

1 CHAIRPERSON LEE: I would like to call this
2 planning and zoning commission meeting for Wednesday,
3 August 5, 2026 to order. It is now 7:01 p.m.

4 Please call the roll.

5 THE CLERK: Chairman Pilmer.

6 Mr. Barajas.

7 COMMISSIONER BARAJAS: Yes.

8 THE CLERK: Mr. Bhachu.

9 COMMISSIONER BHACHU: Here.

10 THE CLERK: Mr. Chambers.

11 COMMISSIONER CHAMBERS: Here.

12 THE CLERK: Ms. Hopkins.

13 COMMISSIONER HOPKINS: Here.

14 THE CLERK: Mr. Lee.

15 CHAIRPERSON LEE: Here.

16 THE CLERK: Mr. Pickens.

17 COMMISSIONER PICKENS: Here.

18 THE CLERK: Mr. Roberts.

19 COMMISSIONER ROBERTS: Here.

20 THE CLERK: Ms. Aheed.

21 COMMISSIONER LEE: I would ask that those
22 individuals in the audience tonight please sign in on
23 the sign-in sheet so your presence at this meeting can
24 be included in the record. And thanks all for

1 attending.

2 The first item on the agenda, review and
3 approval of the minutes from the July 22nd meeting. Are
4 there any requested corrections to the minutes as
5 written?

6 Hearing none, may I have a motion to approve
7 the minutes from the July 22nd meeting as written.

8 COMMISSIONER CHAMBERS: Move for approval.

9 COMMISSIONER PICKENS: Second.

10 CHAIRPERSON LEE: Motion has been moved by
11 Commissioner Chambers and seconded by Commissioner
12 Pickins.

13 Are there any commissioners abstaining from
14 the motion?

15 COMMISSIONER ROBERTS: Abstaining.

16 CHAIRPERSON LEE: Please note for the record that
17 Commissioner Roberts will be abstaining from the vote.

18 Please call the roll.

19 THE CLERK: Mr. Barajas.

20 COMMISSIONER BARAJAS: Yes.

21 THE CLERK: Mr. Bhachu.

22 COMMISSIONER BHACHU: Yes.

23 THE CLERK: Mr. Chambers.

24 COMMISSIONER CHAMBERS: Yes.

1 THE CLERK: Ms. Hopkins.

2 COMMISSIONER HOPKINS: Yes.

3 THE CLERK: Mr. Lee.

4 CHAIRPERSON LEE: Yes.

5 THE CLERK: Mr. Pickens.

6 COMMISSIONER PICKENS: Yes.

7 THE CLERK: Mr. Roberts.

8 COMMISSIONER ROBERTS: Pass.

9 CHAIRPERSON LEE: Motion carried. The minutes are
10 approved.

11 Before we begin this evening's agenda items in
12 accordance with the Illinois Open Meetings Act, if
13 anyone in the audience would like to speak to the
14 commission about an item that is relevant to the
15 commission that is not a public hearing on the agenda,
16 they will have three minutes to do so.

17 As no one has signed up for public comments,
18 we will now move on to the next section of the agenda.

19 The next item on the agenda is a public
20 hearing, Item No. 26-0409, an ordinance amending Chapter
21 49 of the Code of Ordinances, City of Aurora, by
22 modifying Section 49-103.3. Definitions. 49-107.3,
23 residential districts with business regulations and
24 Table 1 use categories.

1 We will first hear a presentation by staff on
2 this item.

3 MS. PHILLIPS: Thank you. Good evening. I am
4 Kimberly Phillips, zoning administrator. The next item
5 04-409 is a tax amendment, two sections, 49-103.3,
6 49-107.3, and Table 1 of the City of Aurora Code of
7 Ordinances.

8 The first section relates to the definition of
9 housing types. Definitions are provided for
10 manufactured homes and modular homes for the purpose of
11 distinguishing between these two similar housing types.
12 Per the city's building code, manufactured homes are not
13 permitted. However, modular homes are permitted in the
14 city.

15 The next section, and this update relates to
16 home occupation uses. A definition for direct sales
17 production and distribution has been provided under home
18 occupations. The use refers to types of sales that
19 commonly take place as a home-based business. These
20 include sales of common home-related products, typically
21 having a lower use intensity such as Avon, Tupperware or
22 Pampered Chef products.

23 Higher intensity sales items such as firearm
24 sales, storage or warehousing and certain health-related

1 sales often involve public safety risks, or specialized
2 licensing may not be compatible with residential zoning.

3 Also under home occupation is the definition
4 for mail order. A definition has been provided to
5 clarify permitted businesses that offer goods and
6 services that may be received by mail, phone or internet
7 and filled by mail delivery.

8 Certain businesses such as auto sales, firearm
9 and ammunition sales, storage or distribution sales, and
10 retail sales are excluded. These items typically
11 involve higher impact operations that could impact
12 residential function and character.

13 For consistency the permitted home occupation
14 table would also be updated to align with the definition
15 for direct sales and mail order.

16 Then there are proposed changes to Table 1,
17 this table in Chapter 49. The first is a correction.
18 For one family and two family dwelling districts the use
19 would be corrected to include the R-5 and the R-5A
20 districts which are generally multifamily districts.
21 With the last update the R-5 and R-5A districts were
22 excluded unintentionally.

23 Typically for residential uses in terms of
24 intensity, it includes the lower intensity uses. So we

1 go up in the use district, the single family would then
2 also be carried over to the multi family district.

3 Lastly, there is an amendment to the use table
4 for pool rooms. This update is concurrent to proposed
5 licensure changes taking place making pool rooms a
6 limited use that is regulated under licensure instead of
7 zoning.

8 Ultimately the license would make these uses
9 an accessory use to a principal restaurant use. The
10 table would be updated to allow pool rooms as limited
11 use within the B-2, B-3, B-C and M-1 districts, adding
12 the use to the B-2 district.

13 As this concludes staff's analysis of the
14 amendment requests, do you have any questions before I
15 move to staff recommendations?

16 CHAIRPERSON LEE: Thank you. Any questions?

17 COMMISSIONER HOPKINS: I do. I can't see -- the
18 text isn't downloading. Would you be willing to read
19 out the changes that are made for the direct sales and
20 mail order to us?

21 Oh, wait a minute. Someone is giving me a
22 copy.

23 MS. PHILLIPS: I can read the direct sales
24 production distribution. This home occupation use

1 consists of sales of home cleaning products, cosmetics,
2 food containers or other such goods sold directly to
3 consumers. This includes uses such as Amway, Avon,
4 Tupperware, but excludes uses such as the firearm sales,
5 ammunition sales, firearm transfer businesses, federally
6 licensed firearm dealer activity, and similar firearm
7 related transfer or storage or distribution businesses.

8 Would you like to hear the mail order
9 definition as well?

10 COMMISSIONER HOPKINS: I have a copy of it now.
11 Thank you. That's all the questions I have. Thank you
12 so much.

13 CHAIRPERSON LEE: Any other questions of staff?

14 COMMISSIONER PICKENS: I have a question. So how
15 will this apply to -- this will only apply to new people
16 searching for permits or zoning changes? Anyone still
17 underneath the changes previously approved, are they
18 grandfathered in or do they have to be brought up to the
19 new ordinance?

20 MS. PHILLIPS: For the pool room, from what I
21 understand, there are no current users that have been
22 approved. For the firearm, if there any direct sales
23 for firearm dealers or any other sales type that have
24 been approved by the city, typically, historically, it

1 has been our action to allow those as grandfathered
2 uses. However, I am not certain in this case. But that
3 would be my understanding of how that works.

4 COMMISSIONER HOPKINS: I also have another
5 question. For mail order it says, the very last
6 sentence says, retail sales from the site. So is that
7 including people that sell things on Etsy, as an
8 example?

9 MS. PHILLIPS: Did you want to answer the first
10 question?

11 MR. CURLEY: Let's do Etsy first.

12 MS. PHILLIPS: Okay. So for home occupations it is
13 generally low scale, small items. Etsy would be
14 allowable under the sales, direct sales. So that would
15 be an allowable use.

16 MR. CURLEY: I think the distinction is that the
17 retail use definition would expect people to be coming
18 to the home to purchase something; whereas, for Etsy
19 sales I don't think that's primarily how that works.

20 COMMISSIONER HOPKINS: Okay. I am thinking. Thank
21 you for explaining.

22 MR. CURLEY: And Patrick is here to answer the
23 question about the retro activity of the changes of the
24 regulations as well.

1 MR. COLLINS: Good evening. Assistant corporation
2 Counsel Patrick Collins, C-O-L-L-I-N-S. Depending on
3 the type of use you have for your home would depend if
4 you would be able to continue that or not. If you need
5 to be a -- a federally licensed firearm dealer, that is
6 a license you are going to have to get continually.
7 Absorbed use is no longer allowed in the zone, you
8 wouldn't be able to get that license. For some of these
9 other ones you would be able to, if you are
10 grandfathered in. It just depends on the specific use.

11 COMMISSIONER PICKENS: So that would be shown in
12 the document as well for clarity for those that you
13 might need to show this piece of paper to them that it
14 is no longer --

15 MR. COLLINS: This is in the definition of what a
16 mail order home occupation is.

17 COMMISSIONER PICKENS: But I heard the word
18 grandfather clause. To me grandfathered says anything
19 before this document is fine and stays that way.

20 MR. COLLINS: Well, that would not be -- I didn't
21 use the word grandfather. That's fine, it can be in
22 there, but there is one -- so somebody in ammunition
23 sales, you will no longer be able to do, because you
24 need a federal license in order to do that. You can't

1 get a federal license, renew your federal license if you
2 are in an area, the location that is not allowed by the
3 city.

4 COMMISSIONER PICKENS: So that's a federal mandate
5 then.

6 MR. COLLINS: Correct.

7 CHAIRPERSON LEE: Mr. Curley, for the record, can I
8 please ask you to introduce yourself.

9 MR. CURLEY: Thank you. I neglected to do that.
10 John Curley, Chief Development Services Officer of the
11 City of Aurora.

12 I apologize that I used the term
13 grandfathered. I think the distinction that I was
14 trying to make is we will not re-issue any letters that
15 are required of us to say that they are compliant when
16 they are no longer compliant. So if there any federal
17 regulations that require a new letter from the zoning
18 administrator or Tracey's office, they will not be
19 authored because we can't author them anymore if they
20 are no longer compliant.

21 COMMISSIONER PICKENS: Will there be a notification
22 to these businesses before they reregister where if they
23 are going to move out of town, give them a little
24 warning?

1 MR. CURLEY: Well, they don't have to move out of
2 town. They are just not going to be permitted in
3 residential use areas. It could be in other use areas.

4 COMMISSIONER PICKENS: I understand. But,
5 surprise, you can no longer do business and you need
6 to --

7 (Cross-talking.)

8 MR. CURLEY: As we don't license them, I am not
9 sure how difficult it would be to get information who is
10 where from the feds, but we can attempt to try to do
11 that, if it is possible.

12 CHAIRPERSON LEE: Are there any other questions of
13 staff at this time.

14 COMMISSIONER ROBERTS: (Inaudible.)

15 THE COURT REPORTER: I can't hear him.

16 MR. COLLINS: I think the question is, who drafts
17 these? I think the combination of people within the
18 city. City legal is involved. I know Tracey Vacek gets
19 involved. (Indiscernible) different sources. The
20 definition for mail order specifically? Do you have a
21 section that you are inquiring about specifically or --

22 COMMISSIONER ROBERTS: No. I was just more curious
23 why -- I don't know. I guess why we are rewriting.
24 Just felt like one of those things that would be sort of

1 standard across the, versus, trying to wordsmith our own
2 definition.

3 MR. COLLINS: Part of this is we are updating what
4 we have. As you can see in the language previously it
5 was allowing home uses of basically Avon, Tupperware.
6 That was the only definition that was given. So kind of
7 our option was to expand the definition of what mail
8 order is and isn't allowed specifically so you are not
9 having single-family home, storage facility,
10 single-family home.

11 COMMISSIONER ROBERTS: I get that, the need to
12 update.

13 CHAIRPERSON LEE: Is there any other questions of
14 staff?

15 This is a public hearing. Are there any
16 members of the public wishing to give testimony in this
17 matter, please raise your hand, if so.

18 Seeing that no one has come forward, the
19 public hearing is now closed. Are there any additional
20 comments or questions from the commission?

21 COMMISSIONER CHAMBERS: I have additional comment
22 for staff. Just to kind of piggyback on what
23 Mr. Pickens was saying that my question is, was there
24 any thought of being proactive to send something to

1 those that fall within that zoning area to notify them
2 what if they do have running that type of business out
3 of their home or not, you make everyone aware, I think
4 that would be something that I would like to see staff
5 to consider.

6 MR. CURLEY: Like I mentioned, at least for the
7 federally licensed uses, we will try and see if we can
8 get that information. It may be publicly available, and
9 therefore, the answer would be yes, we can do that.

10 With respect to the other uses that are being
11 clarified as not permitted, I am not sure how -- I am
12 not sure how to get at the actual locations and uses of
13 those locations. So it might be a little challenging.
14 We certainly have no problem trying to broadcast the
15 information on whatever channels we have.

16 COMMISSIONER CHAMBERS: I think the more
17 information we provide to the public the better and the
18 less that staff will have to address down the line when
19 a particular license expires and they go to renew.

20 MR. COLLINS: Mr. Chambers, we can definitely work
21 on that. Tracey Vacek has more of that information. We
22 know where some of these facilities are. A lot more of
23 this is driven by we have had several people coming and
24 trying to get, you know, federally licensed firearm for

1 in general because there isn't a great definition for
2 it, but generally they want to use their whole garage.

3 So is it allowed under the code of
4 (indiscernible)? We know some of these things are
5 occurring. We have some others as well and we are doing
6 the best to get in touch with them.

7 COMMISSIONER PICKENS: I would think at minimum
8 there should be a public notice published in the Beacon
9 or whatever, you know, cover the Aurora area. And I
10 also think you are endeavored to contact those that you
11 know that are in that type of business.

12 COMMISSIONER CHAMBERS: I think also that those
13 that you may not be aware of, with a public notice, you
14 can have an updated list.

15 CHAIRPERSON LEE: Any additional questions or
16 comments from the commission?

17 COMMISSIONER PICKENS: I guess what we are
18 commenting about, would that be included in for the
19 approval process, some type of verbiage, before we
20 approve?

21 CHAIRPERSON LEE: I think that question would be
22 best answered by staff.

23 MS. PHILLIPS: Are you asking for language for --

24 COMMISSIONER PICKENS: Yeah, I mean, we can approve

1 what they are saying but --

2 (Cross-talking.)

3 MR. COLLINS: Jill has an answer for you. I
4 believe this was published in the Beacon.

5 MS. MORGAN: Jill Morgan here. So this was
6 published in the Beacon.

7 COMMISSIONER PICKENS: At a public hearing.

8 MS. MORGAN: At a public hearing.

9 COMMISSIONER PICKENS: But if we don't approve it,
10 then it all goes away, right? So if we approve it, then
11 there should be a public hearing claiming that it has
12 been approved, and look, everybody, you have to abide by
13 these new rules.

14 MS. MORGAN: Well, with any changes we make of any
15 type during the month that we do public hearings as the
16 zoning commission as a recommended body. It is not
17 finalized before city council. So we don't go out with
18 any of our --

19 (Cross-talking.)

20 COMMISSIONER PICKENS: But we recommend that this
21 be taking place, that there is a public notice and that
22 you do notice those that you know are in the business --

23 MS. MORGAN: We public notice as required by state
24 statute. If you want to do a commission about reaching

1 out to people that we know, I think that would be
2 mindful. Requiring, I know there is some type of public
3 notice. I would not recommend since there are legal
4 requirements of how we have to notice, and I don't want
5 to change, treat this differently, than we do other
6 cases. And the next time we have a zoning requirement,
7 why didn't we publish notice for the that conditional
8 use was approved. So I would not recommend treating
9 this differently with public notifications.

10 But if you would like to add a condition about
11 trying to reach out to those that we -- people that have
12 federal licenses that we are aware of that staff reaches
13 out to them with a letter notifying them, we could do a
14 condition like that.

15 COMMISSIONER CHAMBERS: Can have that listed as a
16 conditional use.

17 MS. MORGAN: So you would like to add a condition
18 that staff reaches out to all known licensees, federal
19 licensees of the zoning change?

20 COMMISSIONER PICKENS: Yeah, I don't know if there
21 should be a time limit, like a month before it expires
22 or I don't know. I would say notify them as soon as
23 possible.

24 MS. MORGAN: Notifying them within 30 days of the

1 council approval?

2 MS. HOPKINS: And so no one falls through the
3 cracks as well when you were speaking about notifying
4 just that certain group of people, would it also be okay
5 to just add it to the website in the appropriate place
6 as well for those business sellers?

7 MS. MORGAN: The approval will be on the website.
8 The ordinance itself will be on the website.

9 MS. HOPKINS: But visible. Not like somebody has
10 to go dig for it to find it.

11 MS. MORGAN: We could add -- I wouldn't want to
12 change how city council does their -- the clerk has a
13 way how she always shows all of her approved ordinances
14 so I would not want to change that. We could add
15 something on the planning commission's website that this
16 has been approved.

17 COMMISSIONER HOPKINS: If the notice or the
18 information to update, if you are going to reach out to
19 those people one by one, the same place they would go to
20 the website to log in or any other business owner who
21 may want to start a business, on a page like that is
22 what I am suggesting.

23 MS. MORGAN: So we don't really necessarily have
24 one page. It kind of depends on what you are trying to

1 do. Like, if you are going for a liqueur license, you
2 would go to the city clerk for a liquor license.

3 The only other place -- I mean home occupation
4 falls within planning. So I would think that would be
5 as much of a place to put. The only other place would
6 be development services where kind of start with if you
7 want to just, like, open a business in the City of
8 Aurora, often people will start with the development
9 services team meeting. There is a page for development
10 services. We could put maybe under development services
11 kind of often a starting point for a lot of projects.

12 So there is not, like, one website where
13 everything is put, like, one web page. It kind of
14 depends what you are trying to do with the city. So
15 while I think development services would be the most
16 logical place that someone one wants to do a home
17 occupation like this, either planning or developmental
18 services I would think would be the most logical place
19 to go.

20 MS. HOPKINS: I think that would be great in
21 addition to reaching out to them.

22 MS. MORGAN: We can also add a condition. So it
23 sounds like we have two conditions. The first condition
24 that staff reaches out to all known federally --

1 (Cross-talking.)

2 MR. COLLINS: Approval condition upon city
3 providing written notice to these tax amendments to any
4 known businesses that it may affect within the city.

5 COMMISSIONER PICKENS: Prior to their expiration?
6 The thing is, it is their business, and to close the
7 door on, you know --

8 COMMISSIONER CHAMBERS: Or to just find out last
9 minute, and, you know, they are wanting to continue with
10 their business, and they find out last minute that they
11 cannot move that business forward or project forward
12 because there is a change in not being notified.

13 MR. COLLINS: So if you are just adding within 30
14 days of the passage of these tax amendments. 30 days
15 from today's date? Like --

16 COMMISSIONER PICKENS: Well, I just don't want them
17 to have a notice when they find out the day they go in
18 to renew. So 30 days would be a minimum, I would think,
19 because, you know, if you have a business, an operating
20 business, you need time to make changes, and even 30
21 days is really pushing it.

22 COMMISSIONER CHAMBERS: I would say that since we
23 are a recommended body, it would be the 30 days after
24 city council's approval.

1 MS. MORGAN: It will be three weeks before we get
2 to city council.

3 COMMISSIONER CHAMBERS: Right, and this would still
4 need to be heard by building and zoning?

5 MS. MORGAN: Yes. It would be committee
6 (indiscernible).

7 COMMISSIONER CHAMBERS: Very good.

8 CHAIRPERSON LEE: Are there any questions of staff
9 on topics --

10 (Cross-talking.)

11 MS. MORGAN: The second condition is that staff
12 post notice on the development services website of the
13 tax amendment change.

14 CHAIRPERSON LEE: All right. Are there any
15 questions of staff from the commission or comments?

16 Public hearing now closed as well.

17 Does staff have a recommendation?

18 MS. PHILLIPS: Staff recommends that the planning
19 and zoning commission make recommendations to the city
20 council for conditional approval of the ordinance
21 amending Chapter 49 of the Code of Ordinances City of
22 Aurora by modifying Section 49-103.3, Definition
23 49-107.3 and residential district specific regulations
24 and Table 1 category subject to the two conditions that

1 were presented by legal.

2 COMMISSIONER CHAMBERS: Could you just read in
3 those two conditions for the record, please.

4 MR. COLLINS: Two conditions would be, Condition 1,
5 approval, is condition upon the city providing written
6 notice of these tax amendments to any known businesses
7 that the amendments would affect within 30 days of the
8 passage of these tax amendments. Staff will post notice
9 of these tax amendment changes on the city's website.

10 CHAIRPERSON LEE: You have heard the staff's
11 recommendation with the two conditions. Is there a
12 motion?

13 COMMISSIONER CHAMBERS: Move for approval with the
14 two conditions listed in this staff report.

15 COMMISSIONER ROBERTS: Second.

16 CHAIRPERSON LEE: Motion has been moved by
17 Commissioner Chambers and seconded by Commissioner
18 Roberts.

19 Are there any questions on the motion?
20 Hearing none, please call the roll.

21 THE CLERK: Mr. Barajas.

22 COMMISSIONER BARAJAS: Yes.

23 THE CLERK: Mr. Bhachu.

24 COMMISSIONER BHACHU: Yes.

1 THE CLERK: Mr. Chambers.

2 COMMISSIONER CHAMBERS: Yes.

3 THE CLERK: Ms. Hopkins.

4 COMMISSIONER HOPKINS: Yes.

5 THE CLERK: Mr. Lee.

6 CHAIRPERSON LEE: Yes.

7 THE CLERK: Mr. Pickens.

8 COMMISSIONER PICKENS: Yes.

9 THE CLERK: Mr. Roberts.

10 COMMISSIONER ROBERTS: Yes.

11 CHAIRPERSON LEE: The motion carries. The staff
12 will state when this item will next be heard.

13 MS. PHILLIPS: This item will be moved to the
14 building and zoning economic development meeting which
15 is Thursday -- pardon me. I am going to need staff's
16 assistance.

17 Jill, could you tell me the next date?

18 MS. MORGAN: It will be Wednesday, the 12th at 4.

19 MS. PHILLIPS: Wednesday, the 12th.

20 CHAIRPERSON LEE: Are there any announcements at
21 this time?

22 No announcements.

23 Is there a motion to adjourn?

24 Oh, our next meeting will be Wednesday,

1 August 19th, at 7 p.m., here in council chambers.

2 Do I have a motion to adjourn at this time?

3 COMMISSIONER ROBERTS: Move to adjourn.

4 COMMISSIONER CHAMBERS: Second.

5 CHAIRPERSON LEE: All in favor?

6 (Chorus of ayes.)

7 CHAIRPERSON LEE: Meeting is adjourned at 7:30 p.m.

8 Thank you.

9 (Hearing was adjourned at
10 7:30 p.m.)

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1 STATE OF ILLINOIS)
2) SS
3 COUNTY OF COOK)

4 I, Sharon A. Jerndt, being first duly sworn,
5 on oath says that she is a Certified Shorthand Reporter
6 and Registered Professional Reporter doing business in
7 the City of Chicago, County of Cook and the State of
8 Illinois;

9 That she reported in shorthand the proceedings
10 had at the foregoing Planning and Zoning Commission
11 Meeting;

12 And that the foregoing is a true and correct
13 transcript of her shorthand notes so taken as aforesaid
14 and contains all of the proceedings had at the said
15 Planning and Zoning Commission Meeting.

16 Sharon A. Jerndt
17 SHARON A. JERNDT, CSR, RPR
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