



City of Aurora

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Legistar History Report

File Number: 16-00248

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In Control: Planning & Development Committee

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File Name: Aurora Properties, LLC / Special Use PD Revision / Old Indian Trail Apt.

Final Action:

Title: An Ordinance Granting Revisions to the Special Use Permit for a Parking Lot expansion on the Property located at 941-951 and 971-981 Old Indian Trail

Notes:

Agenda Date: 04/28/2016

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit A Legal Description.pdf, Exhibit B Memorandum of Agreement.pdf, Property Research Sheet - 2015-06-16 - 2014.200.pdf, Land Use Petition and Supporting Documents - 2016-03-10 - 2014.200.pdf, Plat of Survey, Legislative History Report (Plan Description Revision) - 2016-04-12 - 2014.200.pdf, Findings of Facts - 2014.200.pdf

Enactment Number:

Planning Case #: AU16/1-14.200-Su/PD/R/Fpn

Hearing Date:

Drafter: esieben@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 | 03/15/2016 | Forwarded to the Planning Commission | Planning Commission | | | |
| | Action Text: This Petition was Forwarded to the Planning Commission | | | | | | |
| 1 | DST Staff Council (Planning Council) | 03/22/2016 | Notes: Representatives Present: Craig Wetter and David Houghtaling | | | | |

Mr. Sieben said the background of this is one of the applicants last year jumped the gun on a permit that wasn't issued properly for a parking lot expansion that did not meet setbacks and so on. We subsequently had several DST meeting to try to get this expansion done properly and we've now got everything submitted, including engineering. This will be for a parking lot expansion. You guys could update me on the number. I can't remember the number of extra spaces, but this will respect the setbacks on Indian Trail and Elmwood. This will be some new landscaping there and then there is

also going to be new landscaping along Old Indian Trail to kind of beautify the development along that section and then finally, at the request of staff and the Alderman, we talked about adding a curb line to Old Indian Trail along the frontage. In the past there were a lot of issues with tenants that would park on the shoulder at some of the entrances for just some quick temporary parking or in and out and it was kind of rutting the parkway in those areas, so that's also part of this project. This does have an old Special Use from 1970 on it. It has a Planned Development, so we are just modifying that and approving the site plan. If you guys want to introduce yourselves and then just anything else you wanted to add on that.

I'm Craig Wetter from DPH and one thing, that was a former employee who was fired that jumped the gun on that. Neither of us did that or had anything to do with that.

I'm Dave Houghtaling for DPH.

Mr. Sieben said how many spaces were you adding?

Mr. Wetter said I think it is 22. It's gone on so much that I lose track of it.

Mr. Seiben said right. Do you want to touch on a little bit more? Do you want to just tell us a little about the development and when you guys acquired it?

Mr. Wetter said we started doing this in what, 2010?

Mr. Houghtaling said 2011. It will be 5 years.

Mr. Wetter said 2011. It will be 5 years and I think some of the spaces had been eliminated because it was striped wrong and even with fixing that there are still issues with people parking on the side streets, or on the streets on, what are those 2 streets where they've been parking?

Mr. Sieben said Elmwood...

Mr. Wetter said Elmwood and it's been problems for the neighbors and problems for the tenants. We've been able to attract really, really good tenants to the building.

Mr. Sieben said do you want to just talk a little bit about the building? I know the one building a previous owner had attempted to, started to remodel and did do some remodeling. The goal was going to be condoing it and then that fell through.

Mr. Wetter said the 941-951 building, the building on the east side, it has two addresses, half of that was converted to condos and I believe a couple of units were taken out of it. The units were enlarged. They are really nice. Then the other side hadn't yet been converted.

Mr. Sieben said but these are all rentals now?

Mr. Wetter said they are all rentals, all the way from one end to the other.

Mr. Houghtaling said the condominium never got filed.

Mr. Seiben said right. It stayed rentals.

Mr. Wetter said and so we just filled it back up.

Mr. Sieben said how many units do you have in both of these?

Mr. Wetter said 57. It used to be 60.

Mr. Sieben said do you want to just talk about the need for some additional parking?

Mr. Wetter said there is no street parking there and even if there was, it wouldn't be appropriate for a project like this because of the size. The people that do park down the street, they've had a lot of problems with the neighbors. It is just a real tense situation when they do park down there. There's just not enough. How many spaces do we have there now?

Mr. Houghtaling said 88.

Mr. Wetter said 88, so that doesn't leave 2 spaces per apartment. It is not uncommon now to get 2 people in the apartment and they both have cars.

Mr. Houghtaling said even in a studio.

Mr. Wetter said even in a studio apartment you'll have a husband and wife and they'll both drive to separate jobs.

Mr. Sieben said so you've got 88 spaces for 57 units, so you are trying to add about 20 more.

Mr. Wetter said right and get it up closer to 2 per. It won't be quite that, but it will be enough.

Mr. Sieben said I actually think this is going to be my case, so you can deal with me directly. We'll look at a tentative date. We'll do a first review of it. Dan, for Engineering's sake, are you guys...

Mr. Feltman said it is in review right now. Did I hear that you engineer retired?

Mr. Wetter said yes. His wife is really sick.

Mr. Feltman said so I guess my question is how are any revisions going to be completed?

Mr. Wetter said hopefully there won't be any.

Mr. Feltman said there will be some comments.

Mr. Wetter said we'll figure it out. We'll deal with that when we get to it. I've got a number of somebody that I think took over some of his work. He was the city engineer for a small town and I think that guy is doing that now so hopefully we can get him on board.

Mr. Feltman said okay.

Mr. Sieben said anything with Building or Fire?

Mr. Beneke said no, we're good.

Mr. Sieben said I'll go ahead and start reviewing this. I'll look at some tentative dates. I'll coordinate with Engineering and see if there is anything major on it. I know we talked this to death, so it was just a matter of getting all the documents from the engineer back to us and I think we are pretty close.

1 DST Staff Council 03/29/2016
(Planning Council)

Notes: Mr. Sieben said I am taking a quick review of this. Notices are going out to the Petitioner today. We are shooting that this will go then to the April 20th Planning Commission meeting. Souts, I believe, will be the one who will be reviewing this.

Mr. Feltman said yes. He is on spring break this week, so he will get to it when he gets back next week.

1 DST Staff Council 04/05/2016
(Planning Council)

Notes: Mr. Sieben said this is published for the April 20th Planning Commission meeting. I'm looking at it. I'm not sure there are going to be any conditions on our end.

Mr. Feltman said Engineering did receive the submittal and we are in review right now.

1 DST Staff Council 04/12/2016 Forwarded Planning 04/20/2016 Pass
(Planning Council) Commission

Action Text: A motion was made by Mr. Sieben, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 4/20/2016. The motion carried by voice vote.

Notes: Mr. Sieben said I am finishing reviewing this, but I don't think there is really much in the way that Planning and Zoning will have with comments. Where is Engineering with this?

Mr. Feltman said we are in review right now. I don't anticipate any of our comments changing the Final Plan.

Mr. Sieben said this will be going to the April 20th Planning Commission. I do make a motion to move 248 and 249 forward. Mrs. Vacek seconded the motion. The motion carried unanimously.

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|---|---------------------|------------|-----------|--|------------|------|
| 2 | Planning Commission | 04/20/2016 | Forwarded | Planning & Development Committee | 04/28/2016 | Pass |
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Action Text: A motion was made by At Large Cole, seconded by At Large Cameron, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 4/28/2016. The motion carried.

Notes: See Attachment for 16-00248 and 16-00249.

Aye: 9 At Large Bergeron, At Large Cameron, At Large Cole, Aurora Twnshp Representative Reynolds, At Large Anderson, At Large Divine, At Large Engen, SD 131 Representative Garcia and Fox Valley Park District Representative Chambers

Attachments for 16-00248 and 16-00249:

16-00248 An Ordinance granting revisions to the Special Use Permit for a parking lot expansion on the property located at 941-951 and 971-981 Old Indian Trail (Aurora Properties, LLC – 16-00248 / AU16/1-14.200-Su/PD/R/Fpn – ES – Ward 6) (PUBLIC HEARING)

16-00249 A Resolution approving a Final Plan on Lots 72-76 for Unit 2 of Heritage Subdivision located at 941-951 and 971-981 Old Indian Trail (Aurora Properties, LLC – 16-00249 / AU16/1-14.220-Su/PD/R/Fpn – ES – Ward 6)

Chairman Truax said our next item is an Ordinance granting revisions to the Special Use Permit for a parking lot expansion on the property located at 941-951 and 971-981 Old Indian Trail by Aurora Properties, LLC in Ward 6 and this is also a Public Hearing.

Mr. Sieben said yes, and could you read in the second on, the Final Plan also?

Chairman Truax said it is a Resolution approving a Final Plan on Lots 72-76 for Unit 2 of Heritage Subdivision located at 941-951 and 971-981 Old Indian Trail by Aurora Properties, LC in Ward 6.

Mr. Sieben said this is the Indian Meadows Apartment Complex. It was constructed in 1972. It is a 2 building complex. It currently consists of 57 total units. Just a little background that wasn't in the staff report, about 10 years ago the previous owner started to remodel one of the buildings and the goal was going to actually condo both of these properties and then with the recession a year or so later, things didn't work out. What they were going to do was consolidate some units and make some units bigger so they would be better units for sale. That only occurred with some of the units in one of the buildings. There was also a fire a number of years ago. That's why one building has a different roof than the other building. So that answers those 2 questions. I think the current owners have continually done some remodeling on it, but it is a for rental apartment complex and the units have shrunk down to 57. I think it may have been 60 or so before. Again, the surrounding area west, south and east are single family homes and north across Indian Trail Road are some duplexes. There are currently approximately 81 parking spaces on site. There actually used to be more. Originally these were striped at only 8½ feet wide, but the new owners actually restriped them at our current standard of 9 feet just to make it a more kind of car friendly parking lot, 8½ is actually very tight, so there is about 81 on site. The Petitioner wishes to add 22 parking spaces to the west end of the property, making a total of, I believe, it would be 103 spaces. In addition, curb and gutter will be installed along the frontage of Old Indian Trail. This was a request in talking with the Alderman of the Ward and staff and Engineering. Right now Old Indian Trail is a rural cross section and you have some areas where people will pull off the shoulder to either let people off at the sidewalk to the front entrance or will temporarily park there waiting for people so it gets a little rutted up, so this will prevent that from happening. As part of the Final Plan, which is the second case, they are also going to be adding some landscaping and other improvements to the current parking lot. Just again, another little background, if you go out there you see beginnings of a parking lot expansion. The history of that is a, should I say, a former employee of the current owners came in for a permit and it was represented, it was on a Plat of Survey and it was represented to me on my sign off that all they were going to do was totally resurface the existing parking lot. I did not know he had

modified the Plat of Survey to show an expansion, so the permit was issued. We saw what started to happen. It did not meet any setbacks to Indian Trail, etc. so we essentially red tagged it and it stalled. Unfortunately, it has taken this long to get to this point. So this is the point we've always been trying to get to, to this proposed plan. That is the background. I will have a condition on the Final Plan. I noticed it's not the condition that's in your staff report, so just disregard that condition. That's from another case. I'll go into what that will be later. Unless there are any questions of me on the proposal, I can turn it over to the Petitioners.

Mrs. Cole said I have a question. It is on the drawing that's up there right now. It shows in the driveway going in right before you reach the parking lot, the old parking lot, it says 4 proposed 10 minute parking spaces. Are those there now or is that proposed?

Mr. Sieben said I'm not sure what you are referring to. If you want to give me one second I can pull that up. Is it on the Final Plan and the Landscape Plan?

Mrs. Cole said well the picture is up there right now.

Mr. Sieben said there are 4 additional that are shown kind of out from the side of that drive isle. There is an area that they are able to squeeze in 4 additional spaces, so yes, that is part of the Final Plan also.

Mrs. Cole said so then they will have, well those can't really be counted, they are only supposed to be used for 10 minutes, so they are not really...

Mr. Sieben said right, but essentially they would have then 107. It would be short term that they would label those.

The Petitioners were sworn in.

I'm Craig Wetter from 238 W. Downer Place.

I'm Dave Houghtaling from 747 Aurora Avenue.

Chairman Truax said if you'd like to just tell us anything you'd like to add to Ed's report.

Mr. Wetter said well like Ed said, we made the existing spots a little bit wider because they were kind of tight and that made an existing situation a little bit worse because with 57 apartments a lot of people have 2 cars, you have visitors. There is no real good parking off site, so it just gets really tight, so we just kind of need some more space, more parking. The reason for those 4 spots is so when you are showing apartments you can get people in and bring them in the front because we made it really nice there. We added new entrances with stone work and commercial entrance doors.

Mr. Cameron said what is the mix on apartment units in that building?

Mr. Wetter said you mean as far as the unit mix?

Mr. Cameron said yes.

Mr. Wetter said there are studios, one bedrooms and two bedrooms.

Mr. Houghtaling said out of 57 units, there are, I think, 22 two bedrooms and 12 one bedrooms and the rest are studios.

Mr. Cameron said are there 3 floors plus the English basements?

Mr. Wetter said 2 floors plus, 2½ stories.

Mr. Cameron said I was just trying to run some calculations on square footage. Is it 4,800 roughly per floor?

Mr. Wetter said I don't know what the square footage is.

Mr. Houghtaling said the total building is 28,000, so it is like 9,300 feet.

Mr. Cameron said the figures that are somewhere in here on one of the plans it was showing floor area of, I thought, somewhere around 5,000 square feet and it didn't make sense for apartment units.

Mr. Houghtaling said the total building areas is 28,000 per building, so 54,000 total.

Mr. Cameron said so you have 56,000 feet roughly for 57 units.

Mr. Houghtaling said the 28,000 is everything, the hallways and everything.

Mr. Cameron said it is gross area. I think it is a great idea.

The public input portion of the public hearing was opened. No witnesses came forward. The public input portion of the public hearing was closed.

Mr. Sieben said regarding the Special Use for the parking lot expansion, staff would recommend approval of the granting of the Special Use.

MOTION OF APPROVAL WAS MADE BY: Mrs. Cole

MOTION SECONDED BY: Mr Cameron

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr Chambers, Mrs. Cole, Mr. Divine, Mr. Engen, Mr. Garcia, 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 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. Cameron said it is designed to provide additional parking in an area that already has parking lots, so it is just an expansion of parking into an open area.

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?

Mrs. Cole said again, this is just adding parking to an existing parking lot.

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. Engen said we should not see any adverse effect on traffic. Here we are talking about 22 more parking spaces. I would imagine cars are probably hacked in there and crowded right now, so we probably won't see that big of a change, but it will certainly help with the concerns the Petitioner has that many family have 2 cars and this should help.

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. Bergeron said all of them are in place right now.

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 is no change in the entrance or exit to the site, but this should certainly alleviate some congestion on the streets because they are adding parking places that people would have parked on the street and now would park in the lot.

- 9a. Will the Special Use not preclude the normal and orderly development and improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Mr. Engen said well this property is vacant land right now so it should not affect any other areas, so it is a good use for the apartments.

9b. Is the Special Use in all other respects in conformance to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission?

Mr. Engen said this Special Use does conform to all the applicable regulations.

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, April 28, 2016, at 4:00 p.m. in the 5th floor conference room of this building.

Mr. Sieben said staff would recommend conditional approval of the Final Plan at this address. The condition would be that, and the Petitioner is agreeable to this, we just don't have it on the plan, that an additional 3 canopy tree equivalents be placed on the site primarily on the west end of the parking lot. The reason for that is we are not requiring any street trees, which typically we do because there are none on Elmwood and he is only showing one existing and one transplanted Maple along that whole west edge, so we'd like to add in a little bit of a combination of maybe a couple of trees and some evergreens to meet that count and they are agreeable to that.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Engen

MOTION SECONDED BY: Mrs. Anderson

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mrs. Cole, Mr. Divine, Mr. Engen, Mr. Garcia, Mr. Reynolds

NAYS: None

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, April 28, 2016, at 4:00 p.m. in the 5th floor conference room of this building.