



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 016-048
DATE OF PASSAGE July 26, 2016

An Ordinance Granting Revisions to the Special Use Permit for a Mental health facility (6331) Use on the Property located at 998 Corporate Boulevard

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, Corporate Technical Center, LLC is the owner of record of the real estate legally described on Exhibit "A", attached hereto and incorporated herein by reference as if fully set forth, and hereafter referred to as Exhibit "A"; and

WHEREAS, by petition dated May 18, 2016, Corporate Technical Center, LLC filed with the City of Aurora a petition requesting approval of a Special Use Revision for a Mental health facility (6331) Use on Lot 1 of Wolters Dolan Subdivision located at 998 Corporate Boulevard

WHEREAS, after referral of said petition from the Aurora City Council, and after due notice and publication of said notice, the Aurora Planning Commission conducted a public hearing on July 6, 2016, reviewed the petition and recommended APPROVAL of said petition; and

WHEREAS, on July 14, 2016, the Planning and Development Committee of the Aurora City Council reviewed said petition and the before mentioned recommendations and recommended APPROVAL of said petition; and

WHEREAS, the City Council, based upon the recommendation and the stated standards of the Planning Commission, finds that the proposed Special Use is not contrary to the purpose and intent of Ordinance Number 3100, being the Aurora Zoning Ordinance.

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NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: In accordance with Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, and pursuant to Section 4.3 (6331) and Section 10.6, a Special Use permit is hereby granted for a Mental health facility (6331) use for the real estate property legally described in Exhibit "A".

Section Six: That this Special Use permit hereby granted is solely for the purpose of a Mental health facility (6331) use and is subject to all of the conditions set forth herein which shall be binding and remain in full force and effect upon the property, the petitioner and their respective heirs, executors, administrators, successors, assigns and devisees for the duration of said special use.

Section Seven: That the petitioner agrees to sign the Memorandum of Agreement attached hereto as Exhibit "B" within fourteen (14) days from the date of passage of this Ordinance and that said Special Use permit is granted with the following condition:

1. That the activities on the subject property shall be limited to those outlined on the Qualifying Statement submitted on November 9, 2011 with Casefile AU02/4-11.409-Su which comprises of a mental health facility for autistic and special needs children ranging in the ages 8 to 20 with classrooms, bedrooms, kitchen, offices, gymnasium, and outside recreational area.

Section Eight: That should any of the above-stated conditions not be met or that the property described in Exhibit "A" is not developed in accordance with the special use the City Council shall take the necessary steps to repeal this Ordinance.

Section Nine: That future proposals for expansion or intensification of whatever kind for the property legally described in said Exhibit "A", except as provided for herein, shall be considered only upon proper application, notice and hearing as provided by Section 10.6 of Ordinance Number 3100, being the Aurora Zoning Ordinance.

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Section Ten: That the property legally described in Exhibit "A" shall remain in the underlying zoning classification of PDD Planned Development District and upon termination of the use of said property for a Mental health facility (6331) use, this Special Use permit shall terminate and the classification of PDD Planned Development District shall be in full force and effect.

Section Eleven: That this Mental health facility (6331) use shall remain subject to compliance, except as herein modified, with the minimum standards of all applicable City Ordinances.

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PASSED AND APPROVED ON July 26, 2016.

AYES 11 NAYS 0 NOT VOTING 0 ABSENT 1

ATTEST:

Wendy McEmbridge
City Clerk

Tom Leason
Mayor

EXHIBIT "A"
LEGAL DESCRIPTION
For the property located at 998 Corporate Boulevard

Parcel Number(s):15-02-402-003; 15-02-401-018

Commonly known as: 998 Corporate Boulevard located in Kane County.

PARCEL 1:

LOT 2 IN A.T.S SUBDIVISION, AURORA, KANE COUNTY, ILLINOIS, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS, EXCEPT THAT PART DEDICATED PER DOCUMENT NUMBER 2001K087959.

PARCEL 2:

THAT PART OF THE SOUTH 1/2 OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, 777.51 FEET SOUTH 00 DEGREES 53 MINUTES 07 SECONDS EAST OF THE NORTHWEST CORNER OF SAID QUARTER; THENCE NORTH 00 DEGREES 53 MINUTES 07 SECONDS WEST ALONG SAID WEST LINE, 61.57 FEET TO THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO NORTHERN ILLINOIS GAS COMPANY BY DOCUMENT NO. 1118605; THENCE NORTH 89 DEGREES 10 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE, 24.68 FEET; THENCE NORTH 55 DEGREES 45 MINUTES 50 SECONDS EAST ALONG SAID SOUTH LINE, 378.03 FEET; THENCE NORTH 87 DEGREES 49 MINUTES 09 SECONDS EAST ALONG SAID SOUTH LINE, 778.08 FEET TO THE WEST RIGHT OF WAY LINE OF CHURCH ROAD AS DEDICATED IN A PLAT THEREOF RECORDED MAY 31, 2000 AS DOCUMENT NO. 2000K042972; THENCE SOUTH 19 DEGREES 23 MINUTES 34 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE, 298.43 FEET TO THE NORTH LINE OF A.T.S SUBDIVISION RECORDED AS DOCUMENT NO. 94K072064 IN KANE COUNTY, ILLINOIS; THENCE SOUTH 88 DEGREES 43 MINUTES 05 SECONDS WEST ALONG SAID NORTH LINE, 1014.93 FEET TO SAID POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

CONTAINING 8.96 ACRES, MORE OR LESS