uses along Orchard Road.

5. Since the Property has remained vacant and undeveloped under the Property's current land use designation as ORI/Commercial, contributing little to the community and surrounding properties, re-designating the Property for a mixed-use development with residential rooftops would be the highest and best use for this site and will help support the existing commercial and retail uses along Orchard Road.

With that, I will make my recommendation:

Staff recommends Approval of the Ordinance Approving an Amendment to the Plan Description for the USAA Planned Development District, being a portion of Lot 1A of the Resubdivision of Lot One in Orchard Road Subdivision, located at 1380 North Orchard Road and 1444 North Orchard Road.

Acting Chair Owusu-Safo said thank you. Is there a motion to approve the Findings of Fact as read into record?

MOTION OF APPROVAL OF FINDINGS OF FACTS WAS MADE BY: Mr. Gonzales

MOTION SECONDED BY: Mr. Kuehl

AYES: Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Owusu-Safo, and Mr. Pickens.

NAYS: 0

Motion carried.

Acting Chair Owusu-Safo said motion carries. Now we need to...is there a motion for the Staff's recommendation? What is the wish of the Commission?

MOTION OF APPROVAL WAS MADE BY: Mr. Gonzales

MOTION SECONDED BY: Mr. Kuehl

AYES: Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Owusu-Safo, and Mr. Pickens.

NAYS: 0

Motion carried.

Acting Chair Owusu-Safo said that also carries.

Aye: 5 At Large Lee, At Large Gonzales, At Large Owusu-Safo, At Large Pickens and At Large Kuehl

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