



Legislation Details (With Text)

File #: 16-00576 **Version:** 3 **Name:** Innovative Health / Special Use / Plaza on New York
Type: Ordinance **Status:** Passed
File created: 6/16/2016 **In control:** City Council
On agenda: 9/13/2016 **Final action:** 9/13/2016

Title: An Ordinance Granting a Special Use Permit for a Nursing, supervision, and other rehabilitative services (6320) Use on Lots 165, 166, and a portion of Lots 164 and Lots 167 of the Plaza on New York Subdivision (future Lot 1 of Transitional Care - Aurora Subdivision) located on the north side of New York Street, west of Station Boulevard

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit "B" Memorandum of Agreement.pdf, 2. Transitional Care of Fox Valley - Plan Commission Presentation 2016-07-29, 3. Letter from John Philipchuck - 2016-09-08.pdf, 4. Land Use Petition and Supporting Documents - 2016-06-15 - 2015.294.pdf, 5. Property Research Sheet - 2016-04-20 - 2015.294.pdf, 6. Plat of Survey - 2016-06-15 - 2015.294.pdf, 7. Legistar History Report (Special Use) - 2016-08-05 - 2015.294.pdf, 8. 08-25 16.00576 - O - grnting spec use permit nursing,supervision 6320 lts 165 166 portion 164 167 Plaza of New York.pdf

Date	Ver.	Action By	Action	Result
9/13/2016	3	City Council	adopted	Pass
9/6/2016	3	Committee of the Whole	(PLACED ON UNFINISHED BUSINESS)	
8/25/2016	3	Planning & Development Committee	recommended for approval	Pass
8/11/2016	3	Planning & Development Committee	held	Pass
8/3/2016	2	Planning Commission	Forwarded	Pass
7/26/2016	1	Planning Council	Forwarded	Pass
6/21/2016	1	Committee of the Whole	Forward to Planning Council	

TO: Mayor Thomas J. Weisner

FROM: Planning Commission

DATE: August 3, 2016

SUBJECT:

An Ordinance Granting a Special Use Permit for a Nursing, Supervision, and Other Rehabilitative Services (6320) Use on Lots 165, 166, and a portion of Lots 164 and Lots 167 of the Plaza on New York Subdivision (future Lot 1 of Transitional Care - Aurora Subdivision) located on the north side of New York Street, west of Station Boulevard (IH Fox Valley Owner, LLC - 16-00576 / NA21/1-15.294-Su/Ppn/Psd - TV - Ward 10)

PURPOSE:

The Petitioner, IH Fox Valley Owner, LLC, is requesting approval of a Special Use for a Nursing,

Supervision, and Other Rehabilitative Services (6320) use on Lots 165, 166, and on a portion of Lots 164 and Lots 167 of the Plaza on New York Subdivision (future Lot 1 of Transitional Care - Aurora Subdivision) located on the north side of New York Street, west of Station Boulevard

BACKGROUND:

The Subject Property is located on the north side of New York Street, west of Station Boulevard and is currently vacant land which is part of the Plaza of New York Special Use Planned Development with B-2(S) General Retail zoning. Additional information on the legislative history of the property can be found in the attached Property Information Sheet.

The Petitioner is requesting a Special Use for a Nursing, Supervision, and Other Rehabilitative Services (6320) use on Lots 165, 166, and on a portion of Lots 164 and Lots 167 of the Plaza on New York Subdivision (future Lot 1 of Transitional Care - Aurora Subdivision). Pursuant to the Qualifying Statement this Transitional Care facility will provide post-acute healthcare for patients who predominately require moderate to extensive rehabilitation services. Patients are admitted directly from the hospital and will remain under direction of their primary physician. The focus of the facility is to stabilize their therapy and nursing needs so that the patient can return home as soon as possible and continue their recovery with home health care or outpatient therapy support. The typically stay is approximately 20-30 days.

Concurrently with this proposal, the Petitioner is proposing a Preliminary Plat for the entire Subject Property. The Preliminary Plat will consolidate the Lots 163-167 of Plaza on New York into 2 lots (future Lot 1 and Lot 2 of Transitional Care - Aurora Subdivision). Lot 1 being on the west portion of the Subject Property consists of 4.25 acres and Lot 2 being at the northwest corner of New York Street and Station Boulevard consists of 2.24 acres.

Concurrently, the Petitioner is also proposing a Preliminary Plan for Lot 1 of said subdivision, for a 53,800 square foot, single-story Transitional Care facility. The facility is proposed to house 60 private rooms with a bath, a modern therapy center, café/bistro, physician exam rooms, activity rooms, media/game rooms, dining and staff offices. Along with the construction of the building, 98 parking spaces are proposed with two accesses into the site off of Gabrielle Lane. Stormwater management for this site has been accounted for as part of the overall Plaza on New York Subdivision.

Building elevations have been included by the Petitioner in the packet for informational purposes only and are not subject to review and approval at this time. These elevations will be reviewed and approved at time of Final Plan and Plat.

DISCUSSION:

The Transitional Care facility proposed by the Petitioner is intended to be an alternative to the traditional post-acute care delivery model combines the latest in medical management technology, advance therapy programs, and medically supported care in a comfortable, hotel like environment. An emphasis on therapy and rehabilitation allows these types of facilities to cater to the considerable number of residents in the area being discharged from local hospitals. The Petitioner has identified a current need in the community for skilled nursing beds and short-term rehabilitation for patients, with patients either unserved or being served by older, inferior facilities, many of which are becoming functionally obsolete.

The Petitioner has estimated that the proposed Transitional Care will create 75 full-time construction jobs and approximately 80 full-time health care jobs. And that this facility will draw patients from

outside Aurora, in turn bringing families to the facility which may patronize City businesses.

Staff has reviewed the Special Use petition and have sent comments back to the petitioner on those submittals. The petitioner has made the requested revisions to these documents and they now meet the applicable codes and ordinances. However, per the conditions listed in the recommendation on the Preliminary Plan, Staff is requesting some additional information from the Petitioner to ensure the commercial viability of Lot 2.

Public Input: Due public notice was given for the public hearing on this matter. As of the date of this memo, staff has received public inquiries requesting additional information on this petition.

POLICIES AND GUIDELINES / IMPACT STATEMENT :

The Staff's Evaluation and Recommendation are based on the following Physical Development Policies:

10.0 To provide for the orderly, balanced and efficient growth and redevelopment of the City through the positive integration of land use patterns, functions, and circulation systems. To protect and enhance those assets and values that establishes the desirable quality and general livability of the City. To promote the City's position as a regional center.

11.0 To guide the growth of the City in an orderly and structured manner.

11.1(5) To guide and promote development to areas where public utilities, public roads and municipal services are either available or planned.

11.1(3) To encourage new development contiguous to existing development.

12.0 To plan and provide for the growth of the city through the integration of land use patterns and functions that promotes complementary interactions between different land use components.

RECOMMENDATIONS:

The Plan Commission recommends APPROVAL of the Ordinance Granting a Special Use Permit for a Nursing, supervision, and other rehabilitative services (6320) Use on Lots 165, 166, and a portion of Lots 164 and Lots 167 of the Plaza on New York Subdivision (future Lot 1 of Transitional Care - Aurora Subdivision) located on the north side of New York Street, west of Station Boulevard.

ATTACHMENTS:

Exhibit "A" Legal Description
Exhibit "B" Memorandum of Agreement
Land Use Petition with Supporting Documents
Property Research Sheet
Findings of Fact

Legistar Number: 16-00576

cc: Alderman Saville, Chairman
Alderman Donnell
Alderman Irvin
Alderman Hart-Burns, Alternate



CITY OF AURORA, ILLINOIS

ORDINANCE NO. _____
DATE OF PASSAGE _____

An Ordinance Granting a Special Use Permit for a Nursing, supervision, and other rehabilitative services (6320) Use on Lots 165, 166, and a portion of Lots 164 and Lots 167 of the Plaza on New York Subdivision (future Lot 1 of Transitional Care - Aurora Subdivision) located on the north side of New York Street, west of Station 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, Station I, LLC is the owner of record of the real estate legally described on Exhibit "A-1", attached hereto and incorporated herein by reference as if fully set forth, and hereafter referred to as Exhibit "A-1"; and

WHEREAS, by petition dated June 15, 2016, IH Fox Valley Owner, LLC filed with the City of Aurora a petition requesting approval of a Special Use for a Nursing, supervision, and other rehabilitative services (6320) use on Lots 165, 166, and a portion of Lots 164 and Lots 167 of the Plaza on New York Subdivision (future Lot 1 of Transitional Care - Aurora Subdivision) located on the north side of New York Street, west of Station Boulevard; and

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 August 3, 2016, reviewed the petition and recommended APPROVAL of said petition; and

WHEREAS, on August 11, 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.

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 (6320) and Section 10.6 a Special Use permit is hereby granted for a Nursing, Supervision, and Other Rehabilitative Services (6320) 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 Nursing, Supervision, and Other Rehabilitative Services (6320) 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.

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.

Section Ten: That the property legally described in Exhibit "A" shall remain in the underlying zoning classification of B-2(S) General Retail Special Use Planned Development and upon termination of the use of said property for a Nursing, Supervision, and Other Rehabilitative Services (6320) use, this Special Use permit shall terminate and the classification of B-2(S) General Retail Special Use Planned Development shall be in full force and effect.

Section Eleven: That this Nursing, supervision, and other rehabilitative services (6320) use shall remain subject to compliance, except as herein modified, with the minimum standards of all applicable City Ordinances.