



COMMITTEE OF THE WHOLE MEETING
Monday, September 16, 2019
(Immediately following the Village Board Meeting)

AGENDA

CALL TO ORDER

ROLL CALL

AUDIENCE COMMENTS

TRUSTEE COMMENTS

DISCUSSION

1. 345 Sullivan Road Special Use
2. Fox River Dam Removal
3. Southwest Fox Valley Cable Consortium Fee Structure

EXECUTIVE SESSION

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 19-06: 345 SULLIVAN ROAD VETERINARY DENTAL CLINIC
AGENDA: SEPTEMBER 16, 2019 COMMITTEE OF THE WHOLE MEETING

DISCUSSION

The petitioner is proposing to use the property located at 345 Sullivan Road for a veterinary dental clinic. The subject property is currently occupied by a dental clinic, Aurora Dental Specialists. The petitioner intends to utilize the existing 3,600 square foot building and 29 existing off-street parking spaces. According to the petitioner, no additional site work is being proposed. The following zoning requests are being made as part of this petition:

- Map Amendment to rezone the subject property from the O-R Office Research District to the B-2 General Business District.
- Special Use to allow an Animal Hospital and Veterinary Clinic.

A public hearing was held before the Plan Commission at their September 3, 2019 meeting. The Plan Commission unanimously recommended approval of the proposed map amendment and special use, subject to the two conditions listed in the staff report.

Attachments:

1. Staff report to the Plan Commission.

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

GENERAL INFORMATION

Meeting Date: September 3, 2019

Petition Number: #19-06

Location: 345 Sullivan Road

Petitioner: Juriga, DVM and Alexandra Juriga

Requests: 1) Map Amendment to rezone the subject property from the O-R Office Research District to the B-2 General Business District 2) Special Use to allow an Animal Hospital and Veterinary Clinic

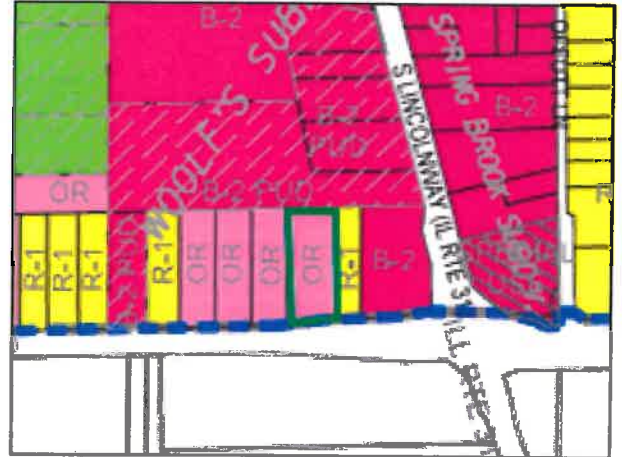
Parcel Number: 15-09-276-015

Size: 1.21 acres

Current Zoning: O-R Office Research District

Current Land Use: Vacant

Comprehensive Plan: 'Local Commercial'



BACKGROUND

On April 2, 2019, a public hearing was held before the Plan Commission whereby the petitioner proposed an addition onto the vacant building located at 361 Sullivan Road to accommodate a veterinary dental clinic (Petition #19-01). The Plan Commission recommended approval of Petition #19-01. After the Plan Commission public hearing, the petitioner requested that the case not be forwarded to the Village Board. They later withdrew the petition. The same applicant is now proposing to use the property located at 345 Sullivan Road, located directly to the east of 361 Sullivan, for their veterinary dental clinic.

The subject property is currently occupied by a dental clinic, Aurora Dental Specialists. The petitioner intends to utilize the existing 3,600 square foot building and 29 existing off-street parking spaces. According to the petitioner, no additional site work is being proposed.

REQUESTED ACTIONS

Map Amendment to rezone the subject property from the O-R Office Research District to the B-2 General Business District

The subject property is currently located in the O-R Office Research District. The proposed use of the property has been classified as an Animal Hospital and Veterinary Clinic, which is prohibited in the O-R Office Research District. Animal Hospital and Veterinary Clinics are classified as a special use in the B-2 General Business District. The petitioner is requesting a map amendment to rezone the subject property from the O-R Office Research District to the B-2 General Business District to have the ability to apply for the special use.

The Comprehensive Plan recommends a 'Local Commercial' land use designation for the subject property and much of the surrounding area. Staff notes that the property was also included as part of a 'Commercial Character Area' in the Comprehensive Plan, which states: *This area includes a series of residential structures, some of which have been converted to office or service uses. The Village should support the conversion of residences to commercial uses that would support Provena Mercy Medical Center or secondary commercial uses.* The subject property is currently being used as a dental clinic, which is already commercial in nature.

Special Use to allow an Animal Hospital and Veterinary Clinic

According to the petitioner, the Veterinary Dental Center offers advanced veterinary dental services on an outpatient basis for 10-15 patients on a daily basis. As previously mentioned, the proposed use of the property has been classified as an Animal Hospital and Veterinary Clinic.

The proposed use is consistent with surrounding land uses. The properties located north of Sullivan Road in the general vicinity consist of medical/dental offices and single-family residences. The Mercy Hospital campus comprises the area south of Sullivan Road. A commercial Self-Service Storage Facility (Extra Space Storage) consumes the 5+ acres directly north of the subject property.

The Animal Hospital and Veterinary Clinic use requires three (3) off-street parking spaces per 1,000 square foot gross floor area. With 3,600 total square feet of building area, the use would require 11 parking spaces. There are 29 existing off-street parking spaces on the subject property.

FINDINGS

The Community Development Department finds that the information presented **meets** the Standards for Map Amendments and Specials Uses, as submitted by the petitioner, made part of this petition and as set forth in the Zoning Ordinance. Based on the above considerations, staff recommends that the Plan Commission make the following motion recommending **approval** of Petition #19-06, 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. Overnight boarding of patients shall be prohibited.



LINDENGROUP

July 26, 2019

Village of North Aurora
Board of Trustees
25 E. State Street
North Aurora, IL 60542

RE: **345 Sullivan Road – Veterinary Dental Center**

To Whom It May Concern:

Please find the enclosed Applications for Special Use and Map Amendment and the Escrow Application for the property located at 345 Sullivan Road. We look forward to bringing the Veterinary Dental Center to the Village of North Aurora. Please find the below introduction of applicant, Stephen Juriga, DVM.

Dr. Stephen Juriga is one of 150 a Board-Certified Veterinary Dentists in the United States. He provides referral veterinary dental services for 400 animal hospitals in the region, as well as Brookfield zoo and Shedd aquarium.

Dr. Juriga has offered these referral dental services in the Veterinary Dental Center (VDC) located within River Heights Veterinary Hospital (Oswego) for the past 15 years. In 2017 he added an associate (second veterinary dentist) and now has a staff of ten. River Heights Veterinary Hospital is a busy, 4-doctor general veterinary hospital, and even at 8,000 square feet, can no longer accommodate both practices.

The North Aurora, I-88 corridor, location was selected with referral clients in mind. Clients travel from the City of Chicago, Chicago suburbs, Rockford, and Northern Indiana. Moreover, the business immediately to the east of the property is Aurora Dental Specialists and a few properties to the east is a busy dental practice: Fairview Dental.

VDC offers advanced veterinary dental services on an outpatient basis. Dr. Juriga and Dr. Sasser treat approximately 10-15 patients per day. Clients travel to the facility, pets are admitted for the day, and 50% stay in the area shopping while their pets receive treatment. Pets are discharged throughout the day.

It should be noted that no additional site work is being proposed at this time at 345 Sullivan Road.

If you have any questions or comments, please feel free to contact me at 708-799-4400.

Sincerely,

Michael Matthys
LINDENGROUP Inc.
Vice President



LINDENGROUP

July 26, 2019

Village of North Aurora
Board of Trustees
25 E. State Street
North Aurora, IL 60542

RE: **361 Sullivan Road – Veterinary Dental Center**

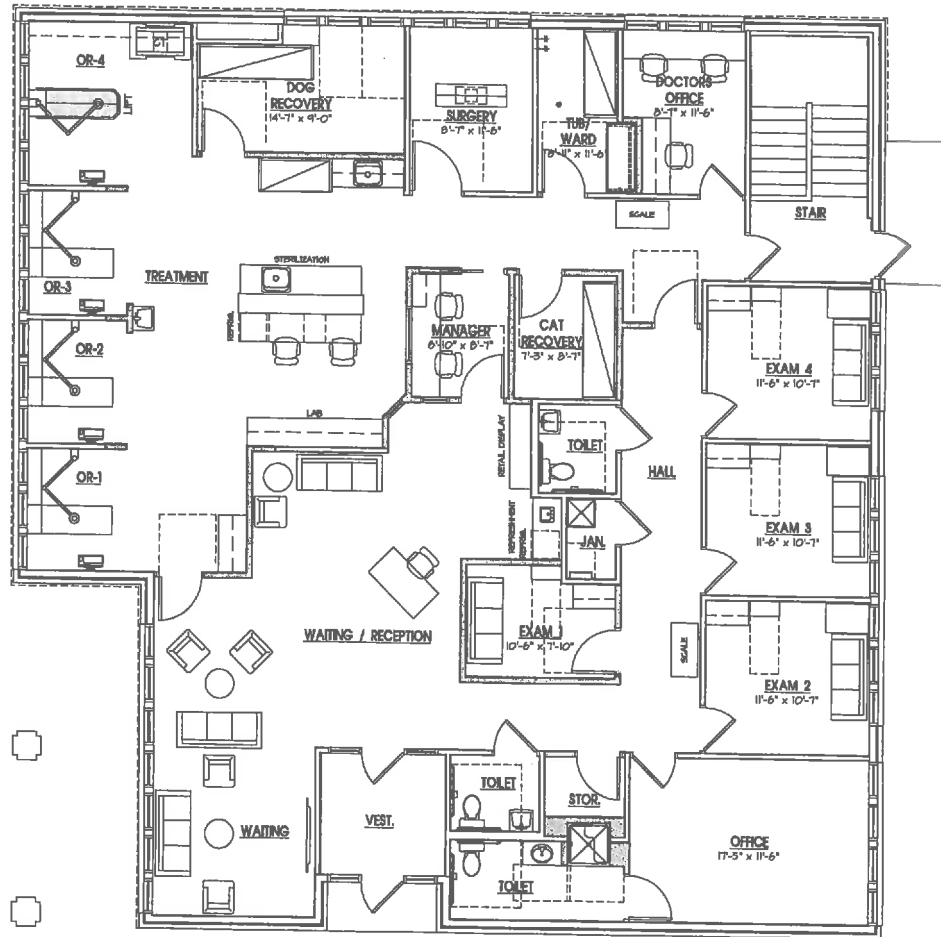
To Whom It May Concern:

Please accept this letter as a confirmation that we are withdrawing our previous zoning request for the property at 361 Sullivan Road.

If you have any questions or comments, please feel free to contact me at 708-799-4400.

Sincerely,

Michael Matthys
LINDENGROUP Inc.
Vice President



PROPOSED FLOOR PLAN
 1" = 10'-0"
 SCALE: 1/4" = 1'-0"

— EXISTING WALL
 — PROPOSED NEW WALL



ARCHITECTURE
 LAND PLANNING
 INTERIOR ARCHITECTURE
 LANDSCAPE ARCHITECTURE
 10100 ORLAND PARKWAY, SUITE 110
 ORLAND PARK, ILLINOIS 60161
 (708) 797-1400
 WWW.RWDGROUPINC.COM

RWD MANAGEMENT COMPANY
 1/2 N. 34th St., Suite 110
 Chicago, IL 60647
 (312) 344-0000
 www.rwdm.com

VETERINARY DENTAL CENTER
 INTERIOR REMODELING
 345 SULLIVAN ROAD
 NORTH AURORA, IL 60066



OWNER: VETERINARY DENTAL CENTER

DATE: 7-16-2019

PROJECT NUMBER: 2019-0006

FILE NUMBER: 7-16-2019

DATE: 7-16-2019

DRAWN BY: [Signature]

REVIEW: [Signature]

COMPANY: RWD GROUP INC.
 ALL RIGHTS RESERVED

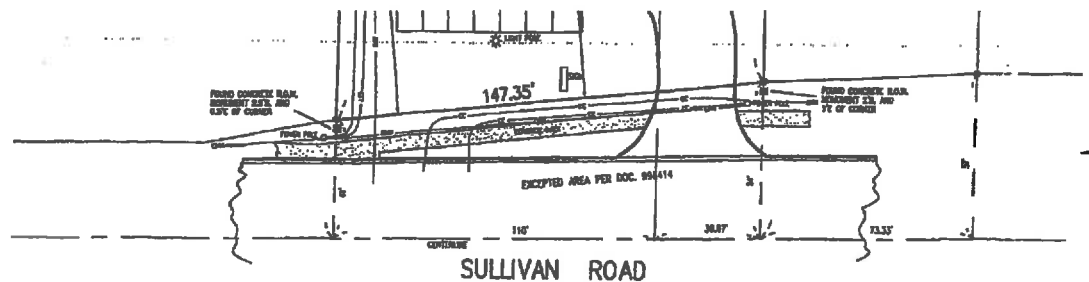
PROPOSED PLAN

SHEET NAME:

PD-1.0

SHEET

OF 1



- NOTES:**
1. SURVEY WAS BASED ON TITLE COMMITMENT FURNISHED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. 548915582 AND EFFECTIVE DATE OF OCTOBER 31, 2014.
 2. AREA OF SURVEYED LAND: 1.04 ACRES
 3. NUMBER OF STRIPS SPACED 20 (2 HANDICAPPED)
 4. UTILITY LOCATIONS SHOWN HEREIN ARE BASED ON VISIBLE EVIDENCE AND MARKINGS PROVIDED BY JULLIE.

LEGAL DESCRIPTION:
 LOT 18 (EXCEPT THE EASTERLY 73 1/3 FEET) AND LOT 19 (EXCEPT FROM SAID LOTS 18 AND 19 THAT PART CONVEYED TO THE STATE OF ILLINOIS BY WARRANTY DEED DATED DECEMBER 1, 1982, AND RECORDED MARCH 1, 1983, AS DOCUMENT 986414) IN WOLF'S SUBDIVISION OF ANGELA ACRES, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.

CERTIFY TO: CHICAGO TITLE INSURANCE COMPANY; ANJ PROPERTY, LLC; U.S. BANK

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 NATIONAL STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSDS, AND INCLUDES ITEMS 1, 3, 4, 7(A), 8, 9, AND 11(0) OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 30, 2014.

DATED: JANUARY 7, 2015

Yed Berenson
 YED BERENSON
 ILLINOIS REG. PROFESSIONAL LAND SURVEYOR #035-001977



Ø BORE PIPE OR BAIL
 SHAW PIPE
 SINK HOLE
 WIRE BEARING OR ANGLE
 NO DISTANCE OR ANGLE

ØØ - EXPOSED WIRE
 ØØ - EXPOSED CABLE
 ØØ - COVERED ELECTRIC WIRE
 ATT - PHONE/COMMUNICATION WIRE

CONSULTING ENGINEERING SERVICES

CIVIL ENGINEERS - LAND SURVEYORS

724 McClern Avenue - Aurora, IL - 60506
 630-606-0437 / Email: engineering25@aol.com

SCALE: 1" = 30'

ADDRESS: 345 SULLIVAN ROAD
 NORTH AURORA, IL

CLIENT: GERALD JUDGE, ATTORNEY

AS SHOWN IN FIELD AND TYPICAL PLOTS SURVEY.

APPLICATION FOR MAP AMENDMENT

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

PETITION NO. 19-06

FILE NAME 345 SULLIVAN ROAD VET. CLINIC

DATE STAMP

RECEIVED

I. APPLICANT AND OWNER DATA

JUL 16 2019

**VILLAGE OF
NORTH AURORA**

Name of Applicant* Stephen Juriga, DVM & Alexandra Juriga

Address of Applicant 106 Le Grande Boulevard, Aurora, IL 60506

Telephone Numbers 630-269-7555

Name of Owner(s)* MCGBAR LLC, Ellen M. Barnes & James W. McGough, 1980 Kensington, Aurora, IL 60506

Telephone Number 630-892-1515

Email Address stephenjuriga@yahoo.com alexandraejuriga@gmail.com

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

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

II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property 345 Sullivan Road, Aurora, IL 60506

(Indicate location if no common address)

Legal Description: WOOLFS SUBDN: W 1/3 LOT 18 & ALL LOT 19 LOT DIMENSIONS: 147 X 382 -
APPROX LOT SQ FT 56154 SUBDIVISION: WOOLFS SUBDN RANGE CODE: 001

Parcel Size 56,154 square feet

Present Use Dental Office

(Business, manufacturing, residential, etc.)

Present Zoning District Office Research District (B-2 District Being Proposed)

(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 MAP AMENDMENT

Proposed Zoning District B-2 General Business District (Zoning Ordinance Classification)

Has the present applicant previously sought to rezone the property or any part thereof? NO

If so, when? NA

To what zoning district classification? NA

What type of improvement to the Property is planned? This is an Animal Care Dental Specialty Center. Project will include entrance lobby, waiting area, 3 exam rooms, open dental procedure area with 4 tables, special procedure room, animal containment area, and staff support area.

What will be the actual use of such improvement(s)? Animal Care Dental Specialty Center

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

The property is currently used as dental office. The property to the West is professional services The property to the East is a residential.

IV CHECKLIST FOR ATTACHMENTS

The following items are attached hereto and made a part hereof:

1. Legal Description (may be included in items 2 or 5 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. Five (5) copies of a plot plan, 8 ½" x 11" or 8 ½ x 14" showing proposed construction if any.
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 amendment is requested.
5. A copy of owner's title insurance policy commitment or deed for the subject property.
6. Filing fee in the amount of \$300.00; if paid by check make payable to the 'Village of North Aurora'. Please note, an escrow deposit will also be required per Village Code.
7. Letter of authorization letter from owner, if applicable.
8. Disclosure of beneficiaries of land trust, if applicable.

Completed forms for the following must accompany application, if applicable:

9. Visit the Illinois Department of Natural Resources' website www.dnr.state.il.us and initiate a consultation using DNR's EcoCat online application
10. Visit the Kane DuPage Soil and Water Conservation District's website

Following are the names and addresses of all properties within 250 feet of the property in questions for which the special use being is being requested.

| TAX PARCEL NO. | NAME | MAILING ADDRESS |
|--|--|--|
| <u>15-09-276-016</u> | <u>Robert Boer</u> | <u>23 N Lincolnway</u> <u>North Aurora, IL 60542</u> |
| <u>15-09-276-014</u> | <u>Baber, Freeda R Trust, Trustee</u> | <u>415 E North Water St #2605</u> <u>Chicago, IL 60611-5827</u> |
| <u>15-09-276-013</u> <u>& 15-09-276-012</u> | <u>Mark & Vickie Ruprecht</u> | <u>OS124 Surrey Dr</u> <u>Elburn, IL 60119</u> |
| <u>15-09-276-029</u> | <u>Extra Space of North Aurora, LLC</u> <u>Paradigm Tax-Ess #1242</u> | <u>PO Box 800729</u> <u>Dallas, TX 75380-0729</u> |
| <u>15-09-276-028</u> | <u>HZ Props RE Ltd</u> | <u>4415 Highway 6</u> <u>Sugar Land, TX 75380-4476</u> |
| <u>15-09-276-023</u> | <u>Thornton Oil Corp-Joy Criss</u> | <u>2600 James Thornton Way</u> <u>Louisville, KY 40245-5329</u> |
| | | |
| | | |
| | | |

I, Stephen Jung, 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.

[Signature]
Applicant Signature

7-9-19
Date

SUBSCRIBED AND SWORN TO

Before me this 9th day of July, 2019.

[Signature]
Notary Public

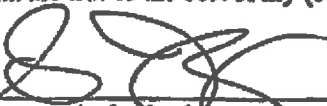


The Applicant authorizes the Village of North Aurora representatives to enter on to the property to make inspection during the hearing process.

The Applicant is responsible for publishing a legal notice in the newspaper, sending mail notices to properties within 250 feet and posting a sign(s) 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.



Applicant or Authorized Agent

7/9/19
Date



Owner

07.09.19
Date

MAP AMENDMENT STANDARDS
APPLICATION FOR MAP AMENDMENT

Name of Applicant: Stephen Juriga, DVM & Alexandra Juriga

Address of Applicant: 106 Le Grande Boulevard, Aurora, IL 60506

Telephone Numbers: 630-269-7555

Email Address: stephenjuriga@yahoo.com alexandraejuriga@gmail.com

Address of Property: 345 Sullivan Road, Aurora, IL 60506

1. Is the proposed amendment consistent with the existing use and zoning of nearby property?

The proposed amendment is consistent with the zoning of nearby property. The comprehensive plan targets the subject site to be changed to B-2 zoning based on the surrounding zoning. The proposed B-2 zoning change is being requested, because it permits the proposed Animal Hospital and Veterinary Clinic as a Special Use.

2. Does the proposed amendment diminish the existing zoning of the subject property?

The proposed amendment does not diminish the existing zoning of the subject property because the surrounding area includes adjacent B-2 zoning. This map amendment would be consistent with other close by properties and would be consistent with the intent of the comprehensive plan to rezone to B-2.

3. Does the proposed amendment promote the public health, safety, comfort, convenience, and general welfare?

The B-2 zoning is located in proximity to the subject property along Sullivan road and is located immediately to the north. The map amendment of the subject property to B-2 would not negatively impact public health, safety, comfort, convenience, or general welfare.

4. Does the proposed amendment provide a relative gain to the public, as compared to the hardship imposed upon the applicant?

The B-2 zoning at the subject property is a target of the comprehensive plan which targets change for the relative gain to the public.

The map amendment will provide the opportunity to the applicant to request a Special Use for Animal Hospital and Veterinary Clinic. This would allow them to develop the existing structure and additionally to provide the Dental Specialty Center, which will serve the health of the surrounding community's pets.

5. Is the proposed amendment not feasible for development as it is presently zoned?

Under the current O-R zoning district Animal Hospital and Veterinary Clinic are not a permitted use or a permitted Special Use. Map amendment would be required to permit project to be developed.

6. Has the property in question been vacant, as presently zoned, for a significant length of time considered in the context of development in the area where the property is located?

No, the property has not been vacant.

7. Is there evidence of community need for the use proposed by the applicant?

The Veterinary Dental Center is one of 3 facilities in the Chicago Metro Area that specialize in Dental procedures for Cats and Dogs. They receive referrals from veterinarians throughout the area. The practice has out grown its existing facility due to the increased demand for specialty pet clinics within the animal care veterinarian profession. The proposed project will serve the community with this dental care for their pets close to home.

8. Is the proposed amendment consistent with the comprehensive plan?

The Comprehensive plan targets the subject site to be rezoned B-2.

9. Does the proposed amendment benefit the residents of the Village as a whole and not just the applicant, property owners, neighbors of any property under consideration, or other special interest groups?

The proposed project will serve the community with specialty dental care services and advanced dental procedures for their pets close to home.

10. Does the amendment avoid creating nonconformities?

The proposed use does not create non conformities. No variances are being sought for the proposed project.

11. Does the proposed amendment remain consistent with the trend of development, if any, in the general area of the property in question?

The trend for development of property on Sullivan road in proximity to the subject property seems to be services based business with Dental practice and photo studio which is consistent with our serviced based proposed use of animal care.

12. Are adequate public facilities available including but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are public facilities reasonably capable of being provided prior to the development of the use which would be permitted on the subject property in the Amendment were adopted.

Existing public facilities and services are adequate to service the proposed use.

APPLICATION FOR SPECIAL USE

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

PETITION NO. 19-06

FILE NAME 345 Sullivan Road V.T. Clinic

DATE STAMP

RECEIVED

I. APPLICANT AND OWNER DATA

JUL 16 2019

**VILLAGE OF
NORTH AURORA**

Name of Applicant* Stephen Juriga, DVM & Alexandra Juriga

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Telephone Numbers 630-269-7555

Email Address stephenjuriga@yahoo.com alexandraejuriga@gmail.com

Name of Owner(s)* MCGBAR LLC, Ellen M. Barnes & James W. McGough, 1980 Kensington, Aurora, IL 60506

Telephone Numbers 630-892-1515

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APPROX LOT SQ FT 56154 SUBDIVISION: WOOLDS SUBDN RANGE CODE: 001

Parcel Size 56,154 square feet

Present Use Dental Office

(business, manufacturing, residential, etc.)

Present Zoning District Office Research District (B-2 District Being Proposed)

(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 Animal Hospital and Veterinary Clinic
(Zoning Ordinance Classification)

Code Section that authorizes Special Use Chapter 8.2A

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

If so, when? NA to what district? NA

Describe briefly the type of use and improvement proposed This is an Animal Care Dental Specialty Center. Project will include entrance lobby, waiting area, 3 exam rooms, open dental procedure area with 4 tables, special procedure room, animal containment area, and staff support area.

What are the existing uses of property within the general area of the Property in question? The existing use is dental office. The property to the West is professional services. The property to the East is a residential.

To the best of your knowledge, can you affirm that there is a need for the special use at the particular location? (Explain) The Dental Specialty Center is currently located in the vicinity and is a successful practice. The practice is regional referral center for the Western Suburbs, as it is the only one of its kind. There is a need for growth and expansion due to the success of the practice.

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 1/2" x 11 or 8 1/2" 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.


Applicant or Authorized Agent

7-9-19
Date


Owner

07.09.19
Date

Following are the names and addresses of all properties within 250 feet of the property in questions for which the special use being is being requested.

| TAX PARCEL NO. | NAME | MAILING ADDRESS |
|----------------------------------|--|--|
| 15-09-276-016 | Robert Boer | 23 N Lincolnway North Aurora, IL 60542 |
| 15-09-276-014 | Baber, Freeda R Trust, Trustee | 415 E North Water St #2605 Chicago, IL 60611-5827 |
| 15-09-276-013 & 15-09-276-012 | Mark & Vickie Ruprecht | OS124 Surrey Dr Elburn, IL 60119 |
| 15-09-276-029 | Extra Space of North Aurora, LLC Paradigm Tax-Ess #1242 | PO Box 800729 Dallas, TX 75380-0729 |
| 15-09-276-028 | HZ Props RE Ltd | 4415 Highway 6 Sugar Land, TX 75380-4476 |
| 15-09-276-023 | Thornton Oil Corp-Joy Criss | 2600 James Thornton Way Louisville, KY 40245-5329 |
| | | |
| | | |
| | | |

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

Applicant Signature

Date

7-9-19

SUBSCRIBED AND SWORN TO

Before me this 9th day of July, 2019.

Notary Public



SUPPORTING DATA THAT THE PROPOSED SPECIAL USE WILL CONFORM TO THE FOLLOWING STANDARDS:

Name of Applicant: Stephen Juriga, DVM & Alexandra Juriga

Address of Applicant: 106 Le Grande Boulevard, Aurora, IL 60506

Telephone Numbers: 630-269-7555

Email Address: stephenjuriga@yahoo.com alexandraejuriga@gmail.com

Address of Property: 345 Sullivan Road, Aurora, IL 60506

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

Animal Hospital and Veterinary Clinic are in fact a special use authorized under the B-2 district.

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

The Veterinary Dental Center is one of 3 facilities in the Chicago Metro Area that specialize in Dental procedures for Cats and Dogs. They receive referrals from veterinarians throughout the area. The practice has out grown its existing facility due to the increased demand for specialty pet clinics within the animal care veterinarian profession. The proposed project will serve the public with this specialized dental care for their pets close to home.

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.

The Veterinary Dental Center offers advanced veterinary dental services on an outpatient basis. Dr. Juriga and Dr. Sasser treat approximately 10-15 patients per day. Clients travel to the facility, pets are admitted for the day, and 50% of the owners stay in the area shopping. Pets are discharged throughout the day. The use will not create additional impacts at public expense for public facilities and services.

4. The proposed special use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations.

The Veterinary Dental Center will conform to all codes and will not be requesting any variances. Locating service based businesses such as the proposed animal clinic along Sullivan road is consistent with the comprehensive plan.

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.

The proposed use will not impact the appearance of the existing dental practice.

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.

The existing use will not diminish safety, use, enjoyment, and value of other property in the neighborhood. No animals will be kept in the facility overnight. All procedures are out patient. Animals will be kept during recovery within the building. The site improvements will include a fenced-in patient relief area that will be used on occasion with recovering dogs as they wait to be picked up. Use of this relief area will be limited to one dog at a time and dogs will be leashed and supervised until they return to holding area within the clinic. The Fenced in area is provided for the safety of the animal to prevent dogs running lose if they escape their leash. Solid PVC fence is used keep dogs calm and isolated during relief before return indoors to holding area.

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

The proposed use is compatible with adjacent development with other nearby services based businesses including dental clinic and photo studio.

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

Access to Sullivan Road will remain similar to the prior use. Traffic should be similar with Dr. Juriga and Sasser treating approximately 10-15 patients per day. Clients travel to the facility, pets are admitted for the day, and 50% of the owners stay in the area shopping. Pets are discharged throughout the day.

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

Animal Hospital requires 3 parking spaces per 1,000 s.f. of gross area. The proposed site plan includes parking to satisfy zoning requirement with 29 spaces provided. Proposed Building area is 3,600 s.f./1000 x 3 = 10.8 = 11 spaces.

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

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.

Yes, the proposed special use conforms with the requirements of this Ordinance and other applicable regulations.

**Public Hearings
& Notices****STATE OF ILLINOIS
COUNTY OF DUPAGE
VILLAGE OF BLOOMINGDALE
NOTICE OF PUBLIC HEARING**

TAKE NOTICE that on the 3rd day of September, 2019, at the hour of 6:00 p.m., or as soon thereafter as the matter may be heard, the Planning and Zoning Commission of the Village of Bloomingdale will conduct a public hearing at the Village of Bloomingdale Village Hall, 201 South Bloomingdale Road, Bloomingdale, Illinois, upon the application for a petition submitted by Noah Properties, LLC, the contract purchasers of the property legally described herein, for the purpose of establishing a Planned Development on Knollwood Drive in Bloomingdale, IL for the approval of certain requests associated with the construction of a 90-unit, multi-family development, with three (3) buildings consisting of 24 units and one (1) building consisting of 18 units, as well as a surface parking lot for 180 vehicles, on the subject property.

Without limiting the generality of the foregoing, the Applicant requests approval of the following:

1. Amend or Repeal Ordinance 2005-06, which amended ordinance no. 2000-45 and approved preliminary subdivision and site plan, including exceptions, for Gehlshaus Development;
2. Amend or Repeal Ordinance 2006-005, which amended ordinance no. 2000-45 and approved final subdivision and site plan, including exceptions, for Tall II, L.P.;
3. Amend or Repeal Ordinance 2007-005, which amended ordinance no. 2005-06 and ordinance 2006-05, which amended the Plan of Development and Site Plan for the Bloomingdale Walk Condominiums to permit an increase in the number of units and modifications to off-street parking, building elevations, building footprint and landscape plan;
4. A special use permit and landscape development;
5. Preliminary Site Plan Approval;
6. Preliminary Subdivision Approval;
7. Exceptions from the Zoning Ordinance related, but not limited to:

- a. Tree preservation, landscaping and/or screening;
- b. Reductions in minimum required building setbacks;
- c. Building materials;
- d. Building height;
- e. Lot/building coverage;
- f. Floor Area Ratio;
- g. Reductions in minimum required pavement setbacks;
- h. Reductions in the required landscaping setbacks;

8. Such other zoning permission or relief related to said application as identified during the public hearing process.

The subject property, which is zoned Stratford PUD, is located within the corporate limits of the Village of Bloomingdale and is legally described as follows: LOT 1 IN BLOOMINGDALE WALK-CONDOMINIUM COLLECTION, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Common Address: Knollwood Drive, Bloomingdale, IL 60108

Property Index Number: 02-20-206-037-0000
A copy of the application for Planned Unit Development is on file with the Village of Bloomingdale Planning and Zoning Commission and is available for public inspection at the Bloomingdale Village Hall during normal business hours. Member of the public are invited to attend the public hearings, at which time an opportunity will be given to address the member of the plan commission.

This Notice is given pursuant to the Village of Bloomingdale Zoning Ordinance. Persons requiring auxiliary aids and services should contact the Community and Economic Development Director, 201 South Bloomingdale Road, Bloomingdale, Illinois 60108, or call 630-671-5694, five (5) days prior to the meeting in order to inform of their anticipated attendance. Text telephone (TDD) users may call 630-693-7175.

By order of the Planning and Zoning Commission, Bloomingdale.

Date: August 13, 2019
/s/ Leonard Jaster, Chairman, Bloomingdale Planning and Zoning Commission

PUBLISHED: August 15, 2019, Daily Herald (4530539)

**PUBLIC HEARING NOTICE
MAP AMENDMENT TO REZONE THE PROPERTY
LOCATED AT 345 SULLIVAN ROAD FROM THE O-R
OFFICE RESEARCH DISTRICT TO THE B-2 GENERAL
BUSINESS DISTRICT AND SPECIAL USE TO ALLOW
AN ANIMAL HOSPITAL AND VETERINARY CLINIC ON
THE SUBJECT PROPERTY LOCATED IN THE
VILLAGE OF NORTH AURORA, ILLINOIS.**

PLEASE BE NOTIFIED of a hearing before the North Aurora Plan Commission on Tuesday, September 3, 2019 at 7:00 p.m. at the North Aurora Village Board Meeting Room, 25 E. State Street, North Aurora, Illinois. The applicant requests the following:

1. Map amendment to rezone the subject property from the O-R Office Research District to the B-2 General Business District, and
2. Special Use to allow an Animal Hospital and Veterinary Clinic on the subject property, pursuant to Section 17.8.2 of the North Aurora Zoning Ordinance; and

The property is commonly known as 345 Sullivan Road, North Aurora, Kane County, Illinois.
The Subject Property is legally described as follows: LOT 18 (EXCEPT LOT 19 AND LOT 13) AND LOT 19 (EXCEPT FROM SAID LOTS 18 AND 19) THAT PART CONVEYED TO THE STATE OF ILLINOIS BY WARRANTY DEED DATED DECEMBER 1, 1962, AND RECORDED MARCH 1, 1963 AS DOCUMENT 995414 IN WOLF'S SUBDIVISION OF ANGELL ACRES, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.

Permanent Index Number: 15-09-276-015
An application has been filed by the property owner and is known as petition number #19-06. The applications for map amendment and special use are 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 13th day of August, 2019

/s/ Mike Taha
Community and Economic Development Director
Published in Daily Herald August 15, 2019 (4530497)

**STATE OF ILLINOIS
COUNTY OF DUPAGE
VILLAGE OF BLOOMINGDALE
NOTICE OF PUBLIC HEARING**

TAKE NOTICE

Probate**LEGAL NOTICE
STATE OF ILLINOIS
IN THE CIRCUIT COURT
OF COOK COUNTY, ILLINOIS**

County Dept. Probate Division

In the Matter of the

Estate of EDWARD A. TRABENDA,

Deceased.

Case No. 2019 P 3529

Claim Notice

Notice is given of the death of

Edward A. Trabenda

(aka Edward A. Trebenda)

whose address was 9214 S.

University Avenue, Chicago,

Illinois. Letters of Office

were issued on August 1,

2019, to ROBERT TREBENDA

of 412 Michael Ct., Des

Plaines, Illinois as IN-

DEPENDENT ADMINISTRATOR,

whose attorney is MICHELLE

BUGAJSKY, O'FLAHERTY LAW P.C.,

5002 Main St, Ste 201, Downers

Grange, Illinois.

Notice is hereby given to unknown

heirs, who are heirs or legatees

of the above proceeding to

probate a will and whose

names and address is not

stated in the petition to admit

the will to probate, that an

order was entered by the

Court on August 1, 2019

denying admission of the will

to probate. You have the

right under section 8-2 of the

Probate Act of 1975 (755

ILCS 5/8-2) to contest the de-

clat of admission by filing a

petition with the Court

within six (6) months after

the entry of the order of de-

clat.

The estate will be adminis-

tered without Court Supervi-

sion, unless under section

28-4 of the Probate Act of

1975 (755 ILCS 5/28-4) any

interested person terminates

independent administration at

any time by filing a

petition to terminate with the

Circuit Court Clerk.

Notice is hereby given to

creditors. Claims against the

estate may be filed

within six months from the

date of first publication. Any

claim not filed within six (6)

months from the date of first

publication or claims not

filed within three months

from the date of mailing or

delivery of Notice to Creditor,

whichever is later, shall be

barred. Claims may be

filed with the Clerk of the

Clerk of Court of COOK

County - Probate Division,

50 W. Washington, Chicago,

IL 60602, or with the repre-

sentative or both. Copies of

claims filed with the Clerk

must be mailed or delivered

to the representative(s) and

to the attorney within ten

days after it has been filed.

/s/ Dorothy Brown

Clerk of the Circuit Court
Published in Daily Herald
August 15, 29, 2019 (4530502)

WHY IS IT

A man wakes up after sleeping under an ADVERTISED blanket, and pulls off ADVERTISED pajamas, bathes in an ADVERTISED shower, shaves with an

ADVERTISED razor, brushes his teeth with an ADVERTISED toothpaste, washes with ADVERTISED soap, puts on

ADVERTISED clothes, drinks an ADVERTISED cup of coffee, drives to work in an ADVERTISED car

and then... refuses to ADVERTISE believing it doesn't pay. Later if business is poor, he ADVERTISES it for sale.

WHY IS IT?**Public Hearings
& Notices**

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS
THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, FOR AND ON BEHALF OF THE PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,

KEVIN KACHIGIAN AND RACHEL KACHIGIAN, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY; VILLAGE OF LONG GROVE; MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. ("MERS"); AS NOMINEE FOR EVERETT FINANCIAL INC.; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS, general Defendants.

Probate**LEGAL NOTICE
UNITED STATES OF
AMERICA
COUNTY OF ILLINOIS
IN THE CIRCUIT COURT
OF THE EIGHTEENTH
JUDICIAL CIRCUIT**

Estate of William H. Dickey

deceased.

Case No. 2019P000253

Notice is given of the death of

William H. Dickey, whose

address was 4512 A Cumoulin

Ave., Lisle, IL 60532. Let-

ters of Office were issued on

July 11, 2019, to Jason

Dickey, 1615 Burlington

Ave., Lisle, IL 60532, as In-

dependent Administrator

whose attorney is Judith

Glozier

Notice to Heirs & Legatees

Notice is hereby given to

Unknown Heirs, who are

heirs or legatees of the

above proceeding.

The estate will be adminis-

tered without Court Supervi-

sion, unless under Section

28-4 of the Probate Act of

1975 (755 ILCS 5/28-4) any

interested person terminates

independent administration at

any time by mailing a peti-

tion to terminate to the Circuit

Court Clerk.

Claims against the estate

may be filed in the Office of

CHRIS KACHIROUBAS,

Circuit Court Clerk, 505 N.

County Farm Road, Wheat-

on, Illinois, or with the rep-

resentative or both on or be-

fore February 8, 15, 22, 2019,

any claim not filed within

that period is barred. Copies

of a claim filed with the Cir-

cuit Court Clerk must be

mailed or delivered to the

representative and to the at-

torney. If any, within ten

(10) days after it has been

filed with the Circuit Clerk.

/s/ Chris Kachirobas,

Clerk of the Eighteenth

Judicial Circuit Court

Judith Glozier

DuPage Atty. No.: 20032

Atty. For: Petitioner

522 S Washington Suite 104

Naperville, IL 60540

630-420-6601

Published in Daily Herald

Aug 8, 15, 22, 2019 4530112

Published in Daily Herald

August 15, 2019 (4530448)

TIREDD??

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**Public Hearings
& Notices****LOST YOUR
PET?**

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**STATE OF ILLINOIS
COUNTY OF DUPAGE
VILLAGE OF BLOOMINGDALE****NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that on the 4th day of September, 2019, at the hour of 6:00 p.m., or c matter may be heard, the Planning and Zoning Commission of the Village of Bloomingdale w at the Bloomingdale Golf Course - 181 N. Glen Ellyn Road, Bloomingdale, Illinois, upon the o submitted by K. Hovnanian T & C Homes at Illinois L.L.C., an Illinois limited liability compar 1804 N. Naperville Blvd., Suite 200, Naperville, Illinois 60563 (the "Applicant") as the contract pu legally described herein (the "Subject Property"), for the purpose of approving certain zonil associated with the proposed construction of a 535-unit, one-restricted single-family develop property; that consists of approximately two hundred twenty three (223) acres located south Cardinal Drive, in Bloomingdale, Illinois.

Without limiting the generality of the foregoing, the Applicant requests approval of the follo

1. An amendment to Ordinance No. 95-57 to exclude a portion of the Subject Property from th identified in said Ordinance and approve a tentative development plan and uses for a portion
2. Preliminary Subdivision Approval;
3. Preliminary Subdivision Approval;
4. Rezoning of a portion of the Subject Property from RR PUD to R-2C Single-Family Reside
5. A Special Use for a preliminary Planned Development;
6. An amendment to the Village's Comprehensive Plan;
7. Exceptions from the Zoning Ordinances to allow:

- a. An exception to reduce the minimum lot width from sixty feet (60') to fifty two feet (52');
- b. An exception from the subdivision requirements to reduce the required right-of-way for n feet (66') to fifty feet (50');
- c. An exception to reduce the minimum dwelling unit size;
- d. An exception to allow construction materials that are not compatible with the surrounding e. Exceptions as they relate to tree preservation and replacement;
8. Approve such other variances, departures or deviations as may be necessary to developm depicted on the plans submitted and on file with the Village.

The subject property, which is zoned RR PUD and is located within the corporate limits of t and is legally described pursuant to Exhibit "A" attached hereto and made a part hereof. A copy of the application for K. Hovnanian T & C Homes at Illinois L.L.C. is on file with the VI Bloomingdale and is available for public inspection at the Bloomingdale Village Hall duri Members of the public are invited to attend the public hearing, at which time an opportunity member of the plan commission.

This Notice is given pursuant to the Village of Bloomingdale Zoning Ordinance.

Persons requiring auxiliary aids and services should contact the Director, Community a 201 South Bloomingdale Road, Bloomingdale, Illinois 60108, or call 630-671-5694, five (5) days inform of their anticipated attendance. Text telephone (TDD) users may call 630-693-7175.

By order of the Planning and Zoning Commission, Bloomingdale.

Date: August 13, 2019

/s/ Leonard Jaster, Chairman, Bloomingdale Planning and Zoning Commission

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1:
THAT PART OF SECTIONS 16, 21 AND 22, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE R IDIAN, DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF THE SOUT 16; THENCE NORTH 88 DEGREES 28 MINUTES 23 SECONDS EAST ALONG TH SOUTHWEST 1/4, 2670.35 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 00 DEG OUTWEST 879.17 FEET (MEASURED 879.22 FEET) TO A POINT OF CURVATURE; T TO THE RIGHT HAVING A RADIUS OF 118.38 FEET (MEASURED 118.38 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE CONTINUING ALONG A HAVING A RADIUS OF 196.93 FEET, AN ARC DISTANCE OF 233.93 FEET (MEASURED: OF TANGENCY; THENCE NORTH 47 DEGREES 18 MINUTES 27 SECONDS WEST (MI GRES 20 MINUTES 00 SECONDS WEST) ALONG SAID TANGENT, 46.00 FEET TO A THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 239.85 FEET, AN FEET (MEASURED 517.60 FEET) THENCE CONTINUING ON A CURVE TO THE LEF 109.70 FEET (MEASURED 109.70 FEET) TO A POINT OF TANGENCY; THENCE T THENCE SOUTH 00 DEGREES 20 MINUTES 39 SECONDS WEST ALONG SAID TANGENT SOUTH 00 DEGREES 20 MINUTES 05 SECONDS WEST) TO A POINT OF CURVATURE; T TO THE RIGHT HAVING A RADIUS OF 223.38 FEET, AN ARC DISTANCE OF 104.5 FEET, T TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HA FEET, AN ARC DISTANCE OF 104.50 FEET TO A POINT OF TANGENCY; THENCE SOL FIES 39 SECONDS WEST 317.00 FEET (MEASURED 317.00 FEET) TO A POINT OF TANGENCY; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 132.05 FEET, AN ARC DISTANCE OF 98.34 FEET (MEASURED 98.25 FEET) TO A POINT C SOUTH 25 DEGREES 09 MINUTES 19 SECONDS EAST ALONG SAID TANGENT, 11.50 FEE DEGREES 24 MINUTES 57 SECONDS EAST 11.54 FEET) TO A POINT OF CURVATURE; T TO THE RIGHT HAVING A RADIUS OF 220.97 FEET, AN ARC DISTANCE OF 98.34 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00 DEGREES 20 MINUTES 39 SECONDS TANGENT (MEASURED SOUTH 00 DEGREES 23 MINUTES 45 SECONDS WEST) 486.70 F VATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 546.01 FEE 32.95 FEET (MEASURED 312.18 FEET) TO THE MOST NORTHERLY CORNER OF STONEGATE ESTATES UNIT ONE, A SUBDIVISION IN SAID SECTION 21; THENCE S; THE MOST NORTHEASTERLY LINE OF LOTS 32, 31 AND 30 IN SAID STONEGATE EST ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 405.0 FEET, AN ARC DISTANCE 375.17 FEET (MEASURED 375.17 FEET) THENCE SOUTH 85 DEGREES 19 MINUTES 09 SECONDS EAST 780.21 T LOTS 28, 27, 26, 25, 24, 23, 22 AND 21 IN SAID STONEGATE ESTATES UNIT ONE, BEING ALONG T TO



Memorandum

To: Village President and Village Board of Trustees

Cc: Steve Bosco, Village Administrator

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

Date: September 12, 2019

Re: Fox River Dam Removal

In January 2015, an Intergovernmental Agreement (IGA) was in place between the Village of North Aurora, Fox Valley Park District, and the Illinois Department of Natural Resources (IDNR) for the design engineering and removal of the Fox River Dam. The project funding lapsed due to the lack of funding which caused the project's deadline date to expire. In June of 2019, staff received word that the State's FY 2020 budget had additional funding set aside for dam removal. Staff sent a letter, the expired IGA, and a letter of support from the Fox Valley Park District to the Illinois Department of Natural Resources (IDNR) mentioning that the Village and the Fox Valley Park District were still interested in potentially partnering with the IDNR to remove the Fox River Dam if funding was available.

In July of 2019, the Village was notified by the IDNR that the State Budget had funding available and may be able to fund the North Aurora Fox River Dam removal. On July 17th, staff met with the Fox Valley Park District and came to the conclusion that the expired IGA did not need any significant changes and that the Fox Valley Park District supported removing the Fox River Dam. On July 26th, staff and the Fox Valley Park District had a phone conversation with the Office of Water Resources (OWR) from the IDNR. Staff mentioned that the Village would be interested as long as the millrace along North Aurora Riverfront Park and North Aurora Island Park would not disappear if the dam was removed. The IDNR mentioned that they would like to recreate and update the expired IGA from 2015 as soon as possible. Staff is seeking direction from the Village Board regarding the potential removal of the Fox River dam.

Memorandum



To: Village President and Village Board of Trustees
From: Steve Bosco, Village Administrator
David Hansen, Administrative/GIS Analyst
Date: 9-12-19
Re: Southwest Fox Valley Cable Consortium Proposed Fee Structure

Background with SFVCC

In 2002, the Southwest Fox Valley Cable Consortium (SFVCC) was formed by the municipalities of North Aurora, Oswego, Plano, Sandwich and Yorkville. The original idea for the consortium was to have a better ability to collaboratively approach AT&T for infrastructure upgrades and better customer service in a new franchise agreement. Each member community is represented in the consortium by an appointee of each respective municipalities Village President/ Mayor.

The consortium determined there was a need to create an opportunity for Public, Educational and Governmental (PEG) access for residents. The members of the consortium collectively approached Waubensee Community College and was able to secure use of their television studio for purposes of providing PEG access. The consortium also determined that collectively they had a better chance to negotiate with AT&T for capital improvements and a studio channel to provide PEG access. Since the 12-year franchise agreement with AT&T was approved in August of 2002, the cable infrastructure and subsequent local franchise agreement with the Village of North Aurora has changed ownership to Comcast. In addition, the Village of Oswego is no longer a member of the SFVCC.

Regardless of whether the cable provider was AT&T or Comcast, the SFVCC has worked with its member communities to provide PEG access for residents, local businesses and local organizations since an intergovernmental agreement was signed in August 2002. The consortium provides the opportunity for community members to produce and air local programming through training as well as the use of the consortium's equipment and production studio. The consortium also records, produces and airs coverage of local special events, sporting events and municipal meetings. Community programming and information is provided to residents who subscribe for television service through Comcast, AT&T, and MetroNet. Content is unavailable to satellite television subscribers; however, the consortium does have the ability to stream content on the internet.

Current Contract

The Village is currently a member of the SFVCC. The SFVCC records the video for Village Board and Committee of the Whole meetings which are ultimately posted on the Village's YouTube page. The SFVCC has recently proposed a new fee structure that would impact the funding structure of the SFVCC. Staff is seeking input from the Village Board regarding the proposed fee structure.

Funding History

Per the intergovernmental agreement with the other member communities, each municipality provides 40% of all franchise fees collected annually through their local franchise agreements with Comcast. While not discussed in the existing agreements, the SFVCC has historically refunded money to the communities when reserves exceeded budgetary needs.

Presently, the SFVCC's operating and capital expenses have increased and the Village has not received a refund since the fourth quarter of 2017. As shown by the items listed below, over the course of the past five years (2014-2018), the Village has paid an annual average of \$89,707 in franchise fee revenue to the SFVCC. Of the \$89,707, the SFVCC retained an average of \$49,598 and refunded an average of \$40,109 to the Village on an annual basis. Over the past five years, the average the Village has been refunded approximately 45% of the total cost. However in 2018, the Village paid \$93,367.79 to the SFVCC and received no refund to date though one may be anticipated.

| 2014-2018 Annual Average | <u>Payments to SWFVCC</u> | <u>Refund</u> | <u>Retained by SWFVCC</u> | <u>Percentage Refunded</u> |
|---|--------------------------------------|----------------------|--------------------------------------|---------------------------------------|
| | \$89,707 | \$40,109 | \$49,598 | 45.47% |

SFVCC's Funding Proposal

The SFVCC's new proposal would call for a payment from each community of 30% of their franchise fee to the SFVCC with no expectation of a refund. While there should be no expectation of a refund, the SFVCC would propose a resolution that if any reserves are above \$75,000, it would be refunded proportionally to the communities on an annual basis. The SFVCC would also seek to have the communities institute the pass through amount to each subscriber included in the recently signed contracts to fund capital expenditures. The contract allows a pass-through of 53 cents per subscriber. According to SFVCC they would not be seeking that much. Should a community choose not to enact the pass-through, the SFVCC would seek to have to community provide those funds by an alternate method of the communities choosing. Currently the Village pays 40% of its franchise fees to the SFVCC and has

received approximately 45% of it back through refunds since 2014. Staff is seeking input from the Village Board regarding the proposed fee structure and the Village's future with the SFVCC.