



# City of Aurora

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

## Legistar History Report

**File Number: 18-0916**

<b>File ID:</b> 18-0916	<b>Type:</b> Petition	<b>Status:</b> Draft
<b>Version:</b> 2	<b>General Ledger #:</b>	<b>In Control:</b> Planning & Development Committee
		<b>File Created:</b> 10/04/2018

**File Name:** Karen Shafer / 519 E. Benton Avenue / Downzoning

**Final Action:**

**Title:** An Ordinance Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by downzoning Property located at 519 E. Benton Avenue from R-5 Multiple-Family Dwelling District to R-3 One Family Dwelling District (Karen Shafer - 18-0916 / AU27/2-18.192-DZ - TV - Ward 2) (PUBLIC HEARING)

**Notes:**

**Agenda Date:** 11/15/2018

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Legal Description.pdf, Aerial Map.pdf, Land Use Petition and Supporting Documents - 2018-10-03 - 2018.192.pdf, Property Research Sheet ID8316.pdf, Legistar History Report - 2018-10-23 - 2018.192.pdf, Findings of Facts - 2018-10-23.pdf

**Enactment Number:**

**Planning Case #:** AU27/2-18.192-DZ

**Hearing Date:**

**Drafter:** tvacek@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	10/09/2018	referred to	Planning Council			
	<b>Action Text:</b> This Petition was referred to to the Planning Council						
1	Planning Council	10/16/2018					
	<b>Notes:</b> Mr. Sieben said will be going to the November 7th Planning Commission.						
1	Planning Council	10/23/2018	Forwarded	Planning Commission	11/07/2018		Pass
	<b>Action Text:</b> A motion was made by Mrs. Vacek, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 11/7/2018. The motion carried by voice vote.						
	<b>Notes:</b> Mrs. Vacek said I make a motion to move this forward to the November 7th Planning Commission meeting. Mr. Minnella seconded the motion. The motion carried unanimously.						

2 Planning Commission 11/07/2018 Forwarded Planning & Development Committee 11/15/2018 Pass

**Action Text:** A motion was made by Mrs. Cole, seconded by Ms. Tidwell, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 11/15/2018. The motion carried.

**Notes:** *Mrs. Vacek said the subject property is currently a single family dwelling with R-5 Multiple Family Dwelling District zoning. The proposal that is before you is to downzone it from R-5 to R-3. The R-3 is consistent with the zoning around the subject property as well as the use.*

*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 amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by downzoning the property at 519 E. Benton Street from R-5 to R-3.*

*MOTION OF APPROVAL WAS MADE BY: Ms. Cole*

*MOTION SECONDED BY: Ms. Tidwell*

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

*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 the proposal represents the highest and best use of the property.*

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.*

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. Anderson said there should be no adverse effect.*

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?*

*Mrs. Cole said these are already in place.*

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. Cole said there will be no change, as the use of the property is not changing.*

7a. *Is the rezoning a consistent extension of the existing land uses, existing zoning classifications, and essential character of the general area?*

*Mrs. Cole said I believe that other properties were downzoned in this area many years ago and it was one of quite a few properties that for some reason were not downzoned when they did these mass downzonings.*

7b. *Will the rezoning permit uses which are more suitable than uses permitted under the existing zoning classification?*

*Chairman Truax said again, if this is a single family residence being downzoned from multiple family then I think that is a more suitable use.*

*Mrs. Vacek said this will next be heard at the Planning and Development Committee on Thursday, November 15, 2018, at 4:00 p.m. on the fifth floor of this building.*

Aye: 10 At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, Fox Valley Park District Representative Chambers, At Large Owusu-Safo, SD 129 Representative Head and At Large Tidwell

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