



# City of Aurora

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

## Legistar History Report

**File Number: 17-00951**

<b>File ID:</b> 17-00951	<b>Type:</b> Petition	<b>Status:</b> Draft
<b>Version:</b> 4	<b>General Ledger #:</b>	<b>In Control:</b> Planning & Development Committee
<b>File Name:</b> Aurora University / 1433 Prairie St / 431 S Gladstone Av / 1419 Prairie St / Rezoning		<b>File Created:</b> 10/11/2017
		<b>Final Action:</b>

**Title:** An Ordinance Establishing a Special Use Planned Development at 431 S Gladstone Avenue, 1419 Prairie Street and 1433 Prairie Street to be incorporated under the existing Aurora University Plan Description approved by Ordinance No. O12-007 on February 28, 2012 and Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, to an underlying zoning of R-1 One Family Dwelling District (Aurora University - 17-00951 / AU20/3-17.203-SU/PD - TV - Ward 4) (PUBLIC HEARING)

**Notes:**

**Agenda Date:** 06/14/2018

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Legal Description.pdf, Exhibit "B" Plan Description Reference - 2017-11-15 - 2017.203.pdf, Land Use Petition and Supporting Documents - 2017-10-10 - 2017.203.pdf, Plat of Survey - 431 S. Gladstone Avenue - 2017-10-10 - 2017.203.pdf, Plat of Survey - 1419 Prairie Street - 2017-10-10 - 2017.203.pdf, Plat of Survey - 1433 Prairie Street - 2017-10-10 - 2017.203.pdf, Property Research Sheet ID27062.pdf, Property Research Sheet ID17086.pdf, Property Research Sheet ID27061.pdf, Legistar History Report - 2018-04-30 - 2017.203.pdf

**Enactment Number:**

**Planning Case #:** AU20/3-17.203-SU/PD

**Hearing Date:**

**Drafter:** tvacek@aurora-il.org

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	10/17/2017	Forward to Planning Council	Planning Council			

**Action Text:** This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)

1 Planning Council 10/24/2017

**Notes:** *Representatives Present: Bruce Goldsmith and Carmella Moran*

*I'm Bruce Goldsmith and with me is Carmella Moran from Aurora University. There are 3 houses that we are rezoning that we acquired over time. One is on Gladstone and two are on Prairie. The Prairie houses are west of what would be Randall extended, or right above where it says Prairie Street. The third house is kind of where that little box is, which is a placement for a future building. That's Part 1. Part 2 is that for some time we've been talking with the city about coming back with a revised Master Plan, so what's different about this is, is that generally Expansion Area #1 was where you see parking lots and the Welcome Center and a future building, a Student Success Center, on the southeast side of the campus. On the southwest side of the campus, which is Expansion Area #2, we have some placeholders; 15 is where we anticipate having a library someday, 33 is just a placeholder.*

*Mr. Sieben said and again 32, on the right, is the Student Service Center.*

*Mr. Goldsmith said the Student Success Center. In terms of priority, the Student Success Center probably is the next building to be built. The library would be the building after that. There is no real contemplation of anything else immediately and those depend on fundraising as well. But what we are doing is we are anticipating that we need to get more parking. Where we hope to get the parking is with the vacation of the rest of Southlawn. We are just about under contract with one of the two houses that are left. We are hoping the last house will then follow. With that, then we would have the city vacate the rest of Southlawn and we would build more parking. You see #35, we would keep going west from there and add parking. It is also dependent, one on getting those houses because we need them to feather in the parking in the parking to the south off of Southlawn and then extend it from the existing parking to the east and also again, it is a fairly significant financial commitment as well because we are anticipating we are going to have to do structured detention because we do not want to put detention ponds on the site, so that just raises the cost again. That's kind of the first part of this new plan. The other pieces of it are we have placeholders for other things. We've kind of always contemplated having a placeholder where Vago Field is, which is currently football/soccer and other sports. That's where 33 is. Even with having a new sports facility in Montgomery, we actually see this being a continuing use, so we are not contemplating putting a building there. There is a potential building 26, which could be like a Student Center/Food Service building, but that's not in the cards at the moment. We are contemplating two potential expansion areas.*

*Mr. Sieben said can you just real quick finish the other blue?*

*Mr. Goldsmith said these are just potential additions. In the far northeast corner, 11, we've always had a placeholder for the library, to expand the library. That's not practically going to happen because the building just doesn't warrant a redo. We've just always shown it there and we just wanted to leave a footprint there if we wanted to put a building there, but there is no real contemplation. Number 8A is just a potential, actually I think that's the dorms.*

*Mr. Sieben said that's Jenks addition. You've had that on there for a while.*

*Mr. Goldsmith that should actually have a different color now.*

*Mr. Sieben said is that already built?*

*Ms. Moran said no. That's if we wanted to expand dorms.*

*Mr. Goldsmith said I'm sorry. That's where we always had a placeholder and then we actually moved the dormitory to the south side. Right now if you read the papers, dormitories are not hot at college campuses. Everybody wants to live off campus, so we are trying to just keep the demand level consistent with what our available housing is, but we don't see a lot of potential for the future, but we are still leaving a placeholder there. 2A, Carmella do you want to explain that?*

*Ms. Moran said 2A is at the back of our Alumni Hall and UVH, so if wanted to extend a small building*

on there to add to our food service to make a bigger dining area.

Mr. Sieben said and 2 is just a patio, right?

Ms. Moran said yes. That's already there. It is actually a paver patio. Two weekends ago when we had Homecoming, we actually had a big tent out there and we were able to have many of our Homecoming festivities under the tent.

Mr. Sieben said before you get to the expansion Bruce, do you want to touch on the north side of Marseillaise there?

Mr. Goldsmith said there are 2 existing houses there. One is called the Founder's House. Those buildings have a limited life expectancy. If it were to be the case that we decide to close them, then we would demolish them and probably put parking there.

Mr. Sieben said with zero setback? That's what you are showing potentially? That looks like it is maxed out.

Mr. Goldsmith said I think that is what it is. We can talk about what would be appropriate there. I suspect that we would end up with a fence on the north side and then landscaping on Gladstone and on Marseillaise.

Mr. Sieben said you think those 2 homes have a certain life span without repair?

Mr. Goldsmith said even with repair.

Ms. Moran said they are pretty old.

Mr. Sieben said do you want to talk about the expansion?

Mr. Goldsmith said from time to time we've talked to the city about going south of Prairie. We don't see putting buildings south of Prairie. We do see the possibility of parking or the possibility of detention, or the possibility of parking and detention on the south side. We wanted a designated area that basically goes to White Avenue if you extended that to the east and so those 2 blocks have some potential for expansion. The other thing we did is in order to be able to do more parking, we need to relocate, in fact remove, some houses that we are currently using as offices, which are along Randall extended and they go into what is 35. In order to get that additional parking, we would need to relocate those functions, but we don't have any buildings on campus to do that relocation. So what we have talked about doing is trying to acquire properties on the west side of Evanslawn between Marseillaise on the north and Prairie on the south and convert, most of those would either be offices or they could be graduate student housing or actually staff or professor housing. In a minor case, probably if you extended the parking lots that are currently there to the west, we might have some parking between Southlawn and a little bit north of Southlawn, but mostly we would like to acquire some homes and just keep them as homes and use them for offices or residential uses. This is kind of the reason why we are trying to move this along. A couple of them, or 2 or 3 of them, are already on the market. One of them, which is not on the market, has contacted us and since there is interest in selling, we are trying to take advantage of that because one of the houses that is available is quite large and would be an excellent place some of our offices. That's why we are trying to move it along.

Mr. Sieben said obviously based on conversations we've had and I think others have had with you, nothing precludes the University from buying those homes that are on the market.

Mr. Goldsmith said no there is nothing that precludes it, but we can't use them as offices, so that's not nothing. That's a big caveat. If we knew we could use them as offices, we'd buy them tomorrow, the ones that are available, but not knowing that we can use them that way, we have to wait until we actually have approval, so that's why as fast as we can get through the process then more than likely we would be able to acquire some that are on the market. As soon as we acquire those, then we can start moving offices and then we can vacate homes that we would like to demolish for parking. It is all

*part of that plan.*

*Mr. Sieben said well this is Tracey's case. We've started reviewing it, so we'll be getting comments back to you. Maybe we could even have a sit down in the near future.*

*Mrs. Vacek said I think what we're looking at instead of calling them expansion areas is we are going to do like a campus versus a non-campus type thing.*

*Mr. Goldsmith said that's fine. The only problem is in order to maintain the continuity of the Master Plan, we've always tried to identify the areas as they were defined.*

*Mrs. Vacek said I don't know if it is that big of a deal. I think it will be easier in the long run because if and when we add more non-campus properties then we don't have to keep redoing these expansion areas and coming up some things. I'm working on reviewing the Plan Description. We will have some comments on it, so we will sit down and talk to you about that. Hopefully I'll have it done by the end of the week and get comments out to you by the end of the week. I did leave you a message, so we were looking to maybe have a special meeting on the 29th of November.*

*Mr. Goldsmith said we appreciate that and would be happy to do it then. In terms of the overall plan, the general plan is nothing new except that we are adding a lot more parking. The overall plan is to get there we have to get some more houses. There seems to be a fair amount of interest from people in the neighborhood of selling to us, so that kind of works out with what our goals is too.*

*Mr. Sieben said well we just want to make sure with any expansion we make sure we have proper screening and buffering like before.*

*Mr. Goldsmith said absolutely.*

*Mr. Sieben and obviously parking is a big issue, so you guys are looking at trying to address that. We'll have some comments in the Plan Description. I think that's all that I'd like to say right now. We'll have stuff for you by the end of the week that we can discuss.*

*Mr. Goldsmith said the unfortunate things from the University's concept is that we are ending up with a lot more impervious area, not from a stormwater standpoint, from just the fact it is a campus and you want to have a lot of green space and we are kind of getting stuck with having to put parking in that. I'm not saying stuck in a bad sense. I'm just saying because we are successful at building enrollment, we've got to build a lot more parking.*

*Mrs. Vacek said you can always go up and not go out.*

*Mr. Goldsmith said anytime the city wants to partner with us on a deck, we'd be happy to do it. There is apparently quite a bit of resistance to decks in university settings. That's another problem.*

*Ms. Moran said and do you think the neighbors would want a parking garage?*

*Mrs. Vacek said honestly, if they want parking off the streets, absolutely they would want it.*

*Mr. Feltman said the northeast side of the campus, I think we've talked about this before, that's in a combined sewer area, so there is an extension of a storm sewer that's going to be needed if you do any work in there.*

*Mr. Goldsmith said which is probably going to discourage us from doing any work in there. I think it is very expensive because we have to go how far east?*

*Mr. Feltman said it more like a block or two.*

*Mr. Goldsmith said I thought we had to go all the way to Elmwood.*

Mr. Feltman said it's been awhile since I looked at it, but I don't remember it being that far.

Mr. Goldsmith said could you check on that and let me know because then we can price that out.

Mr. Feltman said and this is just throwing it out there, but if you did start acquiring properties on Evanslawn, are we going to start discussing any road improvements? I know there is no curb and gutter out there or sidewalk. Again, just throwing that out there. White Avenue is not right-of-way. It is owned by the Township, so if we were to vacate Calumet, we'd want to have that dedicated as right-of-way just because there are houses that need to be served.

Mr. Sieben said it is a defacto right-of-way, but it is a parcel owned by the Township.

Mr. Feltman said correct. It's got a PIN. It's a parcel, but it is owned by the Township.

Mr. Goldsmith said we wouldn't get to the vacating until we got way, there are 15 houses there, a long time before we got (inaudible), but I appreciate that that would be a condition.

Mr. Feltman said correct. That would just be a condition of us vacating Calumet.

Mr. Goldsmith said the Township would just dedicate it to Aurora? We wouldn't have to acquire it, right?

Mr. Feltman said if you purchased all the properties and annexed into the city...

Mr. Goldsmith said you would automatically get to the far side.

Mr. Feltman said correct, but it would need to be dedicated as right-of-way. Then obviously, you touched on the stormwater management. We are going to have to look through the different expansion areas. This is maybe a little too much detail, but just out of curiosity, Building 32, what's going out to Gladstone? What is that? Is that a driveway?

Mr. Sieben said one issue in the Plan Description, you asked for one more curb cut between the drive on Gladstone down to Prairie. We didn't know if 32 if that was just a walkway.

Ms. Moran said it just a walkway.

Mr. Feltman said it just looked wide enough it could have been a driveway.

Mr. Goldsmith said it kind of like a focal point.

Mr. Sieben said because I don't think our intent was to add another curb cut.

Ms. Moran said what we are going for aesthetically is the building, the architecture of it, we are looking for like a front door of the campus kind of feel, so it is supposed to be a very large walkway, steps. There is massive grading differences there, so we are actually going to have to do kind of 2 steps up, 1 exterior, 1 interior to adjoin it to the Welcome Center building, so that's why we went with kind of this massive step, but it is not a driveway.

Mr. Goldsmith said and the Welcome Center is #31. They are trying to connect it on the back side as well.

Mr. Sieben said it sounds like Bruce what you are saying is any new areas you'll meet the stormwater ordinance, but you'd like to do structured detention. Is that correct?

Mr. Goldsmith said yes with respect to the existing campus. We're not contemplating necessarily doing any new impervious area because we are contemplating using the houses. If we acquire houses on the west, we are planning to use the houses, so we wouldn't be changing the existing terrain at all. On the south, if we either do, and Dan and I have had a little discussion, it is possible

*that we have parking over detention, not necessarily structured detention, or it is possible that we would just be able to gain detention and have more buildable area on campus. It is going to take a while to get to that, so I don't know if that benefit is going to be there. We are going to need the parking before we start acquiring much of that area. To the extent that these houses become available, we also have a limited pool of money which has to be allocated, particularly to try to deal with the parking issues and relocation issues. That's going to be our first goal.*

*Mr. Frankino said we have no issues.*

1 Planning Council 10/31/2017

**Notes:** *Mrs. Vacek said I'm working on some revisions to the Plan Description and then I will be sending those out, my comments. The 3 houses are ready to go. This is all planned to go on the November 29th Planning Commission. It will be a special Planning Commission.*

*Mr. Sieben said Dan there are a few comments we are going to need from Engineering on the Master Plan on the Plan Description. If we could just get that this week, that would be great.*

1 Planning Council 11/07/2017

**Notes:** *Mrs. Vacek said this is going to the November 29th Planning Commission for a public hearing.*

1 Planning Council 11/14/2017

**Notes:** *Mrs. Vacek said for the Plan Description Revision we did send out comments to them. We did meet with them a couple of weeks ago, so they are aware of that. We are still looking at some of the sections. Engineering needs to get their comments done and send them over to them also.*

1 Planning Council 11/21/2017 Forwarded Planning Commission 11/29/2017 Pass

**Action Text:** A motion was made by Mrs. Vacek, seconded by Mrs. Morgan, that this agenda item be Forwarded to the Planning Commission, on the agenda for 11/29/2017. The motion carried by voice vote.

**Notes:** *Mrs. Vacek said this is actually going to be continued at public hearing. We did publish for this for next week. However, it is going to be continued. We do need to vote this out because it is going to go to Planning Commission. I do make a motion to vote this out. There will probably be some conditions. We are still working with Aurora University on some of those discussion items. I do make a motion to vote both of these out and then they would go to Planning Commission next week, but then they would be continued to a date a little bit down the line. Mrs. Morgan seconded the motion.*

*Mr. Feltman said well Engineering had a few comments. They probably have not seen them because it was just recently added.*

*Mr. Sieben said right. We had an initial meeting with Aurora University representatives. We've supplied them with those comments. I think we are in general agreement on that, so I think it is really some Engineering comments and then the bigger issue is our resolving the parking issues. We have a motion and a second to vote this out. This will go to the November 29th Planning Commission next week, but it will be continued to a later date.*

*The motion carried unanimously.*

2 Planning Commission 11/29/2017 Held in Planning Commission Pass

**Action Text:** A motion was made by Mr. Cameron, seconded by Mrs. Anderson, that this agenda item be continued to a future date to be determined. The motion carried.

**Notes:** *Mrs. Vacek said at the request of the Petitioner, we would like to ask if this could be continued to a different date. We don't know what future date it will be, so they will need to republish in the newspaper, as well as send out new notices and new signs. We do ask that this be continued.*

**MOTION TO CONTINUE WAS MADE BY:** Mr. Cameron

**MOTION SECONDED BY:** Mrs. Anderson

**AYES:** Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Divine, Mrs. Head, Mrs. Owusu-Safo, Mr. Pilmer, Mr. Reynolds

**NAYS:** None

Aye: 9 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, At Large Owusu-Safo and SD 129 Representative Head

3 Planning Commission 04/18/2018 Forwarded Planning & Development Committee 06/14/2018 Pass

Action Text: A motion was made by Mrs. Cole, seconded by Mrs. Duncan, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 6/14/2018. The motion carried.

Notes: Mrs. Vacek said the property at 431 S. Gladstone is zoned R-2 and is within the Expansion Area #1 of the Aurora University Master Plan. The properties at 1419 Prairie and 1433 Prairie Street are zoned R-1 One Family Dwelling District and is in Expansion Area #2 under the Aurora University's Master Plan. The Petitioner is requesting to rezone the property at 431 S. Gladstone from R-2 to R-1(S) and then the other two would just have the Special Use with the S on there from R-1 to R-1(S) to incorporate them into the 2012 Aurora University Special Use Planned Development that was approved in February of 2012. The University is allowed to use these homes in Expansion Area 1 and 2 for educational services, offices, non-traditional classrooms, studios, graduate student housing, faculty housing or rental housing. If you have any questions for me I'd be more than happy to answer them.

The Petitioners were sworn in.

Good evening. Bruce Goldsmith from the Dykema law firm representing Aurora University. With me is Carmella Moran, Vice President for Administration. Some of you have been through this odyssey for a long time. Aurora University started expansion in Expansion Area #1. The house on Gladstone is the last house left in Expansion Area #1. There were four houses in Expansion Area #2 that were left and the understanding under the original approval was the that the University would not seek to acquire those houses, but would be willing to buy those houses if the owners wanted to sell. So all of these have been voluntary purchases that were made at the instigation of the homeowner. So we acquired the two homes on Prairie in addition to the home on Gladstone. We are asking them to be incorporated into the Master Plan and when you get to Item 3, you'll see the Master Plan and what we want to do moving forward. But for the purposes of this part of the public hearing, it is three houses that we already have acquired that we want to add to the Master Plan. Then we are going to have a second hearing on one house that's one of the last two on Southlawn and then we'll talk about the Master Plan. Unless you have questions, that would be it for now.

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 establishing a Special Use Planned Development at 431 S. Gladstone Avenue, 1419 Prairie Street and 1433 Prairie Street to be incorporated under the existing Aurora University Plan Description approved by Ordinance No. O12-007 on February 28, 2012 and amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, to an underlying zoning of R-1 One Family Dwelling District.

MOTION OF APPROVAL WAS MADE BY: Mrs. Cole

MOTION SECONDED BY: Mrs. Duncan

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mrs. Head, Mrs. Owusu-Safo, 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. Reynolds said yes, this proposal represents the highest and best use of the property at this time.

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 at this time.

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. Owusu-Safo said there should be no adverse impact 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?

Mr. Chambers said it should not have any adverse effect on the existing public services and facilities.

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. Owusu-Safo said again, traffic patterns should remain the same and there should not be any adverse effect.

9a. Will the Special Use not preclude the normal and orderly development and improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Mr. Cameron said it is filling out a continuation of an existing use and was planned for on its original agreement that it is being added to.

9b. Is the Special Use in all other respects in conformance to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission?

Mrs. Cole said it is.

Chairman Truax said I believe it is in conformance.

Aye: 11 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twtnsh Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, SD 204 Representative Duncan, Fox Valley Park District Representative Chambers, At Large Owusu-Safo and SD 129 Representative Head

4	Planning Commission	06/06/2018	Forwarded	Planning & Development Committee	06/14/2018	Pass
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**Action Text:** A motion was made by Mrs. Anderson, seconded by Mrs. Cole, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 6/14/2018. The motion carried.

**Notes:** 6 This is: An Ordinance Establishing a

7 Special Use Planned Development at 431 South



8 Gladstone Avenue, 1419 Prairie Street and  
9 1433 Prairie Street to be incorporated under the  
10 existing Aurora University Plan Description approved  
11 by Ordinance No. O12-007 on February 28, 2012, and  
12 Amending Ordinance No. 3100, being the Aurora Zoning  
13 Ordinance and the Zoning Map attached thereto, to an  
14 underlying zoning of R-1 One Family Dwelling  
15 District. By Aurora University in Ward 4.

16 This is a public hearing.

17 We would like to -- I'm sure most of  
18 you are aware that we had a public hearing on this a  
19 couple of -- a few weeks ago. Unfortunately, the  
20 newspaper did not publish this as it should have and  
21 so we have to do this over again, but we will have a  
22 motion to include the minutes of that meeting in  
23 tonight's meeting minutes. So if you testified in  
24 the April 18th meeting, you will have those

6

1 testimonies go along with this meeting on route to  
2 City Council.

3 We could probably do that motion now  
4 or we can do it at another time.

5 Let's do it now.

6 We will want to include the  
7 April 18th minutes in this -- minutes in this  
8 evening's minutes.

9 Can we get a motion to that effect?

10 COMMISSIONER ANDERSON: Move for approval.

11 COMMISSIONER CAMERON: Second.

12 CHAIRWOMAN TRUAX: *It's been moved and*

13 *seconded.*

14 *Would you call the roll, please.*

15 MS. JACKSON: *Mrs. Anderson.*

16 COMMISSIONER ANDERSON: *Yes.*

17 MS. JACKSON: *Mr. Cameron.*

18 COMMISSIONER CAMERON: *Yes.*

19 MS. JACKSON: *Mrs. Cole.*

20 COMMISSIONER COLE: *Yes.*

21 MS. JACKSON: *Mr. Divine.*

22 COMMISSIONER DIVINE: *Yes.*

23 MS. JACKSON: *Mrs. Head.*

24 COMMISSIONER HEAD: *Yes.*

7

1 MS. JACKSON: *Mr. Pilmer.*

2 COMMISSIONER PILMER: *Yes.*

3 CHAIRWOMAN TRUAX: *Motion carries.*

4 *And we will go ahead.*

5 MS. VACEK: *The petitioner is requesting to*

6 *rezone the property located at 431 South Gladstone*

7 *Avenue, 1419 Prairie Street, and 1433 Prairie Street*

8 *from R-1 to a R-2 to R-1 with a special use and*

9 *incorporate them into the 2012 Aurora master -- or*

10 *Special Use Planned Development, which was approved*

11 *on February 28th of 2012.*

12 *The University would be allowed to*

13 *use these homes in this Expansion Area 1 and 2 for*

14 *educational purposes, office, nontraditional*

15 *classrooms, studios, graduate student housing,*

16 faculty housing, and rental housing.

17 This, again, is just the first part

18 of this. This is to incorporate it into the special

19 use.

20 The third one that's on the agenda

21 tonight will actually then kind of redo that with

22 the full master plan and the full revision to the

23 special use.

24 CHAIRWOMAN TRUAX: Okay. Should we take these

8

1 one by one?

2 MS. VACEK: Uh-huh.

3 CHAIRWOMAN TRUAX: This -- would the petitioner

4 like to make any comments before we open the public

5 hearing?

6 MR. SIEBEN: You were sworn in before?

7 MR. GOLDSMITH: I was.

8 MR. SIEBEN: I'll swear you in just in case.

9 (Mr. Bruce Goldsmith sworn.)

10 MR. GOLDSMITH: Just on the technicality, the

11 way I read the law, the hearing was appropriate even

12 without the public published notice, so -- but,

13 nonetheless, we understand that the City wants to be

14 extra cautious.

15 With regard to this, I actually have

16 to disagree with Tracey, the use is any use is

17 permitted, which is in the master plan with respect

18 to these houses because they're in Plan Areas 1 and

19 2. Those restrictions only abide when we talk about

20 across Evanslawn.

21 MS. VACEK: This is going into the master plan

22 of the 2012 and then we're going to --

23 MR. GOLDSMITH: Sorry.

24 MS. VACEK: It will be the next.

9

1 MR. GOLDSMITH: I got ahead of myself.

2 So these are three homes -- three of

3 the four last homes in the two expansion areas. I

4 don't know if you can get a map up on there.

5 MR. SIEBEN: Unfortunately, they're individual.

6 MR. GOLDSMITH: Okay. But one is on

7 South Gladstone, one is on Prairie and -- two are on

8 Prairie. And, basically, on Prairie west of Randall

9 and Gladstone was the last house there.

10 So all we're doing is blending this

11 into the master plan. The master plan already

12 contemplated that this whole area could be acquired

13 by the University. It's always been acquired only

14 when the homeowner is interested in selling to the

15 University and these are how these houses were

16 acquired.

17 I really have nothing else unless you

18 have questions.

19 CHAIRWOMAN TRUAX: Okay. Thank you.

20 This is a public hearing, so if folks

21 want to ask a question or make a comment on this

22 particular issue of the three houses, this is your

23 chance to do so.

24 Okay. We'll have to swear you in, I

10

1 believe.

2 (Ms. Bonnie Kunkel sworn.)

3 MS. KUNKEL: Hi. Bonnie Kunkel.

4 I was just checking and I noted

5 according to Google Maps and my recollection from

6 today as well, 1433 Prairie, for example, currently

7 has an Aurora University sign in front of it. I

8 believe it's already being used by the University.

9 And so I'm questioning whether all three of those

10 properties are being used by the University already,

11 what their current zoning is and what the actual

12 intention is, how they've actually -- the University

13 intends to use these properties and why they would

14 need these properties as opposed to other properties

15 they already have or that are already appropriately

16 zoned because I think these are all matters that

17 this Commission needs to make findings of fact on.

18 Thank you.

19 CHAIRWOMAN TRUAX: Are there other folks who

20 wish to testify?

21 If not, I'm going to close the public

22 hearing and get a response to Ms. Kunkel's question.

23 MR. GOLDSMITH: The Gladstone house is

24 currently unoccupied. One of the houses on Prairie

11

1 was used for Community and Schools Offices and the

2 other house is being used for supplies right now.

3 CHAIRWOMAN TRUAX: Okay. Thank you.

4 MR. GOLDSMITH: I guess I have to answer the  
5 other question.

6 This is part of a master plan that  
7 was approved in 2012 and under the master plan, any  
8 of these houses could be acquired by the University  
9 and the City committed under the master plan  
10 approval to incorporate these, which we're about to  
11 do two steps later, into the overall master plan and  
12 they can be used for any of the permitted uses that  
13 are allowed in the master plan. The uses that are  
14 currently being. We have parking lots, we have  
15 University buildings, we have offices, the same kind  
16 of functions that have been in more than 30 houses  
17 that already have been acquired.

18 This was part of the purpose of that  
19 plan in 2012 was to incorporate this whole physical  
20 area so that we could square off the campus, get to  
21 Prairie, move functions down to Prairie, and relieve  
22 some of the congestion at the north side of campus  
23 as well.

24 So that's what's going on.

12

1 CHAIRWOMAN TRUAX: Okay. Thank you.

2 I'm going to close the public hearing  
3 and ask for a recommendation.

4 MS. VACEK: Staff would recommend approval of  
5 the Ordinance establishing a Special Use Planned  
6 Development at 431 South Gladstone Avenue, 1419

7 *Prairie Street, and 1433 Prairie Street to be*  
8 *incorporated under the existing Aurora University*  
9 *Plan Description approved by Ordinance No. O12-007*  
10 *on February 28, 2012, and Amending Ordinance No.*  
11 *3100, being the Aurora Zoning Ordinance and the*  
12 *Zoning Map attached thereto, to an underlying zoning*  
13 *of R-1.*

14 *CHAIRWOMAN TRUAX: Okay. You've heard the*  
15 *staff recommendation.*

16 *What's the wish of the Commission?*

17 *COMMISSIONER ANDERSON: Move for approval.*

18 *COMMISSIONER COLE: Second.*

19 *CHAIRWOMAN TRUAX: It's been moved and*  
20 *seconded.*

21 *Would you call the roll, please.*

22 *MS. JACKSON: Mrs. Anderson.*

23 *COMMISSIONER ANDERSON: Yes.*

24 *MS. JACKSON: Mr. Cameron.*

13

1 *COMMISSIONER CAMERON: Yes.*

2 *MS. JACKSON: Mrs. Cole.*

3 *COMMISSIONER COLE: Yes.*

4 *MS. JACKSON: Mr. Divine.*

5 *COMMISSIONER DIVINE: Yes.*

6 *MS. JACKSON: Mrs. Head.*

7 *COMMISSIONER HEAD: Yes.*

8 *MS. JACKSON: Mr. Pilmer.*

9 *COMMISSIONER PILMER: Yes.*

10 *CHAIRWOMAN TRUAX: I believe we shall have to*

11 do findings of fact and approve them.

12 So we will have to evaluate the

13 proposal with respect to the following:

14 Is the proposal in accordance with

15 all applicable official physical development

16 policies and other related official plans and

17 policies of the City of Aurora?

18 COMMISSIONER COLE: These are found in the

19 staff report.

20 CHAIRWOMAN TRUAX: Does the proposal represent

21 the logical establishment and/or consistent

22 extension of the requested classification in

23 consideration of the existing land uses, existing

24 zoning classifications, and essential character of

14

1 the general area of the property in question?

2 COMMISSIONER ANDERSON: Yes, it is.

3 CHAIRWOMAN TRUAX: Is the proposal consistent

4 with a desirable trend of development in the general

5 area of the property in question, occurring since

6 the property in question was placed in its present

7 zoning classification, desirability being defined as

8 the trend's consistency with applicable official

9 physical development policies and other related

10 official plans and policies of the City of Aurora?

11 COMMISSIONER PILMER: It is consistent with the

12 amended master plan and the comprehensive land use

13 by the City of Aurora.

14 CHAIRWOMAN TRUAX: Will the proposal maintain a



15 compatible relationship with the traffic pattern and  
16 traffic volume of adjacent streets and not have an  
17 adverse effect upon traffic or pedestrian movement  
18 and safety in the general area of the property in  
19 question?

20 COMMISSIONER CAMERON: It'll have a minimal  
21 effect on those areas.

22 CHAIRWOMAN TRUAX: Will the proposal allow for  
23 the provision of adequate public services and  
24 facilities to the property in question and have no

15

1 adverse effect upon existing public services and  
2 facilities?

3 COMMISSIONER ANDERSON: They're all in place.

4 CHAIRWOMAN TRUAX: Does the proposal take  
5 adequate measures or will they be taken to provide  
6 ingress and egress so designed as to maximize  
7 pedestrian and vehicular circulation ease and  
8 safety, minimize traffic congestion, and not  
9 substantially increase the congestion in the public  
10 streets?

11 COMMISSIONER COLE: There should be little  
12 change from what there has been in the past several  
13 years.

14 CHAIRWOMAN TRUAX: We have additional standards  
15 for special use petitions.

16 No. 9a: Will the special use not  
17 preclude the normal and orderly development and  
18 improvement of surrounding properties due to the

19 saturation or concentration of similar uses in the  
20 general area?  
21 COMMISSIONER PILMER: That should not be a  
22 factor. This is the only use of this purpose in the  
23 area.  
24 CHAIRWOMAN TRUAX: Is the special use in all

16

1 other respects in conformance to the applicable  
2 regulations of the district in which it is located,  
3 except as such regulations may in each instance be  
4 modified by the City Council pursuant to the  
5 recommendations of the Plan Commission?

6 I believe it does conform in all of  
7 the respects.

8 So those are the findings of fact.

9 MS. VACEK: This will be next heard on  
10 June 14th here at City Hall at the Planning and  
11 Development Committee, 4th Floor -- 5th Floor at  
12 4:00 p.m.

Aye: 6 At Large Cameron, At Large Cole, At Large Pilmer, At Large Anderson,  
Fox Metro Representative Divine and SD 129 Representative Head

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