



City of Aurora

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

Legistar History Report

File Number: 17-00737

File ID: 17-00737	Type: Petition	Status: Draft
Version: 2	General Ledger #:	In Control: Planning & Development Committee
File Name: Humberto & Maria Varela / 428 Rosewood Avenue / Downzoning		File Created: 08/03/2017
		Final Action:

Title: An Ordinance Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by downzoning Property located at 428 Rosewood Avenue from R-4 Two Family Dwelling District to R-3 One Family Dwelling District (Humberto & Maria Varela - 17-00737 / AU28/2-17.135-DZ - TV - Ward 4) (PUBLIC HEARING)

Notes:

Agenda Date: 01/11/2018

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description.pdf, Land Use Petition and Supporting Documents - 2017-08-03 - 2017.135.pdf, Property Research Sheet ID 28411.pdf, Legistar History Report - 2017-12-19 - 2017.235.pdf, Findings of Facts - 2017-12-19 - 2017.135.pdf

Enactment Number:

Planning Case #: AU28/2-17.135-DZ

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	08/08/2017	referred to	DST Staff Council (Planning Council)			
	Action Text: This Petition was referred to to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	08/15/2017					
	Notes: Mr. Sieben said this is in the pipeline. I'm not sure when this going.						
1	DST Staff Council (Planning Council)	08/22/2017	placed on pending				Pass
	Action Text: A motion was made by Mr. Sieben, seconded by Mrs. Morgan, that this agenda item be placed on pending. The motion carried by voice vote.						

Notes: *Mr. Sieben said this is a downzoning that's from Property Standards. I'm going to make a motion to move this to Pending. This is one of several downzonings. We talked to Property Standards and we are going to move these more to the end of the year to process them all. Property Standards is understanding that they are in and ready to go with the downzoning on our end. Again, I make a motion to move this to Pending. Mrs. Morgan seconded the motion. The motion carried unanimously.*

1	DST Staff Council (Planning Council)	08/29/2017				
1	DST Staff Council (Planning Council)	09/05/2017				
1	DST Staff Council (Planning Council)	09/12/2017				
1	DST Staff Council (Planning Council)	09/19/2017				
1	DST Staff Council (Planning Council)	09/26/2017				
1	DST Staff Council (Planning Council)	10/03/2017				
1	DST Staff Council (Planning Council)	10/10/2017				
1	DST Staff Council (Planning Council)	10/17/2017				
1	DST Staff Council (Planning Council)	10/24/2017				
1	DST Staff Council (Planning Council)	10/31/2017				
1	DST Staff Council (Planning Council)	11/07/2017				
1	DST Staff Council (Planning Council)	11/14/2017				
1	DST Staff Council (Planning Council)	11/21/2017				
1	DST Staff Council (Planning Council)	11/28/2017				
1	DST Staff Council (Planning Council)	12/05/2017				
1	DST Staff Council (Planning Council)	12/12/2017	Forwarded	DST Staff Council (Planning Council)	12/19/2017	Pass

Action Text: A motion was made by Mrs. Vacek, seconded by Mr. Broadwell, that this agenda item be Forwarded to the DST Staff Council (Planning Council) , on the agenda for 12/19/2017. The motion carried by voice vote.

Notes: *Mrs. Vacek said I would like to move this up to the general agenda for next week because it needs to be voted out next week. I make a motion to move this up to the general agenda. Mr. Broadwell seconded the motion. The motion carried unanimously.*

1	DST Staff Council (Planning Council)	12/19/2017	Forwarded	Planning Commission	01/03/2018	Pass
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Action Text: A motion was made by Mrs. Vacek, seconded by Mr. Beneke, that this agenda item be Forwarded to the Planning Commission, on the agenda for 1/3/2018. The motion carried by voice vote.

Notes: *Mrs. Vacek said I make a motion to move this forward to the January 3rd Planning Commission. Mr. Beneke seconded the motion. The motion carried unanimously.*

2 Planning Commission 01/03/2018 Forwarded Planning & Development Committee 01/11/2018 Pass

Action Text: A motion was made by Mr. Chambers, seconded by Mr. Bergeron, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 1/11/2018. The motion carried.

Notes: *Mrs. Vacek said the Petitioner is requesting to downzone the property at 428 Rosewood Avenue from R-4 to R-3. The subject property is currently a single family and is zoned R-4. It was converted a long time ago, several years ago, and it just kept the R-4 zoning. This would be in keeping with the city's policy of changing the zoning to match the use.*

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 approval of the Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by downzoning the property located at 428 Rosewood Avenue from R-4 to R-3.

MOTION OF APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mr. Bergeron

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mr. Divine, Mrs. Head, 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?*

Mr. Chambers said yes. I believe those 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. Reynolds said the proposal does represent the highest and best use of the property.

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?*

Mr. Reynolds said again, the proposal represents the highest and best use of the property.

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. Anderson said there should be no change in traffic pattern in the area.

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?*

Mr. Chambers said once again, it will have no adverse effect. There should be no change to the area.

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?

Mrs. Head said adequate measures are already in place.

7a. Is the rezoning a consistent extension of the existing land uses, existing zoning classifications, and essential character of the general area?

Mr. Reynolds said the proposal does represent the highest and best use of the property.

7b. Is the rezoning consistent with the 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?

Mr. Reynolds said again, the proposal represents the highest and best use of the property.

7c. Will the rezoning permit uses which are more suitable than uses permitted under the existing zoning classification?

Mrs. Anderson said yes.

Mrs. Vacek said this will next be heard at the Planning and Development Committee on Thursday, January 11, 2018, at 4:00 p.m. on the fifth floor of this building.

Aye: 7 At Large Bergeron, At Large Cameron, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, Fox Valley Park District Representative Chambers and SD 129 Representative Head
