



Legislation Text

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File #: 24-0314, Version: 2

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**TO:** Mayor Richard C. Irvin

**FROM:** Planning and Zoning Commission

**DATE:** May 23, 2024

**SUBJECT:**

A Resolution Approving the Final Plat for Delgadillo Subdivision, located at 1218 North Lake Street. (Mariscos El Vallartizo 4, Inc - 24-0314 / AU15/1-24.175-RZ/FSD - SB - Ward 6)

**PURPOSE:**

The Petitioner, Mariscos El Vallartizo 4, Inc., is requesting to consolidate the property at 218 N. Lake St's existing four (4) parcels into a one (1) lot subdivision that is approximately one and a half (1.5) acres.

**BACKGROUND:**

The Subject Property is located at the southwest corner of N Lake St and W Indian Trail, and is approximately one and a half (1.5) acres. The Subject Property fronts on N Lake St to the east, W Indian Trail, and Old Indian Trail to the south. The Subject Property consists of four (4) separate parcels: three (3) of the parcels are currently zoned B-3, Business and Wholesale, while the southwestern most parcel is zoned R-1, One-Family Dwelling District. The existing commercial building, which is located along the W Indian Trail and N Lake St frontages is approximately twelve thousand (12,000) square feet. The existing commercial building is surrounded by parking to the north and east along N Lake St. There is an existing residential structure, which is located at 1216 N Lake St, to the south of the commercial structure, and which is in the permitting process to be demolished.

The Petitioner, Mariscos El Vallartizo 4, Inc., is requesting to consolidate the Subject Property's four (4) separate parcels into a single lot subdivision, the Delgadillo Subdivision. The subdivision will be approximately one and a half (1.5) acres. The Petitioner is requesting a fifteen (15) foot wide City Easement be dedicated through the middle of the Subject Property to allow for continued maintenance of the sanitary line that runs through the property.

Concurrently with this proposal, the Petitioner is requesting to rezone the property from the various parcels, which consist of the R-1 zoning district and the B-3 zoning district, into a consolidated lot of solely B-3 zoning. The intent of the rezoning proposal is to allow for the Subject Property to be re-activated as a restaurant in the commercial building, with seventy-seven (77) parking spaces and landscaping across the entire property. The Petitioner is proposing to use approximately eight thousand (8,000) square feet of the building for the restaurant, with the remaining area being maintained as accessory storage and utilities for the same restaurant.

Concurrently with this proposal, the Petitioner is requesting approval of a Major Variance on the Subject Property to reduce the following minimum B-3 setbacks as follows: reduction of the Interior setback, where adjacent to the R-1 zoned 333 Old Indian Tr, from twenty (20) feet to ten (10) feet; reduction of the Interior setback, where adjacent to the R-1 zoned portion of 1204 N Lake St, from twenty feet to ten feet; reduction of the Exterior Rear setback on Old Indian Tr from fifteen (15) feet to ten feet; reduction of the Front and Exterior Side setbacks for Arterial Streets on W Indian Tr and N Lake St, respectively, where the existing parking lot is located, from thirty (30) feet to zero (0) feet; and, reduction of the Interior Rear setback to the southwest of the commercial building, where adjacent to the R-1 zoned 333 Old Indian Tr, from twenty feet to one (1) foot.

**DISCUSSION:**

Staff has reviewed the Final Plat resolution 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, with the exception of the conditions listed below.

The Petitioner has provided a site plan, landscape plan, and building elevations that supplement the Rezoning, Final Plat, and Major Variance requests. In addition to outlining compliance with the applicable zoning standards, these documents also display the efforts the Petitioner has taken to redevelop the Subject Property and re-activate this long dormant corner of a major intersection in Aurora. To this point, the Petitioner has provided drawings that outline changes to the building's exterior.

The Site Plan indicates adequate on-site parking, as well as new outdoor seating along the N Lake St frontage, as well as the flow of the expanded parking lot through the Subject Property. The two existing access points onto W Indian Tr and N Lake St are being maintained, with no new access being added elsewhere on the property.

Finally, the Landscape Plan indicates adequate plantings throughout the Subject Property that enliven the entire Subject Property, while also provide screening to the adjacent residential property to the west, as well as along the Old Indian Tr frontage. The Engineering Department's review also shows the Petitioner is proposing Best Management Practices (BMPs) within the western parking lot island in the form of a rain garden, which will mitigate detention.

**POLICIES AND GUIDELINES:**

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

- 14.1 (4): To encourage quality site design throughout the City of Aurora.
- 22.1 (5): To recognize the unique characteristics of individual neighborhoods and promote their positive attributes.
- 32.1 (3): To minimize the adverse effects of commercial activity on neighboring development, particularly residential and open space areas through the provision of buffering land uses and/or screening.

**RECOMMENDATIONS:**

The Planning and Zoning Commission recommended **CONDITIONAL APPROVAL** of the resolution approving the Final Plat for Delgadillo Subdivision, located at 1218 North Lake Street, with the

following conditions:

- 1) That, per the Engineering Department's review, the ten (10) foot wide City Easement be revised to be fifteen (15) feet wide.
- 2) That, per the Engineering Department's review, a Stormwater Easement be indicated over the curbed, landscaped island that is shown to include Best Management Practices for stormwater management.
- 3) That the Final Plat approval be contingent upon Final Engineering approval.

**ATTACHMENTS:**

Exhibit "A" - Final Plat  
Land Use Petition Form with Supporting Documents  
Qualifying Statement  
Parcel and Zoning Maps

cc: Building, Zoning, and Economic Development Committee:  
Chairperson Patty Smith  
Vice Chair Shweta Baid  
Alderman Carl Franco  
Alderman Mike Saville  
Alderman Bill Donnell



CITY OF AURORA, ILLINOIS

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

A Resolution Approving the Final Plat for Delgadillo Subdivision, located at 1218 North Lake 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 April 11, 2024, Mariscos El Vallartizo 4, Inc filed with the City of Aurora a petition "Requesting approval of a Final Plat for Delgadillo Subdivision, located at 1218 North Lake Street" and related required documents as attached hereto as Exhibits "A"; and

WHEREAS, the Planning and Zoning Commission conducted a hearing on May 22, 2024, reviewed

the petition and recommended CONDITIONAL APPROVAL of said petition, with the following conditions:

- 1) That, per the Engineering Department's review, the ten (10) foot wide City Easement be revised to be fifteen (15) feet wide.
- 2) That, per the Engineering Department's review, a Stormwater Easement be indicated over the curbed, landscaped island that is shown to include Best Management Practices for stormwater management.
- 3) That the Final Plat approval be contingent upon Final Engineering approval.

WHEREAS, on May 29, 2024, the Building, Zoning and Economic Development Committee of the Aurora City Council reviewed said Final Plat 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 Final Plat with the following conditions:

- 1) That, per the Engineering Department's review, the ten (10) foot wide City Easement be revised to be fifteen (15) feet wide.
- 2) That, per the Engineering Department's review, a Stormwater Easement be indicated over the curbed, landscaped island that is shown to include Best Management Practices for stormwater management.
- 3) That the Final Plat approval be contingent upon Final Engineering approval.

BE IT FURTHER RESOLVED that the City Council of the City of Aurora hereby adopts the Final Plat and related required documents as attached hereto as Exhibit "A" Final Plat along with any easement dedications deemed necessary by the Aurora City Engineer.