



COMMITTEE OF THE WHOLE MEETING
Monday, August 5, 2019
(Immediately following the Village Board Meeting)

AGENDA

CALL TO ORDER

ROLL CALL

AUDIENCE COMMENTS

TRUSTEE COMMENTS

DISCUSSION

1. Randall Road Commercial Center (Randall Terrace Apartments)
2. Recreational Cannabis

EXECUTIVE SESSION

1. Property Acquisition

ADJOURN

Initials

A handwritten signature in black ink, appearing to be "SB", written over a horizontal line.

VILLAGE OF NORTH AURORA BOARD REPORT

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR
FROM: MIKE TOTH, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR
SUBJECT: PETITION 19-05: SPECIAL USE - RANDALL ROAD COMMERCIAL CENTER
AGENDA: AUGUST 5, 2019 COMMITTEE OF THE WHOLE MEETING

DISCUSSION

On April 9, 2001, the Village Board approved the Annexation Agreement between the Village of North Aurora and Mark Sorrentino Trustee of Mark Sorrentino Trust No. 1 and Brian L. Stresney. Approval of Ordinance 01-04-09-05, an Ordinance approving special use for a B-2 District Planned Unit Development for the Randall Road Commercial Center, was also granted. As the Randall Road Commercial Center was established as a B-2 District commercial development, multi-family residential use is currently prohibited within the development.

Randall Terrace LLC is now requesting a Special Use to amend Ordinance No. 01-04-09-05 to allow multi-family residential dwellings as a permitted use *on Lot 2 only*. The vacant 5.23 acre property is situated west of Miller Drive, south of Extra Space Storage, north of the unincorporated 'Shodeen Property' and east of the detention pond located on Lot 4. The submitted plans include four (4), three-story residential buildings containing a total of sixty-six (66) residential units and a clubhouse on Lot 2 of the Randall Road Commercial Center. Staff has reviewed the yard and bulk regulations of the B-2 General Business District and underlying PUD. The proposed plans meet the B-2 District zoning requirements and the additional requirements of the PUD.

On December 17, 2018, the property owner presented the proposed concept plan to the Village Board at their Committee of the Whole meeting. The Village Board was supportive of the proposed multi-family residential use on Lot 2 at that time.

A public hearing was held before the Plan Commission on this item at their June 4, 2019 meeting. While the final site plan was not being formally considered at that time, the Plan Commission did have some suggestions for the proposed site plan, which included additional dumpsters, reevaluating the internal sidewalk network for better connectivity and adding a walkway that would connect to the sidewalk along the west side of Miller Drive. After discussion regarding the proposed use of Lot 2, the Plan Commission recommended approval of the special use amendment to allow multi-family residential on Lot 2 of the Randall Road Commercial Center. Staff notes that the only 'no' vote came from a Plan Commission member who would like the school district's feedback on the additional residential use of the land. While the final site plan would be brought forward at a later date for final consideration, staff would also like the Board's input on the site plan.

Attachments:

- 1) Plan Commission Staff Report.
- 2) Application submittal information.
- 3) Ordinance 01-04-09-05, an Ordinance approving special use for a B-2 District Planned Unit Development for the Randall Road Commercial Center.

**STAFF REPORT TO THE VILLAGE OF NORTH AURORA PLANNING COMMISSION
FROM: MIKE TOTH, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR**

GENERAL INFORMATION

Meeting Date: June 4, 2019

Petition Number: 19-04

Petitioner: Randall Terrace LLC

Requests: 1) Special Use - Amendment to a Planned Unit Development 2) Site Plan Approval

Parcel Number(s): 12-32-403-009

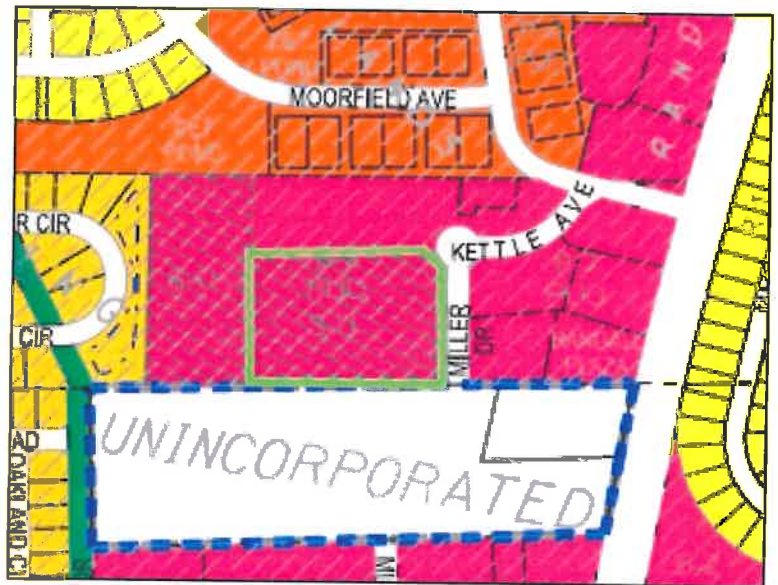
Size: 5.2 acres

Current Zoning: B-2 General Business District PUD

Current Land Use: Vacant Land

Contiguous Land Use: North: Self Service Storage Facility; South: Vacant Land; East: Daycare Facility; West: Detention Pond

Comprehensive Plan Designation: 'Regional Commercial'



BACKGROUND

The vacant 5.23 acre property is situated west of Miller Drive, south of Extra Space Storage, north of the unincorporated 'Shodeen Property' and east of the detention pond located on Lot 4. The submitted plans include four (4), three-story residential buildings containing a total of sixty-six (66) residential units and a clubhouse on Lot 2 of the Randall Road Commercial Center. The units would be market-rate rental units and consist of a mix of one, two and three bedroom units ranging in size from 830 square feet to 1,400 square feet. According to the petitioner, amenities would include a clubhouse with a fitness center, conference room, outdoor swimming pool and hot tub. A dog park and children's playground is also planned as part of the development. Oversized garages would also be available to lease.

On December 17, 2018, the property owner presented the proposed concept plan to the Village Board at their Committee of the Whole meeting. The Village Board was supportive of the proposed multi-family residential use on Lot 2.

REQUESTED ACTIONS

Special Use – Amendment to a Planned Unit Development

On April 9, 2001, the Village Board approved the Annexation Agreement between the Village of North Aurora and Mark Sorrentino Trustee of Mark Sorrentino Trust No. 1 and Brian L. Stresney. Approval of Ordinance 01-04-09-05, an Ordinance approving special use for a B-2 District Planned Unit Development for the Randall Road Commercial Center was also granted. As the Randall Road Commercial Center was established as a B-2 District commercial development, any residential use is currently prohibited within the development.

Randall Terrace LLC is now requesting a Special Use to amend Ordinance No. 01-04-09-05 to allow multi-family residential dwellings as a permitted use on Lot 2 only. **Staff has reviewed the yard and bulk regulations of the B-2 General Business District and underlying PUD. The proposed plans meet said zoning requirements.**

Site Plan Approval

Per Section 17.4.4(B) of the Zoning Ordinance, site plan review shall be required for each building permit application for multi-family, townhouse, commercial, and industrial development for which a site plan has not already been approved.

Standards for site plan review are established in Chapter 4.4 - Site Plan Review of the North Aurora Zoning Ordinance; however, the PUD also establishes a set of site development standards as outlined below:

Compliance: Final site plan is in compliance with the terms of this PUD Ordinance.

Material Standards and Roof Design: The Material Standards and Roof Design shall be in compliance with the standards set forth on Schedule C attached hereto.

Circulation: The traffic circulation for the one or more pods is deemed adequate for the use contemplated for such one or more pods. (Note: "Pod" refers to one or more lots resulting from the resubdivision of Lots 1, 2 and 3 respectively.)

Site Plan Engineering: The Village Engineer approves the engineering within the area to be developed within the Site Plan submitted.

Site Plan Landscaping: Approval by the Village Administrator that the parking lot and foundation landscaping proposed for the area within the Final Site Plan is in compliance with the Village Ordinances existing as of the date hereof, it being acknowledged that in addition, the landscaping depicted on the General Landscape Plan which is located within the development area of the proposed Final Site Plan shall also be installed concurrently with development of the development area within the proposed Final Site Plan.

COMPREHENSIVE PLAN

The 2015 Comprehensive Plan provides a 'Regional Commercial' designation for the subject site. Staff notes that a subarea plan for the Randall Road Commercial Center area was not conducted as part of the Comprehensive Plan. However, the West Gateway Subarea Plan, which is located to the west of the Randall Road Commercial Center was included in the Comprehensive Plan. Staff believes that an integral element of the West Gateway Subarea Plan could also be applied to the Randall Highlands development: *higher density residential uses should separate active commercial areas from the Village's quiet single-family neighborhoods and provide dense population to support planned commercial uses.*

FINDINGS & RECOMMENDATION

The Community Development Department finds that the information presented **meets** the Standards for Specials Uses as submitted by the petitioner, made part of this petition and as set forth in the Zoning Ordinance. The proposed site plan meets site plan review standards of the North Aurora Zoning Ordinance and Randall Road Commercial Center PUD. Based on the above considerations, staff recommends that the Plan Commission make the following motion recommending **approval** of Petition #19-04, subject to the following conditions:

1. All dumpsters located on the subject property shall be enclosed per Section 14.11.A of the Zoning Ordinance.
2. Each parking space shall be a minimum of nine (9) feet in width and eighteen-and-a-half (18.5) feet in length.
3. The arterial drive aisle shall be a minimum of twenty-four (24) feet in width.

APPLICATION FOR SPECIAL USE

VILLAGE OF NORTH AURORA
Board of Trustees
25 East State Street
North Aurora, IL 60542

PETITION NO. 19-04
FILE NAME RANDALL TERRACE APARTMENTS
DATE STAMP **RECEIVED**

I. APPLICANT AND OWNER DATA

APR 17 2019

**VILLAGE OF
NORTH AURORA**

Name of Applicant* RANDALL TERRACE L.L.C.

Address of Applicant 1051 KETTLE AVENUE NORTH AURORA, IL. 60542 SUITE 200

Telephone Numbers (630) 907 - 8600

Email Address mark.s@richmarrealty.com

Name of Owner(s)* RANDALL TERRACE L.L.C.

Telephone Numbers (630) 907 - 8600

If Applicant is other than owner, attach letter of authorization from Owner.

Title of Record to the real estate was acquired by Owner on 2014

II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property SW CORNER KETTLE AVENUE & MILLER DRIVE
(indicate location if no common address)

Legal Description: SEE ATTACHED

Parcel Size 5.2 ACRES

Present Use SEE ATTACHED "VACANT"
(business, manufacturing, residential, etc.)

Present Zoning District SEE ATTACHED
(Zoning Ordinance Classification)

*In the event that the applicant or owner is a trustee of a land trust or a beneficiary or beneficiaries of a land trust, a statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be attached hereto. Such statement shall be verified by the trustee or by a beneficiary.

III. PROPOSED SPECIAL USE

Proposed Special Use MULTI - FAMILY RESIDENCE

(Zoning Ordinance Classification)

Code Section that authorizes Special Use _____

Has the present applicant previously sought to rezone or request a special use for the property or any part thereof? NO

If so, when? _____ to what district? _____

Describe briefly the type of use and improvement proposed MULTI - FAMILY RESIDENCE

What are the existing uses of property within the general area of the Property in question? _____

SEE ATTACHED

To the best of your knowledge, can you affirm that there is a need for the special use at the particular location? (Explain) YES PER MARKET STUDY

Attach hereto a statement with supporting data that the proposed special use will conform to the following standards:

1. The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.
2. The proposed special use is deemed necessary for the public convenience at that location.
3. The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.
4. The proposed use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations.

5. The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.
6. The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.
7. The proposed special use is compatible with development on adjacent or neighboring property.
8. The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.
9. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.
10. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.
11. The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.

IV CHECKLIST FOR ATTACHMENTS

The following items are attached here to and made a part hereof:

1. Legal Description (may be included in items 2 or 6 below)
2. Two (2) copies of an Illinois Land Surveyor's plat of survey showing the nearest dedicated east-west and north-south streets, the right-of-way width and the distance of each street from the property in question.
3. Twenty five (25) copies of a plot plan, 8 ½" x 11 or 8 ½" x 14" showing existing and proposed structures and parking areas.
4. A written certified list containing the names of registered owners, their mailing addresses and tax parcel numbers, of all properties within 250 feet of the property for which the special use is requested.
5. Statement and supporting data regarding Standards for Special Uses (above).
6. A copy of owner's title insurance policy or the deed for the subject property.
7. Filing fee in the amount of \$4,300.00, if paid by check make payable to the Village of North Aurora.
8. Letter of authorization letter from owner, if applicable.
9. Disclosure of beneficiaries of land trust, if applicable.

Completed forms for the following must accompany application

10. Visit the Illinois Department of Natural Resources' website www.dnr.state.il.us and initiate a consultation using DNR's EcoCat online application
11. Visit the Kane DuPage Soil and Water Conservation District's website www.kanedupageswcd.org for a Land Use Opinion Application

The Applicant authorizes the Village of North Aurora representatives to enter on to the property to make inspection during the hearing process.

The Applicant is responsible for publishing a legal notice in the newspaper, sending United States mail notices to properties within 250 feet, and posting a sign on the property advertising the public hearing. These shall be in accordance with village Ordinances at the times decided by the Village of North Aurora.

The undersigned hereby agrees to reimburse the Village for all costs of court reporter fees for attendance at and transcript of hearing(s) and other professional service fees for services rendered in connection with this application as defined in Appendix B of the North Aurora Zoning Ordinance. Such reimbursement shall be made promptly upon receipt of invoices from the Village, whether or not this application for special use is approved.

I (we) certify that all of the above statements and the statements contained in any documents submitted herewith are true to the best of my (our) knowledge and belief.

RANDALL TERNER LLC
Applicant or Authorized Agent

4/17/19
Date

[Signature]
Owner
MARK SORRANTINO

4/17/19
Date

MAILING ADDRESS

I, _____, being first duly sworn on oath certifies that all fo the above statements and the statements contained in any papers or plans submitted herewith are true and correct.

Applicant Signature

Date _____

SUBSCRIBED AND SWORN TO

Before me this 17th day of April, 20 19

~~Notary Public~~





March 25, 2019

Richmar Realty
1051 Ketel Ave.
Suite 200
North Aurora, IL 60542

Attn: Mark Sorrentino

RE: FTC# : 9015219
 PROPERTY : Lot 2, Randall Road Commercial Center, Batavia, IL 60510
 Parcel No. 12-32-379-003

ZONING SEARCH

We have made a search of the records of the Supervisor of Assessments Office in the County where the subject property is located. The attached is a list of the tax assessees and their mailing addresses as they appear in the tax records of the Kane County Supervisor of Assessments. The properties fall within 250 feet in all directions from the Real Estate. The footage does not include public roads, streets, alleys and other public ways.

The liability of Fox Title Company is for the reasonable care in making this search and shall not exceed the least of: (a) the actual cost of the application: (b) the sum of \$1,000.00.

Note: This is not a Title Insurance Policy, Guarantee, or opinion of title and should not be relied upon as such.

FOX TITLE COMPANY
Merrily Veugeler

Issued by: **FOX TITLE COMPANY**

Kane County Office
1525 West Main Street
St. Charles, IL 60174
Phone: 630-584-9330
Fax: 630-377-6768

DeKalb County Office
3248 Sycamore Road
DeKalb, IL 60115
Phone: 815-899-3333
Fax: 815-899-3865

PARCEL NUMBER	PROPERTY OWNER	ADDRESS
15-05-100-018	North Aurora Land Company, LLC	17 N. First St., Geneva, IL 60134
15-05-100-016	North Aurora Land Company, LLC	17 N. First St., Geneva, IL 60134
12-32-380-005	PMR Holding, LLC	39W551 S. Hyde Park, Geneva, IL 60134
12-32-380-006	Randall Holdings, LLC	1051 Kettle Ave., North Aurora, IL 60542
12-32-380-004	Randall M.C.B.D, LLC	1051 Kettle Ave., North Aurora, IL 60542
12-32-452-001	Randall Road Commercial Center Association, Inc.	1051 Kettle Ave., North Aurora, IL 60542
12-32-380-002	TCF National Bank	800 Burr Ridge Pkwy., Burr Ridge, IL 60527
12-32-380-003	Randall Holdings, LLC	1051 Kettle Ave., North Aurora, IL 60542
12-32-404-005	BBG Randall Crossing, LLC, Bridgeview Bank Group	4753 N. Broadway St., Chicago, IL 60640
12-32-404-003	451 Randall Crossings, LLC, Ceres Acquisitions II, LLC	303 W. Erie St., Ste. 220, Chicago, IL 60654
12-32-404-004	BBG Randall Crossing, LLC, Bridgeview Bank Group	4753 N. Broadway St., Chicago, IL 60640
12-32-377-006	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612
12-32-377-007	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612
12-32-379-005	MHC 26, LLC	594 Dean St., Second Floor, Brooklyn, NY 11238
12-32-378-008	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612
12-32-378-007	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612
12-32-378-006	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612
12-32-378-005	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612

PARCEL NUMBER	PROPERTY OWNER	ADDRESS
12-32-378-004	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612
12-32-378-003	Star Randall Highlands, LLC, Steadfast Companies	18100 Von Karman Ave., Ste. 500, Irvine, CA 92612
12-32-378-001	Randall Highlands Condo Assoc.	438 N. Weber Rd., Romeoville, IL 60446
12-32-379-001	Randall Road Commercial Center Assoc., Inc. (Mark E. Sorrentino)	1051 Kettle Ave., Ste. 200, North Aurora, IL 60542
12-32-379-004	Randall Self Storage, LLC	1051 Kettle Ave., North Aurora, IL 60542

Attach hereto a statement with supporting data that the proposed special use will conform to the following standards:

1. The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.

Yes, we have an existing PUD, and our intention is to amend the PUD to accommodate the special use.

2. The proposed special use is deemed necessary for the public convenience at that location.

The location is centrally located in the core of various Residential, and Commercial properties making this location extremely convenient. We conducted a comprehensive Market Study, that study identified this as an ideal location.

3. The proposed special use does not create excessive additional impacts at public expense for public facilities and services, and will be beneficial to the economic welfare of the community.

Amending to allow this special use will not create any additional or excessive impacts. This proposed project will defiantly be beneficial to the Occupants and the property owners in the nearby community, by its convenient location to many existing commercial retail properties, and by adding additional population to support new retail and commercial development.

4. The proposed use is in conformance with the goals and policies of the Comprehensive Plan

Yes we are currently governed by an existing PUD, our intention is to amend the PUD that will allow the proposed residential uses.

5. The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.

Absolutely, we are proposing 66 well-appointed modern, boutique style residence located in 4 separate elevator equipped buildings. The architecture is designed to complement the character of the area.

6. The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.

We are surrounded by a variety of uses in the general area. Safety, and property values, are paramount in the overall concept in this development

7. The proposed special use is compatible with development on adjacent or neighboring property.

Yes to the North is a self-storage facility, with multi-family just north of them. To the West is a 4 acre retention pond owned by the Randall Road Commercial Center Association, to the north of that is another detention pond that serves the residential community. To the East is the Goddard Day Care Center, and to the South is vacant land.

8. The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.

This property lies within the Randall Road Commercial Center Subdivision, fronting on Randall Road at the Signalized intersection of Randall and Comiskey Avenue. This property will be located on Miller Drive just South of Ketel Avenue with the traffic movements located off of Miller Drive at a single controlled access point with a separate access for emergency vehicles only.

9. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.

The required parking per the Ordinance seems to be excessive, however the parking required is 132 spaces. We have planned a 137 parking places 5 spaces more than the ordinance requires. 30 of them will be fully enclosed garages

10. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.

This planed project is part of an existing PUD. When the overall development was originally built all utilities sewer, and water were installed and stubbed to each individual lot within the subdivision, including a common Retention pond separate and off this site in addition to the public access to the site which will be Miller Drive.

11. The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.

This is part of an existing PUD and we are only asking for the current PUD Ordinance to be amended to accommodate a residential use.

Randall Terrace Residence
North Aurora Il.
5/28/19

BEFORE THE PLAN
COMMISSION OF
THE VILLAGE OF
NORTH AURORA
IN THE MATTER OF THE
APPLICATION OF
RANDALL TERRACE
L.L.C.
FOR SPECIAL USE/PUD
AMENDMENT
LEGAL NOTICE

Notice is hereby given in compliance with the local ordinance and state law that a public hearing will be held at the request of Randall Terrace LLC before the North Aurora Plan Commission on Tuesday, June 4, 2019, at 7:00 p.m. at the North Aurora Village Board Meeting Room, 25 E. State Street, North Aurora, Illinois. The petitioner requests a Special Use to amend Ordinance No. 01-04-09-05, being an Ordinance Granting a Special Use as B-2 General Commercial Planned Unit Development for the Randall Road Commercial Center ("PUD Ordinance") for the property located at the southwest corner of Kettle Avenue and Miller Drive in the Village of North Aurora, Kane County, Illinois identified by the following PIN: 12-32-403-009.

This PUD Ordinance amendment is being requested to allow multi-family residential dwellings as a permitted use on Lot 2 only.

An application has been filed by the petitioner and is known as petition number #19-04. The application for special use is on file at the office of the North Aurora Community Development Department and is available for public inspection. Public comments will be taken at the public hearing. Further information is available by contacting the Community Development Department at 630-897-8228.

DATED: This 7th day of May, 2019.
/s/ Michael Toth
Community and Economic
Development Director
Published in Daily Herald
May 10, 2019 (4524411)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Addison, Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Bartlett, Batavia, Bensenville, Bloomingdale, Buffalo Grove, Burlington, Campton Hills, Carol Stream, Carpentersville, Cary, Deer Park, Des Plaines, East Dundee, Elburn, Elgin, Elk Grove Village, Elmhurst, Fox Lake, Fox River Grove, Geneva, Gilberts, Glen Ellyn, Glendale Heights, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Itasca, Keeneyville, Kildeer, Lake Barrington, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Lisle, Lombard, Long Grove, Medinah, Mt. Prospect, Mundelein, Naperville, North Aurora, North Barrington, Oakbrook, Oakbrook Terrace, Palatine, Prospect Heights, Rolling Meadows, Roselle, Schaumburg, Sleepy Hollow, South Barrington, South Elgin, St. Charles, Woodridge, Streamwood, Tower Lakes, Vernon Hills, Villa Park, Volo, Warrenville, Wauconda, Wayne, West Chicago, West Dundee, Wheaton, Wheeling, Wildwood, Winfield, Wood Dale, Round Lake Park, Pingree Grove, Sugar Grove

County(ies) of Cook, DuPage, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 10-MAY-19 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY *Laurel Baltz*
Authorized Agent

Control # 4524411

Randall Terrace Residence
A
Market Rate Multi-Family Development
Located in
North Aurora Illinois

Project Description

Randall Terrace is conveniently located in the Western Suburbs of Chicago approximately 2 miles North - East of Interstate I 88, and the Full Interchange of Orchard Road. Lying just West of Randall Road, between Oak Street and Orchard Roads in the Randall Road Commercial Center Subdivision, within the City limits of North Aurora IL

The Site surrounded by newer Single Family, Multi-Family Residences, and a Variety of Commercial Development, serving the needs of the residence in a clean and safe environment.

Located on

5.2+ acres of flat level land with all utilities to the site, lying within the City limits of North Aurora IL.

We are proposing 66 well-appointed, modern, boutique style residences for lease, located in 4 separate 3 story elevator equipped buildings.

Consisting of 1, 2, and 3 bedroom centrally air conditioned units ranging in size from 830 sq. to almost 1,400. sf. with a unit mix to meet the market demand.

All Residence will have a Balcony or Patio overlooking a landscaped courtyard designed to provide a natural area that will include sitting, walking, and grilling areas, that are intended to promote gathering and socializing for residence of all ages, both adult and children.

All residents will contain granite countertops, a stainless steel kitchen appliance package, tile, wood, and carpeted floors, large operable windows, modern LED

lighting fixtures, smart lock technology, large Balconies or Patios and units with vaulted Ceilings.

Oversized Garages are available for select Residence.

Accompanied by a clubhouse, fitness, and Recreational Center, which will include a full time Leasing and Management office.

Attached is a swimming pool and Hot tub. All will include free Wi-Fi.

The goal is to include smart technology features into each unit.

Set up to accommodate wireless internet and several USB ports throughout the units

The Clubhouse will Be Equipped with a full kitchen, and bar area, multiple wall mounted flat screen TVs, along with a professional sound system for both inside and outside use and will be open and available to the Residents for either scheduled events or simply a gathering place to lounge by one of the two fireplaces with friends and family watching your favorite sports event or a pre scheduled movie of the day.

A Business Center fully equipped with free Wi-Fi, a copy machine, scanner, Fax machine, UPS, FedEx, and Amazon pick up and deliver area for tenants to recover packages.

All accompanied with a large Conference Room for scheduled meetings.

Indoor /outdoor washrooms will be located in the clubhouse for use by residents using either the pool or clubhouse.

There will be BBQ grills located in several areas including adjacent to the pool with an outdoor dining patio for use by all the residents.

A well designed children's playground area will also be located on site.

A designated automobile wash Bay Area for use by the residents

A Dog Park will be located on site

We are planning a Ground Breaking in summer of 2019 with Rental Units available in 2020



GARAGES

GARAGES

GATED
ENTRY

BUILDING 1
18 UNITS

CLUBHOUSE

POOL

PAVILION

FIREPIT

BBQ

BUILDING 2
18 UNITS

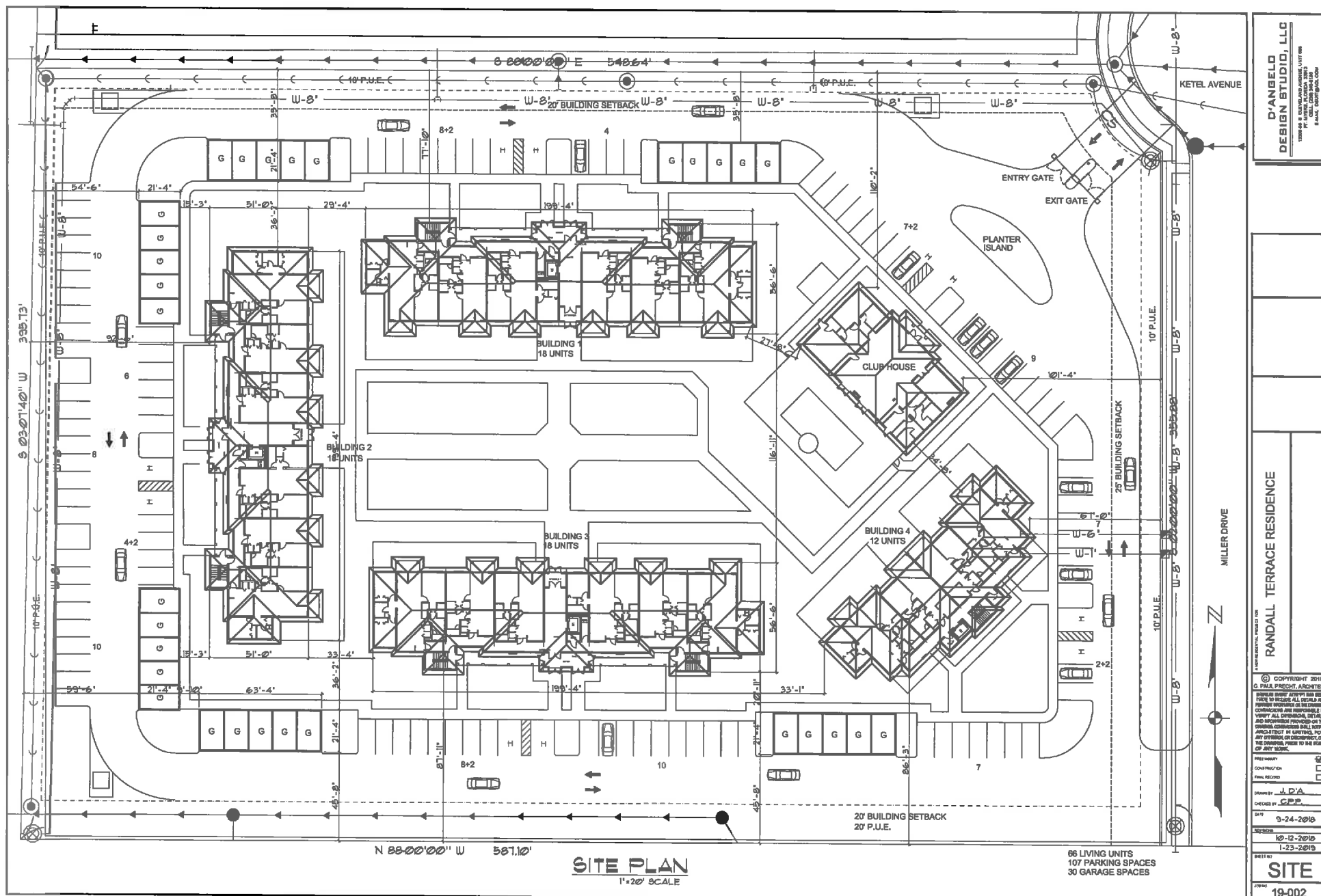
PAVILION

BUILDING 3
18 UNITS

BUILDING 4
12 UNITS

GARAGES

GARAGES



**D'ANGELO
DESIGN STUDIO, LLC**

LEGIONNAIRE PROJECT FOR
RANDALL TERRACE RESIDENCE

© COPYRIGHT 20
G. PAUL PRECHT, ARCHIT

WHILE EVERY ATTEMPT IS MADE TO INCLUDE ALL DETAILS FROM SOURCE OF THE DESIGN CONTRACTING ARE RESPONSIBLE TO VERIFY ALL DIMENSIONS, DATA AND INFORMATION PROVIDED ON DRAWING CONTRACTORS SHALL NOT ARCHITECT IN EXERCISE IN ANY OFFICIAL OR DISCREPANCY. THE DRAWING, PRIOR TO THE SET OF ANY NOTE.

REGISTRATION
CONSTRUCTION
FINANCIAL SERVICES

DESIGNED BY J. D'A.

CHARGE BY C.P.P.

DATE 9-24-2018

10-12-2018
1-23-2019

0175

SITE

19-002

OF

LOT 3

548.64' R=M

10' PUBLIC UTILITY &
DRAINAGE EASEMENT

—10' PUBLIC UTILITY &
DRAINAGE EASEMENT

EDGE OF WATER
AS OF 7-25-12

LOT 4

LOT 2
(VACANT)

16T PEDF

25" BUILDING LINE

MILLER DRIVE

10' PUBLIC UTILITY &
DRAINAGE EASEMENT

SCALE: 1" = 40'
BASIS OF BEARING
PLAT OF SUBDIVISION

LEGEND

EXISTING

- | | |
|-------|-------------------------|
| △ | FIRE HYDRANT |
| ⊙ | VALVE IN VAULT |
| □ | INLET |
| ○ | MANHOLE WITH CLOSED LID |
| ⊙ | MANHOLE WITH OPEN LID |
| △ | FLARED END SECTION |
| ⊠ | PEDESTAL |
| ▽ | SIGN |
| ===== | CURB & GUTTER |

SITE AREA: 229,870 SQ.FT. = 5.2794 ACRES

LEGEND

M = MEASURED DIMENSION
R = RECORD DIMENSION

THIS PROFESSIONAL SERVICE CONFORMS
TO THE CURRENT ILLINOIS MINIMUM
STANDARD FOR A BOUNDARY SURVEY

ORDERED BY TLS MANAGEMENT

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) ss
COUNTY OF DU PAGE)

WE, INTECH CONSULTANTS, INC. HEREBY STATE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF THE SAME.

DATED THIS _____ DAY OF _____ A.D., 20____

ILLINOIS PROFESSIONAL LAND SURVEYOR # _____
 LICENSE EXPIRATION/RENEWAL DATE: _____

NOTE COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE. EASEMENTS AND BUILDING LINES INDICATED ARE TAKEN FROM ORIGINAL RECORDED SUBDIVISION PLAT. FOR SUBSEQUENT EASEMENTS AND BUILDING LINES ADDED, ALTERED, OR NOT DEPICTED UPON RECORDED SUBDIVISION PLAT, REFER TO TITLE POLICY, DEED OR INSTRUMENT CREATING SAME.

PREPARED: 7-25-12

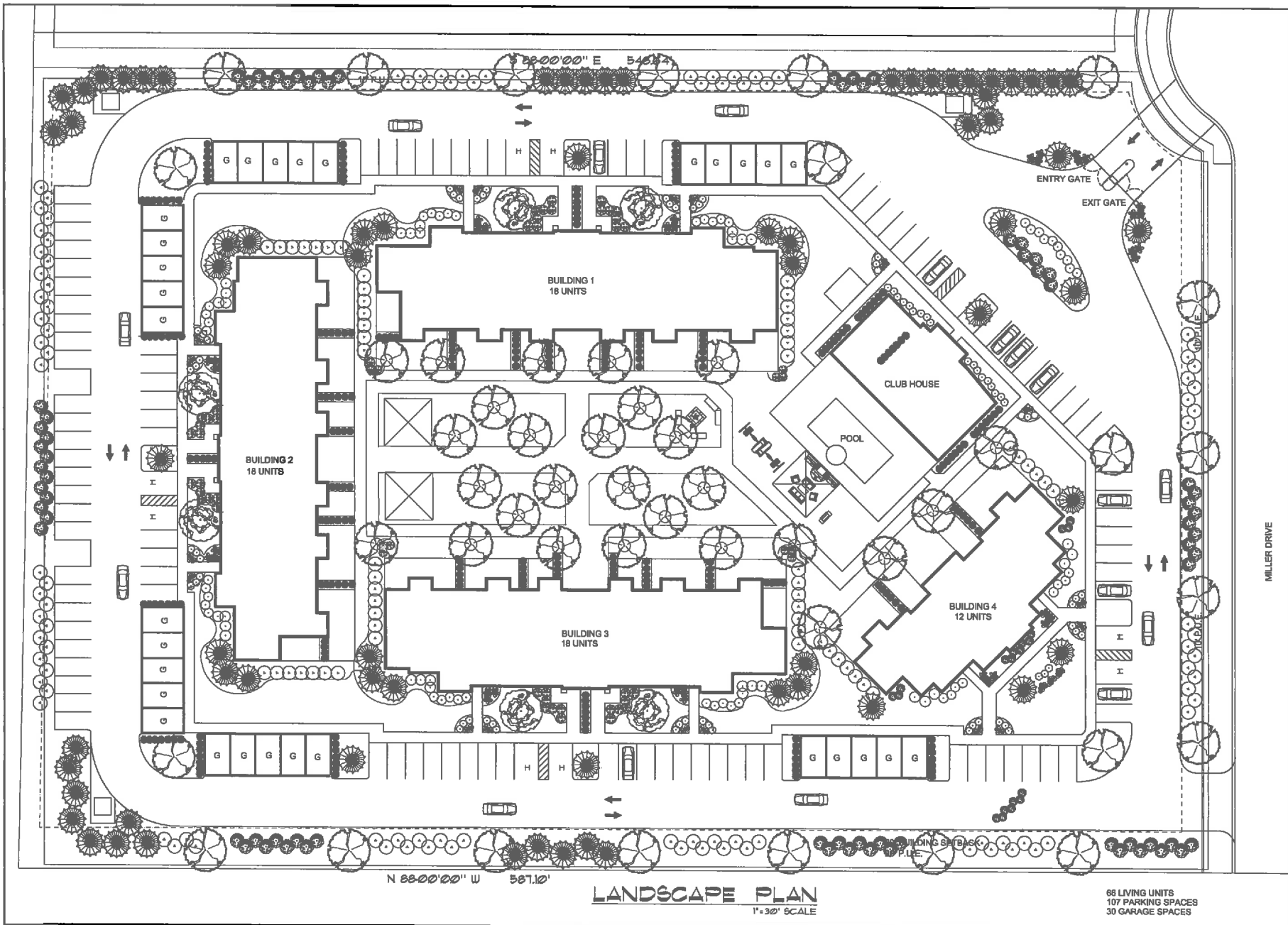
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INTECH CONSULTANTS, INC.
ENGINEERS / SURVEYORS

1689 UNIVERSITY LANE, SUITE D LISLE, ILLINOIS
TEL: (630) 984-5658 FAX: (630) 984-5052
E-MAIL: CAD@INTECHCONSULTANTS.COM
ILLINOIS REGISTRATION No. 184-001040

SHEET No. 1 of 1 JOB No.: 6609-2

Survey Lot 2 / 5.2A 2 RRCC



LANDSCAPE PLAN

1"=30' SCALE

68 LIVING UNITS
107 PARKING SPACES
30 GARAGE SPACES

D'ANGELO
DESIGN STUDIO, LLC
1970 WINDWARD AVENUE, SUITE 1, FT. PETER, FLORIDA 32909
CALL (888) 364-6888
WWW.DANGELODS.COM

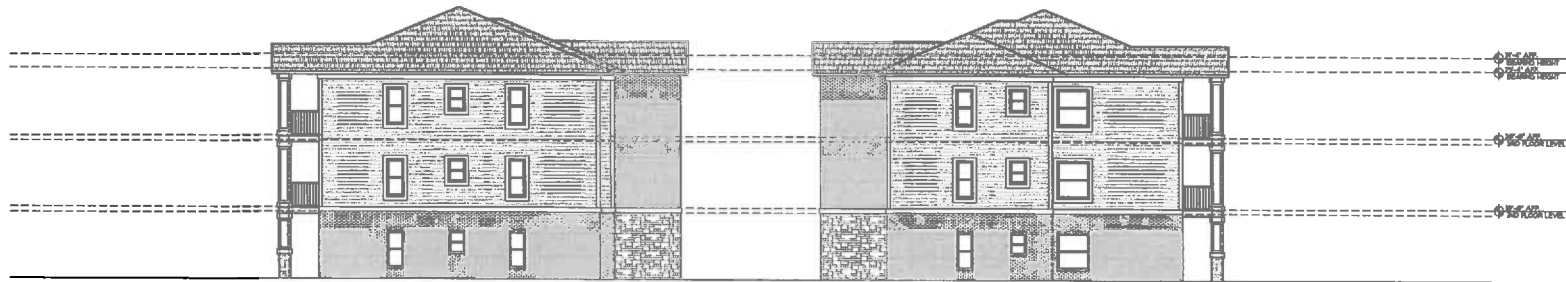
RANDALL TERRACE RESIDENCE

PREPARED BY: J.P.A.

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DESIGNER: J.P.A. ARCHITECT
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PRELIMINARY
CONSTRUCTION
FINAL RECORD
DRAWN BY: J.P.A.
CHECKED BY: G.P.P.
DATE: 12-1-2018
LOCATION:

SHEET NO.
LS
JOB NO.
18-000



LEFT ELEVATION
1/8" SCALE

RIGHT ELEVATION
1/8" SCALE



FRONT ELEVATION
1/8" SCALE



REAR ELEVATION
1/8" SCALE

BUILDING #1, #2 & #3

**D'ANGELO
DESIGN STUDIO, LLC**
13200-49 N. CALVIN AVENUE, SUITE 100
PHOENIX, ARIZONA 85024
P: 602.998.1111
WWW.DANGELODS.COM

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PRELIMINARY ☒
CONSTRUCTION ☐
FINAL RECORD ☐

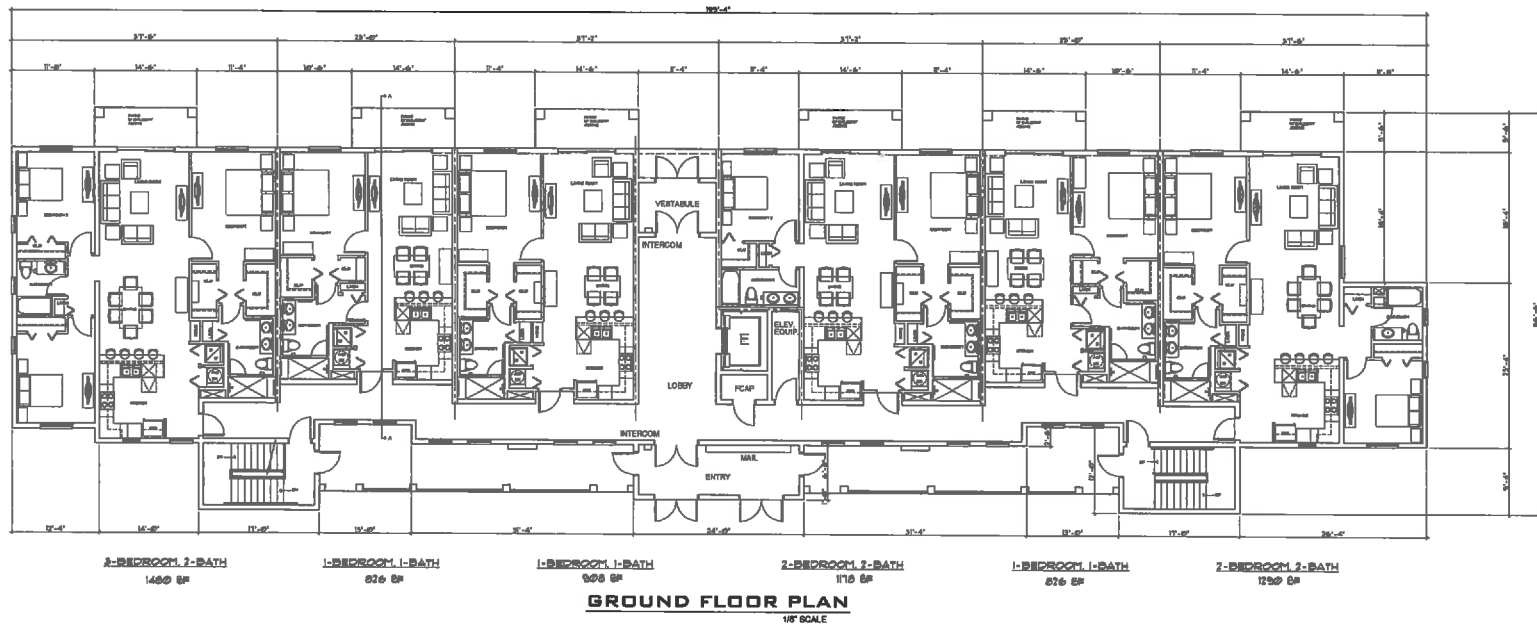
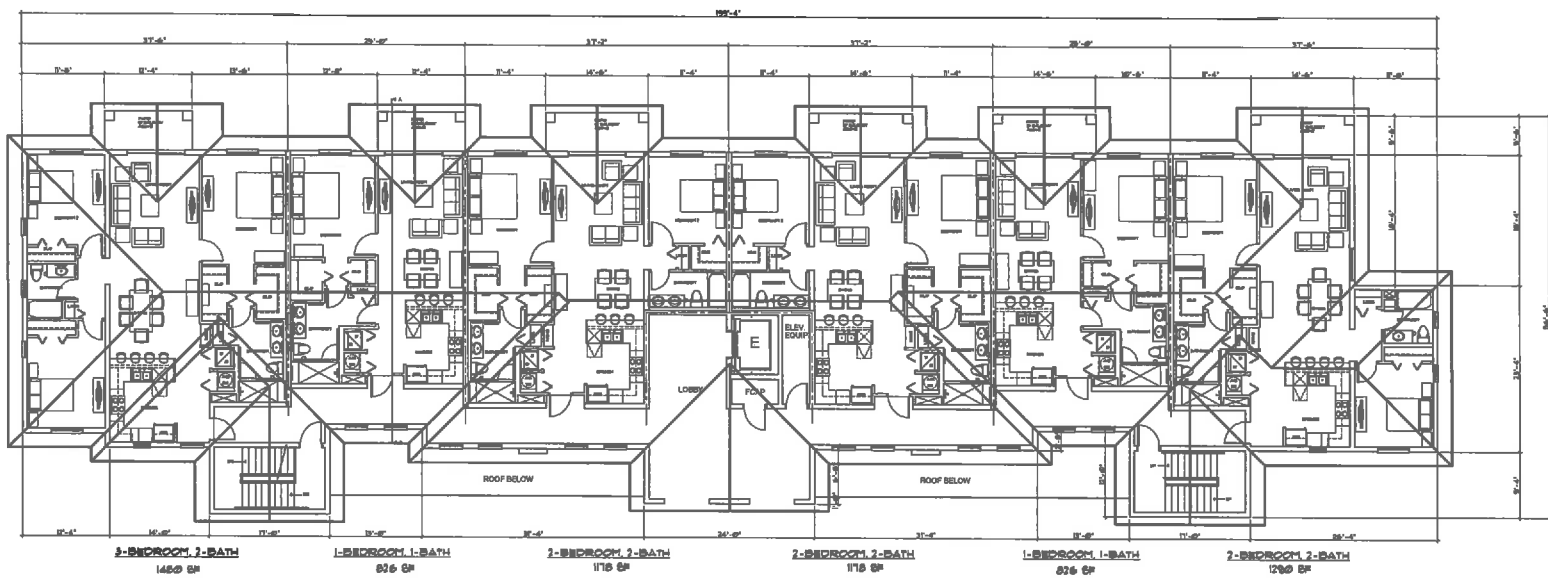
DESIGNED BY **J.P.A.**
DRAWN BY **C.P.F.**

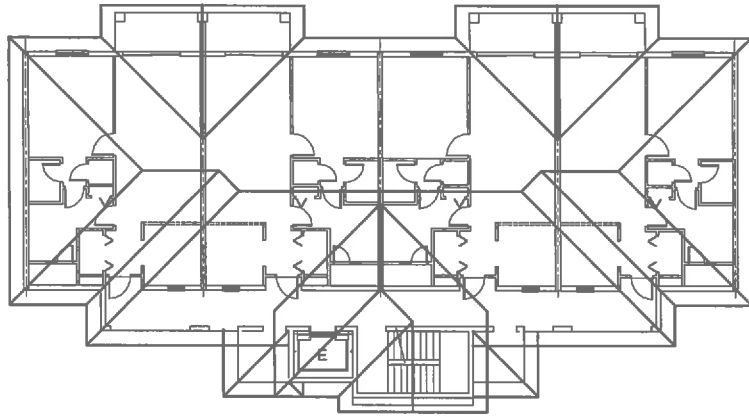
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REVISION **9-1-2019**

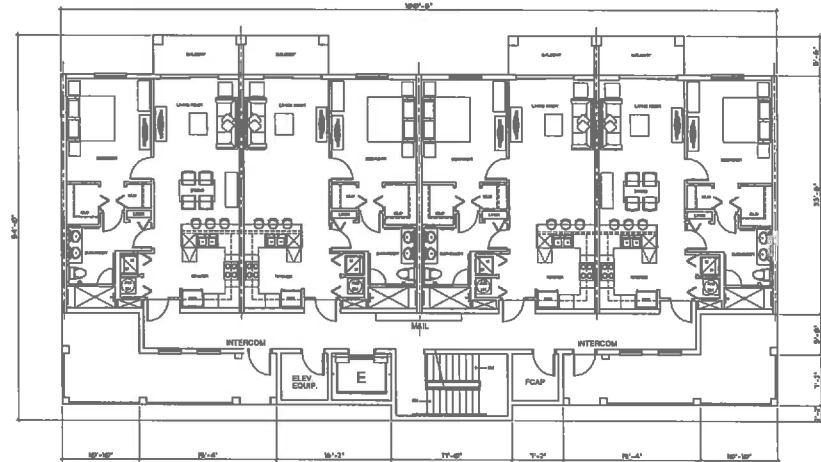
SHEET NO. **A-1**

TOTAL SHEETS **19-000**

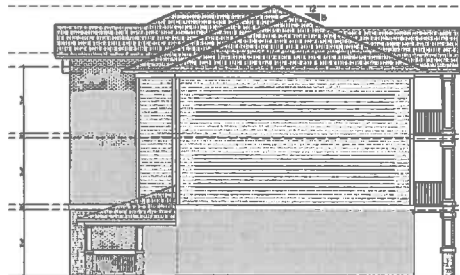




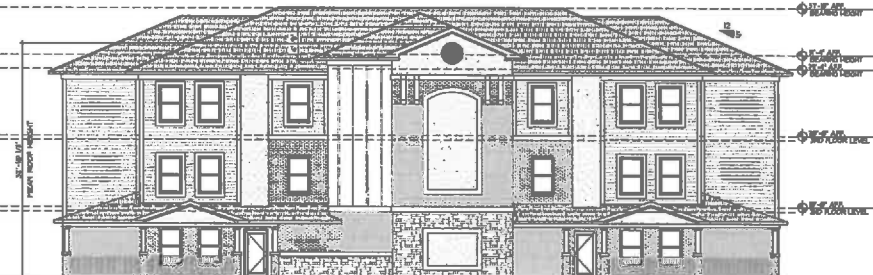
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1/8" SCALE



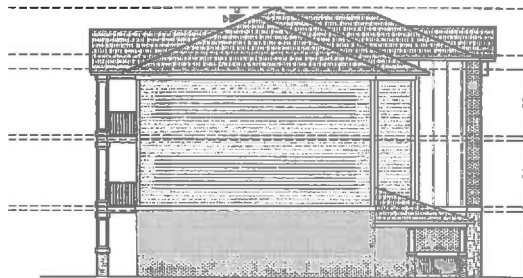
BUILDING #4 CONFIGURATION
1/8" SCALE



RIGHT ELEVATION
1/8" SCALE



FRONT ELEVATION
1/8" SCALE



LEFT ELEVATION
1/8" SCALE



FRONT ELEVATION
1/8" SCALE

BUILDING #4

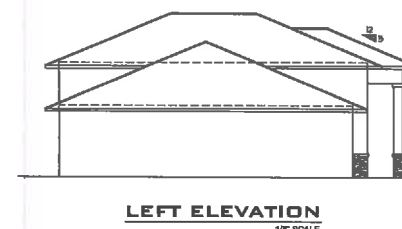
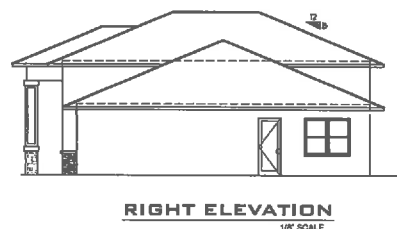
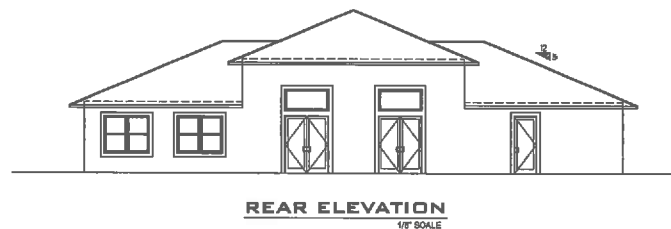
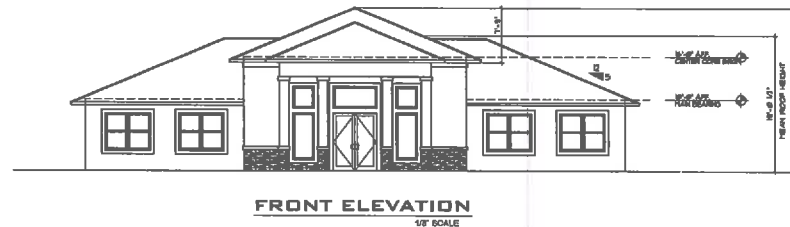
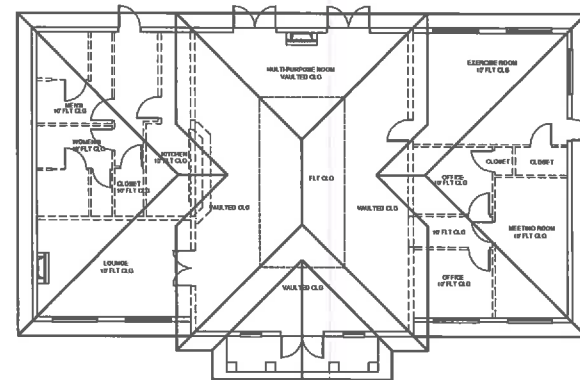
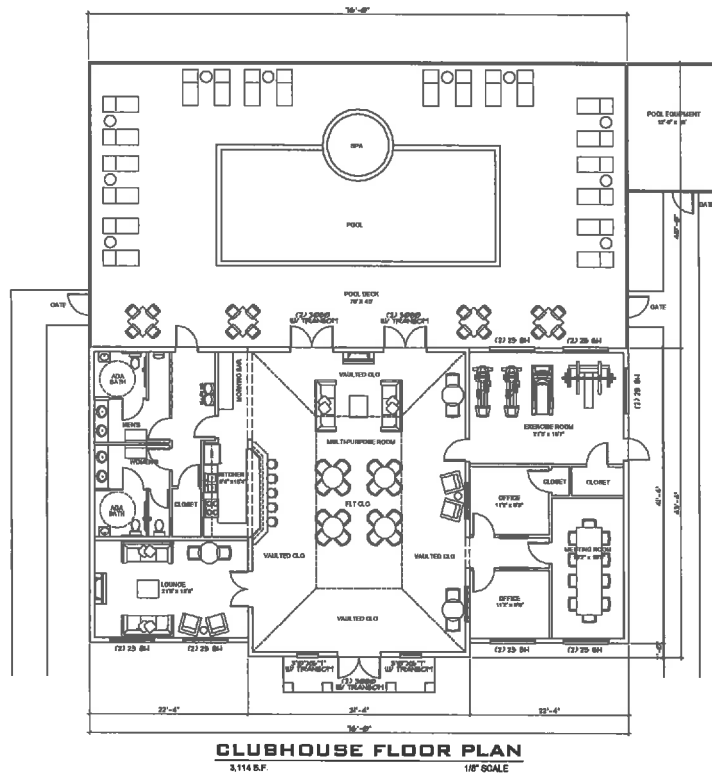
**D'ANGELO
DESIGN STUDIO, LLC**
13300-40 S. CALIFORNIA AVENUE, SUITE 600
FT. MYERS, FLORIDA 33907
813.481.0000
WWW.DANGELODS.COM

PLUMTREE APARTMENT COMPLEX

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PRELIMINARY
CONSTRUCTION
FINAL RECORDS
DESIGNED BY: **J.P.A.**
CHECKED BY: **C.P.P.**
DATE: **12-10-2017**
REVISIONS: **5-1 2/8/19**

SHEET NO.
A-5
JOB NO.
17-000



CLUB HOUSE BUILDING

D'ANGELO DESIGN STUDIO, LLC
13334-10 E. CALIFORNIA AVENUE, SUITE 200
FT. MYERS, FLORIDA 33905
P: 888.888.8888
E: INFO@DANGELLO.COM

THE ABOVE SHALL BE TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT I HAVE REVIEWED THE CONSTRUCTION DOCUMENTS FOR THIS PROJECT AND THAT IT IS IN ACCORDANCE WITH THE CITY OF FT. MYERS ORDINANCES AND THE FLORIDA BUILDING CODE. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.

PLUMTREE APARTMENT COMPLEX

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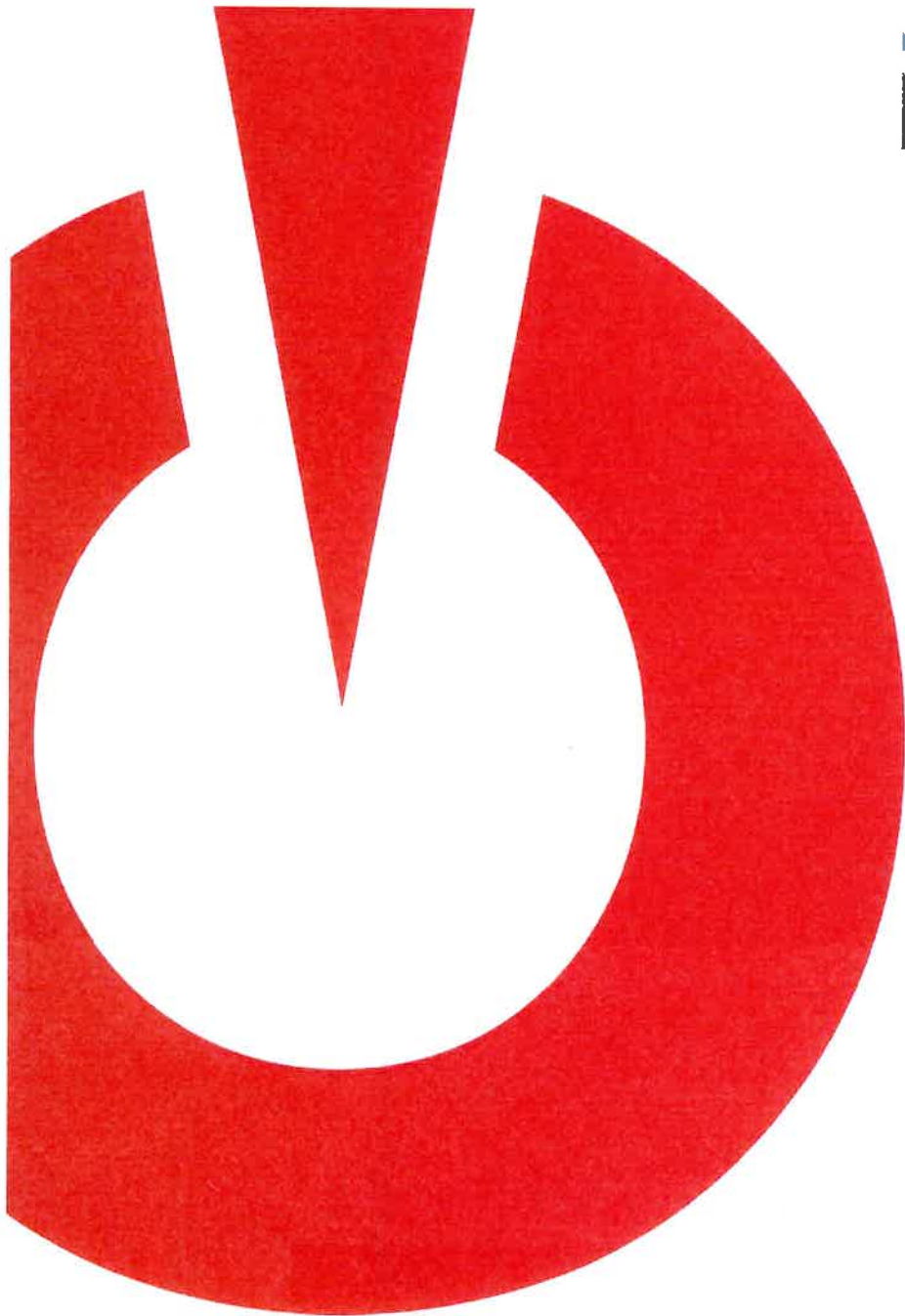
DESIGNED BY: J.P.A.
DRAWN BY: C.P.P.

DATE: 12-11-2018

REVISIONS: 5-1 2018

PROJECT NO: A-4

17-000



Randall Terrace Apartments Market Study

August, 2018

Metrostudy – Midwest Region
5600 N. River Road, Suite 250
Rosemont, IL 60018

Office: 773-824-2455



August 10, 2018

Mr. Mark Sorrentino
Richmar Realty and Development Co.
1051 Ketel Avenue, Suite 200
North Aurora, IL 60542
Mark.S@richmarrealty.com

RE: Multifamily for Rent Study in North Aurora, IL

Dear Mr. Sorrentino:

Metrostudy is pleased to present this market study to Richmar Realty and Development Co. Metrostudy has reviewed the potential development of 66 multifamily units on the site located in North Aurora, IL. The goal of this study is to provide the Client with pricing and lease up projections for the future development of an apartment community.

This report is conducted by Bill Bailey, Consultant, and John Spies, Senior Advisor, with participation from Mark Gianopulos. Metrostudy has been engaged in analyzing residential market conditions since 1975 with its proprietary lot-by-lot survey, and locally within the state of Illinois since the 1980's.

Please contact us at your convenience with any comments or questions regarding this report, or any other matter relevant to your real estate market research needs.

Respectfully Submitted,

Metrostudy



Richmar Realty and Development



RANDALL TERRACE APARTMENTS

Page 2

Table of Contents



Introduction	4
Executive Summary	7
Site Analysis	13
Area Overview	17
Chicago Multifamily Market	27
Kane County / I-88 West Multifamily Market	31
Multifamily Competitive Analysis	35
Profiles of Competitive Multifamily Communities	47
Table of Exhibits	55



Introduction



Richmar Realty & Development is proposing to construct 66 multifamily units for rent in North Aurora, Illinois, referred to as Randall Terrace Apartments. The purpose of this study is to assess the market conditions and supply/demand dynamics within the competitive market area to ascertain the best unit sizes, mix and pricing strategy to achieve the quickest lease up, and to maximize rental revenue. The objective is to provide market-based observations and conclusions that assist in your evaluation of the potential rental demand at this location. The analysis will consist of the following elements:

Demographic and Economic Analysis

Rental Supply and Demand – Competitive Market Area

- Determine the Competitive Market Area (CMA) and provide a map showing the location of the proposed project, and the competitive projects.
- Provide an analysis of historical and existing apartment rental supply.
- Provide an analysis of historical and current demand for rental units, and an estimate of future demand based on demographic trends through 2023.
- Provide an analysis of historical and current rental rate pricing, by unit size and type, and formulate a five year projection of rental rates for the 2018 - 2023 period.
- Provide a snapshot of current single family rental rate pricing, inventory and lease up rates for units in the market, using MLS, Zillow, Realtor.com and other public data sources.

Analysis of Competitive Rental Communities

- Identify likely competitive for rent communities for the subject property.
- Provide current occupancy rates for the competitive projects.
- Create a floorplan schedule to include floorplan designation, square footage, and monthly rental rate in dollars and per square foot.

Subject Property Analysis

- Discuss the strengths and weakness of the site location.
- Recommend rental rates based on the subject property's competitiveness within the market.

Limiting Conditions

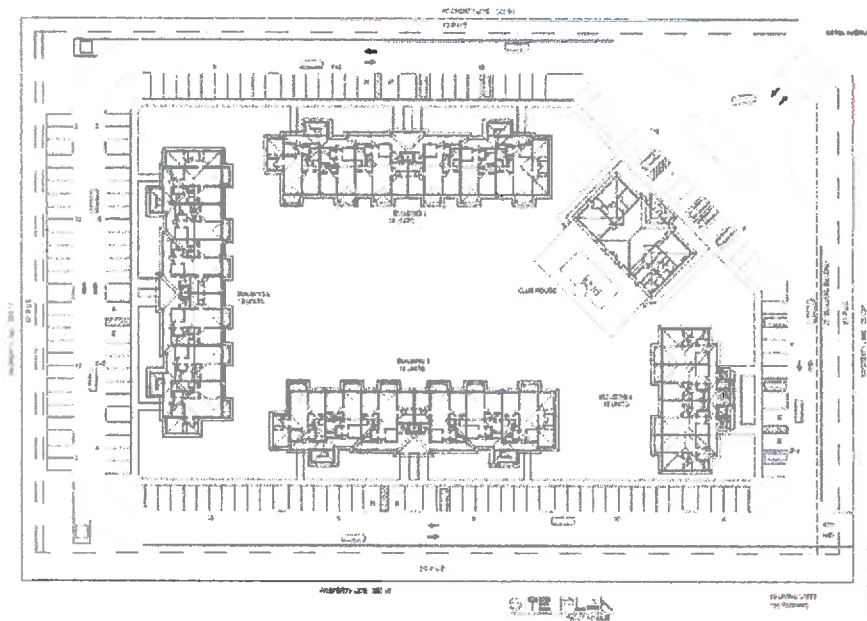
It is understood by Client that Metrostudy can make no guarantees about the recommendations in this study. Conclusions are based on estimates, assumptions and other information developed by Metrostudy from its independent research effort, general knowledge of the industry, and consultations with the Client and its representatives. Reasonable efforts have been made to ensure that data contained in this study is as accurate and timely as possible, and the data is believed to be reliable. There will usually be differences between projected and actual results, because events and circumstances frequently do not occur as expected. Metrostudy has no responsibility to update our report for events and circumstances occurring after the date of our report. It is understood by the Client that payment of any and all Metrostudy fees and expenses for this study is not in any way contingent upon the specific conclusions reached or the nature of the advice given in this report.



Site Plan

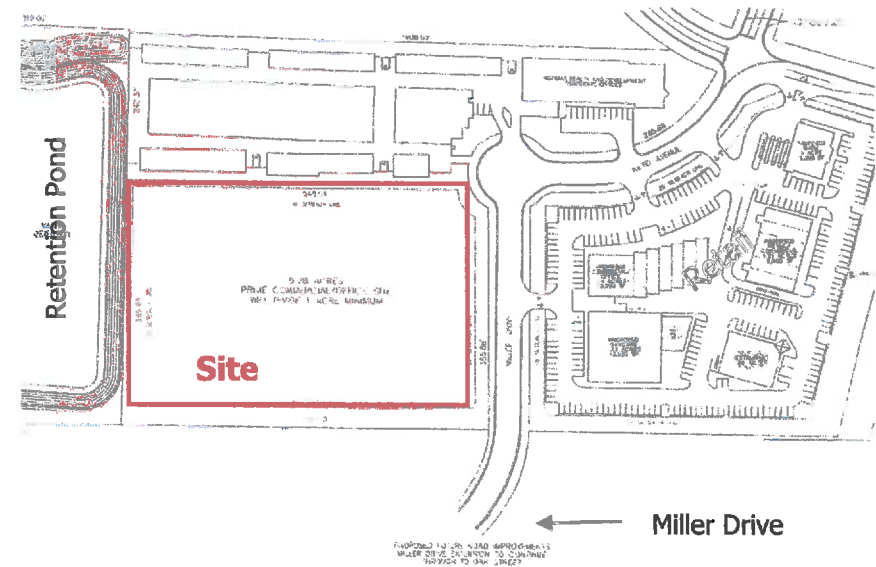


Exhibit 1: Randall Terrace Apartments Site Plan



The site is rectangular which allows for an efficient design with a central green space. Balconies may be offered with a view of the central space that could provide for a competitive advantage as views offered by some of the competitors are of parking lots and streets and would be considered inferior.

Exhibit 2: Randall Road Commerce Center



The site is bounded by a retention pod, self storage, Miller Drive and a vacant commercial parcel of approximately 20 acres. According to the Client, Miller Drive will be extended to connect with Oak Street, which will allow for easier ingress and egress to and from the site.



Definition of the CBSA and Competitive Market Area



Exhibit 3: Chicago-Naperville-Arlington Heights - CBSA Map

The Chicago-Naperville-Arlington Heights CBSA is shown on the map, and it represents a distinct demographic and economic area that is defined by the US Census Bureau. The CBSA, also referred to as the 'Market Area' in this report, is used as a comparison to the CMA, defined below, as the metrics and trends are consistent year over year with a lengthy history of data.

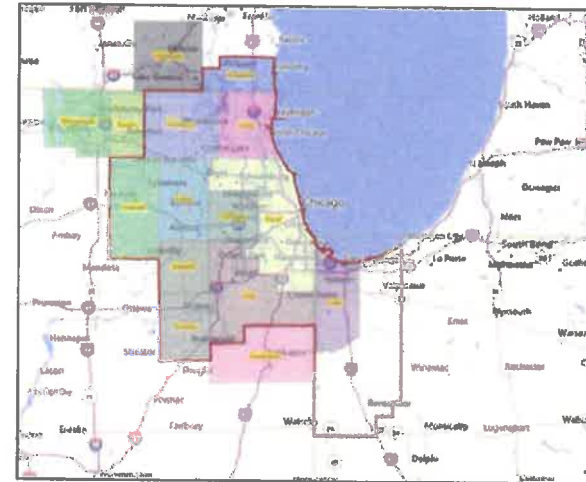


Exhibit 4: Randall Terrace CMA Map

The Randall Terrace Competitive Market Area ("CMA") has been defined to encompass an area of Kane County that generally is bounded on the north by Batavia, extends east to the Fox Valley River, to the south to Galena Blvd., and then to the north along partially the western the Village of North Aurora boundary line Batavia.

The CMA boundary takes into account the location of other multifamily projects comparable to the proposed subject development, as well as other considerations such as drive time, infrastructure, and socioeconomic indicators.





Executive Summary

Executive Summary



Site Analysis

- The shape of the site allows for an internal greenspace visible by all units, which provides a pleasing view from the balconies that are planned to face toward it. While there are a mix of uses on each side from a man-made lake, to self storage facility, a road, and a vacant parcel with the potential for a variety of uses, the internal greenspace and layout of the buildings mitigates the surrounding uses by creating an enclosed space of landscaping and amenity potential.
- The immediate neighborhood is an advantage as it offers a wide variety of shopping and dining opportunities within walking distances and by a short car ride.

Demographics

- The CBSA is projected to decrease by a very minor amount of -.1% though the CMA is projected to grow by 3.8% for 2018 to 2023. The CMA is aging with increases in the proportion of those over 55 growing. The largest increases are seen in the 65 to 74 and 75 to 85 age brackets which are projected to increase in proportion by 3.9% and 5.7%, respectively, by 2023. Randall Terrace Apartments could expect to see more senior and retiree renters. According to Nuestar/ElementOne, the household incomes are projected to increase very slightly in 2023 to an average of \$78,587 and a median of \$59,443. Using the range of housing costs relative to income of 25% to 30% and the 2018 estimate of average and median incomes, the amount expected to be available for housing expense is as follows:

Monthly Rent Calculated by Housing Ratios

Housing Cost Ratio	CMA Household Income	
	Average	Median
	\$77,823	\$56,761
25%	\$1,621	\$1,183
30%	\$1,946	\$1,419

Consumer Segmentation

- The consumer segmentation analysis reveals that, among the fourteen categories, consumers are fairly evenly spread by proportion of the population among five categories of Renters Near Term Buyers (13%), Elite (12.5%), Entry Level Suburban (11%), Active Adult Feature and Location (11%), and Renters (11%). With these broad and varied categories, Randall Terrace Apartments can expect to see a wide range of potential renters as measured by the consumer segmentation analysis.



Executive Summary



Employment

- Employment by large employers has held steady, although the type of major employer has changed from 2008 to 2017. The manufactures of Caterpillar, Daco, Inc., and Air Rite Heating & Cooling have reduced staff or have left Aurora / North Aurora while the medical centers of Rush Copley and Prevena Mercy Center have added employees. There are two new North Aurora employers since 2008, One Source Industries and Dovenmuehle Mortgage that employ 159 and 125 people, respectively.
- The employment by business sector analysis shows Health Care and Social Assistance as the largest category, in terms of proportion of the population, at 20%, followed by Public Administration and Other Services at 14% each. While these categories are considered stable, the pay is not as high as pay for jobs in the categories of Finance and Insurance, Professional /Scientific / Technical Services, and Manufacturing for a combined proportion of 18%.

Multifamily Apartment Market

- The Chicago apartment market has a healthy occupancy rate for the conventional property type of 90.7%. While occupancy has dropped over the past 18 months from 92% to 90.7, which is only by 1.4%, the average and effective monthly rental rates are higher, though these rates have fluctuated during the past 18 months. The average monthly rent is \$1,565 as of June, 2018.
- Submarket trends indicate that the Kane County / I-88 West dropped in average occupancy by 1.1% from July, 2017 to June, 2018. Further, among the submarkets, this submarket has the fourth lowest occupancy at 86.9% out of 26 submarkets. These metrics are reflective of the addition of 1,759 units from 2015 to 2018, which has negatively impacted over-all average occupancy in the short run.
- For the submarket of Kane County / I-88, a similar trend to the greater Chicago apartment market is an increase in average monthly rent.

Competitive Set

- Five apartment communities are selected to form the competitive set. The communities are selected based on type of community (garden style vs. mid/high rise), location, age, and level of amenities.
- The average rents/SF range from \$1.32 to \$1.71, with the average size of the unit having a material impact on the rental rate range. The newest community, Springs at Orchard Road, commands the highest average rent/SF of \$1.71 due to its level of amenities and the smaller average unit size of 976 SF. While there are two other communities with similar average size of units, they were constructed in 2001 and do not allow for shopping and services within walking or short car ride distances, and they both have detached garages as opposed to the more desirable attached garages.



Executive Summary



Competitive Set (continued)

- For mix of floor plans, the two most recent rental projects, Springs at Orchard Road and Randall Highlands, have very different mixes as the former seeks to attract a broader range of renter while the latter seeks to attract more families with more of the larger, 3/2 size unit.
- An analysis of overall occupancy by floorplan for the competitive set shows that all floorplan types are well leased in the range of 95.6 to 97.0%. The floorplan types by community are well leased with the exception of the 1/1's at Kirkland Crossing (78%) and the 3/2's at Springs at Orchard Road (93%).
- Kirkland Crossing has only 9% of its units as 1/1's, and it charges rents/SF of \$1.78 to \$1.90, which are at the upper end of the range. When compared to Springs at Orchard Road's monthly rents for 1/1's, an upper limit of monthly rent appears to be \$1,155 or \$1.82. Therefore, the rents for 1/1's at Kirkland Crossing may be too high.
- The rapid lease-up to stabilization (90%+) for Springs at Orchard Road of 12 months indicates a good level of demand.
- Over the past 24 months, rents among the competitive set have held fairly steady, except for the temporary reduction from October, 2017 to March, 2018, which was a direct result of the addition of 300 units from Springs at Orchard Road.
- An analysis of amenities show a trend of offering a car wash area, pet park, a jogging trail, and a catering kitchen. The base level of amenities remains a club house, fitness room, and pool. Additional amenities would include a playground, grille areas, and extra storage. Granite Counter tops and stainless steel appliances are not offered in all of the communities in the competitive set, which may indicate they may be optional for the proposed units at Randall Terrace Apartments.
- The price positioning matrices show the following:
 - For 1/1's, the Springs at Orchard Road, developed in 2017, achieves the highest rents while the Orchard Village, developed in 2004 and located south of I-88, achieves the lowest rents. Rents at Butterfield Oaks and Kirkland Crossing fall in between these two.
 - For 2/2's, Randall Highlands has to offer a larger unit (by approximately 24%) to achieve rents/SF competitive with Springs at Orchard Road. Orchard Village represents the low end of the matrix for this floorplan.
 - For 3/2's, the number of garages creates the disparity of rent at the Springs at Orchard Road. Randall Highlands, similar to its 2/2 floorplan, has to offer a larger unit to compete on a price/SF basis. At Kirkland Crossing, the renters appear to not want to pay more for slightly larger units.

Conclusions and Recommendations

- **Projected Lease-up:** Metrostudy estimates that the community should achieve stabilization in 14 to 18 months. An aggressive pre-leasing program may accelerate this projection.



Executive Summary



Conclusions and Recommendations (continued)

The recommend unit mix is as follows:

Floorplan	# of Units	Floorplan Mix	Comments
1/1	28	42%	Yields the highest rent/sf among the floorplan types. Matches the Springs at Orchard Road which achieves relatively high rents/sf of \$2.03.
2/2	28	42%	Exhibits strong demand in the market in terms of developer trends and occupancy by floorplan type.
3/3	10	15%	Yields the lowest rent/sf among the floorplan types. This type is more suited to families and those seeking townhomes, such as Randall Highlands.
	66		

The recommend unit size and pricing are as follows:

Floorplan	Size	Monthly Rent Range		Monthly Rent / SF	
1/1	725	\$1,250	\$1,325	\$1.72	\$1.83
2/2	950	\$1,450	\$1,550	\$1.53	\$1.63
3/2	1,300	\$1,750	\$1,900	\$1.35	\$1.46

Should detached garages be offered at Randall Terrace Apartments, then the rent may be increase by 5% to 10%.

Rent Increases: Depending on activity, rental rates, based upon our current and projected market assessments, could be increased by an average of .20% per month.



Executive Summary



Conclusions and Recommendations (continued)

Proposed Target Market: The consumer segments that would make up the target market are; a) Renters, b) Renters Near Term Buyers, c) Entry Level Suburban, d) Family Life Young Children, and e) Active Adult Feature and Location. The renters are likely to be employed in health care and social assistance, public administration, and other services (except public administration), as well as education and retail trade. The household income would range from \$50,000 to \$75,000.

Amenities: The Amenities Recommendations chart takes into account; a) the size in terms of number of units of the Randall Terrace Apartments, b) the financial and practical limitation to the full range of amenities offered at communities of over 300 units, and c) the size of the site and the distance from the set backs and driveways. The recommended activity / lifestyle amenities may not involve additional administration, and would be subject to available outdoor space allocations.

While not identified as a specific recommendation, a densely landscaped area in the center of the community may allow for marketing the community as featuring a more natural/undisturbed environment.

Granite/stone countertops and stainless steel appliances could be offered in select units at a rent premium.

Garages, whether detached or attached are offered at all of the competitive set communities. The most recently built communities feature attached garages. Offering detached parking for all, or at the minimum for select units, would increase the asking rents and accelerate the lease-up period.

Exhibit 5: Amenities Recommendations

<i>Activity/Lifestyle</i>	
Pool	Necessary
Fitness Room / Gym	Necessary
Clubroom	Necessary
Catering Kitchen	Recommended
Fire Pit	Recommended
Dog Park	Recommended
Jogging Trail	Recommended
Grill(s)	Recommended
Car Wash Area	Optional
Playground	Optional
<i>Floorplan</i>	
Patio/Balcony	Necessary
W/D Provided	Necessary
Extra Storage	Recommended
Granite/Stone Counters	Select Units
Stainless Steel Appliances	Select Units
<i>Parking</i>	
Attached Garages	N/A
Covered Parking	Select Units
Detached Garages	Select Units
<i>Services</i>	
Fiber Optic Cable	Recommended
Business Center	Optional
<i>Security</i>	
Limited Building Access	Yes
Access Gates (Driving)	N/A



EXHIBIT B

ORDINANCE NO. 01-04-09-05

**AN ORDINANCE GRANTING A SPECIAL USE AS B-2 GENERAL COMMERCIAL
PLANNED UNIT DEVELOPMENT FOR THE RANDALL ROAD COMMERCIAL CENTER**

WHEREAS, a petition requesting a B-2 General Commercial Planned Development for certain property legally described in Schedule A attached hereto and made a part hereof, hereinafter referred to as "Subject Property", has been filed with the VILLAGE OF NORTH AURORA, hereinafter sometimes referred to as the "Village", by MARK SORRENTINO, TRUSTEE OF THE MARK SORRENTINO TRUST NO. 1 and BRYAN L. STRESNEY, as owners of the Subject Property and hereinafter collectively referred to as "Owner"; and

WHEREAS, the North Aurora Plan Commission has acted upon said petition in accordance with law; and

WHEREAS, the Board of Trustees of the Village of North Aurora has received the recommendation of the Plan Commission and has considered same; and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS, as follows:

1. APPROVAL AND MAP AMENDMENT.

That the North Aurora Zoning Ordinance, as amended from time to time, and as set forth in the Zoning District Map as described therein and on file in the office of the Village Clerk, is hereby amended by classifying the Subject Property as B-2 General Commercial Planned Unit Development. Development shall be in substantial compliance with that certain Preliminary Plat Of Subdivision and Preliminary Improvement Plan prepared by Engineering Resource Associates, Inc. dated June 24, 1997, with latest revision date of February 28, 2001, consisting of one (1) page, herein called "Preliminary Plan", which Preliminary Plan is on file in the Village records. The Preliminary Plan shall be deemed to include the related General Landscape Plan, also identified as Randall Road Commercial Center PUD prepared by Tandem Landscape Company dated October 9, 2000, with latest revision date of November 14, 2000, and other related drawings, if any. The Preliminary Plan and related Plan drawings as finally approved by the Village shall be initialed by Owner and Village and placed on file in the Village records and recorded with the County Recorder. Development of the Subject Property

shall also be subject to the additional requirements, provisions and restrictions provided in this Ordinance. The Preliminary Plan identifies three separate Lots which are intended to represent separate use areas within the Subject Property for those Permitted Uses, identified on Schedule B attached hereto as to each separate Lot. To accommodate efficient planning within each Lot, Owner, at Owner's sole discretion, may, at the time of final development and/or final platting of each Lot adjust the dividing line between Lots up to fifty (50) feet without the need for additional approvals or amendments to this Ordinance or related Annexation Agreement. Upon the approval of any final plat within the Subject Property, Owner shall establish the exact location and shall dedicate the right-of-way for the North/South Road. At the earlier of (a) three (3) years after the issuance of any building permit within the subject Property or (b) in connection with the construction of any building on Lot 1 or Lot 2, Owner shall complete the required improvements for the North/South Road, either said date being herein called the "Required Completion Date". The parcel lying immediately south of and adjacent to the Subject Property shall be called the "Church Parcel". If the Church Parcel develops, the Owner or developer thereof may install the North/South roadway improvements and in such event, the cost of such improvements, excluding legal fees and engineering costs, shall be recaptured, without interest, against the Owner of the Subject Property, said recapture to be payable at the Required Completion Date. Owner shall post letters of credit as required by the terms of the Annexation Agreement.

2. LAND USE REQUIREMENT.

The Subject Property shall be developed and operated in compliance with this ordinance and all applicable ordinances of the Village which are not in conflict with this Ordinance, except as provided for in the Annexation Agreement or herein.

2.1. Permitted Uses:

All uses listed as "Permitted Uses" on Schedule B attached hereto are permitted on the Subject Property.

All Permitted Uses located in the Subject Property involving operations, materials, and processes that require permits from any county, state and federal agency or department shall provide a copy of a valid operating permit to the Village at a time and in a manner consistent with Village ordinance or established Village policy.

2.2. Excluded Uses:

There shall be no outdoor storage on the Subject Property, except outdoor storage shall be permitted (a) in connection with garden/hardscape centers or garden/hardscape departments of general retail stores which may be on any Lot, and (b) for the outdoor storage of boats and recreation vehicles in connection with the operation of a self-storage facility (and as shown on the Final Lot 3 Site Plan), which self-storage facility shall be restricted to Lot 3 of the Subject Property.

2.3 Special Uses:

Owner shall have the right to seek, in accordance with the general ordinances of the Village, a Special Use permit for any use listed in the Village of North Aurora Zoning Ordinance - and as a Special Use in the B-1 or B-2 zoning districts. Owner agrees that it will not apply for the following special uses: Mobile Home, Stadium/Auditorium, Drive In Theater and Recycling Center.

3. SITE DEVELOPMENT STANDARDS.

All buildings constructed and activities taking place on the Subject Property shall comply with the following standards:

- 3.1. Lots: The size and configuration of Lots 1, 2 and 3, as depicted on the Preliminary Plan are hereby approved. For the purpose of this Ordinance, the term "Pod" shall refer to one or more lots resulting from the resubdivision of Lots 1, 2 and 3 respectively. Subject to the provisions of Paragraph 4 herein requiring Site Plan Approval, Lot 1 and 2 may be subdivided into separate Pods provided that the minimum Pod size is one (1) acre. Resubdivision Plats for one or more of the Pods shall be approved without the necessity that each of the Pods front on a public road if internal circulation is around similar uses; provided, however, access easements to public roads shall be provided to allow the Pod adequate access.

3.2. Setbacks, Uses:

3.2.1: Yard Setbacks:

Randall Road: A yard setback shall be maintained within fifty (50) feet along the Randall Road right-of-way.

North and South Property Boundaries: A yard setback shall be maintained within twenty (20) feet along the north and south property line of the Subject Property.

West Boundary: No yard or yard setback shall be required along the west line of Lots 2 or 3 acknowledging that such boundaries abut the detention area which provides substantial buffering for adjacent properties to the west.

Adjacent to Interior Public Roads: A yard setback shall be maintained within twenty-five (25) feet along all interior public roads.

Uses of Yards: Yards created by the above setbacks are intended to provide landscaped area and open space for the Subject Property. Said yards may be used for the location of subdivision identification signage and building occupant signage (except no signage is permitted in Randall Yard Setback), stormwater detention and retention facilities, utility easements, drives, driveways, and private pedestrian pathways.

3.2.2: Building Setbacks:

Randall Road: No building shall be located closer than fifty (50) feet along the Randall Road right-of-way.

North and South Property Lines: No building shall be located closer than twenty (20) feet from the north and south property lines of the Subject Property, respectively.

West Lot Lines of Lots 2 and 3: There shall be no building setback requirement for the west lines of Lots 2 and 3, acknowledging that the detention area westerly thereof provides additional substantial buffering (approximately 300 feet) from adjacent properties, except such setback as may be required by BOCA and further acknowledging that to the extent buildings exceed thirty (30) feet in height, an additional one

foot of setback is required for each additional three (3) feet in height under BOCA.

Interior Public Roads: No building shall be located closer than twenty-five (25) feet to the right-of-way lines of interior public roads.

Within the Separate Lots: Within Lots 1 and 2, a building separation of the greater of (a) twenty (20) feet or (b) the distance required by fire code or building code for vehicle passage shall be maintained for separate buildings within any of the Lots. The provisions of this section shall apply even if the Lots are legally resubdivided into Pods as defined and described above, whether such resubdivision occurs prior to or subsequent to the construction of buildings, with the force and effect that no separate Yard Setbacks shall be required between the Pods in connection with their resubdivision as legal resubdivided lots. The building separation required within Lot 3 shall be as depicted on the Final Site Plan for Lot 3, being approved as of the adoption of this Ordinance.

3.2.3. Step Back Setbacks: For each foot of height over twenty-five (25) feet, the building setback from front side and rear lots shall be increased by one (1) foot. This shall not apply to the Lot 3 Final Site Plan.

3.3. Floor Area Ratio: The maximum Floor Area Ratio for each of Lots 1 and 2 (computed on the basis of each separate Pod) shall be a maximum of .3. The Final Site Plan for Lot 3, being approved concurrently with the adoption of this Ordinance, is exempt from the Floor Area Ratio requirement of this Ordinance.

3.4. Building Height: On Lot 1, no buildings or appurtenant equipment or accessory structures shall exceed thirty (30) feet in height but no building may exceed two (2) stories in height. On Lot 2, no buildings or appurtenant equipment or accessory structures shall exceed thirty-five (35) feet in height. Building height shall be measured vertically from the highest point of the foundation top to the top of a parapet wall or a point equidistant between the eave and the ridge of a gable or mansard roof. The Final Site Plan

for Lot 3, being approved concurrently with the adoption of this Ordinance, is exempt from the Building height limitation of this Ordinance.

3.5. Parking, loading: Owner shall provide adequate off-street parking and adequate loading docks and spaces to enable loading and unloading of vehicles to take place in accord with the standards of the North Aurora Zoning Ordinance with regard to each separate use within the Subject Property. With regard to the office, apartment, showroom and self storage use on Lot 3, the Owner shall provide those parking spaces as depicted on the Final Lot 3 Site Plan. No more than one (1) loading bay having the size up to ten (10) feet by fifty (50) feet shall be permitted within each Pod within Lot 1.

3.6. Right-of-Way. Dedicated roads shall have a 66 foot right-of-way except that the roadway extending westerly from the Randall Intersection for a distance of approximately two hundred (200) feet shall have an 80 foot right-of-way.

4. PRELIMINARY PLAN APPROVAL, DEVELOPMENT PROCESS.

The Preliminary Plan has been reviewed by the corporate authorities of the Village, and is hereby approved for the development of the Subject Property. Development of the Subject Property shall comply with the procedures set forth in this Ordinance. Final Plats of Subdivision and Final Engineering shall be reviewed and approved in accordance with the procedures and ordinances of the Village. The Village shall allow development of the Subject Property in phases, including allowing final plats for different phases of the Subject Property for which final development approvals are requested. In connection with each separate phase, only those components of the public and private improvements required to allow such phase to function shall be required, except water looping consistent with good engineering practices shall be completed for the Subject Property. Detention shall be in the detention pond shown in the Preliminary Plan. By way of example, extensions of utility lines (except necessary water looping) and construction of public roadways shall be required only to the extent needed to serve the portion of the Subject property for which final plat and other final development approval is requested. The construction of the East/West Road (hereinafter defined) and the detention area shall be completed in connection with the first development phase of the Subject Property. See Section 8 of this Ordinance relating

to the completion dates for the interior public roads. Landscaping depicted on the General Landscape Plan shall be required only for that portion within the specific Pods being developed unless the entirety of a Lot is concurrently being developed pursuant to a unified Site Plan, as is the case with Lot 3. Prior to the development of any Lot or Pod, the Final Site Plan shall be approved by the Village Administrator and Planning Commission (but without the need of a public hearing) based solely on the following standards:

- 4.1. Lot 3 Final Site Plan: The Final Site Plan for Lot 3 as depicted on those certain drawings entitled (a) Site Plan - Lot 3 Randall Road Commercial Center North Aurora, Illinois prepared by Groundwork, Ltd. dated October 5, 2000 with final revision date of February 22, 2001 and (b) Preliminary Elevations Self Storage - Lot 3 Randall Road Commercial Center North Aurora, Illinois prepared by Groundwork, Ltd. dated October 5, 2000 with final revision date of November 2, 2000 (consisting of two (2) pages), and (c) Randall Road Commercial Center PUD-Lot 3 prepared by Tandem Landscape Company dated October 9, 2000 with latest revision date of February 28, 2001, all being on file with the Village, are hereby approved and development of Lot 3 consistent therewith may proceed subject to compliance with the standard Village building permit process and approval by the Village Engineer of the final engineering applicable to the Lot 3 Site Plan.
- 4.2. Lot 1 and Lot 2 Site Plan Approval Process: Prior to development of any one or more Pods within Lot 1 or Lot 2, a Final Site Plan for such one or more Pods shall be approved by the Village Administrator and Planning Commission (but without the need for a public hearing) which review shall be limited to and based only on the following standards. Prior to or concurrently with the submission of a Final Site Plan for any one or more Pods, the Owner may petition for resubdivision of either Lot 1 or Lot 2, or portions thereof, provided said resubdivision is consistent with the terms of this Ordinance, it being acknowledged that one or more Pods may be included as separate phases for purpose of obtaining Final Subdivision of said one or more Pods. The Final Site Plan review process provided for herein shall apply in the event a Final Site Plan is sought in connection with a resubdivision of Lot 1 or 2 or in connection with the construction of multiple buildings within Lot 1 or 2 without a formal resubdivision. The

standards for review and approval of Final Site Plans shall be limited to the following:

- 4.2.1. Compliance: The Final Site Plan is in compliance with the terms of this Ordinance.
- 4.2.2. Material Standards and Roof Design: The Material Standards and Roof Design shall be in compliance with the standards set forth on Schedule C attached hereto.
- 4.2.3. Circulation: The traffic circulation for the one or more Pods is deemed adequate for the use contemplated for such one or more Pods.
- 4.2.4. Site Plan Engineering: The Village Engineer approves the engineering within the area to be developed within the Site Plan submitted.
- 4.2.5. Site Plan Landscaping: Approval by the Village Administrator that the parking lot and foundation landscaping proposed for the area within the Final Site Plan is in compliance with the Village Ordinances existing as of the date hereof, it being acknowledged that in addition, the landscaping depicted on the General Landscape Plan which is located within the development area of the proposed Final Site Plan shall also be installed concurrently with development of the development area within the proposed Final Site Plan.

5. CHANGES TO THE DEVELOPMENT OF THE SUBJECT PROPERTY.

The Subject Property shall be developed in substantial compliance with the Preliminary Plan, Final Site Plans and as set forth in Paragraph 4. Changes to the development of the Subject Property, whether it be changes to the Preliminary Plan, Final Site Plans, preliminary and/or subdivision plans and/or plats, shall be evaluated and processed as follows:

5.1. Definitions:

- 5.1.1. Technical Changes: Technical changes shall include any change to the engineering plans and specifications, any change to the building plans or changes in the Preliminary Plan which are determined by the Village Administrator as: (i)

in substantial compliance with the Preliminary Plan, Final Site Plans or other plans or plats as approved by the Village Board; (ii) in substantial compliance with the North Aurora Zoning Ordinance, as amended, except as specifically altered or varied herein; and (iii) in compliance with good engineering practice.

5.2. Procedures:

5.2.1. Technical changes may be approved by Village Administrator.

5.2.2. Other changes shall be approved in accord with the general policies of the Village with the intent to require public hearings only if clearly required by law.

6. BUILDING PERMITS, SITE PLAN REVIEW.

6.1. Building Permits: No building permit shall be issued for construction of any structure on any portion of the Subject Property until after all applicable deposits have been made (including those required under Village Ordinance No. 00-05-08-16 Being An Ordinance Establishing Cash Deposits As Nuisance Bonds and Performance Bonds In Connection With The Issuance Of Certain Construction Permits hereinafter called "Construction Permit Cash Deposit Ordinance"), the final engineering plans and a final plat have been approved for such phase of development and a final plat has been recorded for the phase in which the building permit or permits are requested (and letter of credit posted) and a lot grading plan prepared by the registered professional engineer has been approved by the Village.

6.2. Upon application by Developer, or their authorized representative, a grade and foundation permit shall be issued prior to review of plans so long as the Village Engineer approves the plans for said grade and foundation.

6.3. No building permit (other than a foundation permit which shall be allowed upon the installation of a granular haul road sufficient for ambulance or rescue vehicles) shall be issued prior to the time that construction of a binder surface access road and water

source within three hundred (300) feet of the farthest construction site for fire protection has been provided.

- 6.4. No Building Permit shall be issued for lots until building plans have been submitted and reviewed and approved by the Superintendent of Building and Zoning and Fire Marshall, and a Final Site Plan has been reviewed and approved according to the terms of Section 4 of this Ordinance. The Village shall issue building permits for which the Owner applies within thirty (30) days plus the number of days which expire during applicant revisions. If the application is denied, the Village shall provide the Owner with a written statement specifying the reasons for denial of the application including specifications of the requirements of law which the application or supporting documents fail to meet. The Village shall issue such building permits upon the Owner's compliance with those requirements.

7. OCCUPANCY PERMITS.

- 7.1. No occupancy permit shall be issued for any building, except model building/construction office facilities, on the Subject Property until the storm sewer, sanitary sewer, water system, streets through binder course, electric, gas and telephone utility lines are operational and approved by the Village for the same for the phase of development in which such building is located. Non-residential occupancy permits may be issued for model building/construction office facilities upon inspection and approval by the Superintendent of Building and Zoning.
- 7.2. The Village shall issue certificates of occupancy to the Owner within seven (7) working days of application therefor, or issue a letter of denial within said period information Owner specifically as to what corrections are necessary as a condition to the issuance of a certificate and quoting the section of any applicable code, ordinance or regulation relied upon by the Village in its request for correction.
- 7.3. Owner's inability due to adverse weather conditions, to install final lift on driveway and parking areas, landscaping and final grading shall not delay the issuance of a temporary certificate of occupancy. The

Village shall have the right to require compliance with the Construction Permits Cash Deposits Ordinance and the posting of security, on issuance of such temporary certificate of occupancy, in order to ensure completion of such uncompleted items.

8. STREETS AND ACCESS.

8.1. Randall Road: There shall be one (1) full access point to Randall Road, the location of which has previously been approved by the Kane County Department of Transportation (the "County"). The exact location of the access point is to be located as shown on the Preliminary Plan. Owner shall install a full access with left turn channelization. Unless required by the County, Owner will not be required to install acceleration and/or deceleration lanes on the west side of Randall Road.

Other Streets: No commercial point of access into Lot 1 shall be permitted from the entry collector road ("Collector Road"). Extending southwesterly from the Collector Road will be an internal curved road culminating in a cul-de-sac, herein called the "East/West Road" which road shall continue and extend southerly from the cul-de-sac to the southerly boundary of the property, herein called the "North/South Road". Not more than two (2) full access points shall be permitted on each side of EACH of the East/West Road and the North/South Road provided, however, separations of each access point shall be one hundred twenty-five (125) feet from the nearest intersection centerline except the access into Lot 3 shall be at the north end of the cul-de-sac as shown on the Final Lot 3 Site Plan. The access into the East/West and North/ South roads shall be controlled by stop signs and roads shall be posted as "no parking". Pavement widths shall be approved by the Village Engineer. Access into Lot 3 shall be in the location depicted on the

Final Lot 3 Site Plan which shall include the temporary and permanent emergency access at the common boundary between Lot 2 and Lot 3 as depicted on such Site Plan. Owner shall create an access easement over the portion of Lot 2 required to allow the emergency access to function as such.

- 8.2. The parties acknowledge that a portion of the access road from Randall Road into the Subject Property may ultimately become a portion of a Collector Road servicing other lands, and further, that the use of such Collector Road may warrant the installation of powered traffic signals at its intersection with Randall Road. The making of deposits for and the recapture of the cost of signalization at the Randall Intersection (being the intersection of the Collector Road within the Subject Property at its intersection with Randall Road as shown in the Preliminary Plan) is provided for in the Annexation Agreement applicable to the Subject Property.

Owner agrees as follows:

- a. Within thirty (30) days of written notice from the Village and/or Kane County, Owner shall dedicate to the County of Kane the easterly ten (10) feet of the Subject Property for additional Randall Road right-of-way. Thereafter, all maintenance of same shall be that of the County.
- b. Attached hereto as Group Schedule E are drawings showing an Interim Configuration 1B and Ultimate Configuration of required public roadways, including the design standards to which each of the various components of roadway improvements shall be constructed. Owner shall be required to construct Interim Configurations 1B (but without acceleration/deceleration lanes on the West side of Randall Road) upon any development within the Subject Property. The North/South Road (as identified on the Preliminary Plan) shall not be required until the Required Completion Date as defined in Paragraph 1. The Ultimate Configuration of the Future Collector Road shall not be required until development occurs on the parcel north of the Subject Property which uses the Collector Road and such additional roadway construction

and roadway modifications shall be the obligation of the owner or developer of such development on the property north of the Subject Property.

9. LANDSCAPING.

9.1. Landscaping shall be in accord with the General Landscape Plan approved under this Ordinance. Landscaping within parking lots and at building foundations shall be in compliance with the landscaping ordinances of the Village as of the date hereof.

10. MAINTENANCE AND ENFORCEMENT OF LANDSCAPE PLANS.

Prior to approval of a final plat, Owner shall supply a Declaration of Covenants, Easements and Restrictions ("Declaration") to the Village which contain the following requirement of subsequent transferees of the Subject Property:

a. Said Declaration may contain such restrictions, covenants, conditions and easements as deemed advisable by the Owner.

b. Said Declaration shall, however, designate the detention/stormwater control area and related landscaping, common areas in general landscaping easement areas and the landscaping and signage in Outlot A located on the north side of the Collector Road as identified in Exhibit B (and any other area desired by Owner to be designated as common area) to be maintained by the Association or other person and to be accompanied by a backup Special Service Area which shall be created by the Village. In addition, the Declaration shall require all landscaping required by this Ordinance which is located outside of the designated common areas to be maintained by the then current property owner in good condition so that any damaged or dead trees, shrubs or ground cover must be promptly replaced, and all landscaping planted on private property be maintained during all times the property remains in use.

Whether the owner establishes an association or provides for the maintenance of the landscape and common areas by other means, the Village shall be allowed to establish a Special Service Area for the purpose of maintaining, repairing, restoring, and otherwise overseeing, the following: Lot 4 and the stormwater control area and related landscaping, any common areas and general landscaping easement areas, the landscaping and signage in "Outlot A" located on the north side of the Collector Road.

11. INTERNAL LIGHTING.

The height of any lighting poles for internal lighting shall be in compliance with applicable Ordinances of the Village. Lighting shall be shielded from adjacent properties. Lighting within Lot 3 for self-storage use shall be in accord with the now current Hotel Regulation Ordinance of the Village in force as of the date of adoption of this Ordinance.

12. ON-SITE EASEMENTS AND IMPROVEMENTS.

At the time of recordation of each final plat for any portion of the Subject Property, Owner shall grant to the Village, at no cost to the Village, on-site easements as set forth on the Preliminary Plan and subsequent final plat to be in substantial conformance therewith.

Except for such time to effectuate the re-connection of any public utility system, there shall be no disruption or discontinuation of the operation of any public utility system, or storm or surface water drainage system by virtue of establishing new easements and vacation of any existing easements.

Owner shall provide for the interconnection, through appropriate storm drainage easements and structures, of the storm sewer system constructed within the Subject Property with the outfall structures adjacent and downstream from the Subject Property.

13. OFF-SITE EASEMENTS AND CONSTRUCTION.

In the event Owner is unable to acquire necessary off-site easements for the off-site extension of the twelve (12) inch water main along the Randall Road frontage, the Village shall exercise its power of eminent domain to acquire the same, provided Owner shall pay the reasonable costs incurred by the Village as a result thereof.

14. GUARANTY FOR PUBLIC IMPROVEMENTS.

The Guaranty for Public Improvements shall be in accord with the current Subdivision Control Ordinance of the Village in force as of the date of adoption of this Ordinance. The form of Letter of Credit is attached hereto as Schedule D.

15. BUILDING CODE.

Except as otherwise provided for herein or in the Annexation Agreement, Owner shall comply in all respects with the provisions of the applicable North Aurora Ordinances and other Village ordinances pertaining to the construction of structures at the time of building permit application.

16. RESTORATION OF VILLAGE PROPERTY.

Owner shall repair and replace, in accordance with the original sizes, standards and topography in a manner satisfactory to the Village Engineer or other Authorized Village Official, all Village property, including public improvements, damaged or disturbed by reason of Owner's work in connection with the development of the Subject Property. Owner shall also comply with the Construction Permits Cash Deposits Ordinance.

17. SOIL EROSION.

Soil erosion control methods shall be in compliance with the current Village Erosion Control Ordinance in force at the date of adoption of this Ordinance.

18. PUBLIC SANITARY SEWER REQUIRED.

Any development within the Subject Property shall be served by the Village Public Sewer System.

18. PUBLIC WATER SYSTEM REQUIRED.

Any development within the Subject Property shall be served by the Village Public Water System. However, a well may be drilled and used for irrigation of landscape product sold, displayed or used in connection with any garden center or landscaping operation conducted within the Subject Property, which well and irrigation system may not be connected to the Village Public Water System. The Village shall make no charge for water from any private well located on the Subject Property. Owner shall also comply with any and all Federal, State, County and local rules, regulations, ordinances and other laws relating to the drilling of a well to the extent such other governmental agency has enforcement jurisdiction over the Subject Property, which well and irrigation system may not be connected to the Village Public Water System. The private well may not be drilled to a depth that results in drilling through the confining bedrock.

20. PUBLIC STREET LIGHTING.

Owner shall install at its expense, street lights and supporting fixtures along all public streets located within the Subject Property pursuant to the relevant North Aurora Ordinance. All such street lights shall comply with the North Aurora Zoning Ordinance and shall be dedicated to, owned, operated and maintained by the Village if located on dedicated roadway. Street lights shall be operable before the first occupancy permit.

21. INCORPORATION OF PROVISIONS OF ANNEXATION AGREEMENT.

The applicable provisions of the Annexation Agreement are hereby incorporated herein as if fully set forth herein, and shall be construed as a part of the substance of this Ordinance.

22. COMPLIANCE WITH STATE STATUTES.

In the event that any one or more provisions of this Ordinance do not comply with any one or more provisions of the Illinois Compiled Statute and the governing rules of the Water Pollution Control Board or the Federal or State Environmental Protection Agencies, then the Village, Owner, and all of their respective successors and assigns, agree to cooperate to comply with said provisions which shall include, but not be limited to, the passage of resolutions and ordinances to accomplish such compliance. See Paragraph 3B regarding application for exemption from the Kane County Stormwater Ordinance.

23. PRELIMINARY MASS GRADING AND TOPSOIL STRIPPING.

Prior to final plat approval for a phase of development within the Subject Property, Owner may engage in mass site grading within the entire Subject Property provided Owner posts a letter of credit with the Village in an amount equal to 115% of the estimated cost of the grading work to be performed. Any changes or adjustments to the requirements for such grading resulting from the review and approval of the final engineering plan for such phase shall be promptly performed by Owner, at Owner's expense. Prior to final plat approval for a phase of development within the Subject Property, Owner may engage in stripping topsoil without any permit but shall comply with Section 17 hereof.

24. CONSTRUCTION TRAILERS, PARKING.

The Village agrees that from and after the effective date of this Ordinance, Owner's subcontractors' supply storage trailers may be placed upon such part or parts of the Subject Property as required and approved by Owner for development purposes. Said trailers may remain within any phase of development within the Subject Property until all building improvements for such phase of development have been completed.

25. SIGNAGE.

Signs on the Property shall be in compliance with the sign ordinances of the Village existing at the date hereof except that a variance is hereby granted to allow a Monument Sign at the entry of the project in Outlot "A" not to exceed twenty (20) feet in height above the crown of Randall Road. The Monument Sign can be located on Outlot "A" on the north side of the Collector Road.

26. ACCEPTANCE OF PUBLIC IMPROVEMENTS.

Acceptance of Public Improvements shall be pursuant to the current Subdivision Control Ordinance of the Village in force at the date of adoption of this Ordinance or an amended generally thereafter.

27. PLATTING OF LANDSCAPE BUFFERS/YARD SETBACKS.

All landscape buffers shown on the General Landscape Plan and Yard Setbacks required under this Ordinance may be included within and platted as part of Lots or Pods adjacent to the landscape buffer and Yard Setback area. The areas needed to support the landscaping depicted on the General Landscape Plan shall be referred to herein as "General Landscape Easements" which shall be included upon the Final Plat of Subdivision for Lots or Pods containing components of the General Landscape Easements. The following areas shall be subject to a required maintenance obligation ("Maintenance Obligation"):

- a. Lot 4 - Stormwater control area and related landscaping;
- b. General Landscape Easement areas;
- c. Landscaping and signage maintenance in "Outlot A" located on the north side of Collector Road;

- d. Any other areas designated as common area on any final plat.

Owner may elect to create the Maintenance Obligation by provision in the easement document or by creation of an Owners' Association or by combination thereof. Nevertheless, however created, the future owners of the Lots or Pods shall be obligated to contribute their respective share of the cost of the Maintenance Obligation which shall be secured by the right to impose liens against the property of any party in default. By way of example, Owner shall have the right to convey Outlot A and Lot 4 to an Owners' Association wherein the Owners' Association is obligated to perform the Maintenance Obligation and has the right to collect funds from owners of the Lots or Pods to provide funds for such expense. Concurrently the easement documents creating the General Landscape Easements shall include provisions for the Owners' Association to maintain the General Landscape Easement areas and similarly have the right to collect assessments from the owners of the Lots or Pods to fund such Maintenance Obligation.

28. CONVEYANCES.

Nothing contained in this Ordinance shall be construed to restrict or limit the right of the Owner to sell or convey all or any portion of the Subject Property, whether improved or unimproved; provided, however, no conveyance shall affect the obligation to and/or dedication or grant of rights-of-way, easements or roadways required to be dedicated under this Ordinance or under the Annexation Agreement annexing the Subject Property.

29. CONFLICT IN REGULATIONS AND ORDINANCES.

The provisions of this Ordinance shall supersede the provisions of any ordinance, code, or regulation of the Village which may be in conflict with the provisions of this Ordinance.

30. TRANSFER OF RIGHTS AND DUTIES.

Upon the conveyance of fee title to the Subject Property by Owner to any individual or corporation, as the case may be, such successor, assigns, or nominee shall succeed to all of the rights and obligations of Owner hereunder (except any right to receive refunds, reimbursements, recaptures or other monetary benefits ("Monetary Rights"), which shall remain with Owner unless specifically assigned by the separate specific written assignment), and Owner shall thereupon relinquish and be released

from all duties as set forth herein, except as provided in the last sentence hereof. Where expressly provided in the provisions of this ordinance, upon the conveyance of interest in a phase or any portion of the Subject Property to a third party, the rights and obligations so identified of pertaining to such phase or portion of the Subject Property (except Monetary Rights), shall be deemed assigned to and assumed by such third party, and previous owner shall thereupon be released and discharged by the Village from any further obligation pertaining to such identified rights and duties. Provided, however, the provisions of this Section 30 shall not limit or diminish the liability of the conveying party to continue to have posted with the Village bonds or letters of credit previously posted by said conveying owner nor shall obligate the Village to release any posted letters of credit or performance bonds until the expiration of whatever relevant time period is provided for by the applicable ordinance under which said letter of credit or performance bond is posted or a substitute letter of credit, in the form required by Village Ordinance, is posted by buyer.

31. INCORPORATION OF EXHIBITS.

All exhibits attached to this Ordinance are hereby incorporated herein and made a part of the substance hereof.

The special use granted under this Ordinance shall remain in effect until amended in the manner provided by law for same, or until amended or extinguished under the terms of this Ordinance.

32. EFFECTIVE DATE.

That this Ordinance shall become effective from and after its passage and approval in accordance with law and upon the approval of the Annexation Agreement at the same meeting.

PRESENTED to the Board of Trustees of the Village of North Aurora, Kane County, Illinois, this 9th day of April, 2001.

PASSED by the Board of Trustees of the Village of North Aurora, Kane County, Illinois, this 9th day of April, 2001.

Al Broholm

David Lunardiani

Michael Herlihy, III

Yes
Yes
Yes

Barbara Erickson

Max C. Herwig

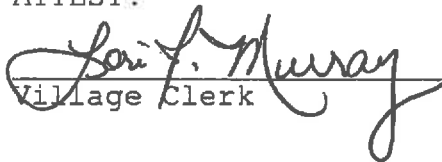
John Hansen

Yes
Yes
Yes

APPROVED and signed by me as the President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois, this 9th day of April, 2001.


Village President

ATTEST:


Village Clerk



**PD ORDINANCE
SCHEDULE B
PERMITTED USES**

1. All uses listed as "permitted" in the B-1, Community Business District, and B-2 General Commercial District, as contained in the Zoning Ordinance of the Village of North Aurora as of the effective date of the Annexation Agreement between the parties, EXCEPT for the following:
 - (a) Building materials and product sales and yards;
 - (b) Auto repair garage unless totally screened in which case such use shall be permitted;
 - (c) Restaurants shall be permitted only in Lot 1;
 - (d) Trailer Camp shall not be permitted;
 - (e) Crematorium shall not be permitted in connection with undertaking establishing.
2. The following uses shall also be Permitted Uses:
 - (a) Full service wholesale and retail garden center.
 - (b) Day care and learning centers and trade schools.
 - (c) General business offices.
 - (d) Miniature golf facilities. (Lot 1 only)
 - (e) Self-service storage. (Lot 3 only)
 - (f) Health clubs and health related services.
 - (g) Commercial bakery.
 - (h) Watchmen and their families' dwellings (1 only) located on the premises where they are employed in such capacity. (Lot 3 only).
 - (i) Temporary buildings for new construction purposes all for the duration of construction.
 - (j) Warehousing, storage and distribution facilities. (Lot 2 only)



Memorandum

To: Village President and Village Board of Trustees

Cc: Steve Bosco, Village Administrator

From: David Hansen, Administrative/G.I.S. Analyst

Mike Toth, Community and Economic Development Director

Date: July 31st, 2019

Re: Recreational Cannabis Law Summary and Local Control Options

On June 25th, 2019 Governor J.B. Pritzker signed the Cannabis Regulation and Tax Act, Illinois House Bill 1438, into law. This law makes cannabis (marijuana) legal to sell throughout the State of Illinois. Adults 21 and over will be allowed to purchase, possess, and consume cannabis. The bill will go into effect on January 1st, 2020 and addresses many different aspects of cannabis.

The Village will have the choice to prohibit or significantly limit a location of a cannabis business within its jurisdiction by ordinance. Zoning will be needed for cultivation centers, craft growers, infusers, processors, transportation organizations and dispensaries. The Village also has authority to determine if consumption of cannabis can be allowed on premise at dispensaries.

Staff has prepared a PowerPoint presentation outlining the Cannabis Regulation and Tax Act. The presentation breaks down key aspects of the Act which include cannabis possession, consumption, licensing, local municipal control, expungements and taxation. Staff is looking for direction from the Village Board regarding allowing recreational cannabis related businesses within Village limits.

Please find attached the PowerPoint presentation on the Cannabis Regulation and Tax Act.

Cannabis Regulation and Tax Act & Local Control

Cannabis and Dispensary Definitions

- **"Cannabis"** – marijuana, hashish or other substances which include parts of the plant Cannabis Sativa
 - Cannabis can include concentrate and cannabis-infused products
- **"Cannabis business establishment"** - a cultivation center, craft grower, processing organization, dispensing organization, or transporting organization
- **"Cannabis-infused product"** - a beverage, food, oil, ointment, tincture or another product containing cannabis that is not intended to be smoked
- **"Dispensing organization"** - facility that can acquire and sell cannabis and cannabis-infused products
 - **"Dispensary"** - a facility operated by a dispensing organization

Types of Cannabis Businesses

- **"Craft grower"** – a facility that cultivates, dries, cures, and packages cannabis and perform other necessary activities to make cannabis available for sale at a dispensary or use at a processing organization
 - May contain up to 5,000 square feet of canopy space on its premises for plants in the flowering state
 - Must be cultivated in all stages of growth in an enclosed and secure area
 - A craft grower may share premises with a processing organization or a dispensing organization or both
- **"Cultivation center"** - a facility that cultivates, processes, transports and perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments
- **"Infuser organization" or "infuser"** – a facility that directly incorporates cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product
- **"Processing organization" or "processor"** - a facility that extracts constituent chemicals or compounds to produce cannabis concentrate or a cannabis product
- **"Transporting organization" or "transporter"** – an organization that transports cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program

Possession of Cannabis

- **Illinois residents 21 and Over** will be allowed to possess the amounts below
 - 30 grams, or about an ounce, of cannabis flower
 - 5 grams for cannabis concentrate
 - 500 milligrams of THC (chemical that gets users high) for edibles and tinctures
 - Non-Illinois residents will be allowed to possess half of these amounts
 - Possession limits are cumulative
- Possession will be permissible in a motor vehicle
 - Cannabis must be placed in a secure, sealed, child-resistant odor-proof container, and reasonably inaccessible while the vehicle is moving

Consumption of Cannabis

Adults 21 and over will be allowed consume and smoke cannabis

Permitted Locations

➤ **Private residences**

- (Any person, business or landlord can prohibit use on private property)

➤ On premise of a licensed cannabis business

- **Subject to local permission and regulation**
- Smoking cannabis not allowed locations where smoking is prohibited
 - Hospitals, restaurants, retail stores, office, commercial establishments, etc.

Prohibited Locations

- Any public place, such as streets, buildings or parks
- In any motor vehicle (by driver or passenger)
- On school grounds, with the exception of medical users
- In proximity of someone under the age of 21
- Near an on-duty police officer, firefighter, corrections officer, school bus driver or CDL commercial driver
- At any residence that serves as a child care facility

State Law on Recreational Dispensaries

➤ Dispensary Parameters

- May operate between 6:00 am and 10:00 pm (Village may make reasonably stricter)
- Must be minimum 1500 feet from other dispensaries (Village may make reasonably stricter)

➤ Dispensary Prohibitions

- Can't produce or manufacture cannabis
- Only sell pre-packaged product
- Can't obtain product produced outside of Illinois
- Can't have exclusivity agreements with producers or manufacturers
- Can't operate drive thru windows
- Can't sell through vending machines
- Can't provide delivery services

Police Involvement

➤ DUI Enforcement

- Driving under the influence of cannabis is prohibited
- Can use validated roadside chemical tests when conducting investigations for violations
 - (Can be admitted into evidence at trial)
- No standard test for roadside detection of marijuana use

➤ Expungement of Criminal Records

- Police Clerks will be responsible to expunging any local marijuana-related criminal records that fall under 30 grams and is a non-violent arrest
 - Require an order from a circuit court before a local law enforcement agency is required to expunge its records
- Will have significant time to automatically expunge decade's worth of qualifying records

Current Medical Marijuana Dispensaries and Growers in Illinois

- 55 medical cannabis dispensaries and 20 cannabis cultivation centers in Illinois
 - Serves the state's 46,000 medical cannabis patients
- **Existing medical marijuana dispensary can apply for an early dispensing license**
 - Within sixty (60) days of January 1st, 2020
 - Can apply for a secondary site outside of 1500 feet from a current location
- 75 conditional adult use licenses for new businesses will be granted before May 1
 - Anticipated 47 licenses for Chicago – Naperville - Elgin region
- Only Illinois' twenty (20) existing licensed medical marijuana cultivation facilities
 - Will be first licensed to grow marijuana for recreation

State Licensing

- Licensing of cannabis businesses will be exclusive to the State
 - Department of Agriculture – cultivation centers, craft growers, infusers, processors, and transporting organizations
 - Department of Financial and Professional Regulation - dispensaries
- Noncompliance with local zoning rules is a reason for denial of a license
 - Must be properly zoned in the municipality it is seeking to operate within
 - In compliance with local zoning rules and distance limitations

Taxes

- **State Tax (Cultivation Privilege Tax)** – 7% of the gross receipts from the sale of cannabis by a cultivator or a craft grower to a dispensing organization
- **State Tax (Cannabis Purchaser Excise Tax)**
 - 10% of the purchase price – Cannabis with a THC level at or below 35%
 - 20% of the purchase price – All cannabis infused products
 - 25% of the purchase price – Cannabis with a THC level above 35%
- **County Taxes (Retailers Occupation Tax)**
 - May not exceed 3.00% of the gross sales receipts made in a municipality located in a home rule county
 - May not exceed 3.75% of the gross receipts of sales made in unincorporated areas of the county
- **Municipal Taxes (Retailers Occupation Tax)**
 - The tax may not exceed 3% on gross receipts of the sale of cannabis
- *Earmarks 8% of state taxes collected on cannabis sales to the Local Government Distributive Fund*

Local Control - Zoning

- Village can prohibit recreational cannabis businesses within its jurisdiction by ordinance
- Village can allow recreational cannabis businesses to locate within its jurisdiction by ordinance
 - Village can zone cannabis businesses as special use or permitted use in certain zoning districts
 - Infusers and craft growers cannot be zoned in an area for residential use
 - No cannabis establishment can be located within 1,000 feet of a school, public park, library, rec center, childcare center or game arcades
- Village can allow recreational cannabis of certain businesses while prohibiting others

Local Control – On-Site Consumption

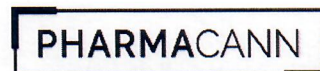
- **Village has choice to allow on-site consumption at dispensaries**
- If allowed, local governments may regulate (establish rules) and civil penalties for violations for on-premises consumption in a cannabis business establishment
- If allowed, Village can require cannabis dispensaries to obtain a local "on-premises consumption" license

Considerations

- Does the Village want to allow or prohibit recreational cannabis sales in North Aurora?
 - If allowed, does the Village want to allow on-site consumption?
 - If allowed, are other types of cannabis businesses acceptable?

**Changing
the way
people
view
cannabis.**

190 SOUTH LASALLE STREET
SUITE 2950
CHICAGO, IL 60603
312.667.6260
pharmacann.com



July 31, 2019

VIA ELECTRONIC MAIL

Michael S. Toth
Community and Economic Development Director
Village of North Aurora
25 East State Street
North Aurora, IL 60542

Re: Regulation of Adult-Use Cannabis - PharmaCann LLC

Dear Mr. Toth:

I write as a follow-up to our discussion regarding the intention of our company, PharmaCann LLC, to pursue adult-use or "recreational" cannabis sales in North Aurora, and the process that could be expected should the Village Board direct the staff to move forward with preparing the zoning ordinances to allow adult-use cannabis sales within the municipality.

Since then, I understand that the Village Board plans to solicit feedback on the Village's options at an upcoming August 5 Committee of the Whole. I wanted to provide you with some perspective in advance of that meeting.

As you know, PharmaCann LLC proudly serves patients at the sole medical cannabis dispensary in the Village, located at 161 South Lincolnway. There, our dispensary was established as a permitted use in the B-2 General Business District.

Since its establishment in late-2015, PharmaCann has operated its dispensary in full compliance with the Illinois state rules and regulations; consistent with all Village codes and ordinances. To date, there has not been a material security incident of any sort arising in or out of our facility. This is no accident. Our security is state-of-the-art; including three dozen security cameras, a vault, and secured access control in every space within the facility.

In the last 12 months alone, we have completed more than 23,000 medical cannabis transactions for just over 1770 unique patients. We have dispensed nearly 96,000 units of medical cannabis, and have generated \$56,000 in tax revenues.

At the same time, our comparable adult-use dispensary in Wareham, Massachusetts, services nearly 100 customers every hour without any security or safety incidents to-date. During the first six months of 2019, we have remitted approximately \$300K in adult-use sales tax to the municipality of Wareham. Like Illinois, Massachusetts authorizes municipalities to levy a 3% excise tax on adult-use cannabis sales. Enclosed herein are two reference letters from the Town of Wareham Planning and Zoning department as well as the Wareham Police Department attesting to our good citizenship (called Group Exhibit A).

In North Aurora, PharmaCann is seeking permission from the State under the Early Approval adult-use (EAAU) provisions of the new Cannabis Regulation and Tax Act ("CRTA") to relocate our current dispensary to establish a co-located¹ medical and adult-use cannabis dispensary at a site in Clock Tower Plaza, at 19-75 S. Randall Road. Similar to our current location, the relocated site is also zoned B-2, with a medical cannabis dispensary being a permitted use in that district.

Consistent with the standards set forth in the CRTA, and with the express authorization of the Village, PharmaCann intends to sell retail cannabis products to both medical patients and adult-use patrons. We do not intend any sort of on-site consumption or social use. We would simply begin to sell the same products to persons over the age of 21 with valid identification that we sell today to medical patients at our dispensary.

Early Approval Adult-Use:

In its passage of the CRTA, the Illinois General Assembly has given priority to existing medical cannabis dispensaries, like ours, to co-locate an adult-use dispensary with an existing medical dispensary. A separate and expedited approval of such EAAU licenses is provided for in the CRTA, with the State committing to approve completed applications within 14 days in order to ensure that as many adult-use dispensaries are operating by January 1, 2020 as possible. The "co-location" of current medical dispensaries is known as the "existing site" authorization.

At the same time, the CRTA authorizes existing dispensary owners to open a wholly-separate *second* adult-use dispensary anywhere within the same Bureau of Labor Statistics ("BLS") region in which the operator's existing medical dispensary is located. There are 35 existing medical dispensaries in the nine-county BLS region covering North Aurora, all of which will be eligible to open a secondary adult-use dispensary within that region. This is known as the "secondary site" dispensary.

Significantly, no proof of local zoning approval is required to be submitted to the State for existing site EAAU licenses. However, proof of local zoning is required for secondary sites. This approval is either an ordinance authorizing adult-use sales within the municipality, or a site-specific zoning authorization. Under Section 15-15(g) "A registered medical cannabis

¹ In this context, "colocation" simply means dual-use; serving both medical patients and adult-use patrons in the same dispensary.

dispensing organization that obtains an EAAU Dispensing Organization License may begin selling cannabis ... to purchasers under the rules of this Act no sooner than January 1, 2020."

Considerations for the Village of North Aurora:

As noted above, the CRTA empowers a municipality to impose a tax of up to 3% on the gross receipts from adult-use cannabis sales. Here, the Village should consider a unique opportunity to optimize its revenue from the enactment of this state law.

- Top-tier locations will average \$15-\$20 million/year in sales over the next five years (in a mature environment, some may see double that estimate).
- Other locations in the Chicagoland area will average ~\$10 million/year over the next five years.
- Associated California stores are currently averaging between \$10-\$15 million per year (annualized).
- Long term, in a "steady state" market (e.g., with the maturity of Colorado or Washington) as additional stores come online and prices decline, the average store will realize \$5-7 million in sales across the state (assuming a \$1.5-2 billion market with 300 dispensary locations). It may take ten years for the market to balance.
- Other municipalities have indicated an interest in hosting adult-use cannabis dispensaries. The 35 experienced operators (including PharmaCann) that are eligible to locate a "secondary site" dispensary in the 9-county Bureau of Labor statistics area (including McHenry, Will, DuPage, Cook, Lake, DeKalb, Grundy, Kendall, and Kane counties), are pressed to locate these storefronts swiftly, in time for the January 1, 2020 "first sale" spelled out in the CRTA.
- Municipalities must appreciate that dispensary operators beyond the original 55 may be new to Illinois, without the knowledge and experience that existing operators have demonstrated over the past five years. Our commitment to social equity, security, consumer protection, and harm reduction makes PharmaCann an ideal partner to optimize the impact of this new law.

Options for Regulating adult-use Cannabis Dispensaries:

In light of the State's expedited review and approval under the EAAU provisions, we ask the Village to consider allowing PharmaCann to establish a co-located medical/adult-use cannabis dispensary as a permitted use. In order to achieve this, North Aurora could consider a straightforward text amendment that allows a co-located adult-use dispensary as a permitted use in the B-2 district. If the Village chooses to limit the number of dispensaries in its

jurisdiction, it may do so. We are happy to be a resource to the Village and will make ourselves available to come discuss these matters as you see fit.

With only a single medical cannabis dispensary in the Village, allowing such co-location will permit the Village to limit and control the number and location of adult-use dispensaries significantly while availing itself of the revenue benefits of the adult-use cannabis program. In the future, a special use process could allow the Village to fully consider any new applicants as well as the proposed location to ensure alignment with the standards of North Aurora before approval.

Very truly yours,
PHARMACANN

By:

Jeremy Unruh
Director of Public and Regulatory Affairs

Enclosures

Group Exhibit A



Town of Wareham
Planning and Community Development

54 Marion Road
Wareham, MA 02571-1428

Phone: (508) 291-3100 x6501
Email: kbuckland@wareham.ma.us

Kenneth Buckland, Director of Planning
Jasmin Farinacci, Dept. Assistant

June 10, 2019

Ms. Shelley Stormo
Verilife
112 Main Street
Wareham, MA 02571

RE: Reference for Verilife Medical/Recreational Retail Marijuana Establishment, 112 Main Street, Wareham

Dear Ms. Stormo:

Thank you for siting your business in the Town of Wareham. While Town Meeting overwhelmingly endorsed the option for marijuana establishments in Wareham, the manner in which you have developed your business, your attention to requests from the Town and your cooperative approach has created a very productive 'partnership' that could really be used as a model for others in future business development.

Sincerely,

A handwritten signature in black ink, appearing to read "KB", is written over the name Kenneth J. Buckland.

Kenneth J. Buckland



John A. Walcek
Interim Chief of Police

Wareham Police Department

2515 Cranberry Highway
Wareham, Massachusetts 02571
www.warehampolice.com



Phone: (508) 295-3180
Fax: (508) 291-8652

June 10, 2019

To Whom it May Concern:

Please be advised that our police department has worked collaboratively with Shelley Stormo and Verilife to mitigate any potential issues. Shelley has been very cooperative in addressing concerns we have brought forward and as a result there have been virtually no problems with the facility.

I would anticipate that this cooperation will continue as Shelley and I communicate frequently. If you have any questions or concerns feel free to contact me.

John A. Walcek, Acting Police Chief
Wareham Police Department
john_walcek@warehampolice.com
(508) 295-3180