



# City of Aurora

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

## Legistar History Report

**File Number: 25-0317**

**File ID:** 25-0317

**Type:** Petition

**Status:** Agenda Ready

**Version:** 2

**General Ledger #:**

**In Control:** Building, Zoning, and Economic Development Committee

**File Created:** 04/10/2025

**File Name:** Historic Downer Place Apartments LLC / 429 W Downer PI / CUPD

**Final Action:**

**Title:** An Ordinance Establishing a Conditional Use Planned Development and Approving the Hurd House Plan Description for the property located at 429 W. Downer Place

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Legal Description - 2025-04-11 - 2025.092, Exhibit "B" Plan Description - 2025-04-10 - 2025.092, Land Use Petition and Supporting Documents - 2025-03-18 - 2025.092, Site Plan - 2025-03-18 - 2025.092, Building Elevations - 2025-03-18 - 2025.092, Unit Layout - 2025-03-18 - 2025.092, Plat of Survey - 2025-03-18 - 2025.092

**Enactment Number:**

**Planning Case #:** AU21/2-25.092 - CUPD

**Hearing Date:**

**Drafter:** JMorgan@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	04/16/2025	Forwarded	Building, Zoning, and Economic Development Committee	04/23/2025		Pass
<b>Action Text:</b> A motion was made by Mrs. Owusu-Safo, seconded by Mr. Lee, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 4/23/2025. The motion carried.							
<b>Notes:</b> <i>Mrs. Morgan said sorry, I'm loading the...switching off the presentations. Good afternoon, Jill Morgan, Senior Planner. This Subject Property, as you can see here, 429 West Downer, is currently with R-5 Multi-Family Dwelling District zoning and is a Local Landmark. It was built in 1856 for prominent local pharmacist David Hurd, and this house is an excellent example of the Second Empire style of architecture. And I will go ahead and bring up the site plan. The Petitioner is requesting the establishment of a Conditional Use Planned Development on the property to allow the property to be developed into a 10-unit apartment building that includes 4 one-bedrooms and 6 studios. The details in the request include a Plan Description that allows a slight variation in lot size to allow for a minimum lot size of 25,500 square feet for 10 apartments instead of</i>							

the underlying zoning requirement of 30,000 square feet. There is also a slight increase of lot coverage from 40% to 43%. Parking is permitted to be at a minimum of 1.5 surface parking spaces per unit; however, if parking is determined to be insufficient by the Zoning Administrator, the owner shall install additional spaces to meet the standard 2 spaces per unit. So, you can see here on the plan...and if you're not familiar with the building, this is a current historic building. As you can see here, this is the driveway, the current driveway. Most of this is already paved...was paved, was gravel, has been recently repaved. So, here is the additional...this is the...meets 1.5 spaces. And then, this outline here is where there's room to expand to meet the 2 spaces per unit if parking is determined to be insufficient.

Staff worked with the developer on a potential reuse of this property to ensure that important historic home would not sit vacant. The property was previously used as a single-room occupancy. Staff worked with the developer to reduce the proposed units to 10 individual apartments ranging in size from 490 square feet to 954 square feet. And I'll bring up a floor plan real quick.

And that minimum square footage meets the current R-5 standard, so there is no variation being requested on that.

So, here you can see one 720 square foot. These are both 500 square feet. And then on the second and third floors, 720 with some 495 studios on the right here.

The developer is still working out the architectural plans but they are trying to work to preserve the historic integrity of the home.

They are adding...I'll bring up the elevations...they're adding a ramp for ADA compliance and they're allowing it to come up to the side of the home instead of along the entire front to preserve the historic porch. They're also adding a sidewalk from the parking lot to the ramp and as well to the front porch. They believe there will be a balcony that's going to be required, but that will be on the back of the home where it is not visible, but the plans are still being worked out with the Building Department.

This is a Local Landmark, as I mentioned, so the exterior changes will require the approval of the Preservation Commission. Interior changes, while not required to be reviewed, they are trying to keep as much historic as possible including this staircase and a lot of woodworking and trim on the inside. And the owner has already done...started cleaning up the site. He's removed scrub landscaping, he's paved the driveway, there's a partial new roof, there's...if you've gone by the house, there's a fence, a really nice fence that part of it's removed but that's just to allow work trucks and stuff to be happening. It will be put back.

Is there any question...I have the Petitioner here. Is there any questions for Staff?

Mr. Lee said when it was an SRO, what was the capacity of the building?

Mrs. Morgan said so, at one point, it was at least, I think, 14 individual people living there. Whether that was permitted, there's some beliefs maybe that was not permitted by our Property Standards Department, but I think at one point there was at least 14 individuals.

Mr. Lee said thank you.

Mr. Pickens said I have a question. On the ADA issues, you got access to the first floor, how about the remaining floors?

Mrs. Morgan said so, you just have to have, per the code, one apartment has to be ADA compliant. So, as long as you have...there's a ramp that can get you into the apartment, and then that apartment itself is ADA compliant. If you can see, it's the first one right here. You can see those...what the circles are.

Mr. Pickens said okay. And then, just a second question. On the...just educate me a little bit on the square foot calculation for each of the units. Does that include the closets or not? Because some don't have closets in them.

Mrs. Morgan said that includes all space.

Mr. Pickens said all space in them. Thank you.

Chairman Pilmer said any other questions of the Staff? I think the Petitioner's here. Anything you want to add or come forward? I'll need to swear you in as well. If you'll raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

Mr. Barrera said I do.

Chairman Pilmer said thank you.

*Mr. Barrera said my name is Fernando Barrera. I'm the developer for the project. I think Jill pretty much summed it up pretty well...*

*FROM AUDIENCE: Can't hear! Can't hear you at all! Speak up!*

*Mr. Barrera said I think Jill pretty much summed up the project very well. Is there any questions for me?*

*Chairman Pilmer said questions of the Petitioner? None at this time. So, thank you.*

*Mr. Barrera said thank you.*

*Chairman Pilmer said so, this is a Public Hearing. If anyone in the audience would like to address the Commission at this time, they'll have the right to do so. Anybody...alright. Actually, I'll have anybody that wants to...I know there's 2...I'll swear everyone in. If there's others that want to speak...if you'll just...each of you, I'll just have you stand and raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?*

*FROM AUDIENCE: I do.*

*Chairman Pilmer said thank you. And then, whoever wants to come first.*

*Ms. Cole said I can sign this after, right?*

*Chairman Pilmer said sure.*

*Ms. Cole said uh, I just want to clarify a couple things. I wasn't sure...*

*Chairman Pilmer said actually, I just...I have to have you state your name and address. I think...is the microphone on?*

*Ms. Cole said it might be...*

*Chairman Pilmer said there we are, yup. Thank you.*

*Ms. Cole said my name is Linda Cole and I live at 450 West Downer Unit 3F in Aurora. I was not quite sure I heard everything that she said. I just wanted to clarify. They're still working on the fire exit to the rear, is that right? A fire escape?*

*Chairman Pilmer said I think the Staff said that they're waiting...working with City regarding the need for a rear balcony exit plan, but that's yet to be determined. It'll be per code.*

*Ms. Cole said and that will be the 2nd fire exit to the building?*

*Chairman Pilmer said yes.*

*Ms. Cole said and the other question was there's a handicap space in the parking lot, I believe. I saw that. And did I understand her to say that there was gonna be a sidewalk that would come from there around to where the handicap accessible would be?*

*Chairman Pilmer said yeah, it's hard to see. The plan shows from that handicap spot, going north/south, a sidewalk that would come up to access the ramp on the side of the building that would bring it up...*

*Ms. Cole said on the east side of the building?*

*Chairman Pilmer said east side, correct.*

*Ms. Cole said okay. And I think that I just didn't catch that, and I just wanted to be sure because people are gonna ask me. Thank you.*

*Chairman Pilmer said you bet. Thank you.*

Mr. Anderson said my name is Ray Anderson, I live at 439 West Downer. We've lived there 54 years, and so we're concerned about the neighborhood. I'm blessed to have a neighbor to my east that's...I've had 5 or 6 neighbors since we've lived there, and they're wonderful neighbors. And we're concerned about this beautiful home. When we moved there, there was one lady, Mary Meck, that lived there all by herself. And then, Jerry Skinner...I'm a retired teacher and Jerry Skinner was a teacher...and when Jerry owned it, there was all kinds of things that went on there. And the last few years, things kind of calmed down a little bit. So, we're concerned about who's going to live there. We're also concerned about the number of cars. I know that there's a lot of blacktop that's been installed in the backyard, but I know some of the guys that lived there before and it's much easier to park on the street and walk up the front sidewalk and into the building. So, I don't know how you can't tell people, you know, you can't park on the street because it's a City and the streets are there. But as somebody that's 86 years old and I drive a pickup, and sometimes when people park right next to your driveway, they don't leave you (inaudible) so you have to turn way out to make the turn into your driveway. So, we're concerned about the number of cars that are gonna be coming in there. I had a question about if they have to have a sprinkler system in a building like this. It's an old wooden structure, and my house was built in the 1860s and if it ever started on fire, you might as well go out in the street and look at it because it's not going to be stopped due to these hollow walls and all wood and stuff. It'd just be terrible. So, we are concerned about what's being...what's going on there. What type of people are we looking at that rent a 500 and some square foot apartment or a 900-square foot apartment? We're happy to know that they're going to have their own bathrooms because those guys that lived there for all those years that Jerry owned it just shared a bathroom. What a terrible situation, but they're going to have their own kitchen and their own bathrooms, but we're still concerned about that many people. Nine apartments in that home, that just seems like overkill. It just...I can't imagine how you can go into an old beautiful home like that and start chopping it apart, putting in all the pipes and plumbing and stuff for 10 kitchens, 10 bathrooms. I just don't understand that. So, we just...as neighbors, we're just concerned about what's going to be added, what we've seen so far on the outside, a lot of trees have been removed, and the building's been painted. A lot of people ask, "what's going on?" Well, it looks nice right now from the outside. New roofs and the windows are old, but we're talking about sprinkling systems, fire escape for every apartment. Are they gonna have a 2nd exit from their apartment to get out of that building? 'Cause if it starts on fire, it's done. Thank you very much.

Chairman Pilmer said thank you. Anyone else like to address the Commission at this time? I might ask the Petitioner if he can come forward and help answer some of the questions. So, I know, if you could maybe give a little background on...I think there's a question regarding types of tenants. I know...I believe you own other properties within the City and maybe your tenant process as I think might help.

Mr. Barrera said so, the targeted audience for this project would be working class professionals...

FROM AUDIENCE: Can't hear you!

Mr. Barrera said working class professionals would be the type of people we would be looking for. So, there has been, as you know, when I took over the building, there had been 6 or 7 tenants that were still there. I did end up giving them a few months to relocate; however, a good majority of them have consistently texted me, emailed me letting me know that they're really interested in coming back. They love the neighborhood, they love the neighbors, right? So, again, I want to give an opportunity to those folks as well that lived through, like you said, those conditions of having shared bathrooms, shared kitchens, and I think coming back and seeing the dramatic change would be a very great thing for them, right? So, another thing that you mentioned was the significant changes that have been done to the exterior. As you know, we've been working with the City hand-in-hand to get things done in an appropriate manner. Due to the variances and so forth and things that we have to do before we start working on the inside, that's kind of the process of it, we're doing this to get a full approval from the City so we can start working on the inside. So, the exterior work that we did was gonna get done either way, if we went this route or another route. So, that's one of the reasons we started working on doing all the site work, the roofing, a little bit of painting, and the asphalt work.

Chairman Pilmer said and then can you...I think the number of parking spaces, but anything you can do to encourage your tenants to utilize the spaces versus street parking?

Mr. Barrera said yeah, definitely. So, the goal would be to have reserved parking. So, kind of like numbered parking, that's the goal. So, every tenant comes in, they have their specific spot. And I do understand his point and his view, that most of the tenants will say, "Well, it's easier to park in the front or on the street, and it's an easier walk up" and so forth. But we will...we'll strongly encourage them to use the parking lot out back.

Chairman Pilmer said and then I think maybe if you can address whether this, as you're working with the City, is sprinkling required.

Mr. Barrera said yes, for this type of remodel, it's not required. But there are other things that we have to do to be in compliance. So, for example, on some of the corridors, we have to add another layer of drywall, right? So, there's specific codes that we have to meet and address in order to offset the sprinklers that we will be doing.

Chairman Pilmer said thank you.

Mr. Barrera said thank you.

Chairman Pilmer said oh, did you have...go ahead.

Mr. Pickens said I just...on the sprinkler issue. Is this an exposed structure ceiling or are you putting drywall ceilings in?

Mr. Barrera said drywall ceilings.

Chairman Pilmer said any other questions? At this time, I will close the Public Hearing. There are Findings of Fact.

Mrs. Morgan said Staff has the following comments regarding Findings of Facts:

1. The project will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare as the project brings additional housing to a residential area and preserves a building with tremendous historic significance to the community. Downer Place has long been considered a historical throughfare. This subject property operated as a lodging house for several years. The proposed use of the property (apartment living at moderate pricing) demonstrates that the proposed project will bring much needed residences to the area and significantly enhance the area.
2. The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity or diminish or impair property values as the addition of 10 residential units brings much needed housing that is affordable. Although it is difficult to accurately predict what will happen to property values with the addition of any one development, it is fair to state that this project will certainly have a positive impact on property values within the neighborhood. The development will ensure the house continues to be used as a residence and not sit vacant.
3. The development will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district as the proposed use of this project brings additional residences to the area. The building was already being used as a multiple dwelling unit in the form of a lodging house. Continuing the use of multi-family but in the form of 10 individual apartments should have no additional impact on the surrounding properties.
4. Some utility work will be required but there is currently adequate water and sewer capacity to serve the project.
5. The project does provide adequate ingress and egress. Access point to the site already exists and will be maintained not only to City code but to Historic District requirements. Parking is being provided at 1.5 spaces per unit, which staff has found is sufficient for smaller apartments. In addition, the site plan allows for the addition of parking spaces if parking becomes an issue.
6. Besides variations outlined in the Plan Description, the Conditional Use does conform to regulations of the R-5 district.
7. For hotels, not applicable.
8. The uses are necessary, desirable, and appropriate with respect to the primary purpose of the development as the use brings additional apartments to this multi-family zoning district.
9. The uses are of a nature and are so located as to not exercise an undue detrimental influence on the surrounding neighborhood as the surrounding neighborhood is residential including some multi-family.

10. The exceptions so allowed are reflected by the appropriate zoning district symbols and are so recorded on the zoning district map.

11. For Industrial Sites, not applicable.

Chairman Pilmer said does Staff have a recommendation?

Mrs. Morgan said Staff would recommend approval of an Ordinance establishing a Conditional Use Planned Development and approving the Hurd House Plan Description for the property located at 429 West Downer Place.

Chairman Pilmer said you've heard Staff's recommendation. Is there a motion?

MOTION OF APPROVAL WAS MADE BY: Mrs. Owusu-Safo

MOTION SECONDED BY: Mr. Lee

AYES: Chairman Pilmer, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Owusu-Safo, Mr. Pickens, and Mr. Roberts.

NAYS: 0

Motion carried.

Chairman Pilmer said motion carries. Staff did read into the record the Findings of Facts related to this agenda item. Are there any additions or corrections? Hearing none, is there a motion to accept the Findings of Fact as read into the record?

MOTION OF APPROVAL OF FINDINGS OF FACTS WAS MADE BY: Mrs. Owusu-Safo

MOTION SECONDED BY: Mr. Roberts

AYES: Chairman Pilmer, Mr. Chambers, Mr. Gonzales, Mr. Kuehl, Mr. Lee, Mrs. Owusu-Safo, Mr. Pickens, and Mr. Roberts.

NAYS: 0

Motion carried.

Chairman Pilmer said motion carries. And if Staff will state where this will next be heard.

Mrs. Morgan said this will next be heard at the Building, Zoning, and Economic Development Committee meeting, next Wednesday, April 23rd at 4 o'clock in this room.

Chairman Pilmer said good luck.

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

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**Text of Legislative File 25-0317**