



Legislation Text

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File #: 19-0532, Version: 3

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**TO:** Mayor Richard C. Irvin

**FROM:** Planning Commission

**DATE:** July 18, 2019

**SUBJECT:**

A Resolution Approving a Preliminary Plan for Melody Town Center Subdivision Being Vacant Land located at east of the intersection of Ogden Avenue and 75th Street (CDI Development Services, LLC - 19-0532 / NA28/1-16.085-RZ/SU/PSD/PPN - TV - Ward 10)

**PURPOSE:**

The Petitioner, CDI Development Services, LLC, is requesting approval of a Preliminary Plan for Melody Town Center Subdivision.

**BACKGROUND:**

The Subject Property is currently vacant land located east of the intersection of Ogden Avenue and 75th Street with B-2(S) General Retail District with a Special Use zoning, which is part of the Ocean Atlantic Special Use Planned Development approved in 1998. In 2006, this property received approval for a commercial life-style center, however, the center never developed. A Redevelopment Agreement was approved earlier this year to assist in the development of this property as the requirement to provide for the construction/extension of Commons Drive has created a burden that has prevented development on this property to date. Additional information on the legislative history of the property can be found in the attached Property Information Sheet.

The Petitioner is requesting approval of a Preliminary Plat and Plan. The details of the Preliminary Plat include a 10 lot subdivision with a 100 foot wide right of way dedication along the eastern portion of the property for the extension of Commons Drive between Ogden Avenue and 75th Street. The Preliminary Plan includes the construction of an approximately 85,000 square foot assisted living / memory support facility on Lot 1. The facility will house 63 assisted living unit and 25 memory care units with a total of 69 parking spaces. The proposal also includes an approximately 200,000 square foot age restricted independent living facility on Lot 2. This will house 144 one and two bedrooms units with a total of 144 parking spaces. The facility will include but not limited to a restaurant quality dining facility, fitness center, hair and nail salon, and ample social gathering areas. In addition, there are optional services such as housekeeping, laundry and transportation services. Lot 3, 4 and 5 will be future commercial lots and Lot 7, 8, 9, and 10 will be utilized as storm water detention facilities.

The Petitioner is proposing two access points into the site along Ogden Avenue and one on 75th Street. Pursuant to redevelopment agreement the City is obligated to build Commons Drive and the associated infrastructure.

This project will be phased with the assisted living facility being the first phase and age restricted independent living facility and the construction of Commons Drive being the second phase.

Building elevations and landscaping will be subject to review and approval at the Final Plan and Plat time.

Concurrently with this proposal, the Petitioner is requesting the establishment of a new Special Use Planned Development with an underlying of R-5(S) Multiple-Family Dwelling District, R-5A(S) Midrise Multiple Family Dwelling District, B-2(S) General Retail District, and OS-1(S) Conservation, Open Space and Drainage District.

The Plan Description include modifications to the building, dwelling and structure standards, bulk restriction standards and use regulations for the R-5 and R-5A and B-2 parcels. The modification for the R-5, being the assisted living / memory support facility include eliminating the minimum floor area requirement, increasing the lot coverage to 65% and establishing minimum setbacks. The modifications for the R-5A, being the age restricted senior independent living facility includes reducing the minimum floor area to 750 square feet for one bedroom units and 925 square feet for two bedroom units, allowing residential on the first floor, reducing the number of units which have individual accessible balconies, decks, or patios to 90%, eliminating the requirement of enclosed parking spaces, increasing the lot coverage to 70%, reducing the minimum parking requirement to 1 space per unit and establishing minimum setbacks. In addition, there is a number of building code modifications that were contemplated in the redevelopment agreement. The modifications for the B-2 parcels including eliminating certain uses, permitting but limited in number other uses and establishing minimum setbacks. The Plan description also establishes sign regulations.

## **DISCUSSION:**

Staff has reviewed the Preliminary Plat 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.

The recently approved Comprehensive Plan for the Route 59 Corridor changed the designation from Commercial to Mixed Use: Residential/Office/Commercial for this property. The Mixed Use: Residential/Office/Commercial designation allows residential, office and commercial within the same building or development. While the newly created intersection of Commons Drive extended from Ogden Avenue to 75th Street will create commercial potential, the access constraints and shape of the remaining property does not lend itself to commercial uses. The Plan recommended mixed uses for this site including commercial along Commons Drive extended with age-restricted independent and care facilities on the remaining portion. This development achieves the goal of the Route 59 Corridor Plan. While also providing for some office and commercial uses, the residential portion of the site will not add to the local student population.

Staff has been working extensively with the Petitioner regarding the age restricted independent living facility. While this will be a deed restricted age restriction of a minimum of 62 years of age, similar developments have shown an average age of residents being approximately 80 years old, with many single or widowed residents. These residents, therefore, tend to have fewer cars than a typical apartment complex. According to a recent traffic and parking evaluation conducted by KLOA, the independent living facility is projected to have a peak parking demand of approximately 83 vehicles

(parking ratio of 0.60 parking spaces per unit). Therefore, Staff believes that the proposed parking ratio of 1 space per unit will be more than adequate due to the age restrictions that will run with the property.

**POLICIES AND GUIDELINES:**

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.
- 13.1(3) To use the improvement and addition of street and highway facilities as a positive force in guiding new development and improving land use relationships.

**RECOMMENDATIONS:**

The Planning Commission recommended **CONDITIONAL APPROVAL** of the Resolution Approving a Preliminary Plan for Melody Town Center Subdivision being vacant land located at east of the intersection of Ogden Avenue and 75th Street, with the following conditions:

- 1. That the approval be contingent upon Final Engineering Approval.
- 2. That the access points and associated improvements on Ogden Avenue and 75th Street be contingent upon IDOT and DuPage County Highway Department approval.
- 3. That the access drives into the commercial lots be constructed at Final Plan time on Lots 1 and 2 or an easement on Lots 1 and 2 be established to allow the developer/owner of the commercial lots to construct the access drive.

**ATTACHMENTS:**

- Exhibit A Preliminary Plan
- Land Use Petition with Supporting Documents
- Property Research Sheet
- Legistar History Report

Legistar Number: 19-0532

- cc:
- Building, Zoning and Economic Development Committee:
  - Alderman Michael B. Saville, Chairperson
  - Alderman Sherman Jenkins, Vice Chairperson
  - Alderman Carl Franco
  - Alderman Robert J. O'Connor

Alderman Juany Garza



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution Approving a Preliminary Plan for Melody Town Center Subdivision Being Vacant Land located at east of the intersection of Ogden Avenue and 75th Street

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, by petition dated June 13, 2019, CDI Development Services, LLC filed with the City of Aurora a petition Requesting the Establishment of a new Special Use Planned Development, and to change the underlying zoning district from B-2(S) General Retail District to R-5(S) Multiple-Family Dwelling District, R-5A(S) Midrise Multiple Family Dwelling District, B-2(S) General Retail District, and OS-1(S) Conservation, Open Space and Drainage District with a Special Use Planned Development on the property located east of the intersection of Ogden Avenue and 75th Street

Requesting approval of a Preliminary Plat for Melody Town Center Subdivision located east of the intersection of Ogden Avenue and 75th Street

Requesting approval of a Preliminary Plan for Melody Town Center Subdivision located east of the intersection of Ogden Avenue and 75th Street for a mixed use development and related required documents as attached hereto as Exhibits "A-1" through Exhibit "A-5"; and

WHEREAS, after referral of said petition from the Aurora City Council, the Aurora Planning Commission conducted a hearing on July 17, 2019, reviewed the petition and recommended CONDITIONAL APPROVAL of said petition; and

WHEREAS, on July 24, 2019, the Building, Zoning and Economic Development Committee of the Aurora City Council reviewed said Rezoning and Special Use and the before mentioned recommendations and recommended CONDITIONAL APPROVAL of said petition; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, finds as facts all of the preamble recitals of this Resolution and hereby grants CONDITIONAL APPROVAL of said Preliminary Plan with the following conditions:

1. That the approval be contingent upon Final Engineering Approval.
2. That the access points on Ogden Avenue and 75th Street be contingent upon IDOT and DuPage County Highway Department approval.
3. That the access drives into the commercial lots be constructed at Final Plan time on Lots 1 and 2 or an easement on Lots 1 and 2 be established to allow the developer/owner of the commercial lots to construct the access drive.

BE IT FURTHER RESOLVED that the City Council of the City of Aurora hereby adopts the Preliminary Plan and related required documents as attached hereto as Exhibit "A" Preliminary Plan.