



City of Aurora

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

Legistar History Report

File Number: 21-0717

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**General
Ledger #:**

In Control: Building, Zoning,
and Economic
Development
Committee

File Created: 09/08/2021

File Name: Fox Valley Apartments, LP / Todd School / 100 Oak
Avenue / Final Plat

Final Action:

Title: A Resolution Approving the Final Plat for Lot 1 and Lot 2 of Fox Valley
Apartments-Todd School located at 100 Oak Avenue (Fox Valley Apartments,
LP / Todd School / 100 Oak Avenue / CUPD / Rezoning / Final Plat / Final
Plan - 21-0717 / AU22/1-21.268-CUPD/Rz/Fsd/Fpn - JM - Ward 6)

Notes:

Agenda Date: 10/13/2021

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Final Plat - 2021-09-20 - 2021.268, Land
Use Petition and Supporting Documents - 2021-09-03
- 2021.268, Plat of Survey - 2021-09-03 - 2021.268,
Address Plat - 2021-09-03 - 2021.268, Property
Research Sheet - 2021-10-01 - 2021.268

Enactment Number:

Planning Case #: AU22/1-21.268-CUPD/Rz/Fsd/Fpn

Hearing Date:

Drafter: morganj@aurora.il.us

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	10/06/2021	Forwarded	Building, Zoning, and Economic Development Committee	10/13/2021		Pass
Action Text: A motion was made by Mr. Chambers, seconded by Mrs. Anderson, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 10/13/2021. The motion carried.							
Notes: Mrs. Morgan said staff would recommend conditional approval of a Resolution approving the Final Plat for Lot 1 and Lot 2 of Fox Valley Apartments-Todd School located at 100 Oak Avenue with the following condition:							

1. That all the review comments per the Engineering Department be addressed prior to approval of the Final Engineering Plans.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mrs. Anderson

AYES: Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo

NAYS: None

Mrs. Morgan said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, October 13th at 4:00 on the 5th floor of City Hall, Conference Room B.

Aye: 6 At Large Anderson, Fox Valley Park District Representative Chambers, At Large Elsbree, At Large Gonzales, At Large Owusu-Safo and At Large Choudhury

Legister Items for 21-0716, 21-0717 and 21-0718 – Todd School

21-0716 An Ordinance establishing a Conditional Use Planned Development, approving the Fox Valley Apartments-Todd School Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto to an underlying zoning of R-5 Multiple Family Dwelling District for the property located at 100 Oak Avenue (Fox Valley Apartments, LP / Todd School – 21-0716 / AU22/1-21.268-CUPD/Rz/Fsd/Fpn – JM – Ward 6) (PUBLIC HEARING)

Mrs. Morgan said this is located at 100 Oak Avenue. The property is currently R-3(C) One Family Dwelling with a Conditional Use zoning. They are requesting the establishment of a Conditional Use Planned Development and to change the zoning from R-3(C) to R-5(C) Multi-Family Dwelling with a Conditional Use. The details of the request include a Plan Description with variations to the Zoning Ordinance and Building Code to allow the historic school to be repurposed into 11 workforce housing units and to reuse the one story later addition for social service uses. The variations include varying setbacks so that the current school is within the setbacks, as well as allowing the additional use for the social services use limited to approximately 5,000 square feet in the new later one story addition, increasing lot coverage, as the building is currently built out almost, the lot is I should say, and then reducing parking as well. Concurrently, they are requesting a Final Plat. They are going to create 2 lots, so the historic school will be one lot and then the one story later addition will be its own lot, as it will be managed by a different entity. They are also requesting a Final Plan for the 2 lots. In this Final Plan, there's not a whole lot of changes to what's currently there. They are going to reconfigure the parking lot, add some additional parking where the current playground is. There will be a total of 33 parking spaces. The landscape plan features some additional green space behind the one story addition and some like hedgerow shrubs along the parking lot where currently the parking lot basically abuts the sidewalk so they are going to have some greenery along that area and some additional street trees as well. The historic school appears to be eligible for the National Register of Historic Places. The developer is currently pursuing using Historic Preservation Tax Credits on this project as well. Therefore, the exterior of the historic school will remain unchanged. There are no elevations in your packet to approve. The renovations will include preserving many of the significant interior elements just as what's done at Lincoln School. The property you are probably familiar with. The Mary A. Todd School was completed in 1934 as an elementary school. It was closed in the past few years, 2019. I'll show the landscape plan real briefly. You can see how they are adding some additional landscaping. If there are no questions for staff, I can hand it over to the Petitioner. They have a presentation again, with some nice renderings.

The Petitioners were sworn in.

I'm Shelly J. Tucciarelli, 232 S. Oak Street, Itasca, Illinois 60143. The Todd School, as Jill mentioned, is located at 100 Oak Avenue and the scope of work will include the renovation of the historic property into 11 housing units. We are looking at 6 one bedroom, 3 two bedroom and 2 three bedroom units. We will include a computer lab and fitness center. We will also include a 3,500 square foot Visiting Nursing Association health center that will be serving students of the Aurora community and their families that

have little to no health insurance. As mentioned, the building was built in 1934 as the Mary Todd School and closed in 2019.

Mrs. Morgan said sorry, I forgot an important point. The Plan Description does also include provisions about preserving the historic murals in the school. I don't know if everyone's aware, but in the school there are some beautiful WPA murals. The details of the preservation of the murals is still being worked out. It is going to be per the redevelopment agreement. Because they are also using Historic Preservation Tax Credits, how the murals are going to be handled is also going to have some input from the National Park Service State Preservation Office.

The public input portion of the public hearing was opened. The witnesses were sworn in.

My name is Nora Lira and I live at 321-323 Spruce Street. We bought the house January 2001, so we are close to being there about 20 years. It is a historic area. A lot of the houses are multi-family. We already have like, it's very populated enough where if we had more families moving in, it would be overpopulated. I know a lot of my neighbors. A lot of them work here. A lot of them have mentioned that they feel that it is very peaceful. It is a historic area. A lot of us know each other. We're neighbors and we've known each other for a long time. We do have a lot of tenants that come and go because the units, most of them are 2 units, some of them are 3 or more units. So we are used to having a lot of people that lease and then they leave, so we've had issues with a lot of the people that rent. We know what's that like. We've had people breaking in our cars, stealing. We've had people steal our lawn mower, so if you don't lock it up it gets stolen. We take care of each other as neighbors. Most of us own pets, so it's nice to like see everyone in the morning or at nighttime and we feel that we're protected with each other because we know each other as a community. Now we believe, or I believe because I can't speak for anyone that didn't come here, but as a homeowner I believe that we do not need more families coming into the area. The schools are overcrowded. I'm also a tax preparer and I have talked to teachers that have cried in front of me because they feel that they have too many students in the classroom. So even if you say oh it's minimal effect adding students to the school, for a teacher it's a lot. It takes a lot. Living in this area I think if you had more people moving in, a lot of the good nice homeowners, nice residents that have lived there for 20-30 years would be moving out. I'm pretty sure they would if it changed, if there was like a big change. Many, I think, I feel, many of us would prefer to move out. I believe Todd School should have a different purpose. I wish it were more like an after school program for the teenagers that live the area, or the children that are in the area, more like an after school program if we had the funds. Instead of looking to put more apartments in the City of Aurora, we should be looking into why the classes are overcrowded. Why is it that my daughter when she went to 5th grade had all year of 5th grade in Greenman? She had a substitute teacher, she had like 4 substitute teachers all year because the school couldn't get 1 teacher to teach the full 5th grade year, which is an important year to get them to middle school. In my opinion, it would have too much traffic. We already have traffic from Save-A-Lot. A lot of the trucks that drop off the food at Save-A-Lot or Dairy Queen, they kind of stay on Spruce, which is okay. We're used to having like a big flow of traffic on Spruce. We are used to that. We have Rueland's. We have the Sandwich Center, so we are used to the traffic. But adding on multi-family units, that would be overcrowded. That's all that I wanted to say.

I'm Rick Lawrence from 27 S. Calumet. A couple of things that were said and also is applicable to this one as well, and I would ask staff to name one of the developments in these type of developments, in these type of multi-family units like this, that the parking has not become an issue. We all know it. We all can go by Monomoy and they are parking across the street across Randall, all through that neighborhood, and walking. You can go through Nantucket. You can name one after another and parking when they say it is not going to be an issue, it's an issue. There isn't one development that has been done in this city that it has not been an issue. The lady just before me brought up the schools. We heard from the Petitioner that it's not an impact on the schools. Currently Freeman has a 28% math proficiency, a 35% English language proficiency. The Greenman, 21% math proficiency, 17% English language arts proficiency. Bringing more kids into the struggling schools, again, is not the answer. Now we are talking 2 and 3 bedrooms. They are not coming with one car. We don't need their studies. Aurora is a study on its own on what these type of projects produce and the stress that it puts into the schools, the stress that it puts into the neighborhoods and so when they tell you that they did their traffic studies and everything else, I can make a study. I did this for a long time. You can make a study say anything you want it to say. Those studies are done by the people you're paying the guy to write down on the paper. He'll write it anyway you want it. I would just tell you, just because staff, I've heard a lot of recommendations for staff the years that I sat on City Council. They are completely wrong. Lost the taxpayers millions of dollars and they never work out the the way that they say. So I'd just take that into consideration. Not everybody here tells you the truth when they come up for these projects. Thank you.

My name is Chris Bauler. I live at 326 Spruce Street. I have lived there for about 8 years. I'm actually a lifelong Tanner resident. I lived in Pigeon Hill actually for 2 years, but my folks live on Grand and Plum, so I have a lot of investment in the area. I chose to live there because I love this neighborhood. That's where I grew up. I like seeing my friends come over. It is just a community that everybody knows everybody, which is kind of not a common thing anymore. I know my neighbors here. We all keep an eye on each other, like she said. We all really care. That really gets to the heart of this project. I apologize for the way I'm dressed. I came from work. We had to clean. I work at Two Brothers Brewing Company. I'm the restaurant Marketing Manager and the Special Events Coordinator. I'm kind of the guy that was sort of one of two people that put together the First Friday's in Aurora about 8 years ago. Again, Aurora is my town. I love it. I love being here. I worked really hard to save to purchase my home. I saved while I was in grad school at Aurora University where I had my Master's degree in School Social Work where my mom reminds me often that I don't use it. Thank you mom. I spent a lot of time working a lot of hours, actually working as a valet oftentimes at the Roundhouse as well, so I may have parked some of your cars as well. This was to save for my house. This is where I have my heart, where my girlfriend and probably will be wife soon, will spend the rest of our lives too. We just love it here. We can walk to RiverEdge Park. We can walk to the Roundhouse. We can walk to the downtown area. There are so many upsides to where we're at. My concern, and I don't have enough information per se to pass judgment on whether or not this is good or bad, this is part of the process, I just want everyone to consider when making your decisions on all of this, is this something you would want in your neighborhood? Does this pass all the tests of do you want to live next door? My house is right next door to the east parking lot, or the north parking lot. Is this something that would be a welcomed addition that would improve your life and your neighbors? I do have a few questions. Okay it says that there is a VNA service that's going to be moving into the first floor. I'm kind of wondering what those

exact services will be provided. I guess my question is why do they need another location when their main campus is less than a mile away at the old Barber Green campus, where as a kid we used to ride bike and blow up fireworks. Parking, I think we've beat that horse to death thoroughly. I know that in our neighborhood with nothing going on and nothing going on at the school, there's already a deficit of parking there as it is. We saw that last winter. Something else to consider. What assurances do we have as neighbors, as stakeholders, as taxpayers of this are that these are going to be neighbors that are going to be not only good neighbors, but people that are going to be committed to the neighborhood? I'm not talking necessarily about the residents, I'm talking about the VNA, the School District. How are these things all going to work together to ensure that we're all on the same team? Another question is will there be any police presence? When it was May Todd School, it was really nice because the police were kind of there often regularly. It kind of kept all the bad guys sort of out of the area. They kind of knew that you didn't do bad things within the 1,000 feet of the School District, or that school building, or you got into more trouble, so that was a good thing. I was told, and I'm not sure if this accurate or not, that the residents living there would be older folks. I don't know if that's accurate or not. I just want some clarification on that point. I know you all are volunteers. I appreciate your time. Thank you so much.

Hi. I'm Mary Ann Signorelli. I live at 338 Lawndale in Aurora. I'm here to talk to you today about the WPA artwork in Todd and Lincoln School. First I'd like to thank the city for its efforts to help save the WPA artwork in Aurora. To date, that has included the preservation and restoration of the murals on the old West High and at Freeman. There are 9 pieces of WPA artwork in Todd, 7 murals, all of which are on canvas, and 2 statues. The artwork was created as part of the WPA established by FDR in May 1935. The primary purpose of the WPA was to provide work relief to unemployed individuals during the depression. Within the WPA was the Federal Art Project under which the artwork at Todd was created. The Federal Art Project's primary goals were to provide work relief to artists and to integrate art into the daily life of the community. There were approximately 2,500 murals created under the WPA with many damaged beyond repair or long forgotten and destroyed when buildings were renovated or demolished. It is estimated that there were approximately 300 murals created in the Chicago area. To date, I have been able to document 54 pieces of WPA artwork, 28 murals and 26 pieces of non-murals, such as framed artwork, ceramics and wood cuts through the city. Of the 28 murals, 11 have been located, 7 of which are in Todd and 9 have been lost or destroyed. Lincoln had 4 murals, 2 of which I believe were lost when the auditorium was remodeled in the 50's, and 2 entitled The History of Aurora, which I believe may still exist. You can refer to your handout, the last page. A news article actually tells you where it existed in the building. The fact remains that there is a finite number of WPA artwork remaining. To understand the historical significance of the WPA artwork, I think it is important to understand how the artwork came to be in Aurora schools. The school needed to request artwork from a regional WPA office. In this case, the regional office was in Chicago. Artists were assigned and the school community determined the subject matter for the artwork. There was no catalog. Murals were created specifically for the client and the community. So these pieces of artwork truly represent the cultural and regional heritage of Aurora. How is the artwork funded? Well the federal government, under its Work Relief Program, paid the artists salary. The requesting public institution, under WPA guidelines, the artwork had to be in a public building, paid for supplies. This artwork was created during the depression when money and jobs were scarce, so raising the funds by the Todd and Lincoln School communities was a tremendous effort, which only helps to signify how important the artwork was to the

community. I hope you agree on the importance and historical significance of the artwork and will make provisions to save and restore it for future generations. Thank you.

I'm Jan Mangers. I live at 233 West Park Avenue. I just want to also stress the importance of the murals, and I didn't hear the sculptures, that those be preserved as part of our history. What an asset for these apartments to have. Some of these artists were internationally known artists, nationally known artists, to have that in your building and to preserve it. So I just want to make sure that those do get preserved for the future. Thank you.

My name is Scott M. Sherwood and I live at 455 Talma Street in Aurora. I'm an art conservator and I've been working in Aurora for many years. I've restored 2 very large WPA murals in Aurora, 1 at Freeman School in 2018 and 2019 and then the Blackhawk property, the former West Aurora High School, I removed 2 murals from that building before it was demolished. Each of the 2 murals was about 50 feet long and I spent about 6 months in that building carefully peeling those paintings off the wall before its demolition. So I've spent hundreds if not thousands of hours with my nose literally inches away from these paintings, these WPA paintings. The paintings at Todd, which I've studied extensively in person, in my opinion are the best WPA murals I've seen in Aurora. They are sharp, they are clean, they are clear. Each one tells a great story. The quality of them is very high in terms of draftsmanship and use of color. They almost look like illustrations from a book, but they're not. She was not really a book illustrator. She was a print maker and a painter and a muralist. Each mural she did a very careful study of and she didn't just paint off the cuff. She planned everything out like an architect would plan a building. That's really all I have to say, but they are amazing paintings and they should be preserved in whatever way they can. Thank you.

Chairman Pilmer said I will ask the Petitioner a number of questions here to maybe comment on those. Maybe if you could just talk a little about, I think there are 11 units, but maybe the anticipated number of residents that would be in those 11 units.

Ms. Tucciarelli said it looks like we're going to have 6 one bedroom units, 3 two bedroom and 2 three bedroom units, so it just depends. There should maybe be families in the three bedroom units and in the ones and the two's, I'm not sure.

Chairman Pilmer said on the one bedroom, are they restricted to 2, or can you have more residents than 2 in a one bedroom? Are there restrictions? The City of Aurora has restrictions.

Ms. Thompson said IDA restricts the number of residents to 1 per bedroom. There could be no more than 1 person in a studio and 2 in a one bedroom apartment.

Chairman Pilmer said so maximum 32 at that site, if my math is correct. Then any age restrictions?

Ms. Tucciarelli said no.

Chairman Pilmer said the impact on schools, did you talk to the district?

Ms. Tucciarelli said we did talk to the School District and with there only being 11 units there they did say that, again, there would be minimal impact at the school.

Chairman Pilmer said can you touch a little bit on the off-street parking, the number of spaces provided, which I believe is 33, but some are reserved for VNA?

Ms. Tucciarelli said 5 parking spaces.

Chairman Pilmer said so 5 are reserved for VNA?

Ms. Tucciarelli said yes.

Chairman Pilmer said and 26 for the residents, or 27, 28 for the residents.

Ms. Thompson said the ratio of parking for residential is 1.5 per unit and the remainder of the spaces, so that would be 17 spaces I believe, and the parking for the VNA is 1 for every 300 square feet of the clinic, so it is approximately, I don't remember the exact number, but it is 11 or 12 spaces for the VNA. The parking that's allocated to the VNA is per the Zoning Ordinance requirement for the health clinic.

Chairman Pilmer said regarding the VNA, can you just comment on what services they'll provide. Is it similar to what they are providing at their existing or is there additional?

Ms. Tucciarelli said as far as I'm aware, it's going to be health care services.

Chairman Pilmer said and then can you comment on or can you provide, we heard some testimony regarding restoring and preserving artwork and murals and statues?

Ms. Tucciarelli said as Jill had mentioned, we're still working with the City of Aurora to make sure that the murals and the statues are preserved, and again, we're going to, because we're working with the Historic Preservation and SHPO, we are going to have to also go along their recommendations, so we are still working through that process.

Chairman Pilmer said so can you maybe just provide a little more guidance? Does that mean that they all will be preserved?

Ms. Tucciarelli said they are all going to be preserved. We just don't know how that's going to be completed at this time. We are working with the city and with the Historic Preservation.

Mrs. Morgan said the Plan Description does have specific language saying that they will be preserved. That includes if they are to be removed, there has to be allowances for the city or staff to go in and properly remove them using someone who has knowledge of how to remove them. If they are to remain, they will be preserved. We are up in the air about all the exact details because originally they weren't going for tax credits. Now they are, so now we have the National Park Service as well as the

State Preservation Office has to weigh in on this, so it is not just like up to the city and developers to figure out exactly how those details layout.

Chairman Pilmer said could I just have you maybe comment on we had a question regarding police presence and anticipated crime. Any special measures being taken that you're aware of?

Mrs. Anderson said can I add onto that question as well? I'm assuming there's extensive background checks on people that are applying.

Ms. Tucciarelli said yes. We do have a management company, leasing and management, and I actually, one of the members of the management company that we're hiring, I actually work with her at the State Housing Agency, and they have their rules and regulations and we have rules and regulations through the State of Illinois, the State Housing Agency, that we're going to have to abide by and then also because it is tax credits, there will be a tax credit syndicator that will also, there are rules and regulations that have to be mandated through them. They will be inspecting the property, both of them, annually. The property management company does have background checks and history, different regulations that everyone will have to meet in the application process.

Chairman Pilmer said then I might just have you comment on either security or police presence.

Ms. Tucciarelli said we'll have security. We will have cameras and security, so the entrances will be secured entrances.

Mrs. Owusu-Safo said the security, you mean like a person or just cameras?

Ms. Tucciarelli said no, cameras.

Chairman Pilmer said that's all I have. Are there any other questions of the Petitioner?

The public input portion of the public hearing was closed.

Ms. Tucciarelli said I just want to say that our team has been working diligently for the last year and a half on this project and we thank the City of Aurora for all the help that they have given us and being able to put these projects historical value and being able to put them into housing. I've been in affordable housing for over 30 years and I think this is a great use for this project. Thank you.

Mrs. Morgan said staff's comments on Findings of Fact for Conditional Use:

1. Will the establishment, maintenance or operation of the conditional use be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare?

The project will not be detrimental as it will reuse a building that has historic significance to the community and reuse a building that has sat vacant and will provide diverse housing types to accommodate the needs of the Aurora population.

2. Will the conditional use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood, factors including but not limited to lighting, signage and outdoor amplification, hours of operation, refuse disposal areas and architectural compatibility and building orientation?

The Conditional Use will not be injurious to the use and enjoyment of the property as it allows transition from business to the east and south and medium density residential to the north to single family uses to the west. It will produce less people using the site than the former school. It will also prevent the property from sitting vacant and potentially becoming blighted.

3. Will the establishment of the conditional use impede the normal and orderly development and improvement of surrounding property for uses permitted in the district

No, as there are setbacks and landscape screenings provided to the single family. It will develop a vacant property and thus improve the neighborhood. The development will not impede normal and orderly development as it will reduce the amount of people using the site and will develop a vacant property and thus improve the neighborhood.

4. Will the proposal provide for adequate utilities, access roads, drainage, and/or other necessary facilities as part of the conditional use?

There is currently adequate sewer and water capacity to serve the project.

5. Does the proposal take adequate measures, or will they be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets?

It does provide adequate ingress and egress. The main access points for the site are existing access off of Grand Avenue and Spruce Street. The traffic generated by residents should be less of an impact on the neighborhood than the school, which had very high amounts of traffic at specific times of day. While not providing the typical 2 spaces per unit, staff feels that workforce housing does not produce the standard 2 parking spaces per unit parking need. As per the traffic study, that it will not have a negative impact on the current traffic.

6. Does the conditional use in all other respects conform 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 Commission?

The Conditional Use in all other respects conforms to the applicable regulations of the R-5 zoning.

For the Rezoning 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

Staff has noted the physical development policies of the proposal in the staff report and there are several items.

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?

The proposal does represent the logical establishment in considering the existing areas as it has medium density residential development that is adjacent to a mixture of land uses providing a buffering to the single family.

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?

The proposal is consistent as it provides additional housing options in the area, provides additional range of housing prices and reuses a vacant building that is often difficult to reuse.

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

The rezoning will allow uses that are more suitable because it is not feasible to reuse the historic school for single family and there is not interest in continuing the use of the site as a school.

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

The rezoning is consistent as it brings additional residential housing options to a property that abuts commercial and multi-family residential.

Staff would recommend approval of an Ordinance establishing a Conditional Use Planned Development, approving the Fox Valley Apartments-Todd School Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto to an underlying zoning of R-5 Multiple Family Dwelling District for the property located at 100 Oak Avenue.

Chairman Pilmer said Jill I have a question on the recommendation. We just talked about the historical preservation of the artwork. Is that part of the approval? I don't see that in there. Would it be a condition?

Mrs. Morgan said that's written into the Plan Description. The murals will be preserved whether on-site or removed per the redevelopment agreement, so the redevelopment agreement outlines more specifics.

MOTION OF APPROVAL WAS MADE BY: Mr. Gonzales

MOTION SECONDED BY: Mr. Elsbree

AYES: Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo

NAYS: None

Chairman Pilmer said with this case we do have Findings of Fact. We have 6 Findings to discuss regarding the Conditional Use Petition and 5 regarding the Rezoning Petition. Staff did include those in their staff report as well as presented in the testimony this evening. Are there any additions or clarifications on those 11 points? Hearing none, is there a motion to approve those 11 Findings of Fact?

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Elsbree

MOTION SECONDED BY: Mr. Chambers

AYES: Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo

NAYS: None

Mrs. Morgan said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, October 13th at 4:00 on the 5th floor of City Hall, Conference Room B.

21-0717 A Resolution approving the Final Plat for Lot 1 and Lot 2 of Fox Valley Apartments-Todd School located at 100 Oak Avenue (Fox Valley Apartments, LP / Todd School – 21-0717 / AU22/1-21.268-CUPD/Rz/Fsd/Fpn – JM – Ward 6)

Mrs. Morgan said staff would recommend conditional approval of a Resolution approving the Final Plat for Lot 1 and Lot 2 of Fox Valley Apartments-Todd School located at 100 Oak Avenue with the following condition:

1. That all the review comments per the Engineering Department be addressed prior to approval of the Final Engineering Plans.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mrs. Anderson

AYES: Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo

NAYS: None

Mrs. Morgan said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, October 13th at 4:00 on the 5th floor of City Hall, Conference Room B.

21-0718 A Resolution approving a Final Plan on Lot 1 and Lot 2 of Fox Valley Apartments-Todd School located at 100 Oak Avenue, for a Multi-Family Dwelling (1140) use and Social Service Agencies, Charitable Organizations, Health Related Facilities, and similar uses when not operated for pecuniary profit (6630) Use (Fox Valley Apartments, LP / Todd School – 21-0718 / AU22/1-21.268-CUPD/Rz/Fsd/Fpn – JM – Ward 6)

Mrs. Morgan said staff would recommend conditional approval of a Resolution approving the Final Plan for Lot 1 and Lot 2 of Fox Valley Apartments-Todd School located at 100 Oak Avenue for a Multi-Family Dwelling (1140) use and Social Services Agencies, Charitable Organizations, Health Related Facilities and similar uses when not operated for pecuniary profit (6630) use with the following conditions:

1. That the developer provide the city with a copy of the recorded Parking Agreement.
2. That all the review comments per the Engineering Department be addressed prior to approval of the Final Engineering Plans.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Elsbree

MOTION SECONDED BY: Mr. Gonzales

AYES: Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Elsbree, Mr. Gonzales, Mrs. Owusu-Safo

NAYS: None

Mrs. Morgan said this will next be heard at the Building, Zoning and Economic Development Committee meeting on Wednesday, October 13th at 4:00 on the 5th floor of City Hall, Conference Room B.