



## Legislation Details (With Text)

**File #:** 19-0907      **Version:** 3      **Name:** Fox Valley Developers, LLC / Avalon Heights / Former Copley Hospital / Special Use Planned Development

**Type:** Ordinance      **Status:** Passed

**File created:** 10/4/2019      **In control:** City Council

**On agenda:** 11/26/2019      **Final action:** 11/26/2019

**Title:** An Ordinance Establishing a Special Use Planned Development, Approving the Avalon Heights Plan Description and Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, to an underlying zoning of R-5(S) Multiple-Family Dwelling District, O(S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development for the property located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th Street

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Property Research Sheet - 2019-04-24 - 2019.063.pdf, 2. Map of Existing Buildings by Construction Date - 2019-10-31 - 2019.063.pdf, 3. Land Use Petition and Supporting Documents - 2019-10-03 - 2019.063.pdf, 4. Legistar History Report (Special Use Planned Development) - 2019-11-07 - 2019.063.pdf

Date	Ver.	Action By	Action	Result
11/26/2019	3	City Council	adopted	Pass
11/19/2019	3	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
11/13/2019	3	Building, Zoning, and Economic Development Committee	recommended for approval	Pass
11/6/2019	2	Planning Commission	Forwarded	Pass
10/29/2019	1	Planning Council	Forwarded	Pass
10/8/2019	1	City Council	referred to	

**TO:** Mayor Richard C. Irvin

**FROM:** Planning Commission

**DATE:** November 7, 2019

**SUBJECT:**

An Ordinance Establishing a Special Use Planned Development, Approving the Avalon Heights Plan Description and Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, to an underlying zoning of R-5(S) Multiple-Family Dwelling District, O(S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development for the property located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th Street (Fox Valley Developers, LLC - 19-0907 / AU27/1-19.063-SU/PD/Ppn/Psd - JM - Ward 4)

**PURPOSE:**

The Petitioner Fox Valley Developers, LLC is requesting the establishment of a new Special Use Planned Development, and to change the underlying zoning district from R-4(S) Two Family Dwelling District, R-4 Two Family Dwelling District, R-3(S) One Family Dwelling District, and R-3 One Family Dwelling District to R-5(S) Multiple-Family Dwelling District, O(S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development on the property located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th Street and commonly known as the historic Copley Hospital which will allow for a mixed use redevelopment of the site including the historic buildings.

## **BACKGROUND:**

The Subject Property is currently comprised of vacant buildings and lots with R-4 (S) Two Family Dwelling District with a Special Use, R-4 Two Family Dwelling District, R-3(S) One Family Dwelling District with a Special Use, and R-3 One Family Dwelling District zoning. The property was the Copley Hospital complex and contained several buildings from different phases of the hospital expansion. The complex contains Aurora's first purpose-built city hospital, dating to 1888. As Aurora grew in population, the hospital added additional blocks in 1916, 1932, 1947, 1970, and 1980 to meet the needs of the city. The hospital maintained a nurses' training school and constructed a nurses' dormitory on the property in 1957. The site shows the evolution of medical care into modern history in one location and served the City of Aurora's medical needs until 1995 when the institution constructed a new facility. The developer's proposal will adaptively reuse and rehabilitate all the significant buildings with only minor changes, including demolition of the non-contributing 1932 powerhouse and the 1980 block and construction of two new additions. The developers will be using historic tax credits and thus are required to retain the historic character of the site with approval of all alterations by the State Historic Preservation Office. Additional information on the legislative history of the property can be found in the attached Property Information Sheet.

The project includes a mix use redevelopment of the historic buildings with new additions and a new planned park. The 1888 block is planned for commercial use on the first floor, including a potential pharmacy use, with offices above. The 1916-1947 blocks will be used as a Senior Living Community, consisting of independent living, assisted living and memory care with a total capacity of 99 residents. The 1970 block is planned to house several healthcare providers and services on the lower two floors. The upper four floors will be renovated into a 53-unit independent apartment community for adults with cognitive and developmental disabilities which require minimal support. The nurses' building along with a 7,500 square foot addition will be repurposed to serve as the East Aurora School District Administration Center containing offices and training space. The eastern 1.3 acres will be transferred to the Fox Valley Park district for the development of a neighborhood park. Additional information on the uses can be found in the Qualifying Statement.

In order to allow the above redevelopment, the Petitioner is requesting the establishment of a new Special Use Planned Development, and to change the underlying zoning district to R-5(S) Multiple-Family Dwelling District, O(S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development.

The Plan Description outlines the three different zoning districts. The R-5 (S) Multiple-Family Dwelling District zoning will encompass the 1888-1970 hospital blocks along with the majority of the parking and drive aisles. The nurses' dormitory and the planned addition will be rezoned to O (S) Office District. The park will be rezoned to P (S) Park and Recreation District. The details of the Plan Description include modifications of the District Specific Regulations, Use Regulations, Bulk Restrictions, and Signage for the R-5 Multiple-Family Dwelling District and O Office District to allow

for the above redevelopment plan. The R-5 use modifications allow for the following uses: housing services for the elderly; age restricted multi-family dwelling units; multi-family dwelling for adults with cognitive and developmental disabilities; health and human services; retail sales or services use; and business and professional office use. Additional modifications include reducing the minimum floor area to 450 square feet, increasing the height limitation to 110 feet, reducing the minimum lot size and setback requirements to zero, and requiring no maximum lot coverage. The modifications for the O Office include allowing educational services as a permitted use, requiring no maximum floor area ratio, and reducing the setbacks to zero. Due to nature of the uses and the layout of the site to allow for shared parking, parking for both the R-5 and O will be reduced. The Plan description also establishes sign regulations for three monument signs and an archway entrance.

Concurrently with this proposal, the Petitioner is requesting approval of a Preliminary Plat for Avalon Heights Subdivision. The details of the request include a four lot subdivision that divides the 1888-1970 building into Lot 1, the school district portion into Lot 2, the majority of the parking and drive aisles into Lot 3, and the park into Lot 4. The Plat also provides for the dedication of Right-of-Way for a turnaround at the newly created dead-end at Weston Avenue along with other easements.

The Petitioner is also requesting approval of a Preliminary Plan for Avalon Heights for the mix used development as described above. The Preliminary Plan includes additional area than is included in the Plan Description and Preliminary Plat because it also shows how the Avalon Heights development will connect with the proposed changes on Bardwell's campus to the south. The development of Bardwell includes the vacation of a portion of Seminary Avenue, which will become green space with pathways connecting the school to the new administration building in the former nurses' building on Avalon Height's property. Due to this vacation, a new alley on Bardwell's property will be dedicated to the City connecting the dead-end at Seminary Avenue to Marion Avenue. Both the vacation and dedications will come before the City for approval during the Final Plan and Plat approval. The portion of Weston Avenue on Avalon Height's property was previously vacated. The developers plan to officially make this a private drive that will dead-end at the park. The Plan provides for redoing the current parking lots and expanding parking at northwest corner of the site for a total of 430 parking spaces. The Plan also shows some potential lots that the developers are interested in acquiring in the future for either additional parking or park space. The majority of the current site plan will remain with the same except for the demolitions noted above and a 7,500 square foot addition to the former nurses' building and a small addition to the rear of the 1932 block.

## **DISCUSSION:**

Staff has reviewed the Special Use Planned Development 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 items reflected in the conditions listed in the Staff Recommendation below.

The redevelopment of the Copley Hospital has been a long range goal of the City. In 2005, the City established an Overlay District for the area adjacent to LaSalle Street and Lincoln Avenue. One of the purposes of the Overlay was to encourage the conversion and reuse of the former Copley Hospital campus in a manner that preserves the character of the existing campus and surrounding neighborhood while promoting economic reuse of the site by potentially creating a Planned Development for the site to allow for mixed use development, including commercial, office, residential and community use. Staff believes the proposed development meets all the objectives of the Overlay District while also reducing the impact of parking and traffic to surrounding community by directing the residential development to seniors and adults with disabilities. The modifications in the Plan

Description allows for the reuse of the site.

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 :**

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.

14.1 (3) To protect, preserve and restore the historical and architectural heritage of the City.

22.1 (5) To recognize the unique characteristics of individual neighborhoods and promote their positive attributes.

80.1 (1) To cooperate with the Fox Valley Park District, the school districts and the County Preserve Commission in meeting the open space and recreational needs of the City.

### **RECOMMENDATIONS:**

The Planning Commission recommended APPROVAL of the An Ordinance Establishing a Special Use Planned Development, Approving the Avalon Heights Plan Description and Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, to an underlying zoning of R-5(S) Multiple-Family Dwelling District, O(S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development for the property located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th Street.

### **ATTACHMENTS:**

#### **EXHIBITS:**

Exhibit "A" Legal Description

Exhibit "B" Plan Description

Land Use Petition with Supporting Documents

Property Research Sheet

Map of Existing Buildings by Construction Date

Legistar History Report

Legistar Number: 19-0907

cc:

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

ORDINANCE NO. \_\_\_\_\_

DATE OF PASSAGE \_\_\_\_\_

An Ordinance Establishing a Special Use Planned Development, Approving the Avalon Heights Plan Description and Amending Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, to an underlying zoning of R-5(S) Multiple-Family Dwelling District, O (S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development for the property located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th 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, Fox Valley Developers, 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 October 3, 2019, Fox Valley Developers, 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 R-4(S) Two Family Dwelling District, R-4 Two Family Dwelling District, R-3(S) One Family Dwelling District, and R-3 One Family Dwelling District to R-5(S) Multiple-Family Dwelling District, O(S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development on the property located along Weston Avenue and Seminary Avenue between S. Lincoln Avenue and S. 4th Street and commonly known as the historic Copley Hospital in the form of Exhibit "B" attached hereto, and have been duly submitted to the Corporate Authorities of the City of Aurora for review for the property described in Exhibit "A"; 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 November 6, 2019, reviewed the petition and recommended APPROVAL of said petition; and

WHEREAS, on November 13, 2019, the Building, Zoning and Economic 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 Planned Development 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 10.6 and Section 4.3 (8000) a Special Use permit is hereby granted for a Planned Development (8000) 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 Planned Development (8000) 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 Plan Description in the form of Exhibit "B" attached hereto and included herein by reference as if fully set forth and incorporated in and made a part of this Ordinance is hereby approved.

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 Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto be, and the same are, hereby amended to rezone the real estate property described in Exhibit "A", from R-4 (S) Two Family Dwelling District with a Special Use, R-4 Two Family Dwelling District, R-3(S) One Family Dwelling District with a Special Use, and R-3 One Family Dwelling District to R-5(S) Multiple-Family Dwelling District, O(S) Office District, and P(S) Park and Recreation District with a Special Use Planned Development. Upon termination of the use of said property for a Planned Development (8000) this Special Use permit shall terminate and the classification of R-5 Multiple-Family Dwelling District, O Office District and P Park and Recreation District shall be in full force and effect.

Section Eleven: That this Planned Development (8000) use shall remain subject to compliance, except as herein modified, with the minimum standards of all applicable City Ordinances.

Section Twelve: That all modifications and exceptions under the Aurora Zoning Ordinance and all modifications and exceptions from the Aurora Subdivision Control Ordinance, as set forth in the Plan Description, are here by granted and approved.