



# City of Aurora

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## Legistar History Report

**File Number: 23-0440**

**File ID:** 23-0440

**Type:** Petition

**Status:** Draft

**Version:** 1

**General  
Ledger #:**

**In Control:** Building, Zoning,  
and Economic  
Development  
Committee

**File Created:** 05/26/2023

**File Name:** HC Aurora, LLC / West side of Farnsworth Avenue,  
between Bilter Road and Corporate Boulevard /  
Rezoning and Conditional Use Planned Development

**Final Action:**

**Title:** An Ordinance Establishing a Conditional Use Planned Development, Approving the Hollywood Casino Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto from B-3 Business and Wholesale District and M-1 Manufacturing - Limited District to B-3(C) Business and Wholesale District with a Conditional Use Planned Development for the property located at West side of Farnsworth Avenue, between Bilter Road and Corporate Boulevard (HC Aurora, LLC - 23-0440 / AU02/2-23.240-CUPD/PSD/PPN - TV - Ward 1) (PUBLIC HEARING)

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Exhibit "A" Legal Description - 2023-06-02 -2023.240,  
Exhibit "B" Plan Description 2023-06-05 - 2023.240,  
Plat of Survey - 2023-05-19 - 2023.240, Land Use  
Petition and Supporting Documents - 2023-04-17 -  
2023.240, Public Open House Summary - 2023-05-22  
- 2023.240, Maps

**Enactment Number:**

**Planning Case #:** AU02/2-23.240-CUPD/PSD/PPN

**Hearing Date:**

**Drafter:** tvacek@aurora-il.org

**Effective Date:**

**Related Files:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning and Zoning Commission	06/07/2023	Forwarded	Building, Zoning, and Economic Development Committee	06/14/2023		Pass



**Action Text:** A motion was made by Mr. Kuehl, seconded by Mrs. Martinez, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 6/14/2023. The motion carried.

**Notes:** *Hello, I'm Tracey Vacek, Senior Planner with City of Aurora. A little bit of background on this project: The existing Hollywood Casino located at 1 West New York Street has been operating for almost 30 years. However, due to a variety of factors including the steady decline in revenue at the Casino's current location and changes in gaming trends, the Petitioner, working with the City, started to investigate alternative locations for a new casino.*

*The Subject Property is made up of several parcels containing approximately 18.68 acres. The parcels located along Farnsworth Avenue are now mostly vacant, which consisted of a former car dealership, the Fox Valley Inn and the Motel 6. The Papa Bear restaurant, which has been closed for several years due to a fire, and the properties along Church Road, consisting of the Gaslite Manor Banquets and C Club, will be demolished as part of this development. Currently, a portion of the parcels are zoned B-3 Business and Wholesale District, and the other parcels are zoned M-1 Manufacturing - Limited District.*

*The Petitioner is requesting the establishment of a Conditional Use Planned Development, and to change the underlying zoning district for a portion of the property from M-1 Manufacturing - Limited District to B-3 Business and Wholesale District. The details include the approval of a Plan Description that outlines specific requirements and allows for modifications to the zoning ordinance and building code amendments to permit for the construction of a casino, hotel, and entertainment venue.*

*Specifically, the Plan Description establishes additional permitted uses, modifies certain bulk restrictions, which include the reduction of setbacks and establishment of parking requirements, and describes the public improvements that will be completed as part of this development. The plan description also modifies certain building code amendments allowing the sound transmission to revert to the standard language in the International Building Code (IBC) and allows for different building materials for the hotel building. Lastly, it establishes a special sign district to allow for a cohesive sign package consisting of regulations for ground signage including monument signs and directional signs and wall signage including identification wall signs and a number of large digital wall signs.*

*Concurrently with this proposal, the Petitioner is requesting approval of a Preliminary Plat and Plan. The proposed Preliminary Plat allows for the consolidation of several parcels into one lot and dedication of right of way along Church Road, Bilter Road and Farnsworth Avenue.*

*The details of the Preliminary Plan request include the construction of new modern casino with approximately 224-room hotel and entertainment venue. The casino includes approximately 1200 gaming positions and a Barstool Sportsbook. The entertainment venue consists of approximately a 12,000 sq. ft. ballroom, 5,000 sq. ft. meeting rooms, and a 13,000 sq. ft. event courtyard. The proposal also includes a spa and a variety of high-quality bars and restaurants within the hotel and the casino.*

*The proposed access to the property is via Farnsworth Avenue, Bilter Road, Church Road, and Corporate Boulevard with the two main access points being off Farnsworth Avenue. The northerly access is restricted to a right-in right-out and the southerly access is a full signalized access, which lines up with the access into the Chicago Premium Outlet Mall. The Preliminary Plan currently shows a total of 1601 parking spaces on the property with 565 shown as surface parking spaces and 1036 parking spaces within an attached parking garage which is located on the south portion of the proposed building. There is 20 spaces that will have electronic vehicle charging stations.*

*And then lastly, the stormwater management is not required by the City ordinance, however the Petitioner, will be installing permeable pavers within the parking lot at the southeast corner of the development to provide a water quality treatment (BMPs) as part of this design.*

*At this point, I'm going to turn it over to Penn. They do have a presentation and then after that, our Engineering Department will come up and talk to you about traffic.*

*Chairman Pilmer said thank you. If anyone for the Petitioner...I'll just swear you in before you speak, so if you walk up, you want to speak on behalf of the Petitioner, if you'll just raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?*

*Mr. Moore said I do.*

*Chairman Pilmer said thank you. Then go ahead, if you'll just state your name and address for the*



record, please.

Mr. Moore said my name is Greg Moore, I'm the Vice-President/General Manager of Hollywood Casino Aurora. I'm joined here tonight with Mike Carroll, our Vice-President of Design and Construction and David Howryla, the President of Marnell Architecture to give you an update as to where we are, how we got here, and probably seek to keep my comments very short because we know that the architecture part is probably the piece that everybody is interested in tonight. So, back in history, the original casino was opened in June 1993. We'll be celebrating our 30th anniversary in just a couple of weeks and we're very much looking forward to that. Penn National Gaming did acquire the property back in 2003 and we've been a significant portion of the community since then. Right now, we're operating about 53,000 square feet of gaming space and just under 1200 gaming positions. With this being an aging barge-based facility that wasn't really designed to work with the barge from the get-go, it was designed to have 2 separate riverboats that would go out. It's been a creative process over the years to keep it functioning as best as we can. One of the things that we've seen is back in history, they originally only expected the riverboats to be kicking out 1 or 2 million dollars a year in taxes to the City of Aurora. Quickly, it was able to surpass that by a very large amount. In 2002, actually it was able to contribute \$16.2 million to the City of Aurora as far as taxes. If we fast-forward a decade or so, thinks like Smoke Free Illinois Act, legalization of video gaming terminals, and the opening of the Rivers of Des Plaines started a competitive market where we were having trouble maintaining as much revenue as possible, therefore it affected the City's tax revenues by a very large margin over the time. The City of Aurora did what they could to defend us. They helped change the law to actually allow riverboats inland (inaudible). They set certain rules and regulations as to how many video gaming terminals can be in the City of Aurora and over time, last year and about 2021, 2022 we were only contributing about \$5.5 million here of gaming revenue to the City of Aurora. With more casinos coming online, one just opened up in Rockford, one up in Waukegan, a very large one being built in downtown Chicago, this is only going to get worse if it's not addressed, hence the working with the City after they got the laws changed to proactively see what we could do about defending the City in the long term. Pretty much, I already went over this. Some of the other things we want to point out is this will bring our total employee base up to around 700 team members across the enterprise. Clearly, we'll be working with unions to build the program out and we'll be measuring against State standards, significant (inaudible) through MBE/WBE/VBE groups and then we'll also expect to be LEED certified at the end of construction. On that note, I believe I will pass this on to Mr. Michael Carroll to discuss the proposed casino.

Chairman Pilmer said thank you.

Mr. Carroll said thank you. I am Mike Carroll and am Vice-President of Design and Construction for Penn Entertainment. The proposed Hollywood Casino will be a state-of-the-art facility that will have 1200 gaming positions, will have a robust MVP program, along with a Barstool Sportsbook, a 220+ room hotel, a fitness center, a spa, and a multi-use event center. With that, I will turn it over to Dave who will walk you through our plans.

Chairman Pilmer said thanks.

Mr. Howryla said Dave Howryla, President of Marnell Architecture. This lead in...it's been a long journey with Mike and team. We've been working for a long time. We've done properties all over the country and it's been an evolution of the Hollywood brand. I'm real excited about this one. As we move to have a rebuilt facility, how do we take the Hollywood brand and all of its heritage to it, how do we make a modern facility and that's where this is starting to create a new brand as you can see by these early renderings. I'm excited, I'm the architect and we're creating this...we're real excited about creating this casino and a higher-level entertainment facility that's integrated (inaudible). Alright, so the site plan...Tracey did a great job setting this up with the perimeter of the property. As she mentioned, we have our main entry on Farnsworth. The beauty of this site, although it's an interesting shape, but that's part of solving the problems as an architect, having capitalized on the high points. So, that's our main entry, our main entry comes in at the light and it goes directly into the parking garage so great customer arrival point for easy access in and out. The secondary entrance gives us the entry to the hotel and like that because it will be a little more boutique entry allowing the customers that are staying at the hotel to be a little more secluded from the main entry in the Casino.



The other piece, with all of the parking spaces are convenient grade access in and out. And then the beauty of this plan is this evolution of the casino design. Long ago, we'd make a box and have everything hidden in the back and the restaurant and the bar. Now it's about opening it up with light and access for the customers if they're going into the casino or not going into the casino, going to the hotel, going into the spa so there's all that connectivity to the community both visually and, I think coming in to have dinner and pop into there and go out instead of going out to a long journey throughout the whole property, so we're real excited about that. And the setup of the architecture is how do you take this large building and nestle it in, if you will, into the site. So, the nice thing about the site is it drops 20 feet from Church Road to Farnsworth and we're able to nestle the building into there so we can hide...we've done a lot of jobs with Disney...and it's all about hiding the support behind so that you don't see it as a customer. So, it's some nice features of the site at that level and how things are laid out in the plans. We're real excited about the final product. We're right in the middle of design, we have the interior designers going, the engineers going, and it's a long process to get it all detailed out and finished out. Here's the 2nd level plan. As I mentioned, the access off of Church Road for all of our team members, for our HR guests coming in, it's a real nice entry approach to that component too. Looking at our early renderings, this aerial gives you a feel for the design, modern design, how you integrate it into the site with great landscape, great arrival experience and the right amount of signage, giving some energy into the facility and getting the brand out there for viewing. A little closer view; as we talked about a few of the signs...the Hollywood sign and then there's also some components of video, as we've mentioned, on the wall. But taking the architecture...really, I really like working with the Penn team...they allow us to take the architecture through the whole building. There is no real back door in this saying how do we create a great brand for the facility and complete it around the entire building and not miss a beat. That'll be the real dynamic shot as we set up how the hotel works and how it addresses the parking. Back to the overall view...any questions on that?

Chairman Pilmer said any questions of the Petitioner? Thank you.  
Do you swear to tell the truth, the whole truth, and nothing but the truth?

Mr. Witkowski said so help me God.

Chairman Pilmer said thank you. If you'll just state your name and address for the record.

Mr. Witkowski said Brian Witkowski, I live at 2660 Silverleaf Drive, Plainfield. I work for the City in the Engineering Department. So, the goal of my presentation today is just to kind of talk to you guys about the traffic and kind of walk you through the information that you need that we held earlier this year. So, the first thing that we did when the development came in was ask them to do a traffic impact study, kind of do a traffic study for the area and the main focus of that initially is the intersections that are right by the entrance to the development. We asked them to look at traffic (inaudible) the intersections immediately around development like along Farnsworth, Bilter, and Church and kind of the focus of those is the intersection level service, you can see in the lower right-hand corner. So, kind of what we do is estimate out the traffic so for this project we didn't want them to just say "what's the traffic going to be that's generated by the casino?" We wanted to go above and beyond that and ask them to look at what the traffic would be in the year 2030 or even 2050 so we are working with HR Green to assign roadways and intersections to accommodate the traffic that was indicated by their study for the year 2050. In that way, we would accommodate any traffic to be generated by this development today. The first section we would concentrate on these initial intersections. The next section just kind of shows overall roadway that we're designing, shows the additional lanes, turning lanes, intersection improvements that we're doing in general in these areas. If you want a closer look, this is just a draft of what these improvements will be eventually. Obviously, we are entering the design phase now, we're partway through the design phase now. We have a pretty good idea of how many lanes and turning lanes are going to be required but this is all potentially subject to change when we get to final Engineering. So, then as the next portion was...we asked them to look at the trucking traffic study, to look at intersections that weren't immediately next to the development. Again, the intersection level service, I guess I should explain, it's a measurement essentially of the amount of time that you would be delayed at any additional intersection so if it takes you 7 seconds to get through that intersection that would respond to level service A. So, again, these are modeling all these intersections in the surrounding area and what they're level of service would be not only today,



but what it will be in the year 2050 or 2030, depending on the intersection. Through this traffic impact study, we identified some improvements to the surrounding area. We (inaudible) intersections down on Molitor and Church, as you can see the text at the bottom talks about the improvements that we needed. The traffic impact study identified a right turn lane that we think would be warranted now at Molitor and Church. Then a traffic signal modernization project at Molitor and Farnsworth. The traffic signal modernization project actually was already underway before this study, but the right turn lane will be put into our capital program now. And then this study also identified that it was close to requiring an intersection...or a signalized intersection...at Molitor and Church so also recommended in the next few years we would redo a traffic count and see if that signal would be required. It would just kind of help the traffic from the surrounding areas. This is kind of just a roll plat so at the end of the presentation, at the end of the meeting they had like these large cords where you walk up and kind of see...ask about any individual parcel and their access and answer any questions with the graphic visual. I don't know if you guys can see these were shown at the meeting (inaudible). But I guess to summarize Penn Gaming provided a traffic impact study required of their development. We've had it reviewed by HR Green and internally and found that there's going to be low to no impact to traffic because of our improvements to the roadway that we are planning to do and have done before they open their doors. Is there any questions?

Chairman Pilmer said any questions on the traffic?

Mrs. Owusu-Safo said I just have one simple one. What is the desired level of service that you are aiming for? At least on Farnsworth given you have all the traffic from....

(Court Reporter) Excuse me, could you put the mic up by you so I can hear you? Would you mind asking your question again?

Mr. Witkowski said I can restate it if you want.

Mrs. Owusu-Safo said yes, please.

Mr. Witkowski said she was asking what was the design level of service for Farnsworth.

Mrs. Owusu-Safo said yeah and how...you know...you said there is minimal impact but with a facility that big, is there any...I guess what's the goal? What's the desired level of service that would be acceptable for that?

Mr. Witkowski said so on a locally funded project, there is no design level of service. On a federally funded project design level of service, I believe can be a D or an E. Our goal was to maintain the current level of service or as close to it as possible. You can see everything is very similar if not the same or better than it was. Everything is (inaudible) or made better in the site in that intersection of Molitor and Church. So, that was our goal and that was a goal that we put on ourselves.

Mrs. Martinez said and you said that the intersection of Molitor and Church; that one is the one that you guys are going to be improving?

Mr. Witkowski said we identified a right turn lane that would be required on today's traffic and we're putting it into our CAPA improve program. I'm not sure what year it will be funded in but we are going to put it on our list of improvements to fix.

Mrs. Martinez said because the (inaudible) of things on there is that Church Road usually the more people that come out of the...

Mr. Witkowski said school...

Mrs. Martinez said the school and also the corporate businesses that are there and I do know that traffic goes all the way up to the bridge and over. So, I'm imagining with...what was it...700 full-time employees, that would add to that traffic, correct?



Mr. Witkowski said so, part of what we learned from the traffic impact study is that the traffic from the casino is kind of in off-peak hours. And I don't know what kind of shifts they would do for employees, but I would imagine that it's not going to line up with peak...the peak hours...the am or pm peak hours, but that would be up to them. Again, this is...I would imagine a lot of employees would be jumping on the highway maybe going to work and it would be much easier ways to get to the highway than you go as in Church. The main, I think, the right turn lane from what we heard of at the information meeting, the right turn was mostly required due to the school traffic which does exactly line up with am and pm peak, kind of leaving and going down Molitor Road.

Chairman Pilmer said any other questions regarding traffic?

Mrs. Owusu-Safo said one last one. Has there been any coordination with the tollway regarding traffic impacts of the tollway's access and egress?

Mr. Witkowski said so we have coordination with the tollway, not for any impacts that we would have to their system, but their exit ramp currently has only 1 lane functional.

Mrs. Owusu-Safo said yeah.

Mr. Witkowski said the 2nd one is shut down because it's a coin operated toll booth and they took those out of service, so we have begun negotiations with them in order to get the 2nd lane open. I guess I shouldn't say negotiations...asking them to open the 2nd lane, and we are incorporating that into our design for Farnsworth as well, to have 2 lanes turning on to Farnsworth. Even going so far as like for Black Friday, having that right turn lane go right, the farthest right lane continues into the Outlet Mall so you can just stay (inaudible).

Chairman Pilmer said thank you.

Mr. Witkowski said thank you.

Chairman Pilmer said anyone else? So, at this time I will open the public...open the meeting for public testimony. Before swearing in individuals who wish to speak, I'll just state the roll of Planning and Zoning Commission this evening is to allow for public input and public testimony related to the land use petition that was filed. As the Planning and Zoning Commission, our focus this evening is the land use so we won't be debating or discussing economic issues or moral issues related to the Petitioner, so I would ask you to keep your testimony germane to the land use purpose. The Planning and Zoning Commission consists of members of the Aurora community that are all volunteers. The Commission is not a final vote in the land use process, rather a recommending body that will allow for public testimony this evening. In saying that, I'll just state that we're all very good listeners so to avoid duplicate testimony if you want to state that you agree with a previous individual that spoke, you're welcome to do that. Then our format tonight is public testimony. If you have questions, I will record the questions and then at the end of our testimony we will get the appropriate individuals to answer those questions. So, as we begin to open the public hearing, does anyone want to speak to the Commission. If you do, I'd ask you to stand up and we'll swear you in in bulk. Seeing that no one is going to speak this evening, I'm going to close the public hearing. We will go to... Mr. Sieben is going to address the Findings of Fact.

Mr. Sieben said good evening, Commission, Ed Sieben, I'm the City Zoning and Planning Director and I'd like to go over the Findings of Fact. There's going to be actually 2 sets of Findings of Fact, I'll just read them concurrent. The first will be 6 items for the Conditional Use with a 7th for a hotel Conditional Use and then finally, there will be 5 Findings of Fact for the Rezoning. So, I'll start off with the Conditional Use:

1. The proposed redevelopment should not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare as this is an underutilized property within an important commercial corridor, therefore it should help strengthen the City's tax base by providing a revenue stream to the City with a variety of taxes including property, hotel, food and beverage, and gaming tax. It also provides additional employment opportunities.



2. The proposed redevelopment should not be injurious to the use and enjoyment of other property in the immediate vicinity as it should be minimally impact the surrounding area with the proposed public improvements that are being constructed. It should also be a benefit is that it is also bringing additional patrons to the surrounding commercial areas.

3. The proposed redevelopment should not impede the normal and orderly development as a proposed development is consistent with the surrounding commercial office and industrial uses.

4. There are already adequate utilities. This property is surrounded by public streets which conserve the proposed developments. In addition, there is an extensive road improvement system being completed as part of the redevelopment.

5. The proposed redevelopment takes adequate measures to minimize traffic congestion on the public streets. The roadway improvements that are being constructed are designed to not only accommodate the anticipated increase in traffic generated by the relocation of the Casino, but also goes above and beyond and accommodates anticipated traffic for the year 2050, as Brian just explained. Working with the Petitioner, Staff determined also that the parking requirement being provided is consistent with other communities that have casinos.

6. The proposed casino complies with all, in all other respects to the B-3 zoning regulations except those modified within the Conditional Use Planned Description.

7. Penn Entertainment has done its own analysis and has determined that a hotel is feasible and an important part of the casino complex. Because the casino is the driving force for the hotel demand, the market feasibility for this hotel was not requested by the City for this project.

Then, regarding the 5 Findings of Fact for Rezoning; some of them are fairly similar:

1. The proposal is in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora as the development promotes the City as a regional center and promotes the construction of redevelopment contiguous to existing development where existing utilities, public roads, and municipal services are available.

2. The proposal does represent the logical establishment and/or consistent extension of the requested classification as the uses along Farnsworth Avenue are mainly commercial or office uses. In addition, this would be the natural extension to zoning as half the property is already zoned B-3, Business and Wholesale District.

3. The proposal is consistent with a desirable trend of development in the general area of the property as the area along Farnsworth Avenue is predominantly a commercial corridor.

4. The rezoning to B-3 Business and Wholesale will allow uses which are more suitable than uses permitted under the M-1 Manufacturing Limited zoning, as the uses along Farnsworth Avenue are predominantly commercial uses and not manufacturing or industrial uses.

5. The rezoning is a consistent extension of the existing land uses and existing zoning classifications and essential character of the general area. The land uses in this area are consistent with the B-3 Business and Wholesale zoning. In addition, half of the properties are already zoned B-3 so that would be a natural extension.

And that is the Findings of Fact. Tracey can go over the Recommendations.

Chairman Pilmer said thank you. Sure, we will vote first on the Conditional Use Planned Development, if Staff has a Recommendation.

Mrs. Vacek said Staff would recommend approval of the Ordinance establishing a Conditional Use



*Planned Development, approving the Hollywood Casino Plan Description and amending Chapter 49 of the Code of Ordinances, City of Aurora, by modifying the zoning map attached thereto from B-3 Business and Wholesale District and M-1 Manufacturing- Limited District to B-3 (C) Business and Wholesale District with a Conditional Use Planned Development for the property located at West side of Farnworth Avenue, between Bilter Road and Corporate Boulevard.*

*Chairman Pilmer said you've heard Staff's recommendation. Is there a motion?*

*MOTION OF APPROVAL OF ORDINANCE WAS MADE BY: Mr. Kuehl*

*MOTION SECONDED BY: Mrs. Martinez*

*AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Kuehl, Mrs. Martinez, Mrs. Owusu-Safo*

*NAYS: 0*

*Motion carried.*

*Chairman Pilmer said motion carries. And then you heard Staff read into the record, there were 12 Findings of Fact. Are there any additions or corrections regarding those Findings of Fact? Hearing none, is there a motion to accept those Findings of Fact?*

*MOTION OF APPROVAL OF FINDINGS OF FACT WAS MADE BY: Mr. Chambers*

*MOTION SECONDED BY: Mrs. Anderson*

*AYES: Chairman Pilmer, Mrs. Anderson, Mr. Chambers, Mr. Choudhury, Mr. Kuehl, Mrs. Martinez, Mrs. Owusu-Safo*

*NAYS: 0*

*Motion carried.*

*Chairman Pilmer said motion carries. If Staff will state where this will next be heard.*

*Mrs. Vacek said this will next be heard at our Building, Zoning and Economic Development Committee at City Hall on Wednesday, the 14th of June at 4 pm up on the 5th Floor Conference Room.*

*Chairman Pilmer said thank you. And then, do you want to address a recommendation for the Preliminary Plan and Plat?*

*Aye: 7 Chairperson Pilmer, At Large Anderson, At Large Chambers, At Large Owusu-Safo, At Large Choudhury, At Large Martinez and At Large Kuehl*

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## **Text of Legislative File 23-0440**