

## PLANNING COMMISSION/ZONING BOARD OF APPEALS FINDINGS OF FACT SHEET

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Pursuant To Section 11.5-6 Of Ordinance No. 3100, The Aurora Zoning Ordinance, "The plan commission or zoning board of appeals shall make findings of fact based upon the evidence presented to it, with respect to the matters enumerated herein; shall enter its findings and decisions or recommendation thereon into meeting recordation; and shall submit a copy of the applicable minutes thereof to the Mayor and the City Council."

Evaluate The Proposal With Respect To The Following:

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?
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?
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?
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?
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?
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?
7. **Additional standards for rezoning petitions:**
  - a. Is the rezoning a consistent extension of the existing land uses, existing zoning classifications, and essential character of the general area?
  - b. Will the rezoning permit uses which are more suitable than uses permitted under the existing zoning classification?
8. **Additional standards for variance petitions:**
  - a. 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?
  - b. 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?

- c. Is the variance based on an alleged difficulty or hardship that is caused by the ordinance and has not been created by any person presently having an interest in the property?

**9. Additional standards for special use petitions:**

- a. 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;
- b. 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.

**10. Additional standards for automotive intensive use petitions:**

- a. What effect will the proposal have on traffic or general area? Has ingress and egress been designed to minimize congestion in the public streets? (For automobile intensive uses including but not limited to, gas stations, car washes, and drive through facilities, the concentration of similar uses within 1000 feet of said subject property should be given consideration as to the impact this concentration will have on the traffic patterns and congestion in the area.)

**11. Additional standards for alternative financial services businesses (2220) use petitions:**

- b. Is another currency exchange, payday loan store, title loan store, installment loan agency, cash-for-gold business or pawn shop located within 2,640 feet of the subject property, measured from the property line? (No other currency exchange, payday loan store, title loan store, installment loan agency, cash-for-gold business or pawn shop is located within 2,640 feet of the proposed use, measured from the property line. No special use permit for said uses shall be granted unless the Plan Commission finds that this is the case.)

**12. Additional standards for hotel (1300) use petitions:**

- a. Was a market feasibility study provided to the city which complies with Section 11.5-6.1.M. of the Aurora Zoning Ordinance and proves that such proposed hotel use has sufficient demand generators being already in place or proposed as part of the hotel use development and other factors present, to support the economic viability of such hotel use, in order to prevent blight, excessive vacancies or obsolescence as a result of such hotel use being abandoned, after construction thereof?

**13. Additional standards for DC or DF petitions:**

- a. If abutting the Fox River, does the proposal beautify their river frontage through the use of landscaping?
- b. If abutting the Fox River or parkland along the river, does the proposal provide pedestrian and visual access to the river?
- c. If it has potential visual access to the river, does the building design incorporate views of the river?
- d. If in the FoxWalk Overlay District, does the proposal take adequate measures or will they be taken to address the off street parking generated by the proposed development so as not to substantially increase the congestion of public parking facilities both on-street and off-street?

#### 14. Additional standards for telecommunication petitions:

Pursuant To 19-71(b) of the City Code of Ordinances: Factors considered in granting special use permits, the special use proposal is to be evaluated with respect to the following:

- a) Are the goals set forth Section 19-65 being better served by allowing a Height of the proposed communications facility above what is allowed as an Administrative Review (Sec. 19-70);
- b) Are the goals set forth Section 19-65 being better served by allowing a reduction in the Separation of the communications facility from residential structures and/or residential district boundaries (Sec. 19-68.p.1);
- c) Are the goals set forth Section 19-65 being better served by allowing a reduction in the Separation of the communications facility from other communication facilities;
- d) Are the goals set forth Section 19-65 being better served by allowing a reduction in the Facility Setback requirement from any adjoining lot;
- e) Are the goals set forth Section 19-65 being better served with a Design of the communications facility with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- f) Is there the Availability of suitable existing communications facilities, other structures, or alternative technologies not requiring the use of towers or structures that would better serve the goals of the article?