



City of Aurora

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

Legistar History Report

File Number: 20-0341

File ID: 20-0341	Type: Petition	Status: Draft
Version: 2	General Ledger #:	In Control: Building, Zoning, and Economic Development Committee
File Name: KSM Properties LLC / Tortas / 5 S. Lake Street / Mural / Special Sign District		File Created: 06/18/2020
		Final Action:

Title: An Ordinance Establishing a Special Sign District on the Property located at 5 S. Lake Street (KSM Properties, LLC - 20-0341 / AU22/3-20.081-V/SD - JM - Ward 6) (PUBLIC HEARING)

Notes:

Agenda Date: 07/15/2020

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description - 2020-06-30 - 2020.081, Exhibit "B" Special Sign District - 2020-06-30 - 2020.081, Mural - 2020-05-04 - 2020.081, Land Use Petition and Supporting Documents - 2020-06-18 - 2020.081, Survey - 2020-05-22 - 2020.081, Photo - 2020-05-04 - 2020.081, Property Research Sheet - 2020-06-30 - 2020.081, Findings of Facts - 2020-06-30 - 2020.081

Enactment Number:

Planning Case #: AU22/3-20.081-V/SD

Hearing Date:

Drafter: jmorgan@aurora-il.org

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
2	Planning and Zoning Commission	07/08/2020	Forwarded	Building, Zoning, and Economic Development Committee	07/15/2020		Pass
Action Text:		A motion was made by Mrs. Anderson, seconded by Mr. Cameron, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 7/15/2020. The motion carried.					
Notes:		<i>Mrs. Morgan said so just to give you a little bit of background about the project. As mentioned, this is a mural. It is a Special Sign District in order to put a 750 square foot mural on a building that is</i>					

located outside of the downtown. As you might be aware, in 2016 the city did pass an ordinance allowing for murals within the FoxWalk Overlay District and there is a specific process for those murals. This is located outside the of the FoxWalk, so in order to allow a mural, we do need to do a Special Sign District as the mural is larger than what's permitted as a wall sign in the current Sign Ordinance.

The proposed mural was designed by local artist Joshua Schultz. It is located on the west-facing wall of the building that houses the restaurant Tortas. It measures approximately 45 feet by 17 feet, so it is basically the size of the wall. It was chosen because of the location being along heavily traveled Galena Boulevard. It has some rich colors and some vibrant colors. We do have a representative here from Aurora Downtown, who is the organization that is proposing the mural along with the owners, who can go into some more background on the mural design or if you have any questions, they are present. Just to let you know that typically in the downtown we have feedback from the Aurora Public Art Commission. While that wasn't required for this since it was a Special Sign District, we did ask for some feedback. We spoke with Jennifer Evans of city staff as well as she sent it out digitally to her Commission since they currently aren't meeting and they provided positive feedback. Staff does support the Special Sign District because it promotes the mural initiative that is happening in our downtown and because the building is located right outside of downtown and it is on the heavily traveled route of Galena Boulevard. Within the Special Sign District there are some bulk regulations just outlining that. Specifically, it just talks about the size. It allows the larger size. It allows it on a specific wall. It also designates that the mural should have anti-vandalism, and anti-graffiti, which is what we typically ask for within the FoxWalk as well as efforts to make sure vandalism is taken care of in a timely manner. It does allow if there are any slight changes for to them to be able to do that through a sign permit. Let me just share my screen for anyone who is in the public. Here is the design of the mural. You can see the vibrant colors and the approximate size of the mural. Are there any questions for city staff?

Ms. Tidwell said I have a question. What's the difference between a mural and a sign?

Mrs. Morgan said a mural, the way we defined it in the FoxWalk, was it can't be advertisement was kind of the big difference. It is not advertisement for the use of the building or any kind of advertisement. It is more of an artistic expression on the wall.

Mr. Cameron said I have a question. Is this zoning and sign related to this message only or once it's established can any message go there or what's the process for that?

Mrs. Morgan said the changes in the bulk regulations would allow changes to a sign permit, which then Planning and the Public Art Commission would approve.

Mr. Gonzales said I have a question. Will there be any lighting being added onto the mural whether prior to the mural being created or afterwards? Is there any additional electrical that is going to be needed to be run to light it up or it is not going to be lit or is there existing?

Mrs. Morgan said I don't believe it is going to be lit. Perhaps Gina from Aurora Downtown can comment on that if that's incorrect.

The Petitioner was sworn in.

Chairman Pilmer said if you could just maybe explain if there are any questions, a brief overview, but I think there is a question regarding lighting as well.

Ms. Salamone said we haven't discussed any lighting. I wouldn't be opposed to it. I think it is a pretty bright corner in general. But we hadn't discussed any lighting previously, but it is a good idea. The process we went through is we hired Josh Schultz in December, I believe, to put together some proposals and he made probably 10-15 different designs that were reviewed by the Streetscape Committee of Aurora Downtown over the course of several months and Jennifer Evans with Aurora Public Art was present for those and made color suggestions. We ultimately voted to approve this particular design. We have funded the mural already and are ready to get started.

The public input portion of the public hearing was opened. No witnesses registered to testify. The public input portion of the public hearing was closed.

Mrs. Morgan said staff would recommend approval of an Ordinance establishing a Special Sign District on the property located at 5 S. Lake Street.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mrs. Anderson

MOTION SECONDED BY: Mr. Cameron

AYES: Mrs. Anderson, Mr. Cameron, Mr. Chambers, Mr. Divine, Mr. Elsbree, Mr. Gonzales, Mrs. Head, Ms. Tidwell

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?

Mr. Chambers said yes and 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?

Ms. Tidwell said yes.

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 applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Head said yes.

4. Will the proposal maintain a compatible relationship with the 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?

Mrs. Head said there should be no adverse effect on traffic.

5. 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?

Mrs. Head said they are already in place. There should be no adverse effect.

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mr. Cameron said there should be no change.

8a. Is the variance based on the particular physical surroundings, shape or topographical conditions of the specific property involved so that a particular hardship to the owner would result, as distinguished from a mere inconvenience, if a strict letter of regulations were carried out?

Ms. Tidwell said isn't it kind of hard to say that it would be a hardship not to have a mural?

Chairman Pilmer said I think that is a correct statement.

8b. *Is the variance based on unique conditions to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning classification?*

Chairman Pilmer said while there are similar properties in this general area, it is little unique the way this property specifically sits and addresses westbound traffic, so I would state there is some uniqueness and availability.

Mrs. Morgan said this will next be heard at the Building, Zoning and Economic Development Committee on Wednesday, July 15, 2020, at 4:00 p.m. which will be held over Zoom.

Aye: 8 At Large Anderson, At Large Cameron, Fox Valley Park District Representative Chambers, Fox Metro Representative Divine, At Large Elsbree, At Large Gonzales, SD 129 Representative Head and At Large Tidwell
