



City of Aurora

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

Legistar History Report

File Number: 17-01020

File ID: 17-01020

Type: Petition

Status: Draft

Version: 2

General Ledger #:

In Control: Planning & Development Committee

File Created: 11/03/2017

File Name: Santos Ochoa / 835 E. Galena Boulevard / Rezoning

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 835 East Galena Boulevard, being the Southwest Corner of East Galena Boulevard and Smith Street, from R-2, One-Family Dwelling District to NC, Neighborhood Commercial District
. (Santos Ochoa - 17-01020 / AU26/1-17.160-Rz - SB - Ward 7) (PUBLIC HEARING)

Notes:

Agenda Date: 12/14/2017

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description - 2017-11-28 - 2017.160.pdf, Plat of Survey - 2017-11-27 - 2017.160.pdf, Land Use Petition and Supporting Documents - 2017-11-02 - 2017.160.pdf, Property Research Sheet - 2017-08-07 - 2017.160.pdf, Legistar History Report - 2017-11-28 - 2017.160.pdf, Findings of Facts - Planning Commission and ZBA 2017-11-27.pdf

Enactment Number:

Planning Case #: AU26/1-17.160-Rz

Hearing Date:

Drafter: sbroadwell@aurora-il.org

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	11/07/2017	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)	11/14/2017					
	Notes: Mr. Sieben said this is a former cleaners, right, or laundromat?						

Mr. Ochoa said laundromat.

Mr. Sieben said it was a former laundromat at the corner of Galena and Smith for many years. This has been vacant for quite a few years now. It has always been zoned residential. So once a commercial building is vacant more than 15 months it needs to revert to the underlying zoning or be rezoned. This does qualify for the NC or the Neighborhood Commercial zoning. I'll let Santos explain what he wants to do, but essentially this would be for an office use.

Representative Present: Santos Ochoa

Mr. Ochoa said I am a licensed CPA in the State of Illinois. This is my second office. I have one in Melrose Park. I currently have been in Aurora for the last 3 years as a CPA mostly for small businesses. What I want to do is create my office here. I want to move my office from Grove and Ohio and move it to this spot. I purchased it in July, or the end of June, and I'm remodeling it. I want this to be my office. This primarily is going to be an office space.

Mr. Sieben said how many employees?

Mr. Ochoa said at the most I'll probably have 5, since I work for small businesses mostly. Right now I just have 3, but for the next couple of years I'll probably just add another 2. Inside it is just going to be a lot of cubical space. There is not going to be walls in there. I'm putting in new plumbing and electricity. I fixed up the masonry around the building and I painted it to make it look nicer.

Mr. Sieben said now you are in for permit to raise the roof on it.

Mr. Ochoa said correct.

Mr. Sieben said you currently have, I believe, a mezzanine space up there, so you are kind of doing a half story raise to get full height up there and your intention on the permit is only to use that for storage. Is that correct?

Mr. Ochoa said correct, for my files. The files are going to be from my Melrose Park office since I'm required by law to keep the files at least 5 years, sometimes even 7, so I need warehouse space for both offices.

Mr. Sieben said I know we've been working with you. I know it is kind of a simple request, but it has taken a while to just get a striping plan out there. Essentially, this has always had 8 parking spaces, I think, 4 on each the north and south half of the old parking lot. Steve is going to reline something for you. What we would really like to do is get those spaces back on the north side. I know this is what you originally submitted and then you've got a revision to this. I think we want to try to get it, you can do it where you have a 17 foot striped space if you have a 2 foot overhang, so we are going to look at that. You may need to slightly square off the bottom of the parking lot there on the south to get it to totally work, but I think we would like to maximize parking, especially since the requirement you need is 5, plus you have 5 employees. I think what we would like to do is at least keep the 4 on the south and then try to keep 4 on the north. That will include 1 handicap on the north. We are going to measure it out and then send that to you and if you could take a look at that. You may need to in the spring just kind of get a contractor out there and maybe add a little bit of asphalt on that south side to square it off. We'll lay it out for you. I think that will add value if you have the full parking.

Mr. Ochoa said yes. I don't know if it is worth anything, but right in back of there, there is that land on the south side of the building. I may want to talk to the owner. I might want to purchase it. It is a vacant lot there. It is really small. The owner has no use for it.

Mr. Sieben said but that could be down the road.

Mr. Ochoa said exactly. Whatever it's worth. There might be some room there to add.

Mr. Sieben said so we'll work with you to try to get the 8 spaces on here. You are real close.

Mr. Ochoa said as far as the permit, my architect is making the final changes.

Mr. Sieben said so you are talking about that lot south of you?

Mr. Ochoa said exactly, that lot south of me. The owner might even just put up a fence.

Mr. Sieben said we could look at it if you need to go that route. We are supportive of this. It is going to go to the December 6th Planning Commission.

1 DST Staff Council 11/21/2017
(Planning Council)

Notes: Mr. Broadwell said I've been working with the Petitioner. He is just working on revising the Plat of Survey with his surveyor just to make sure that the parking lot meets all of our minimum requirements.

Mr. Sieben said I think he is going to have to square it off slightly and then he is going to have, I believe, 8 parking spaces, including 1 handicap. We just need to get that in. This will be at Planning Commission on December 6th. It is pretty much existing conditions. They are taking the old laundromat that is zoned residential and has been vacant for 7 or 8 years and he is going to fix the building and it will be basically an accounting office.

1 DST Staff Council 11/28/2017 Forwarded Planning 12/06/2017 Pass
(Planning Council) Commission

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 12/6/2017. The motion carried by voice vote.

Notes: Mr. Broadwell said we have been working with the Petitioner to get the updated Plat of Survey resubmitted and he sent that in yesterday afternoon. I had a chance to look at it. We had been trying to get 8 parking spaces on the site, but based on the size of the lot and the parking size, he was only able to get 6 regular parking spaces and 1 handicap, so a total of 7.

Mr. Sieben said right, so basically because he now has a new handicap, it is 7 instead of 8.

Mr. Broadwell said I don't know if there is anything from Building and Permits and Engineering, but we are getting ready to move this to Planning Commission on December 6th.

Mr. Beneke said is this in for a permit?

Mr. Sieben said yes it. Really no change to the site per se, just really rezoning.

Mr. Broadwell said I move to vote this out of Planning Council to Planning Commission on December 6th. Mrs. Vacek seconded the motion. The motion carried unanimously.

2 Planning Commission 12/06/2017 Forwarded Planning & 12/14/2017 Pass
Development Committee

Action Text: A motion was made by Mrs. Anderson, seconded by Mrs. Head, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 12/14/2017. The motion carried.

Notes: Mr. Broadwell said the Petitioner, Santos Ochoa, is requesting to rezone the property at 835 E. Galena Boulevard from R-2 One Family Dwelling District to NC Neighborhood Commercial District. A little bit of background. The subject property is currently zoned R-2 One Family Dwelling District and maintains a one story commercial structure, which is 1,600 square feet and has been vacant since 2013. It was previously used as a laundromat and because it has been vacant for so long, it is no longer conforming per the R-2 zoning district standards. You can see more in your Property Research Sheet. The Petitioner is requesting to rezone the property to utilize the existing structure to operate an accounting and tax business, which is classified as a business and professional office use, which is compatible with the NC zoning district. In addition, the Petitioner will also provide external and internal remodeling efforts as a means to insure that the structure will meet the needs of his business efforts. He'll be able to talk to you a little bit more about that remodeling. The existing

parking lot will also be restriped by the Petitioner to provide 7 parking stalls for employees and customers. You can see in the Legistar packet we've worked with the Petitioner to provide a Plat of Survey, which serves also as a little bit of a site map so you can see the layout of the parking lot as he will be redoing parts of it. A little bit of discussion. Staff has reviewed the Rezoning Petition and has sent back comments to the Petitioner on those submittals. The Petitioner has made the requested revisions and they now meet the applicable codes and ordinances.

Mr. Cameron said does this building look from the street on both side streets, does it front to them or does it front to the parking lot?

Mr. Broadwell said it fronts to Galena.

Mr. Sieben said it fronts to Galena, but I believe he is going to have the main entrance for the employees on the south side there by the parking lot. I'll let him answer that.

Mr. Cameron said the question would also be is that where the clients will park in that lot?

Mr. Sieben said yes.

The Petitioner was sworn in.

Good evening. My name is Santos Ochoa. I'm a licensed CPA in the State of Illinois. I currently own an office, an account office/tax business on Ohio and Grove. I've been in Aurora for the last 3 years. The reason for this office is I'm actually moving my office from that spot to this building. I purchased it in July and I'm going through permitting right now. I believe I'm like 95% there on permitting. There are a couple of things that my architect needs to redraw or put on the permits. I'm hoping if I get approval for this rezoning that I could be in there by tax season, which starts the middle of January.

Mrs. Cole said for parking, if you need additional parking, have you looked at the excess parking that there is at the auto supply store that's kitty-corner from this building?

Mr. Ochoa said I have not, but there is a church parking lot in front of this building just north.

Mrs. Cole said I was going to add and also there is a church parking right across the street from you that perhaps they would let you use for parking if it is needed.

Mr. Ochoa said correct. I am going to go talk to the church person or whoever is in charge of that church to talk about that and perhaps I could do a donation or rent there during the busy time. Fortunately, due to technology now, I focus on small businesses mostly.

Chairman Truax said has the building reasonably been in good shape for you?

Mr. Ochoa said structurally it has been. I am going to put in new electrical and new plumbing and so forth just to make it per code, making sure it goes through the proper code.

Mr. Cameron said do you have any plans for any change to the exterior against what's there now?

Mr. Ochoa said the only thing that is probably a major plan is instead of a flat roof we are going to add a stage roof or cage roof. The second floor is primarily going to be, right now there is like a crawl space about 5 feet and we are just going to add the roof so I have room for filing up there. It is just going to be filing for my clients. I have another office in Melrose Park, which I have been operating for 10 years, so I'm going to probably move a lot of my files from Melrose Park up to this office instead of renting storage space.

Mr. Cameron said I would just suggest that you might find it beneficial to in effect warm up the exterior. You can't do it all at once, but a more inviting atmosphere than what an old laundromat looks like.

Mr. Ochoa said right. I agree.

Mrs. Owusu-Safo said considering you are so close to residential properties, what are your hours of operation and is there any additional lighting that you are considering? Is the neighborhood aware of this coming back?

Mr. Ochoa said well there is a neighbor to the west of me, I believe. I have worked with her. She's has actually helped with some of the water. As far as lighting, they did put a new streetlight there.

Mr. Sieben said stoplight.

Mr. Ochoa said stoplight. There is a new stoplight there, so that would help.

Mrs. Anderson said are there any plans for any additional landscaping, new landscaping or anything like that?

Mr. Ochoa said I have cleaned up the surrounding landscaping. I have a lot of landscaping clients, so that will be in the works to make it look nicer.

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. Pilmer said I have a quick question for staff. I thought I saw 9 parking spaces. Is that right?

Mr. Broadwell said there are 7. There are 6 regular and then 1 handicap.

Mr. Pilmer said so does that conform?

Mr. Broadwell said yes.

Mr. Sieben said correct. They need 1 space per 300 square feet. What was the square footage?

Mr. Ochoa said 1,600 square feet.

Mr. Sieben said 1,600 so he needs 5 and he's got 7. The reason there are 7, it looks like 8, but one of them is a new handicap.

Mr. Pilmer said and there is on-street parking it looks like on Smith Street.

Mr. Sieben said yes, correct.

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 835 E. Galena Boulevard, being the southwest corner of E. Galena Boulevard and Smith Street from R-2 One Family Dwelling District to NC Neighborhood Commercial District.

MOTION OF APPROVAL WAS MADE BY: Mrs. Anderson

MOTION SECONDED BY: Mrs. Head

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Divine, Mrs. Duncan, Mrs. Head, 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 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. Pilmer said this is an infill neighborhood commercial location and I believe the requests makes sense for the general area.

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. Owusu-Safo said there should be no significant adverse effect. This should probably be similar to current traffic patterns.

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. Anderson said I believe they are all 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. Cameron said it should not cause any problems. It is a use that has much less going and coming traffic than its previous use and it is providing a use for a building that's not been active for some time.

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

Mr. Pilmer said it consistent of the previous land use. It is a neighborhood commercial area, definitely an infill project, but should stabilize the general area.

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?

Chairman Truax said I believe that is pretty much the same question as before, so the answer would be the same.

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

Mrs. Head said yes.

Mr. Broadwell said this will next be heard at the Planning and Development Committee on Thursday, December 14, 2017, 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, At Large
Owusu-Safo and SD 129 Representative Head
