



## Legislation Text

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**File #:** 17-00219, **Version:** 3

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**TO:** Mayor Robert J. O'Connor

**FROM:** Planning Commission

**DATE:** April 20, 2017

**SUBJECT:**

An Ordinance Granting a Special Use Permit for Fire Station #7 Being a Public Facilities and Services (6200) Use on the Property at 824 Kenilworth Place Located at the Southwest Corner of Kenilworth Place and Heywood Avenue (Aurora Fire Department - 17-00219 / AU21/3-16.043-Su/Fpn - SB - Ward 4)

**PURPOSE:**

The petitioner, the Aurora Fire Department, is requesting approval of a Special Use for a Public Facilities and Services (6200) Use for Fire Station #7 at 824 Kenilworth Place.

**BACKGROUND:**

The Subject Property is currently being utilized as Aurora Fire Station #7 which was constructed in 1957, and is located on a 1.644 acre property. The current fire station is a grandfathered use under the property zoning of R-2, One Family Dwelling zoning district. Additional information on the legislative history of the property can be found in the attached Property Research Sheet.

The Petitioner is requesting approval of a Special Use for a Public Facilities and Services (6200) Use for Fire Station #7 at 824 Kenilworth Place. The details of the request include a Special Use to allow for continued Public Facilities and Services (6200) use as a fire station on the property.

Concurrently with this proposal, the petitioner is requesting approval of a Final Plan with a setback variance for Fire Station #7 at 824 Kenilworth Place for a Public Facilities and Services (6200) use. The proposed details of the request include construction of a one-story, 10,525 square foot fire station building with an addition of a third parking bay to accommodate modern public safety equipment, are among proposed external updates. The proposed Fire Station which will be located 15' to the east of the existing Station to allow for the existing station to remain operational until the proposed station is ready for full use. In addition, the Petitioner is also seeking a 15.5' front yard setback variance from the standard R-2 setback regulations of thirty feet to provide for a greater setback to the residential in the rear of the property. This setback reduction is in keeping with the adjacent properties. Landscaping will be provided along the interior lot lines for adequate separation between the fire station and adjacent residential properties.

**DISCUSSION:**

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.

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 regarding the proposed changes to the station, specifically, details of the size and height of the proposed fire station building.

**POLICIES AND GUIDELINES :**

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

- 14.1(1): To foster future growth in the City that does not contribute to deterioration in either existing developments or a reduction in the City's ability to provide adequate services.
- 14.1(4): To encourage quality site design throughout the City of Aurora
- 22.1(1): To achieve appropriate zoning protection for residential areas designated in the land use plan.

**RECOMMENDATIONS:**

The Planning Commission recommended APPROVAL of the Ordinance granting a Special Use permit for Fire Station #7 being a Public Facilities and Services (6200) use on the property at 824 Kenilworth Place.

**ATTACHMENTS:**

Exhibit "A" Legal Description  
Exhibit "B" Memorandum of Agreement  
Property Research Sheet  
Land Use Petition  
Legistar History Report

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 Fire Station #7 Being a Public Facilities and Services (6200) Use on the Property at 824 Kenilworth Place Located at the Southwest Corner of Kenilworth Place and Heywood Avenue

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, The City of Aurora 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 March 8, 2017, Aurora Fire Department filed with the City of Aurora a petition requesting approval of a Special Use for a Public Facilities and Services (6200) Use for Fire Station #7 at 824 Kenilworth Place located at the southwest corner of Kenilworth Place and Heywood Avenue; 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 April 19, 2017, reviewed the petition and recommended APPROVAL of said petition; and

WHEREAS, on April 27, 2017, 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 10.6 and Section 4.3 (6200) a Special Use permit is hereby granted for a Public Facilities and Services (6200) 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 Public

Facilities and Services (6200) 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 R-2 One Family Dwelling and upon termination of the use of said property for a Public Facilities and Services (6200) use, this Special Use permit shall terminate and the classification of R-2 One Family Dwelling shall be in full force and effect.

Section Eleven: That this Public facilities and services (6200) use shall remain subject to compliance, except as herein modified, with the minimum standards of all applicable City Ordinances.