



City of Aurora

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

Legistar History Report

File Number: 17-01212

File ID: 17-01212	Type: Petition	Status: Draft
Version: 2	General Ledger #:	In Control: Planning & Development Committee
File Name: The Flooring Guys of Illinois / 907 S. River Street / Rezoning		File Created: 12/27/2017
		Final Action:

Title: An Ordinance Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by Rezoning the Property Located at 907 South River Street from R-3, One Family Dwelling District to NC, Neighborhood Commercial District (The Flooring Guys of Illinois - 17-01212 / AU28/3-17.132-Rz - SB - Ward 4) (PUBLIC HEARING)

Notes:

Agenda Date: 02/15/2018

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" - Legal Description - 2018-01-31 - 2017.132.pdf, Plat of Survey - 2017-12-26 - 2017.132.pdf, Land Use Petition and Supporting Documents - 2017-12-26 - 2017.132.pdf, Property Research Sheet - 2017-12-27 - 2017.132.pdf, Legistar History Report - 2018-01-30 - 2017.132.pdf, Findings of Fact - 2018-01-30 - 2017.132.pdf

Enactment Number:

Planning Case #: AU28/3-17.132-Rz

Hearing Date:

Drafter: sbroadwell@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	01/02/2018	Forward to Planning Council	DST Staff Council (Planning Council)			
Action Text: This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)							
1	DST Staff Council (Planning Council)	01/09/2018					
Notes: Representative Present: Brian Beck							

Mr. Sieben said this is the old Leonardi's Furniture. This is at the corner of S. River and Arnold and Mason. This property has been zoned R-3 for many, many years and after Leonardi's moved to Lake

and Prairie, this has been vacant for 3, 4 or 5 years. Once the building goes vacant more than 15 months then we need to rezone this to a commercial zoning to allow it to be reused. We had a few misfires on some previous uses. We've had church uses. We've had a couple of other things that never materialized, so Brian's business came along and it seemed like a real good use for the property, especially since it was a furniture showroom before.

I'm Brian Beck. I've been in the flooring business probably 25 to 30 years. I've had this personal business for the last 10 years. I'm in a location in Montgomery at the moment where I rent, so this is an investment property where I plan to move and stay. We actually had the building inspected, the bones of the building, and everything is good. Nothing major needs to be done. As far as the inside, the inside is pretty much set up to work for my needs as far as office space and showroom space. Not really a whole lot needs to be done outside of cosmetics and stuff like that. The only thing that I'd probably look at is the bathroom is actually currently in the basement and to move that straight up from where it is at.

Mr. Sieben said basically you are...

Mr. Beck said a flooring retailer. Full service for carpet, hardwood, vinyl, and ceramic.

Mr. Sieben said are you going to have a little bit of a showroom here too?

Mr. Beck said yes. I big showroom.

Mr. Sieben said and you have a few vans or small trucks?

Mr. Beck said no. It's me. I have 2 employees and then I have like 6 subcontractors. The subcontractors have their vehicles, so they are never actually at the store. So probably at any given time usually us 3 employees are not even all there at the same time, so at max there are 3 employees and then the subcontractors come and go. He is going to be there an hour and then, obviously, deliveries of flooring material. It is pull up, drop off and leave. We are planning on using the back half of the building. The down part there was the original part of the building where actually they took all their deliveries. In talking to Jim Leonardi the actual opening for the door is still there. All he did was do siding on the front and drywall on the inside just so you physically couldn't see it. The plan is to just put the door back and be able to take the deliveries through there.

Mr. Sieben said and that's on the back on Mason?

Mr. Beck said correct. Where the flat part of the black roof is there, it is right there. Again, the bones are there. It is just a matter of opening up the drywall and putting the door back.

Mr. Sieben said and the parking that exists is actually in the right-of-way, but it's been there forever. It is along Mason, so that would remain. That would really be the parking. There is about, I think, 12 spaces along there. Parking would not be allowed on River even though there is pavement there. It is really just for walking.

Mr. Broadwell said we are looking at the February 7th Planning Commission meeting. I actually have public mailing stuff that I have ready. I'll send it to you before the end of the day today. We'll just need all that signed and sent back to us by the 17th of this month. Originally we had been zoning it to B-1 and now we are rezoning it to Neighborhood Commercial and we have a revised Land Use Petition.

Mr. Sieben said we just need that revised Land Use Petition signed.

Mr. Broadwell said Ed sent you a memo with the revised Qualifying Statement.

Mr. Beck said we sent that yesterday.

Mr. Broadwell said I'll be in touch regarding the public mailing as the meeting time comes closer.

Mr. Beneke said for building permits just a couple of informational things for you. If you do decide to redo the bathroom upstairs, it will need to be handicap code, so be aware of that. If it is like it is and you don't change anything then you are good as you are. You don't have to modify it. The garage door you were talking about, we'll probably need a simple permit for that. And you've already had a CO inspection from us, a Certificate of Occupancy inspection?

Mr. Beck said no. I'm not in there yet. If it doesn't get zoned then I'm not going to purchase the building. We actually have a signed contract contingent on the zoning change.

Mr. Beneke said if you so desire to do a Certificate of Occupancy permit even before you have it you can actually do that. We can do an inspection on it and if we see something then you'll have that knowledge.

Mr. Beck said we can do that before we even close you mean?

Mr. Beneke said yes.

Mr. Curley said not only that, if you want to wait for your bathroom and you choose to wait for your bathroom, you can get it with a CO prior to that. Dan do you need calcs for the 50%?

Mr. Feltman said yes. I was just going to say that. As we discussed in the meeting, the building is in the flood plain, but obviously what you are doing is pretty minimal as far as a remodel. The way the flood plain rules, the ordinances that we follow, if you improve the building more than 50% (inaudible), but you are obviously under that. We'll just need to have calcs showing what the value of the building is.

Mr. Beck said and how much the improvements are.

Mr. Feltman said yes.

Mr. Sieben said then the timing is February 7th Planning Commission and then your final vote is February 27th, so you'll have your entitlement at the end of February.

1	DST Staff Council (Planning Council)	01/16/2018				
	Notes:	<i>Mr. Broadwell said the Petitioner was here last week. In terms of review, Planning and Zoning has everything we need. I contacted the Petitioner yesterday. We are still waiting for public notice to come back so they can go to the February 7th Planning Commission.</i>				
1	DST Staff Council (Planning Council)	01/23/2018				
	Notes:	<i>Mr. Broadwell said Planning and Zoning has everything we need from them. We're just working through the public notice process right now. We are looking at the February 7th Planning Commission. It can be voted out next week.</i>				
1	DST Staff Council (Planning Council)	01/30/2018	Forwarded	Planning Commission	02/07/2018	Pass
	Action Text:	A motion was made by Mr. Broadwell, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 2/7/2018. The motion carried by voice vote.				
	Notes:	<i>Mr. Broadwell said we have received everything we need from the Petitioner, including public notice, so I move to vote this out of Planning Council to the February 7th Planning Commission. Mrs. Vacek seconded the motion. The motion carried unanimously.</i>				
2	Planning Commission	02/07/2018	Forwarded	Planning & Development Committee	02/15/2018	Pass
	Action Text:	A motion was made by Mr. Pilmer, seconded by Mr. Chambers, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 2/15/2018. The motion carried.				
	Notes:	<i>Mr. Broadwell said the Petitioner, The Flooring Guys of Illinois, is requesting to rezone the property at 907 S. River Street from R-3 One Family Dwelling District to NC Neighborhood Commercial for a</i>				

retail sales or service use, which includes purchasing the property for a retail flooring store. A little bit of background, the subject property is currently commercial with the R-3 zoning. The existing structure on-site is 2 stories and is approximately 12,000 square feet. There are 11 parking spaces on the west side of the property along Mason Avenue. Because the structure has been vacant for a number of years, it has lost its status as a legal non-conforming use. By rezoning this property to Neighborhood Commercial, the structure and the use of the property will come into conformance with the Aurora Zoning Ordinance. The currently vacant structure will provide means for the Petitioner to relocate a successful local commercial business to Aurora while also providing adequate space for display, storage and shipping of necessary materials in ways that allow the business's activities to always be compatible with the surrounding residential neighborhood. The Petitioner, Brian Beck, who is the owner of The Flooring Guys is here and he can tell you a little bit more when he comes up about his business. In addition, the Aurora Zoning Ordinance's standards for the Neighborhood Commercial zoning district maintains clear use regulations that ensure the structure and its use will remain compatible with the surrounding residential neighborhood.

The Petitioner was sworn in.

My name is Brian Beck. I'm with The Flooring Guys of Illinois. I've been in business for 10 years. The purpose for purchasing the building is to help my business grow. I rent where I'm at now, so looking to own it. Obviously, it will benefit myself in the long run I hope. I've lived in the area. I grew up in Aurora. I graduated from West High, so I don't plan on going anywhere. Like I said, we are going to run a full retail flooring store out of there, so we will sell and install any floor. We have 3 employees.

Mr. Bergeron said are you going to have people coming in to view anything?

Mr. Beck said oh sure. Our customers can come in and make selections and purchase it there.

Mr. Bergeron said parking there is just horrendous. You have to pull right up against the building and you are almost in the street at that point.

Mr. Beck said we only have 3 employees, so at any given time there might be, at tops, 5 cars there.

Mr. Bergeron said the other thing that concerns me the most is coming from there going out on Mason, going around on Arnold and you want to get on River Street. You almost have to get in that north lane before you can see any traffic coming from the south. You can't see anything there. Is that the only way that you have for customers to get out of there?

Mr. Beck said not necessarily. You could go down to, I don't know the name of the street on the other side, but...

Mrs. Vacek said River Street.

Mr. Pilmer said you could go the other way on Arnold too.

Mr. Beck said no different than, I guess, the people living there.

Mr. Bergeron said I'm thinking of the people who aren't familiar with that. If they get their nose out there they are going to get bumped. That's a traffic problem.

Mrs. Owusu-Safo said are you planning on renovating the building only or are you planning on doing anything major?

Mr. Beck said nothing major. We are going to put in a new bathroom. As far as something completely right away, we already had the building inspected, so some long term thing would probably be new windows, painting it and, obviously, new floors throughout. The building, the way it sits, is usable for us.

Mrs. Owusu-Safo said I guess my only question is since you are expecting customers coming in, it doesn't look like there are any sidewalks or anything around there. I was wondering if you are planning on making any improvements to that.

Mr. Beck said on the side where all the parking is at is going to be the entry to our building. There is actually an entry off of River Street, but I actually don't plan on actually having that as an entry. There is no reason for anybody to really enter on that side because there is no parking on that side.

Mrs. Anderson said as you are growing your business, do you plan on expanding your staff in the future?

Mr. Beck said if the staff expands, at max, and when I say max it could be 10 years, probably 2 people. The 3 employees we have now, virtually not all 3 of us are ever there at the same time either.

Mr. Cameron said do you plan on warehousing inventory there as well?

Mr. Beck said yes.

Mr. Cameron said and that would be through the south side of the building, the exit and entrance for that material?

Mr. Beck said no, that would be the west side of the building.

Mr. Cameron said there are access doors on the west side of the building?

Mr. Beck said on the west side of the building there, at one point, when there was a garage door that was taken over, we are going to put that back.

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

My name is Daniel DeLeon. I live at 202 Arnold. I'm the white house on the corner. I was just wondering if this is going to affect my taxes, my house taxes or property taxes or whatever that is.

Chairman Truax said I would not think so.

Mr. DeLeon said that's the only question that I have.

Chairman Truax said I can't think of why it would.

Mr. DeLeon said okay. I was just wondering about that.

Mr. Reynolds said I don't think it will affect his real estate taxes at all because before that it was Leonardi's. I don't think there will be any problems there.

Mr. DeLeon said okay. That's all I wanted know. I'm glad this guy is getting there because it has been empty. Thank you.

The public input portion of the public hearing was closed.

Mr. Broadwell said staff would recommend approval of the Ordinance amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, by rezoning the property located at 907 S. River Street from R-3 One Family Dwelling District to NC Neighborhood Commercial District.

MOTION OF APPROVAL WAS MADE BY: Mr. Pilmer

MOTION SECONDED BY: Mr. Chambers

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mrs. Owusu-Safo, Mr. Pilmer, Mr. Reynolds

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 were 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 is 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?

Mr. Pilmer said this an existing building. It is historical retail use, so there should be no change. I think we heard some discussion about on the north corner of the property due to the angled street some difficulties, but there should be no change to what's been in place for probably the past 50 years.

Mr. Cameron said I might add that it might not be a bad idea to look at entering off of River and exiting onto Arnold and making that a one-way to avoid the potential people poking their nose out into River Street. If that works, that might be an ideal approach on it.

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?

Mr. Cameron said they 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?

Mr. Pilmer said they are already in place as an existing facility.

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

Mr. Cameron said it is an application of a use that was in place on this for I don't know how many years, but my guess was 20 or 30 years or more, so really is just taking an empty building and providing its allowed continued use.

7b. Is the rezoning consistent with the 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 is the highest and best use of the property.

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

Mr. Chambers said yes.

Mr. Broadwell said this will next be heard at the Planning and Development Committee on Thursday, February 15, 2018, at 4:00 p.m. on the fifth floor of this building.

Aye: 10 At Large Bergeron, At Large Cameron, At Large Cole, At Large Pilmer, Aurora Twnshp Representative Reynolds, At Large Anderson, Fox Metro Representative Divine, SD 204 Representative Duncan, Fox Valley Park District Representative Chambers and At Large Owusu-Safo
