



# City of Aurora

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

## Legistar History Report

**File Number: 19-0819**

<b>File ID:</b> 19-0819	<b>Type:</b> Petition	<b>Status:</b> Draft
<b>Version:</b> 2	<b>General Ledger #:</b>	<b>In Control:</b> Building, Zoning, and Economic Development Committee
<b>File Name:</b> City of Aurora / Olive Tree Properties, LLC / 6 E. Downer Place and part of 10 E. Downer Place / Silver Plate / Final Plat		<b>File Created:</b> 09/09/2019
		<b>Final Action:</b>

**Title:** A Resolution Approving a Final Plat consolidating lot A of Island Avenue Addition and part of lots 8, 9 and 12 of the Assessor's Map of Stolp's Island for the Silver Plate Subdivision located at the northeast corner of Stolp Avenue and East Downer Place for a Food and beverage services (2500) use. (City of Aurora / Olive Tree Properties, LLC - / AU22/3-19.173-FSD - AM - Ward 6).

**Notes:**

**Agenda Date:** 10/23/2019

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A-1" Final Plat, Legistar History Report - 2019-10-08 - 2019.173.pdf, Property Research Sheet.pdf, Legal Description 6 E Downer Place, Legal Description 10 E Downer Place

**Enactment Number:**

**Planning Case #:** AU22/3-19.173-FSD

**Hearing Date:**

**Drafter:** aminnella@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	09/24/2019	referred to	Planning Council	10/01/2019		
	<b>Action Text:</b> This Petition was referred to to the Planning Council						
1	Planning Council	10/01/2019					
	<b>Notes:</b> Mr. Sieben said this is the piece that is being conveyed to the Silver Plate at 6 E. Downer.						

*Mr. Phipps said we had a DST meeting on this with the owners last week or the week before and a couple of issues came up, just recommendation from Engineering that might affect the plat. It would be helpful maybe to meet with you maybe this week and we can go over those and talk about it.*

*Mr. Sieben said we can vote this out next week for the 16th, so we'll hold it here.*

1	Planning Council	10/08/2019	Forwarded	Planning Commission	10/16/2019	Pass
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**Action Text:** A motion was made by Mr. Dick, seconded by Mr. Phipps, that this agenda item be Forwarded to the Planning Commission, on the agenda for 10/16/2019. The motion carried by voice vote.

**Notes:** *Mr. Dick said I would like to make a motion to forward this to Planning Commission on October 16th. Mr. Phipps seconded the motion with the following conditions:*

*That Engineering approval of the site improvements is required.*

*Any modification to the Final Plat - it may be necessary to secure Engineering approval prior to execution to the Final Plat.*

*The securities required for the proposed improvements - the security should be posted prior to the execution of the Final Plat.*

*The motion carried unanimously.*

2	Planning Commission	10/16/2019	Forwarded	Building, Zoning, and Economic Development Committee	10/23/2019	Pass
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**Action Text:** A motion was made by Mr. Cameron, seconded by Ms. Tidwell, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 10/23/2019. The motion carried.

**Notes:** *Mr. Minnella said I'm a Planner with the Mayor's Office of Economic Development. I know most of you, but I see for me new faces, so it is a pleasure meeting you tonight. The title of this Resolution actually needs to be changed being an appealable item. The title of the Resolution should read a Building, Zoning and Economic Development Committee Resolution approving a Final Plat consolidating Lot A of Island Avenue Addition and part of Lots 8, 9 and 12 of the Assessor's Map of Stolp's Island for the Silver Plate Subdivision located at the northeast corner of Stolp Avenue and East Downer Place for a Food and Beverage Services (2500) use. Staff will modify the title accordingly as of tomorrow. I apologize for the inconvenience. The reason why the City of Aurora staff is coming before you tonight is because due to the Subdivision Control Ordinance, the 2 lots that are currently existing at the southeast corner of Stolp Avenue and Downer Place need to be consolidated because the new owner, Olive Tree Properties, LLC, is planning to expand their business onto a portion of the right-of-way that was sold to Olive Tree Properties, LLC in the past few weeks. They are planning on expanding their business, building a deck and under the deck there would be more usable space for possible different or similar uses in the food and beverage business. This is just a way to clean up these 2 lots, consolidate those 2 lots and create 1 lot where the property owner can then apply for applicable and required permits to move forward with their business proposal.*

*Mr. Sieben said so for a little bit more information, so this is the Silver Plate building where Charlie's Creamery, the ice cream business, went in on the main level. They are putting in apartments up on the upper floors. This is to allow use of the basement. This will allow for a deck and then an entrance into the basement from this property, which is currently owned by the city. The city is in discussions with the owner. There is already an approved Redevelopment Agreement for the building and we've had some discussions for another restaurant type use for the lower level.*

*Mr. Minnella said staff recommends conditional approval of the Building, Zoning and Economic Development Committee Resolution approving a Final Plat consolidating Lot A of Island Avenue Addition and part of Lots 8, 9 and 12 of the Assessor's Map of Stolp's Island for the Silver Plate Subdivision located at the northeast corner of Stolp Avenue and E. Downer Place for a Food and Beverage Services use with the following conditions:*

*Engineering approval of the site improvements is required. Any modifications for the Final Plat that may be necessary to secure Engineering approval shall be made prior to execution of the Final Plat. If a security is required for the proposed improvements, the security shall be posted prior to execution*

of the Final Plat.

Mr. Cameron said could you explain what part of the land don't they own now and are they buying it and is it coming from the city?

Mr. Minnella said so if you picture to the east of the Silver Plate, right now it is a grassed area that is part of the right-of-way. Ultimately, the Olive Tree Properties, LLC will own 2/3 of that landscaped island. In order to build a deck and open up the basement, they need to engineer the perimeter of that area and because of the retaining wall, Engineering put on additional conditions. Possibly the stormwater easement might need to be moved. That's the reason why Engineering put on that condition.

Mr. Cameron said now does this impair access to that area behind it?

Mr. Minnella said no, it will not impede the access. It will simply be a security for the Engineering Department to move forward with the project and make this expansion engineering sound.

Mr. Cameron said so Lot 8, except for that portion of Lot 7 are currently owned by the city for allowing for the access?

Mr. Minnella said correct.

Mr. Cameron said well it depends on how the engineering moves on it.

Mr. Minnella said correct. The right-of-way will still remain.

Mrs. Vacek said and Ken if you look up on the map, the part of Lot 9 is the part that the city did own that we would be then consolidating with Lot A.

Mr. Chambers said could updating the item title also be added to the condition as well?

Mr. Minnella said sure.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Cameron

MOTION SECONDED BY: Ms. Tidwell

AYES: Mr. Cameron, Mr. Chambers, Mr. Divine, Mrs. Duncan, Mr. Elsbree, Mr. Hull, Mr. Reynolds, Ms. Tidwell

NAYS: None

Mr. Minnella said this will next be heard at the Building, Zoning and Economic Development Committee on Wednesday, October 23, 2019, at 4:00 p.m. on the fifth floor of this building.

Aye: 8 At Large Cameron, Aurora Twnshp Representative Reynolds, Fox Metro Representative Divine, SD 204 Representative Duncan, Fox Valley Park District Representative Chambers, SD 131 Representative Hull, At Large Tidwell and At Large Elsbree

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