



City of Aurora

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

Legistar History Report

File Number: 15-00452

File ID: 15-00452

Type: Ordinance

Status: ATS Review

Version: 3

General Ledger #:

In Control: Planning & Development Committee

File Created: 05/21/2015

File Name: Julia Alcaraz - Rezoning

Final Action:

Title: An Ordinance Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by Rezoning Property located at 536 North Avenue from B-2 General Retail to R-3 One Family Dwelling in Kane County, Aurora Illinois 60505

Notes:

Agenda Date: 07/30/2015

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description - 2015-06-22 - 2015-073.pdf, Property Research Sheet - 2015-03-24 - 2015-073.pdf, Land Use Petition Submittal and Supporting Documentation - 2015-05-21 - 2015.073.pdf, Plat of Survey - 2015-05-21 - 2015.073.pdf, Legistar History Report - 2015-06-23 - 2015.073.pdf

Enactment Number:

Planning Case #: AU27/2-15.073-Rz

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	City Council	05/26/2015	referred to	DST Staff Council (Planning Council)	06/02/2015		
	Action Text: This Petition was referred to to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	06/02/2015					
	Notes: Mrs. Vacek said I will be writing the staff report. This will be going on the July 8th Planning Commission.						
1	DST Staff Council (Planning Council)	06/09/2015	Forwarded	Planning Commission	07/08/2015		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 7/8/2015. The motion carried by voice vote.						
	Notes: Mrs. Vacek said there is nothing really to review on this, so we are going to have this go on the July 8th Planning Commission. I have to get their public notices out this week. I do make a motion to						

move this forward to the July 8th Planning Commission. Mr. Minnella seconded the motion. The motion carried unanimously.

2 Planning Commission 07/08/2015 Held in Planning Commission 07/22/2015 Pass

Action Text: This item was continued to the July 22, 2015 Planning Commission meeting.

Notes: *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 staff would recommend that we continue this until the July 22nd Planning Commission.

MOTION TO CONTINUE TO 7/22/2015 WAS MADE BY: Mrs. Hoffman

MOTION SECONDED BY: Mrs. Cole

AYES: Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Engen, Mrs. Hoffman, Mr. Pilmer.

NAYS: None

Aye: 7 At Large Bergeron, At Large Cameron, At Large Cole, Fox Valley Park District Representative Hoffman, At Large Pilmer, At Large Engen and At Large Truax

2 Planning Commission 07/22/2015 Forwarded Planning & Development Committee 07/30/2015 Pass

Action Text: A motion was made by Mr. Engen, seconded by Mrs. Cole, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 7/30/2015. The motion carried.

Notes: *Mrs. Vacek said the subject property is located at 536 North Avenue and is currently a vacant two unit residence with B-2 zoning. In the spring of 2013 this property became vacant and then in the spring of 2014 the property lost its legal non-conforming status as being used as a two unit residential because it was discontinued more than 6 months. Earlier this year, the Petitioner did buy the property and is looking to rezone the property from B-2 to R-3, which is a single family residential zoning district in order to use the property for a single family. That's kind of the petition in a nutshell. If you have any questions for me, I'm more than happy to answer them.*

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 amending Ordinance Number 3100, being the Aurora zoning Ordinance and the Zoning Map attached thereto by rezoning the property located at 536 North Avenue from B-2 to R-3 in Kane County Illinois with the following condition:

1. *That the Petitioner obtain a building permit to convert the property from a two unit to a single family residence.*

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Engen

MOTION SECONDED BY: Mrs. Cole

AYES: Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Divine, Mr. Engen, Mr. Pilmer, Mr. Reynolds

NAYS: None

FINDINGS OF FACT

1. *Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?*

Mrs. Cole said these are listed in the staff report.

2. *Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?*

Mr. Pilmer said yes, it is consistent with the city's longstanding residential density reduction policy.

3. *Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification (desirability being defined as the trend's consistency with other applicable official physical development policies and other related official plans and policies of the City of Aurora)?*

Mr. Reynolds said yes. The property being changed represents the highest and best use of the property.

4. Will the proposal permit uses which are more suitable than those uses permitted under the existing zoning classification?

Mr. Engen said these proposals are more suitable to the area because of the downzoning or going from two family living quarters to a single family, so it is related to the policies of what is being complied for the City of Aurora and encouraging more to replace it.

5. Will the proposal maintain a compatible relationship with traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mr. Engen said we should not see any adverse effect in this area. Basically it will still be about the same amount of traffic from that house. If any, a little bit less.

6. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Mr. Cameron said they are already in place.

Mrs. Vacek said this will next be heard at the Planning and Development Committee meeting on Thursday, July 30, 2015 at 4:00 p.m. in the 5th floor conference room of City Hall.

Aye: 7 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer,
Aurora Twnshp Representative Reynolds, At Large Divine and At Large
Engen
