

Land Use Petition

Project Number: 2017.041

Subject Property Information

Address/Location: 538 S. Broadway/southeast corner of S. Broadway and Seminary Avenue

Parcel Number(s): 15-28-279-001

Petition Request(s)

Requesting to rezone the property at 538 S. Broadway being the southeast corner of S. Broadway and Seminary Avenue from R-3 One Family Dwelling District to NC Neighborhood Commercial District



Attachments Required

(a CD of digital files of all documents are also required)

Word Document of: Legal Description (2-1)

One Paper and pdf Copy of:
Site Plan

One Paper and pdf Copy of:
Qualifying Statement (2-1)
Plat of Survey (2-1)
Legal Description (2-1)
Letter of Authorization (2-2)
Contact Worksheet (1-5)
Filing Fee Worksheet (1-6)
Parking Worksheet (1-8)

Petition Fee: \$800.00 (Payable to The City of Aurora)

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

*The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Aurhorization with owner's Name and contact information is required.

Authorized Signature: Michael Bader Date 4/26/17

Print Name and Company: Michael Bader

I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this 26th day of April, 2017

State of Illinois)
County of Kane) SS

NOTARY PUBLIC SEAL

Tracey M Vacek
Notary Signature



Filing Fee Worksheet

Project Number: 2017.041
Petitioner: Michael Bader
Number of Acres: 0.21
Number of Street Frontages: 2.00
Non-Profit: No

Linear Feet of New Roadway: 0
New Acres Subdivided (if applicable): 0.00
Area of site disturbance (acres): 0.00

Filing Fees Due at Land Use Petition:

Request(s): Rezoning	\$	800.00
	\$	-
	\$	-
	\$	-
	\$	-
	\$	-

Total: **\$800.00**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By:

Date:

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APR 26 2017
 CITY OF AURORA
 PLANNING & ZONING DIVISION



Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org



Project Contact Information Sheet

Project Number: 2017.041

Petitioner Company (or Full Name of Petitioner): Michael Bader

Owner

First Name: Michael Initial: _____ Last Name: Bader Title: Mr.
Company Name: _____
Job Title: _____
Address: 700 Cottage Road
City: Batavia State: IL Zip: 60510
Email Address: mikebader24@gmail.com Phone No.: 630-878-9195 Mobile No.: _____

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Owner
Company Name: _____
First Name: Michael Initial: _____ Last Name: Bader Title: Mr.
Job Title: _____
Address: 700 Cottage Road
City: Batavia State: IL Zip: 60510
Email Address: mikebader24@gmail.com Phone No.: 630-878-9195 Mobile No.: _____

Additional Contact #1

Relationship to Project: Tenant
Company Name: _____
First Name: Irma Initial: _____ Last Name: Aguirre Title: Ms.
Job Title: _____
Address: 1043 5th Street
City: Aurora State: IL Zip: 60506
Email Address: jei.aguirre@gmail.com Phone No.: 630-987-9412 Mobile No.: _____

Additional Contact #2

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

Additional Contact #3

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

Additional Contact #4

Relationship to Project: _____
Company Name: _____
First Name: _____ Initial: _____ Last Name: _____ Title: _____
Job Title: _____
Address: _____
City: _____ State: _____ Zip: _____
Email Address: _____ Phone No.: _____ Mobile No.: _____

Qualifying Statement



The proposed development project, for the property commonly known as 538 S Broadway, is Neighborhood Commercial(NC). The NC zoning change was a suggestion by Edward Sieben, Zoning Administrator, based on the intended retail use of the first floor of the building. Previously, Frank Medrano owned and occupied the building. He resided in the apartment on the 2nd floor and operated the "Millers Family Pride Coin Laundry". The business was closed and vacant since 2013 which turned the multiuse zoning of the property back to residential. It is a highly visible corner lot building on Route 25 with its own parking lot. After purchasing the building in December 2015 I contacted the city concerning the residential zoning. The initial response of the city was a desire to keep the building as retail mixed use. Although a prime retail location on route 25, the site is surrounded by residential properties. I agreed to a retail lease, by local residents Eddie & Irma Hernandez, since the business proposed was an ice cream parlor. Hernandez has previous retail management experience and recognized the synergy an ice cream parlor has with its residential neighbors. I turned down several offers for bars, restaurants, liquor stores, check cashing business, which in my perspective would not be a healthy addition to the surrounding area as well as increase my risk as a property owner.

- A) The general welfare of the neighborhood has been improved with the simple clean up of the abandoned property. Windows, fresh paint, the removal of weeds, and a lot of brick tuckpointing have gone a long way to improve the look of this property. I also removed several basements windows and replaced them with brick, the basement is now storage as part of the retail lease. There was clear evidence of someone living in the basement and I wanted to completely eliminate this possibility moving forward.
- B) Enjoyment by the community from the proposed business use is certainly debatable; however, there are abundant families with kids surrounding this property and kids love ice cream.
- C) I believe property values naturally go up when an abandoned building is cleaned up and occupied.
- D) Difficult to find a comparable property nearby to answer this question. To my knowledge there is not an ice cream parlor competitor nearby.
- E) None of these changes are applicable. I paid Nicor to improve and replace the outside meters for the building and ComEd has updated the old meters to smart meters. The parking lot will be re-surfaced and striped by Pallera paving in Aurora as weather permits this spring.
- F) The side street access allows in and out traffic on Broadway and Seminary for vehicles identical to the previous laundrymat. Foot traffic is conducted on existing sidewalks.
- G) It's my belief through the direction of the building department and community development, the city of Aurora wants to keep the building as a mixed use.
- H) The building was in poor condition when I purchased it in December 2015. I removed and improved as much as possible without changing existing walls, etc. The main mechanicals for the building – plumbing, waste lines, electric, gas are all contained in the bathroom's adjacent walls. Due to this restriction, creating a handicap bathroom with respect to current codes would be a difficult task and dramatically affect the retail environment/financial success for the ice cream

parlor. The specific needs of the ice cream parlor concerning plumbing and electric can be met within the exposed/open basement below the retail space.

Thank you for consideration of this zoning change. I intend to purchase more properties and be a valued partner to the city of Aurora, please contact me with any questions or additional information needed.

Sincerely,



Michael Bader

630-878-9195

Letter of Authorization

I, Michael Bader, am authorized to submit and convey the zoning change request as owner of the property commonly known as 538 S Broadway, Aurora, Illinois 60505.

Michael Bader 4/13/17

Michael Bader

700 Cottage Rd. Batavia IL 60510

630-878-9195

RECEIVED
APR 26 2017
CITY OF AURORA
PLANNING & ZONING DIVISION

Legal Description:

THE WESTERLY 100 FEET OF LOT 1 AND THE WESTERLY 100 FEET OF
THE NORTHERLY 22 FEET OF LOT 2 IN BLOCK 11 OF CLARK
SEMINARY ADDITION TO AURORA, IN THE CITY OF AURORA, KANE
COUNTY, ILLINOIS

Commonly known as: 538 S Broadway, Aurora, Illinois 60505

Permanent Index No. 15-28-279-001-0000

RECEIVED
APR 26 2017
CITY OF AURORA
PLANNING & ZONING DIVISION

Parking and Stacking Requirement Worksheet

Project Number: 2017.041

Petitioner: Michael Bader

Parking Requirement

Total Parking Requirement	6
Enclosed Parking Spaces	1
Surface Parking Spaces	5

Note: All parking spaces must be individually accessible spaces in order to count towards this requirement

Stacking Requirement

Total Stacking Requirement (number of stacking spaces)	-	
Drive-through facilities	-	5 stacking spaces at each bay, window, lane, ordering station, machine or similar.
Car wash facilities, automated	-	20 stacking spaces or 10 per approach lane, whichever is greater.
Car wash facilities, self-service	-	3 stacking spaces per approach lane, plus 2 drying spaces per stall
Preschool or daycare facilities, drop-off area	-	5 stacking spaces for facilities 5,000 SF or less or 10 spaces for facilities greater than 5,000 SF.

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

OFFICE USE ONLY

Verified By: _____

Requirement Based On:

Sq Ft / Units	Use	Needed	Number Required
1	Structure 1200: Multifamily structure	2 spaces per dwelling unit	2
12 seats	Structure 2210: Food and beverage establishments	1 per 3 seats	4
Total:			6

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APR 26 2017
CITY OF AURORA
PLANNING & ZONING DIVISION

IN THE CIRCUIT COURT FOR THE 16TH JUDICIAL CIRCUIT
KANE COUNTY – GENEVA, ILLINOIS

WATERFALL OLYMPIC MASTER
FUND GRANTOR TRUST, SERIES II, a
Delaware statutory trust,

Plaintiff,

v.

FRANK X. MEDRANO, an individual; CITY
OF AURORA; JORGE TORRENS, an
individual; ZITA TORRENS, an individual;
UNKNOWN OWNERS and NON-RECORD
CLAIMANTS,

Defendants.

Case No. 14 CH 507

Commercial Foreclosure:

538 South Broadway, Aurora, Illinois 60505

RECEIPT OF SALE

I, the undersigned, duly authorized agent of the Office of the Sheriff for Kane County, Illinois, certify that pursuant to a Judgment of Foreclosure and Sale entered May 19, 2015, the Plaintiff duly advertised in compliance with 735 ILCS 5/15-1507(c), the following described real estate to be sold at public auction to the highest bidder for cash on December 17, 2015, at 9:00 a.m., Kane County Judicial Center, Court Room JC 100, 37W777 Route 38, St. Charles, Illinois 60175 (the "Judicial Sale").

Whereupon, Michael L. Bader, an individual, offered and bid the sum of Thirty-One Thousand and 00/100 Dollars (\$31,000.00), and that being the highest and best bid, which the Office of the Sheriff for Kane County, Illinois hereby acknowledges receipt of the full bid amount of \$31,000.00 made at the Judicial Sale, and the Office of the Sheriff for Kane County, Illinois accordingly struck off and sold to said bidder the following described property in its entirety:

THE WESTERLY 100 FEET OF LOT 1 AND THE WESTERLY 100
FEET OF THE NORTHERLY 22 FEET OF LOT 2 IN BLOCK 11 OF
CLARK SEMINARY ADDITION TO AURORA, IN THE CITY OF
AURORA, KANE COUNTY, ILLINOIS.

Permanent Index No. 15-28-279-001-0000.

14CH507

Commonly known as: 538 South Broadway, Aurora, Illinois 60505.

Respectfully submitted this date: 12-22, 2015

Office of the Sheriff for Kane County, Illinois

Donald E. Kramer

By: *J. Wink*
Sheriff/Deputy Sheriff/Authorized Agent

Kenneth S. Strauss (kstrauss@arnstein.com) (ARDC# 6278542)
Michael A. Jacobson (majacobson@arnstein.com) (ARDC# 6313122)
ARNSTEIN & LEHR LLP
Attorneys for Plaintiff
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Chicago, Illinois 60606
(312) 876-7100
Case Number: 14 CH 507