



**PLAN COMMISSION AGENDA  
TUESDAY, DECEMBER 1, 2020  
7:00 PM**

Due to the current COVID-19 pandemic, the Plan Commission meeting will be conducted live remotely using the Zoom telecommunications platform to help prevent the spread of COVID-19. The public is invited to attend the meeting and participate remotely as follows:

**Website Address:** <https://us02web.zoom.us/j/87477401278>

**Meeting ID:** 874 7740 1278

**Dial In:** +1 312 626 6799

This procedure is being followed pursuant to the Illinois Open Meetings Act (5 ILCS 120/2.01 et seq.) as amended by Public Act 101-0640.

**ROLL CALL**

**APPROVAL OF MINUTES**

1. Approval of Plan Commission Minutes dated October 6, 2020.

**PUBLIC HEARING**

1. **Petition #20-08 (307 Banbury Road)**: The petitioner, Marcos Rodriguez, requests the following actions on the subject property located in the R-1 Single Family Residence District:
  - 1) Special use to allow for the expansion of a Place of Worship
  - 2) Site Plan Approval
2. **Petition #20-09 (161 S. Lincolnway)**: The petitioner, PharmaCann, LLC, requests a special use to allow for the expansion of an Adult-Use Cannabis Dispensing Organization in the B-3 Central Business District.

**NEW BUSINESS**

1. **Petition #20-08 (307 Banbury Road)**: The petitioner, Marcos Rodriguez, requests the following actions on the subject property located in the R-1 Single Family Residence District:
  - 1) Special use to allow for the expansion of a Place of Worship
  - 2) Site Plan Approval
2. **Petition #20-09 (161 S. Lincolnway)**: The petitioner, PharmaCann, LLC, requests a special use to allow for the expansion of an Adult-Use Cannabis Dispensing Organization in the B-3 Central Business District.

**OLD BUSINESS**

**PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES**

**ADJOURNMENT**

**VILLAGE OF NORTH AURORA  
PLAN COMMISSION MEETING MINUTES  
OCTOBER 6, 2020**

**CALL TO ORDER**

Vice Chairperson Duncan called the meeting to order.

**ROLL CALL**

**In attendance:** Vice Chairperson Jennifer Duncan, Commissioners Anna Tuohy, Aaron Anderson, Tom Lenkart, Doug Botkin, Mark Bozik and Connie Holbrook

**Not in attendance:** Chairman Mike Brackett

**Staff in attendance:** Village Administrator Steve Bosco, Community & Economic Development Director Mike Toth and Information Technology Manager Dave Arndt,

**Also in attendance:** Kevin Drendel, Village Attorney

**APPROVAL OF MINUTES**

**1. Approval of Plan Commission Minutes dated September 1, 2020**

Motion for approval made by Commissioner Bozik and seconded by Commissioner Anderson. All in favor.  
**Motion approved.**

**PUBLIC HEARING**

**1. Petition #20-06 (301 Deerpath Road & 2040 West Orchard Road):** The petitioner, Specware, LLC., requests the following actions on the subject properties:

- 1) Special Use - Planned Unit Development Amendment with deviations to the Zoning Ordinance and Sign Ordinance
- 2) Site Plan Approval

Vice Chairperson Jennifer Duncan opened the public hearing. There were no public comments. Jennifer Duncan then closed the public portion of the hearing.

**NEW BUSINESS**

**1. Petition #20-06 (301 Deerpath Road & 2040 West Orchard Road):** The petitioner, Specware, LLC., requests the following actions on the subject properties:

- 1) Special Use - Planned Unit Development Amendment with deviations to the Zoning Ordinance and Sign Ordinance
- 2) Site Plan Approval

Community & Economic Development Director Mike Toth provided the Plan Commission with background information on the proposed development. He stated that in 2015 a special use amendment was brought forward for the Hardware Restaurant located in Orchard Commons. Hardware is located on Lot 4 and the hop farm is located on Lot 8. Toth stated that the petitioner is presenting a new restaurant concept, Fortunato, for Lot 3, with is located south of Hardware. They also intend on opening a microbrewery in the hop farm location on Lot 8. The petitioner, Parker Grabowski, discussed the design of the proposed

restaurant, Fortunato. He stated that the design was inspired by Frank Lloyd Wright's Fallingwater building. The exterior of the building will consist of cement partitions, stacked cubes of glass and a shiplap appearance using steel panels of different thickness. Grabowski stated that the exterior brickwork of the restaurant will be painted white. The windows towards the top of the building will allow for natural light into the restaurant. Fortunato will have two (2) patios, which will be located in the front and off the back corner of the building. The private patio located in back will be connected to a speakeasy room, which can be used for private parties.

Fortunato will seat 90 people in the general restaurant area and will seat 110 people who are 21 and over in a designated area. Grabowski stated he wanted to create an atmosphere that was adult friendly on one side of the restaurant and kid friendly on the other side. The restaurant will be open from 3:30 PM – 11/12:00 PM six (6) days a week. The overall concept of the restaurant is Italian seafood dining. The bar will have a seafood counter built in to it and will showcase the seafood being offered, such as fresh oysters. All pasta will be homemade in the restaurant and customers will have the ability to watch the pasta being made by the chefs through a glass window on the "21 and older" side of the restaurant. The menu prices will vary from affordable to upscale costs. Pasta will be offered in half order sizes and the menu will also feature Neapolitan style pizza. There will be over twenty (20) pizza options to choose from and they can be ordered in the restaurant or at the walk-up deli. The deli will also offer Italian style sandwiches, meats and cheeses from Hardware, and different sauces from Turf Room.

Grabowski stated that parking has been added to the proposed development. There will be around 236 parking spaces to accommodate Hardware and Fortunato. He is planning on opening the restaurant in September 2021 and intends on the microbrewery to follow twelve (12) to eighteen (18) months later. The overall plan is to add another 100 parking spots at the microbrewery and entertainment center. Grabowski proposed that another building will be built to house the brewery and barrel storage room and the old brewery will be turned into a distillery. He stated that the inside of the barrel storage room would seat 120 people and the outside would accommodate 120 people. This could allow for large parties, weddings, events, etc.

Toth stated that part of the special use approval would allow for a setback deviation that is associated with the southeast corner of the proposed restaurant. The required setback is 35' and the petitioner is requesting approval for a 29.85' setback. The special use would also allow for the patio to be located in the setback and in an easement. Toth confirmed that there are no utilities in the easement. The petitioner is also proposing to install a roof sign with channel lettering on the eastern façade. The sign ordinance does not allow for roof signs, so this deviation would be part of the special use approval. Toth stated that he included a condition for the roof signage that it could not blink, flash, or animate. Staff is recommending approval for the site plan and special use.

Grabowski responded that the Fortunato signage is inspired by the old hotel signs from the 1940's. He stated that the signage will not blink or flash. The appearance is meant to look weathered in order to give the building personality.

Commissioner Tuohy asked if the hop farm will stay in its current location. Grabowski responded that 60-70% of the northern hop farm will stay. He stated that next year they will be installing hard covers and dividers in each row so there will be no weed growth and the hops can be fertilized properly. When customers go out onto the patio at Fortunato, they will be surrounded by the hops.

Commissioner Anderson asked at what point the Plan Commission should be concerned about future applicants asking for the same kind of variances / special uses similar to what is being asked for Fortunato. Toth responded that in 2015 when Hardware was requesting a special use, there was a setback deviation of 19' where 25' was required. There is precedence already within this development to allow for setback

deviation. Toth stated that when requests are presented for special uses, he looks to see how the deviations will affect the surrounding areas. In this particular case, there is no side yard setback for these lots so when analyzing how the setback deviations could affect the neighboring businesses, the impact is minimal. Village Attorney Kevin Drendel responded that the Village can allow deviations or specific requirements to achieve a result that is overall desirable. In a situation like this, where it is highly stylized and designed to fit the property, the Village can deviate in a PUD so that it makes sense for the particular property. Drendel stated that in this case, multiple parcels are owned by the same property owner and therefore the parcels will have a common fluidity. The Village can allow quite a bit of deviation in a situation like this.

Commissioner Lenkart stated that he supports the roof signage design. He asked if Fortunato would offer packaged pasta for takeout so customers could cook it at home. Grabowski responded that they would have to get packaging licensing in order to do that so it may be something they look into down the road. He stated they want to make the restaurant successful first and then work on packaging products later on.

Commissioner Holbrook stated that she had no questions and is looking forward to the development.

Commissioner Bozik asked what happens with the parking if the owner decides to sell off one of the lots, since the two (2) restaurants will be sharing parking. Grabowski responded that Hardware can seat 205 people and they originally planned on seating 255 people, which the parking lot accommodated for. Toth responded that if one of the lots were to be sold, each lot would be taken into consideration of what the parking requirements would be in order to meet the parking requirements per the code. Village Attorney Kevin Drendel responded that the Village could require a cross easement agreement that allows the shared use of the parking lot as part of the amendment to the PUD.

Commissioner Botkin stated he had no questions.

Vice Chairperson Duncan asked what the parking was intended for on the west side of the building. Grabowski responded that the four (4) spots closest to the building will be for deli parking and for pick up orders. Duncan asked if there will be a separate entrance for the west side of the building. Grabowski responded that there will be another entrance on the west side that will take customers right into the deli area.

Motion for approval of a special use to allow an amendment to the planned unit development with deviations to the Zoning Ordinance and Sign Ordinance with the one (1) condition being added, for a total of three (3) conditions, made by Commissioner Bozik and seconded by Commissioner Botkin. Vote: Bozik – Yes, Botkin – Yes, Holbrook – Yes, Tuohy – Yes, Lenkart – Yes, Anderson – Yes, Duncan – Yes. **Motion approved.**

Motion for approval of the site plan made by Commissioner Bozik and seconded by Commissioner Holbrook. Vote: Bozik – Yes, Holbrook – Yes, Botkin – Yes, Tuohy – Yes, Lenkart – Yes, Anderson – Yes, Duncan – Yes. **Motion approved.**

**OLD BUSINESS** – None

#### **PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES**

Toth updated the Plan Commission with the Forest Ridge Townhomes status. He stated it was presented to the Committee of the Whole on September 21, 2020. There was general support for the project, but the Board had some questions about the site plan since there were many concerns from the surrounding neighbors. Toth stated the developer will be submitting an updated site plan based on the feedback received. The updated site plan will go back to the Committee of the Whole for discussion.

Duncan asked why KDOT is replacing all the traffic lights on Orchard Road. Bozik responded that it is a three (3) year project for KDOT and they will be upgrading the traffic lights from the north end of the County along Randall Road to Orchard Road up to the County line.

Lenkart asked if the Village has any leverage to help foreclosed homes be put on the market and sold, instead of just letting them sit there. Drendel responded that unfortunately there is not much leverage and due to COVID-19, the court systems are not processing foreclosures so banks are just sitting on them. The Village can pressure the banks and fine them, but there is not much that can be done other than that.

Tuohy asked what outdoor dining will look like for restaurants as the fall and winter months approach. Toth responded that the Village is still working on what the specific requirements will be for outdoor dining. Village Administrator Steve Bosco responded that the Village has allowed each restaurant to set up an outdoor dining area in their parking lots. The biggest concern will be fire safety when restaurants set up outdoor heaters, so staff will work with the Fire District to ensure proper accommodations are met.

#### **ADJOURNMENT**

Motion to adjourn made by Commissioner Bozik and seconded by Commissioner Tuohy. All in favor.  
**Motion approved.**

Respectfully Submitted,

Natalie Stevens  
Deputy Village Clerk

## **Staff Report to the Village of North Aurora Plan Commission**

**FROM: Mike Toth, Community and Economic Development Director**

### **GENERAL INFORMATION**

**Meeting Date:** December 1, 2020

**Petition Number:** 20-08

**Petitioner:** Marcos Rodriguez

**Request(s):** 1) Special use to allow for the expansion of a Place of Worship 2) Site Plan Approval

**Location:** 307 Banbury Road

**Parcel Number(s):** 12-34-330-003, 12-34-401-034

**Property Size:** 2.19 Acres

**Current Zoning:** R-1 Single Family Residence District

**Contiguous Zoning:** R-1 Single Family Residence District (All)

**Comprehensive Plan Designation:** Public/Semi-Public Use



### **REQUESTED ACTIONS**

#### ***Special Use - Expansion of a Place of Worship***

Chapelstreet Church is proposing to add a 3,000 square foot addition and renovate 5,000 square feet of existing interior space of the former Cornerstone Church located at 307 Banbury Road. Places of Worship are classified as a special use in the R-1 District. Chapter 4.3 of the Zoning Ordinance states, *any modification or intensification of a special use that alters the essential character or operation of the use in a way not approved at the time the special use was granted, as evidenced by the record or by the text of this Ordinance, shall require new special use approval in accordance with this section.* Chapelstreet has the right to conduct business in the existing building as a Place of Worship; however, expansion of the building is deemed an intensification of the use, thus requiring special use approval.

#### **Hours of Operation**

According to the petitioner, the church will accommodate 3-5 employees and operate Monday-Thursday (9:00 a.m. – 4:00 p.m.) and Sundays (9:00 a.m. to 12:00 p.m.).

#### **Parking**

The Place of Worship use requires 1 off-street parking space per 4 seats (worship seats) + 1 space per 1,000 square feet of residential living area if convent or rectory attached. According to the petitioner,

the facility will contain a total of 237 worship seats and no residential living space. As such, the Zoning Ordinance would require a total of 60 parking spaces. A total number of 70 off-street parking spaces would be provided once the project is complete.

According to the petitioner, there is an existing agreement between Schneider Elementary School and Cornerstone Church. This agreement allows the sites to utilize each other's parking as required as the hours of highest operation differ between the school and the church. This agreement would continue under Chapelstreet Church, which would allow the church to have parking across the street during any time when additional parking is required.

#### ***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. Site plan review shall not be required for any commercial, office, manufacturing or multifamily structural addition that constitutes less than twenty-five (25) percent of total square footage of an existing structure or any single-family/two-family construction.

The proposed expansion exceeds said (25) percent square footage threshold; therefore, site plan approval is required.

#### **RECOMMENDATIONS**

Staff finds that the information presented **meets** the Standards for Specials Uses, as submitted by the petitioner, and the Standards for Site Plan Review as set forth in the Zoning Ordinance. Based on the above considerations, staff recommends the Plan Commission make the following motion recommending **approval** of Petition #20-08, subject to the following condition:

- 1) One (1) shade tree shall be provided at the north and south end of the easternmost parking aisle.

## APPLICATION FOR SPECIAL USE

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

PETITION NO. 20-08

FILE NAME 307 BANBURY RD. SPECIAL USE

DATE STAMP

**RECEIVED**

OCT 29 2020

VILLAGE OF  
NORTH AURORA

### I. APPLICANT AND OWNER DATA

Name of Applicant MARCOS RODRIGUEZ

Applicant Address 9645 LINCOLNWAY LANE SUITE 201 FRANKFORT IL

Applicant Telephone # 708 927 7698

Email Address MRODRIGUEZ@ASPENGROUP.COM

Property Owner(s) ABE DONCEL

Owner Address 2300 SOUTH STREET GENEVA IL

Owner Telephone # 630 232 7068 X 146

### II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property 307 BANBURY ROAD, NORTH AURORA, IL 60532  
(indicate location if no common address)

Legal Description: SEE ATTACHED FILE FOR LEGAL DESCRIPTION

Parcel Size 2.19 ACRES

Present Use CHURCH - ASSEMBLY - RESIDENTIAL  
(business, manufacturing, residential, etc.)

Present Zoning District R-1 - SINGLE FAMILY RESIDENCE DISTRICT  
(Zoning Ordinance Classification)



### III. PROPOSED SPECIAL USE

Proposed Special Use R-1 - SINGLE FAMILY RESIDENCE DISTRICT

(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 \_\_\_\_\_

3100 SQUARE FOOT SINGLE STORY ADDITION THAT MATCHES THE CHARACTER AND HEIGHT OF EXISTING BUILDING FOR USE FOR ADDITIONAL EDUCATIONAL WORSHIP SPACES AS PART OF AN A-3 ASSEMBLY CHURCH

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

CURRENT USE OF THE SPACE IN QUESTION IS AN A-3 ASSEMBLY CHURCH CONTAINING A WORSHIP/GATHERING SPACE, CIRCULATION SPACES, RESTROOMS AND VARIOUS OTHER SMALL GROUP GATHERING SPACES

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

IT HAS BEEN CONFIRMED BY NORTH AURORA STAFF THAT SPECIAL USE IS REQUIRED AT THIS PARTICULAR LOCATION AND THAT THE SPECIAL USE PROCESS IS TO BE FOLLOWED AS THE METHOD FOR THE BUILDING PROJECT.

**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. Introduction Letter. Please include information relevant to the proposed use of the property and business operations (hours of operation, number of employees, etc.).
2. Legal Description of the subject property(s).
3. Illinois Land Surveyor's plat of survey.
4. Site Plan illustrating all existing and proposed improvements.
5. Statement and supporting data regarding Standards for Special Uses (above).
6. Filing fee in the amount of \$300.00, if paid by check make payable to the Village of North Aurora.
7. Specified escrow deposit (\$4,000 minimum). May be included with filing fee. Remaining funds refundable upon project completion.
8. Visit the Illinois Department of Natural Resources' website [www.dnr.state.il.us](http://www.dnr.state.il.us) and initiate a consultation using DNR's EcoCat online application.
9. Visit the Kane DuPage Soil and Water Conservation District's website [www.kanedupageswcd.org](http://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

10/28/2020  
Date



Owner

10/28/2020  
Date

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

| TAX PARCEL NO. | PROPERTY OWNER                 | MAILING ADDRESS             |
|----------------|--------------------------------|-----------------------------|
| 12-34-330-004  | ESCALANTE, HECTOR              | 305 Banbury Rd, N. Aurora   |
| 12-34-330-005  | JONES, ANTHONY                 | 403 Chestnut St, N. Aurora  |
| 12-34-330-006  | ANAYA, JOSE & MEDINA, LUZ      | 405 Chestnut St, N. Aurora  |
| 12-34-451-001  | WITKOWSKI, JOHN                | 407 Chestnut St, N. Aurora  |
| 12-34-451-002  | FRIEDERS, TIMOTHY              | 409 Chestnut St, N. Aurora  |
| 12-34-451-003  | LEE, JANI                      | 411 Chestnut St, N. Aurora  |
| 12-34-451-004  | JACKLEY, SHARON                | 413 Chestnut St, N. Aurora  |
| 12-34-376-012  | ROGERS, KEITH & SHARI          | 224 Banbury Rd, N. Aurora   |
| 12-34-378-001  | CAVENDER, ALLEN & LAURA        | 303 Banbury Rd, N. Aurora   |
| 12-34-378-002  | HANSEN, MARK & CINDY           | 404 Chestnut St, N. Aurora  |
| 12-34-378-003  | SMITH, KARI                    | 406 Chestnut St, N. Aurora  |
| 12-34-452-001  | SAVAGE, SCOTT & MICHELLE       | 408 Chestnut St, N. Aurora  |
| 12-34-452-002  | MACKO, GARY & KAREN            | 410 Chestnut St, N. Aurora  |
| 12-34-452-003  | PADGETT, JEREMY                | 412 Chestnut St, N. Aurora  |
| 12-34-452-004  | VASQUEZ, LAURA                 | 414 Chestnut St, N. Aurora  |
| 12-34-451-007  | HUITE, ROBERT & JUDITH         | 404 Hickory St, N. Aurora   |
| 12-34-451-006  | RODRIGUEZ, NORA                | 406 Hickory St, N. Aurora   |
| 12-34-451-005  | GALVEZ, JAIME & IMELDA         | 408 Hickory St, N. Aurora   |
| 12-34-330-014  | MICKELSON, DANIEL & DEBORAH    | 426 Flagstone Ct, N. Aurora |
| 12-34-330-013  | FLORES, EMMA & FERNANDEZ, ELDA | 418 Flagstone Ct, N. Aurora |
| 12-34-330-012  | SCHILTZ, GREGORY & KIMBERLY    | 410 Flagstone Ct, N. Aurora |
| 12-34-330-011  | LOTZ, MARK & BEVERLY           | 402 Flagstone Ct, N. Aurora |
| 12-34-454-016  | ESPING, JENNIFER               | 409 Hickory St, N. Aurora   |
| 12-34-454-017  | MILLER, JARED & AMANDA         | 407 Hickory St, N. Aurora   |
| 12-34-454-018  | BELOBRAYDICH, RUDOLPH & MARY   | 405 Hickory St, N. Aurora   |
| 12-34-454-001  | HARD, ALAN & SUSAN             | 403 Hickory St, N. Aurora   |
| 12-34-454-002  | VAN OVERMEIREN, ABEL           | 401 Hickory St, N. Aurora   |
| 12-34-454-003  | DEKING, PETER & ELDER, ALICIA  | 309 Hickory St, N. Aurora   |

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

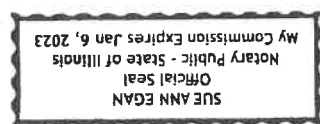
[Signature]  
Applicant Signature

10/28/20  
Date

# SUBSCRIBED AND SWORN TO

Before me this 28<sup>th</sup> day of October, 2020.

Sue Ann Egan  
Notary Public





## **INTRODUCTION LETTER**

Chapelstreet Church

307 Banbury Road, North Aurora, IL

2020-10-26

This letter is in reference to the project at Chapelstreet Church. Cornerstone Church was the former owner of the site at 307 Banbury Road. Chapelstreet Church was gifted this property and seeks to grow an additional fourth campus site in North Aurora.

Scope of work on site includes remodeling the existing worship room to contain 237 seats. In a 1:4 ratio, 60 parking spaces are required. 61 parking spaces are currently on site. Additional parking spaces are being provided as part of the new scope of work. The total number of parking spaces on site will be 70, once work is completed.

Additionally, there is an existing agreement between Schneider Elementary School and Cornerstone. This agreement allows the sites to utilize each other's parking as required. The hours of highest operation differ between the school and the church which allows this agreement to be a win-win for both entities. This agreement is to continue under Chapelstreet Church. This will allow the church to have adequate parking across the street during any time when additional parking is required. Capacity will be higher than normal during times such as Easter and Christmas.

The project is comprised of 3,000 square feet of addition and 5,000 square feet of existing renovation. The addition, which is the majority of the zoning changes, is to be used for worship educational spaces. These spaces include a large group room, flex education rooms, restrooms, and a nursery space to be used during normal church operations. This facility is not a day care and will never be used as such. Operations of child care are limited to only worship times and is biblical education-based. Under normal operations, the church will accommodate 3-5 employees. The hours of operation will be Monday-Thursday (9am-4pm) and Sundays (9am-12pm).



Any other questions, feel free to reach out for additional information.

Thanks,

Marcos Rodriguez

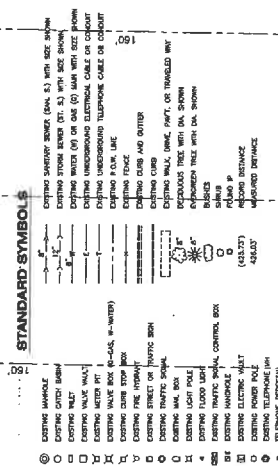
Project Architect

END OF LETTER

REPORT OF SURVEY OF PROPERTY DESCRIBED AS : =

THAT PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS : BEGINNING AT THE NORTHWEST CORNER OF UNIT ONE, TWIN OAKS SUBDIVISION, THENCE SOUTH 88' 55' EAST ALONG THE NORTH LINE OF SAID SUBDIVISION 425.73 FEET; THENCE NORTH 1' 05' EAST 161.34 FEET, THENCE SOUTH 88' 55' EAST 120.00 FEET; THENCE NORTH 1' 05' EAST, A DISTANCE OF 33.00 FEET; THENCE NORTH 88'55' WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 1; 05; EAST, A DISTANCE OF 80.66 FEET, THENCE NORTH 88' 55' WEST 115.73 FEET, THENCE SOUTH 1' 05' WEST 83 FEET, THENCE NORTH 88' 55' WEST TO THE CENTER OF BANBURY ROAD, THENCE SOUTH 1' 05' WEST ALONG SAID CENTER LINE 192 FEET TO THE NORTH LINE EXTENDED WEST OF SAID UNIT ONE, TWIN OAKS SUBDIVISION, THENCE SOUTH 88' 55' EAST ALONG SAID EXTENDED NORTH LINE TO THE POINT OF BEGINNING, IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.

**FLAGSTONE COURT**



STATE OF MICHIGAN ) ss.  
COUNTY OF LANSING )  
I, JAMES AL DOUGLAS, an eligible registered professional land surveyor  
in Michigan, do hereby certify that the foregoing is a true and correct  
copy of the minutes of the meeting of the Board of Directors of the  
Michigan Association of Professional Land Surveyors, Inc., held on the  
fourth day of May, 1968, at Lansing, Michigan, and that the same  
were read and approved by the Board of Directors of the Michigan  
Association of Professional Land Surveyors, Inc., on the fourth day  
of May, 1968.

WITNESSED MY HAND AND SEAL OF OFFICE, this 4th day of May, 1968.

JAMES AL DOUGLAS, Professional Land Surveyor No. 38-3121

BLANCH PROFESSIONAL (404) SURVEYOR NO. 30-3121

PLAT OF SURVEY  
**CORNERSTONE COMMUNITY BAPTIST CHURCH**  
 VALUABLE OF RIGHTLY AWARDING  
 JOB NUMBER 05-11-20-000  
 WARDEN/CHURCH CORNERSTONE COMMUNITY - 3444 100th AVE SE  
 9/14/2004 3:45 PM CST

**McCLURE  
ENGINEERING  
ASSOCIATES, INC.**

| DATE | FROM | TO | REMARKS    |
|------|------|----|------------|
|      |      |    | SOLD       |
|      |      |    | DRAWN IN   |
|      |      |    | CHECKED IN |
|      |      |    | SAID       |







EXTERIOR ELEVATION NOTES

DIVISION 07 - EXISTING CONDITIONS  
02.01 EXISTING ROOF TO REMAIN,  
02.02 EXISTING TO REMAIN.

DIVISION 04 - MASONRY  
04.01 SPILT FACE CMU, MATCH EXISTING COLOR AND  
SIZE  
04.02 NEW PRECAST SILT, MATCH EXISTING COLOR AND  
SIZE AND STYLE  
04.03 NEW BRICK VENEER, COLOR AND STYLE TO  
MATCH EXISTING.

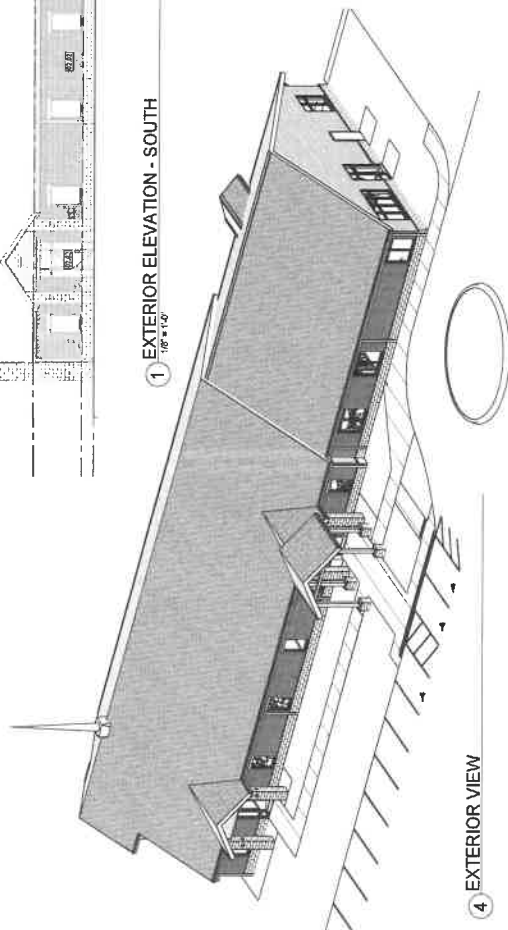
- 0152 DIVISION 01 - THERMAL & MOISTURE PROTECTION
- 0152.01 NEW 2"AW FIBERGLASS REAL TAP SHINGLES ON
- 630 ROOF FELT OVER PLYWOOD DECKING. SEE
- STRUCTURAL DWGS FOR DECK SIZE. NEW
- SHINGLED ROOF OVER LIGHT GA. METAL
- TRUSSES. COLOR AND STYLE TO MATCH
- EXISTING.
- 0152.02 NEW FLASH AND GUTTER TO MATCH EXISTING
- 0152.03 NEW COPPER-SPOUT TO THE MTD UNDERGLAZED
- PERIMETER TILE. MATCH EXISTING STYLE AND
- COLOR

87.04 NEW LAP SIDING, COLOR AND STYLE TO MATCH EXISTING  
87.05 CONTINUOUS RIDGE VENT.  
87.10 ALTERNATE NEW STANDALONE CANOPY ROOF AND PORCH, SEE SHEET A.512  
CASHWORK ON - OPENINGS  
88.01 NEW EXTERIOR STOREFRONT WINDOW, MATCH EXISTING FINISH.  
88.02 NEW EXTERIOR STOREFRONT DOOR/WHIRLWIND SYSTEM.  
88.04 NEW EXTERIOR HAM DOOR

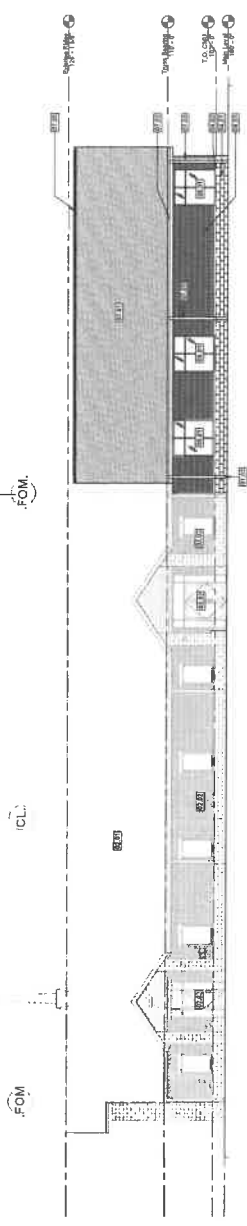
- 25.01 NEW MECHANICAL UNITS AND CONCRETE PAD, SIZE AND LOCATION TO BE COORDINATED WITH MECHANICAL CONTRACTOR
- 25.02 NEW MECHANICAL DUCTS, FLASH AND SEAL ALL WALL PENETRATIONS, SIZE AND LOCATION TO BE COORDINATED WITH MECHANICAL CONTRACTOR
- DIVISION 26 - ELECTRICAL
- 26.01 NEW WALL PACK LIGHTING FIXTURES

100

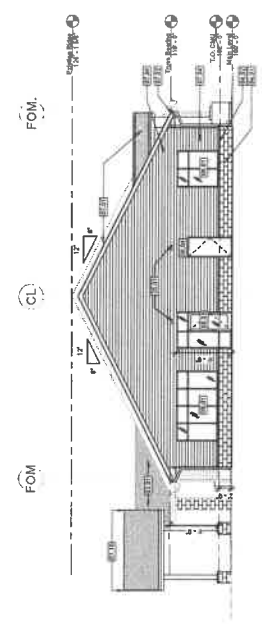
4 EXTERIOR VIEWS



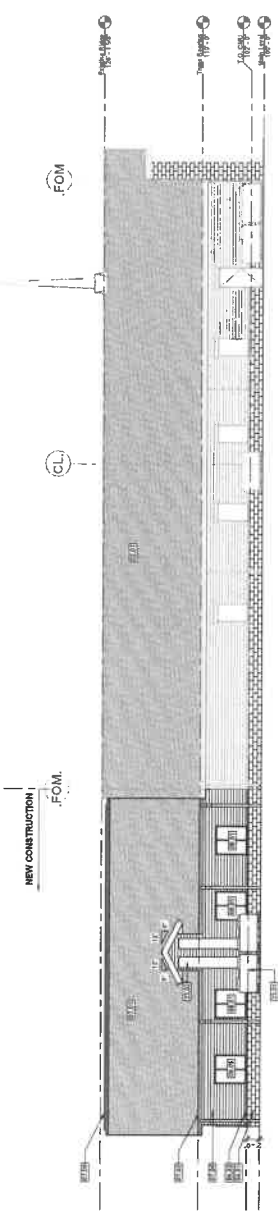
1 EXTERIOR ELEVATION - SOUTH  
(1/2" = 1' 0")



2 EXTERIOR ELEVATION - EAST



2 EXTERIOR ELEVATION - NORTH



**SPEN GROUP**  
In-Way Lane Suite 201, Frankfort, IL 60423

**CHAPEL STREET -**  
NORTH AURORA CAMPUS  
307 Banbury Road, North Aurora, IL 60542

[illegible]

**A.200**

# NOT FOR CONSTRUCTION

## PLANTING GENERAL NOTES:

- Plantings and landscape elements shall comply with engineering standards, public r.o.w. utility requirements.
- Refer to Village of North Aurora Zoning Ordinance, Chapter 14 for all applicable regulations and standards. All plantings shall be installed in accordance with the Village's Ordinance.
- All plants shall be grown and balled and banded in accordance with the American Standard for Nursery Stock (ANSI Z60.1-2004).
- Tree planting shall comply with details herein and the Village of North Aurora Landscape Ordinance.
- Tree pits shall be sized for proper aeration. Water does not drain out of tree pit within 48 hours. The tree shall be moved or drainage shall be provided.
- Seed limit lines are approximate. Seed to limits of grading and disturbance. Contractor responsible for restoration of any unauthorized disruption outside of designated construction area at no additional cost to the owner.
- The contractor is responsible for erosion control for all native site for post-plant beds, and in all landscape and seeded areas. Erosion control shall be installed and maintained for all seeded areas that exceed 4:1 slopes.
- Native site topsoil shall be laboratory tested by and accredited laboratory and amended per said laboratory's recommendations.
- All existing beds to receive 1" topsoil amended topsoil. Amend with soil conditioner similar to Midwest Trading Midwest Landscapes Pro One per manufacturer recommendations or approved equal. All disturbed turf seed areas to maintain or receive 6" min. topsoil.
- Tree mulch rings in turf areas are 5 foot diameter, typical. Mulch shall be applied within 1" of tree trunk. Remove all existing grass from the area to be mulched and provide a typical 4" trench edge at perimeter of the beds. Mulch to be installed hardwood bark.
- Bedlines are to be spaced cut to a minimum depth of 3 inches, unless otherwise shown on the plans. Curved bedlines are to be smooth and not segmented.
- Plants and other materials are quantified and submitted for the owner's review and approval. All materials shall be confirmed and installed in accordance with the drawings and specifications. No additional payments will be made for materials required to complete the work as drawn and specified.

REVISIONS

Description

By

Date

No.

CONTRACTOR LOG

SCALE

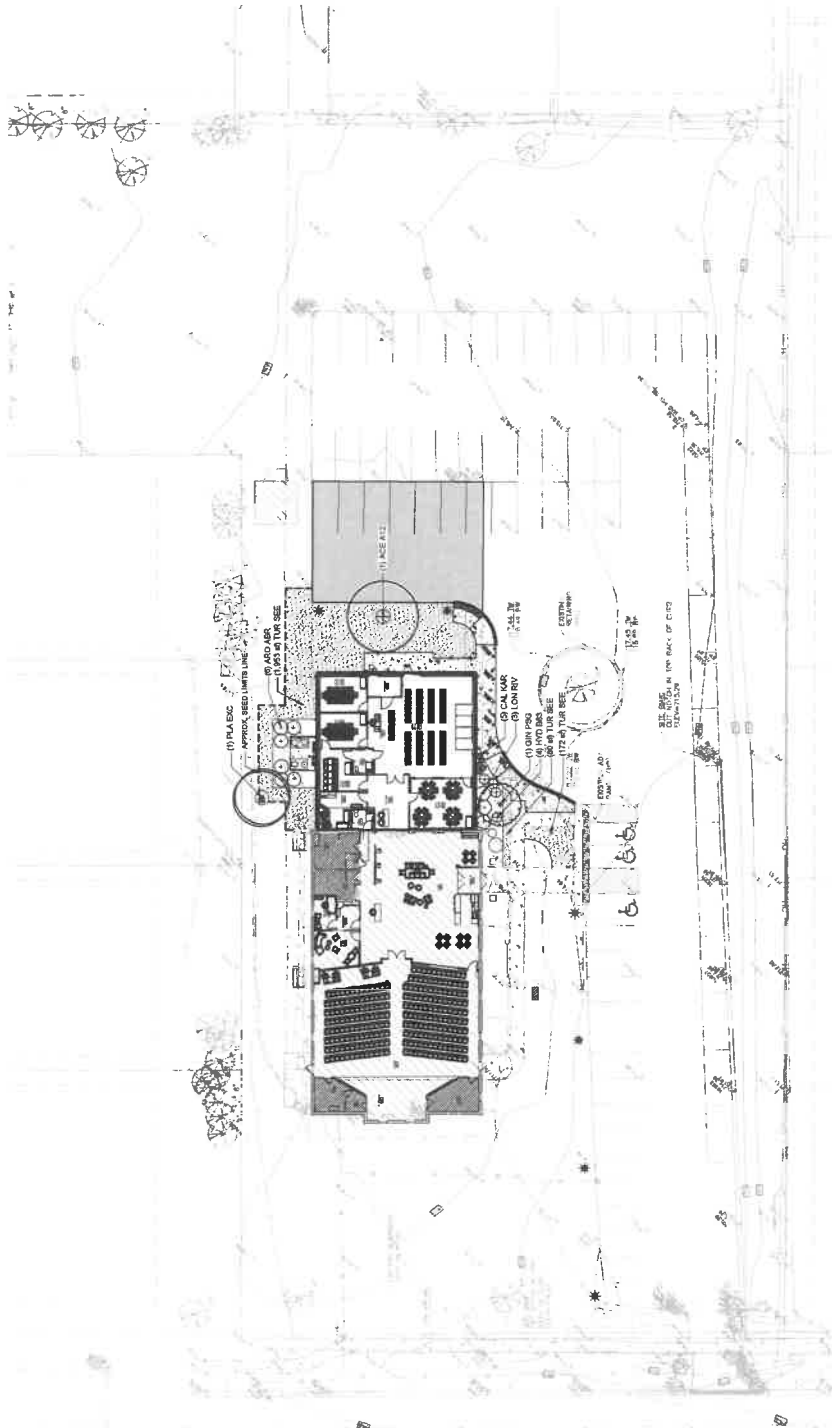
CHAPEL STREET  
NORTH AURORA CAMPUS  
307 Bashbury Road, North Aurora, IL 60142  
LANDSCAPE PLAN  
SHEET TITLE

ASPEN GROUP  
9645 Lockport-Wayne Lane  
Franklin, IL 60423

SCALE  
SHEET

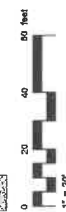
L.100

ASPER PROJECT # 23-10043



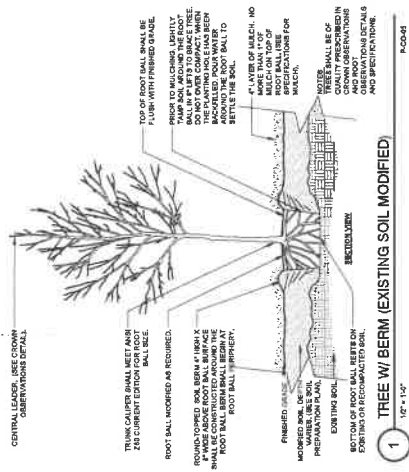
## PLANTING SCHEDULE:

| TREE         | CODE    | BOTANICAL NAME                           | COMMON NAME                | SIZE     | CONTAINER |
|--------------|---------|--|----------------------------|----------|-----------|
| +            | ACE-A12 | Acer x 'Heritage' 'Lafayette'            | American Black Maple       | 24" Cal. | B&B       |
| •            | GM-F10  | Quercus bicolor 'Princeton Sentry'       | Princeton Sentry White Oak | 24" Cal. | B&B       |
| •            | PLA-EXC | Platanus x 'serrata' 'Columbia'          | Estimote London Plane Tree | 24" Cal. | B&B       |
| SHRUB        | CODE    | BOTANICAL NAME                           | COMMON NAME                | SIZE     | CONTAINER |
| •            | ARO-ABR | Arctostaphylos 'Santitas'                | Bright Red Chokeberry      | 5 gal.   | Pot       |
| •            | CHL-MR  | Calceolaria x 'scutellaria' 'Red Ranger' | Feather Red Gladiolus      | 1 gal.   | Pot       |
| •            | LON-RV  | Lonicera x 'Cordoba' 'TM'                | Knox Orange Honeysuckle    | 5 gal.   | Pot       |
| •            | HYD-BR  | Hydrangea paniculata 'Doronicum'         | Doornhof Hydrangea         | 5 gal.   | Pot       |
| GROUND COVER | CODE    | BOTANICAL NAME                           | COMMON NAME                | SIZE     | CONTAINER |
| •            | TUR-BEE | Turf Seed                                | Turf Seed                  | seed     |           |



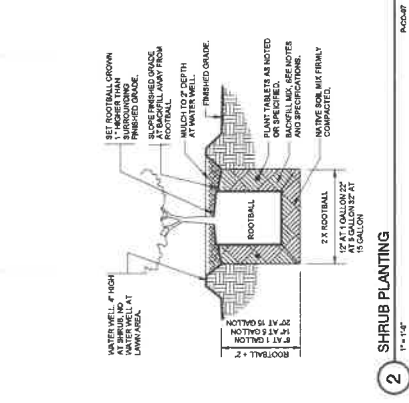
1" = 20'

CENTRAL LEADER (SEE CROWN OBSERVATIONS DETAIL)



1 TREE W/ BERM (EXISTING SOIL MODIFIED)

1" = 14"



2 SHRUB PLANTING

1" = 14"



## STANDARDS FOR SPECIAL USES

Chapelstreet Church

307 Banbury Road, North Aurora, IL

2020-10-26

1)The proposed special use is authorized for R-1 Residential zoning district. The proposed use is consistent with what is currently existing on the site. The previous owner was a church-assembly, and the new owner with proposed site improvements will also be a church-assembly.

2)The proposed special use is vital for public convenience as providing a space for worship for the surrounding neighborhood. The use provides an important part of the fabric of societal culture.

3)The proposed special use will not cause hardship to the surrounding area as the facility creates opportunity. Ministry programs aide areas of the community that suffer form poverty, violence, and neglect. The church is a sanctuary for those seeking mental healing and guidance. All of this impacts the welfare of the community in a positive way. As for parking, the ability to maintain the agreement with Schneider Elementary allows the church to avoid parking in neighborhoods and parking along thoroughfares. This would avoid costly impacts to the Village in the form of law enforcement the few times a year the church requires additional parking capacity beyond the 1:4 ratio.

4)The project scope is in conformance with village codes, regulations, and most notably the Comprehensive Plan. The church will assist in future growth to help North Aurora retain the characters and goals described in the plan. The church property will help make the area more welcoming, **walkable**, **encouraging**, agile to the movements of future plans.

5)The existing building and surrounding residential homes are comprised of shingle roofs, siding and brick facades, and relatively modest window openings. The new structure will maintain said materials. The new structure, as designed in the documents, will be construction of shingle roof, brick and siding facades with a concrete block masonry wainscoting. It can be concluded that new improvements will not significantly depart from existing character of the general facility.

6)As discussed previously in item #3, the church will work through its ministries to advance the causes of safety and welfare throughout the community. The church will upkeep the property and ensure that home values are not affected



# ASPEN GROUP

through any situation of disrepair with the property. The church contains many other sites in the area that are maintained to high standards of property management.

7) Proposed special use as a church is a building type readily found in residential neighborhoods and would be compatible with adjacent housing/residential properties.

8) Under normal conditions, the church will be able to contain all vehicular parking on site. The surrounding thoroughfares are low speed. There is an adjacent school with school zones. The surrounding area is accustomed to caution in the immediate vicinity. The church's volume on Sundays would not cause danger traffic movements with the low vehicular traffic in the area.

9) The proposed sanctuary will require 60 parking spaces. There are 61 existing parking stalls. The new scope of work will place the number at 70 parking spaces total.

10) The site contains existing utilities, drainage, road access and public safety. All will remain as such. The new addition will not substantially affect any of these infrastructural systems. The previous church structure was demolished by a fire emergency event years ago and an existing slab remains on site. That slab will be demolished as part of the project. The area of that slab will be replaced with a new impervious structure of relative size. Therefore, impervious area will not substantially increase.

11) The proposed site improvements conforms to applicable regulations of zoning and ordinances as set forth by the Village of North Aurora.

Thanks,

Marcos Rodriguez

Project Architect

END OF LETTER

## **Staff Report to the Village of North Aurora Plan Commission**

**FROM: Mike Toth, Community and Economic Development Director**

### **GENERAL INFORMATION**

**Meeting Date:** December 1, 2020

**Petition Number:** 20-09

**Petitioner:** PharmaCann, LLC

**Request(s):** Special use to allow the expansion of an Adult-Use Cannabis Dispensing Organization

**Location:** 161 S. Lincolnway

**Parcel Number(s):** 15-04-426-010,-011,-013

**Property Size:** Approximately 2.78 acres

**Current Zoning:** B-3 Central Business District

**Contiguous Zoning:** North – B-3 Central Business District, South - B-3 Central Business District, East – B-3 Central Business District, West – B-2 General Business District

**Comprehensive Plan Designation:** Local Commercial

### **BACKGROUND**

On October 21, 2019, the Village Board approved Ordinance #19-10-21-01, which allows for the sales of recreational cannabis in approved Adult-Use Cannabis Dispensing Organizations. Said use is classified as a special use in the B-3 Central Business District and all other non-residential zoning districts. The Zoning Ordinance defines *Adult-Use Cannabis Dispensing Organization* as follows:

*A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.*

On December 2, 2019, the Village Board approved Ordinance #19-12-02-11 granting a special use to allow Pharmacann to operate an Adult-Use Cannabis Dispensing Organization at 161 S. Lincolnway. While the opening of recreational cannabis sales on January 1, 2020 created an adverse impact on the





subject property and surrounding area, there have not been any operational site issues brought to Village Staff's attention for several months.

### **PROPOSAL**

PharmaCann, LLC (d.b.a Verilife) continues to sell both recreational and medical cannabis in their 1,832 square foot tenant space in the River Park Atrium building located at 161 S. Lincolnway. Staff notes that Medical Cannabis Dispensaries are classified as a permitted use in the B-3 Central Business District. The River Park Atrium building consists of multiple office spaces. Verilife is proposing to expand their operations into an adjacent tenant space. With the proposed expansion, Verilife would occupy a total of 3,578 square feet. According to the petitioner, the additional space is needed to operate more efficiently and serve the existing demand.

Chapter 4.3 of the Zoning Ordinance states, *any modification or intensification of a special use that alters the essential character or operation of the use in a way not approved at the time the special use was granted, as evidenced by the record or by the text of this Ordinance, shall require new special use approval in accordance with this section.* Verilife has the right to conduct business in their existing space; however, expansion of the business is deemed an intensification of the use, thus requiring special use approval.

### **Parking**

There is no specific parking requirement for the Adult-Use Cannabis Dispensing Organization use; as such, it is classified as a general retail goods establishment, which requires four off-street parking spaces per 1,000 square foot gross floor area. With 3,578 total square feet of area, the proposed use would require 14 total off-street parking spaces. There are 155 existing off-street parking spaces on the subject property, which are shared amongst the various building tenants. According to the petitioner, 40 parking spaces will be specifically reserved for dispensary customers.

### **RECOMMENDATIONS**

Staff finds that the information presented **meets** the Standards for Specials Uses as submitted by the petitioner and as set forth in the Zoning Ordinance. Based on the above considerations, staff recommends the Plan Commission make the following motion recommending **approval** of Petition #20-09; subject to the following conditions:

- 1) The dumpster enclosure(s) shall be gated on the fourth/south side.
- 2) Refuse shall not be permitted to accumulate such that it is visible outside or above the height of the enclosure.
- 3) The property owner shall regularly monitor all on-site parking conditions to ensure adequate parking for all business tenants at all times.



## APPLICATION FOR SPECIAL USE

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

PETITION NO. 20-09

FILE NAME 161 S. LINCOLNWAY SPECIAL USE

DATE STAMP

RECEIVED

NOV 10 2020

VILLAGE OF  
NORTH AURORA

### I. APPLICANT AND OWNER DATA

Name of Applicant PharmaCann, Inc.

Applicant Address 190 South LaSalle Street, Suite 2950, Chicago, Illinois 60603

Applicant Telephone # 708-919-5641

Email Address brett.novey@pharmacannis.com

Property Owner(s) Tyler Glen LLC

Owner Address 161 S. Lincolnway, Suite 302

Owner Telephone # 630-408-0772

### II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property 161 S. Lincolnway, Suite 301, 302 and 304  
(indicate location if no common address)

Legal Description: See attached

Parcel Size 117,353 sq. ft.

Present Use Medical Cannabis Dispensary and office  
(business, manufacturing, residential, etc.)

Present Zoning District B3 - Central Business District  
(Zoning Ordinance Classification)

### III. PROPOSED SPECIAL USE

Proposed Special Use Recreational Cannabis Dispensary  
(Zoning Ordinance Classification)

Code Section that authorizes Special Use Title 17.8.2

Has the present applicant previously sought to rezone or request a special use for the property or any part thereof? yes

If so, when? 12/2/2019 to what district? special use

Describe briefly the type of use and improvement proposed \_\_\_\_\_

The applicant seeks to expand its current cannabis dispensary into adjacent space in the existing building. The dispensary space will encompass 3,578 sq. ft.

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

Uses of existing property in the area are other medical office uses, commercial uses and the Village police department.

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

There is a need for this special use at this location as it will allow the existing dispensary to expand into larger space and thereby operate more efficiently and better serve the existing demand. The site is situated among other commercial uses rather than residential uses and will have similar hours of operation.

**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. Introduction Letter. Please include information relevant to the proposed use of the property and business operations (hours of operation, number of employees, etc.).
2. Legal Description of the subject property(s).
3. Illinois Land Surveyor's plat of survey.
4. Site Plan illustrating all existing and proposed improvements.
5. Statement and supporting data regarding Standards for Special Uses (above).
6. Filing fee in the amount of \$300.00, if paid by check make payable to the Village of North Aurora.
7. Specified escrow deposit (\$4,000 minimum). May be included with filing fee. Remaining funds refundable upon project completion.
8. Visit the Illinois Department of Natural Resources' website [www.dnr.state.il.us](http://www.dnr.state.il.us) and initiate a consultation using DNR's [EcoCat](#) online application.
9. Visit the Kane DuPage Soil and Water Conservation District's website [www.kanedupageswcd.org](http://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.

*Fatima Nagn*  
Applicant or Authorized Agent - *attorney for applicant*

11/10/20  
Date

*Jim Velle*  
Owner

11/9/20  
Date

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

TAX PARCEL NO.

**PROPERTY OWNER**

MAILING ADDRESS

**See attached for list of property owners**

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

Fatima  
Applicant Signature

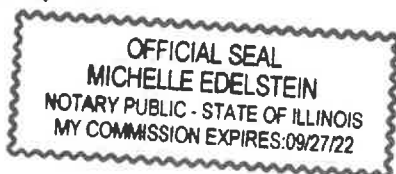
attorney for applicant

Date 11/10/20

**SUBSCRIBED AND SWORN TO**

Before me this 10<sup>th</sup> day of November, 20 20

Notary Public



## NOTICE LIST

|  |  |  |
|--|--|--|
| 1504426011<br>TYLER GLEN LLC,<br>161 S LINCOLNWAY STE 311<br>NORTH AURORA, IL, 605421662                             | 1504401013<br>LOTUS PACIFIC HOLDING LLC,<br>TSANG CHU<br>1100 SHERMAN AVE STE 115-A4<br>NAPERVILLE, IL, 60563-4855 | 1504401019<br>NORTH AURORA VILLAGE<br>25 E STATE ST<br>NORTH AURORA, IL, 605421684   |
| 1504401021<br>SLAKER FAMILY TRUST,<br>SLAKER ROBERT J & WILLIAM P<br>COTRUSTEES<br>813 REVERE CT, WESTMONT, IL 60559 | 1504426010<br>TYLER GLEN LLC,<br>KEVIN FITZPATRICK<br>161 S LINCOLNWAY STE 311<br>NORTH AURORA, IL, 60542-1662     | 1504426012<br>BRACKETT, RICHARD D DCLRN OF<br>TR, TRUSTEE,<br>43 SILVER TRL<br>NORTH AURORA, IL, 605421580                       |
| 1504426013<br>TYLER GLEN LLC,<br>161 S LINCOLNWAY STE 311<br>NORTH AURORA, IL, 60542-1662                            | 1504426017<br>CREMER, CARL F & THERESA A<br>153 S LINCOLNWAY<br>NORTH AURORA, IL, 60542                            | 1504426021<br>LINDOO, WILLIAM C JR TRUST<br>LINDOO WILLIAM C JR OR RHONDA F<br>TRUSTEES<br>05S016 SWAN RD<br>BIG ROCK, IL, 60511 |
| 1504426022<br>FOX METRO WATER RECLAMATION<br>DISTRICT<br>682 STATE ROUTE 31<br>OSWEGO, IL 60543                      | 1504427012<br>FOX VALLEY PARK DISTRICT,<br>101 W ILLINOIS AVE<br>AURORA, IL, 605065989                             | 1504427013<br>FOX VALLEY PARK DISTRICT,<br>101 W ILLINOIS AVE<br>AURORA, IL, 605065989   |
| 1504427014<br>FOX METRO WATER RECLAMATION<br>DISTRICT,<br>CONTROLLER<br>682 STATE ROUTE 31<br>OSWEGO, IL, 605438500  | 1504476017<br>TA, ANDREW D MD & MARY E<br>315 PINECREST CT<br>AURORA, IL, 60504                                    |  |
| 1504426020<br>RODRIGUEZ, FLORENTINO<br>145 S LINCOLNWAY<br>NORTH AURORA, IL, 60542-5113                              |  |  |

## LEGAL DESCRIPTION

PARCEL 1: LOT 1-A AND THE EASTERLY 200 FEET OF LOT 1 OF GRAHAM'S SUBDIVISION OF SAMUEL GRAHAM'S ADDITION TO THE VILLAGE OF NORTH AURORA, IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE NORTHEAST CORNER OF J. F. SLAKER'S ADDITION TO NORTH AURORA, KANE COUNTY, ILLINOIS; THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF SAID ADDITION, 452.92 FEET TO THE CENTER LINE OF LINCOLN WAY (STATE HIGHWAY ROUTE NO. 31); THENCE NORTH 14 DEGREES 17 MINUTES 00 SECONDS WEST ALONG SAID CENTER LINE, 202.38 FEET TO THE SOUTHERLY LINE OF LOT 1-A IN GRAHAM'S SUBDIVISION OF SAMUEL GRAHAM'S ADDITION TO THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS, EXTENDED WESTERLY; THENCE NORTH 88 DEGREES 30 MINUTES 44 SECONDS EAST ALONG SAID SOUTHERLY LINE AND SAID SOUTHERLY LINE EXTENDED, 439.03 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT (BEING ALSO THE WESTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY LANDS); THENCE SOUTH 17 DEGREES 45 MINUTES 00 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 209.60 FEET TO THE POINT OF BEGINNING, IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.

Commonly known as: 161 South Lincolnway, North Aurora, IL 60542

**Tax ID: 15-04-426-010, 15-04-426-011, 15-04-426-013**



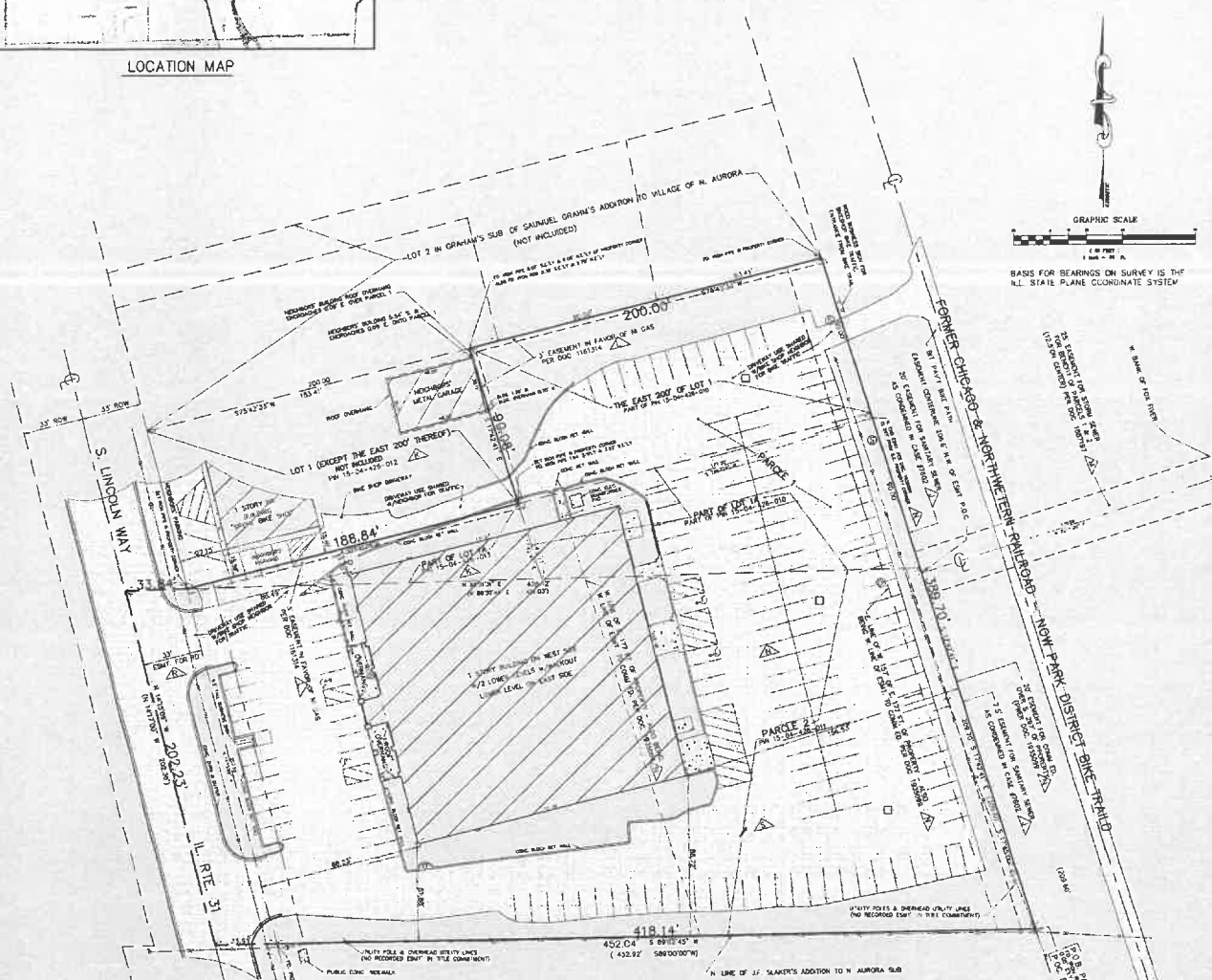
## PLAT OF SURVEY

## An aerial photograph showing a coastal area. A road runs vertically through the center, with a small building or structure located near the middle. The surrounding area appears to be a mix of land and water, with some darker patches that could be vegetation or rocks. The image is somewhat grainy and has a high-contrast, black-and-white appearance.



PARCEL 1:  
LOT 1-A AND THE EASTERLY 200 FEET OF LOT 1 OF GRAHAM'S SUBDIVISION OF SAMUEL GRAHAM'S ADDITION TO THE VILLAGE OF NORTH AURORA, IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.

**PART 2.**

THAT A CORNER OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE NORTHEAST CORNER OF J. F. SLAYER'S ADDITION TO NORTH AURORA, KANE COUNTY, ILLINOIS; THENCE SOUTH 06 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF SAID ADDITION, 452.97 FEET TO THE CENTER LINE OF LINCOLN WAY (STATE HIGHWAY ROUTE NO. 31); THENCE NORTH 14 DEGREES 17 MINUTES 00 SECONDS WEST ALONG SAID CENTER LINE, 202.38 FEET TO THE SOUTHERLY LINE OF LOT 1 IN CRAWFAY'S SUBDIVISION OF SAMUEL CRAWFAY'S ADDITION TO THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS; THENCE NORTH 10 DEGREES 30 MINUTES 40 SECONDS WEST ALONG SAID SOUTHERLY LINE, 100 FEET TO AN OLD AND SAID COUNTY LANE EXTENDED, 439.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 10 (BEING ALSO THE WESTERN RIGHT-OF-WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY LANDS); THENCE SOUTH 17 DEGREES 45 MINUTES 00 SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 209.60 FEET TO THE POINT OF BEGINNING, IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.



### LEGEND

-  = BITUMINOUS PAVEMENT
-  = CONCRETE PAVEMENT
-  = BRICK PAVERS
-  = CATCH BASIN
-  = STORM MANHOLE
-  = SANITARY MANHOLE
-  = WATER VALVE VAULT
-  = B-BOX
-  = FIRE HYDRANT
-  = SIGN
-  = LIGHT
-  = BOLLARD
-  = TELEPHONE PEDESTAL
-  = CLEAN-OUT
-  = ITEM IN SCHEDULE "B" OF FILE COMMITMENT
-  = SURVEYOR'S NOTES IN SCHEDULE "B" OF NOTES

14. EASEMENT IN FAVOR OF VILLAGES OF BURNHAM ALBERTA AND THE PUBLIC FOR A SANITARY SEWER SYSTEM, AS CORROBORATED IN CASE NO. 7802 FILED AGAINST 13, 1938, EFFECTING THE LAYING OF SEWER LINES OF LOTS 1 AND 1A, AND THE EASTLY 1/2 OF 1/2 OF PARCEL 2. [SHOWS ON PLAT]

15. EASEMENT FOR CONNECTING TO A SEWER AS ESTABLISHED IN THE DEED RECORDED DECEMBER 15, 1938 AS DOCUMENT NUMBER 103599. [SHOWS ON PLAT]

16. EASEMENT IN FAVOR OF COMMERCIAL TRUSTEE COMPANY, AND ITS SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURSUANCE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THEREIN CONTAINED IN THE PLAT RECORDED AS DOCUMENT NO. 193599. [SHOWS ON PLAT]

17. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MARIAGALPHIN IN AND TO THAT PART OF THE LAND, IF ANY, THEREIN OR USED FOR ROAD PURPOSES. [SHOWS ON PLAT]

18. RIGHTS OF WAY FOR DRAINAGE DICES, DITCHES, FEEDERS AND LATERALS, IF ANY. [EFFECTS ENTIRE PROPERTY]

19. EASEMENT IN FAVOR OF BURNHAM ILLINOIS GAS COMPANY, AND ITS SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LANDS AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THEREIN CONTAINED IN THE GRANT RECORDED APRIL 2, 1970 AS DOCUMENT NO. 118131. [SHOWS ON PLAT]

20. EASEMENT IN FAVOR OF THE FISH WALKER PARK DISTRICT FOR STORM SEWER AS CREATED BY GRANT FROM FIRST NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER TRUST NUMBER 2334 RECORDED JANUARY 7, 1988 AS DOCUMENT NUMBER 1801197. [SHOWS ON PLAT]

[illegible]

- 1) COMMONLY KNOWN AS 181 LINCOLNWAY, NORTH AURORA, IL 60542
- 2) PERMANENT INDEX NUMBERS:  
PART OF PARCEL 1: 15-04-426-010  
PARCEL 2: 15-04-428-011  
PART OF PARCEL 1: 15-04-426-013
- 3) THIS SURVEY IS BASED ON A TITLE COMMITMENT BY FIDELITY NATIONAL TITLE INSURANCE COMPANY,  
ORDER NO.: 20-C-06603730 QWF, COMMITMENT DATE: JANUARY 12, 2018.
- 4) AREA OF SURVEY = 117,353 SQ. FT. = 2.684 ACRES
- 5) AREA OF BUILDING FOOTPRINTS = 23,528 SQ. FT.
- 6) # OF STANDARD PARKING SPACES = 149
- 7) # OF HANDICAP PARKING SPACES = 4
- 8) THE PROPERTY IS SITUATED IN A ZONE "C" PER FIRM NO. 148900340H, EFFECTIVE DATE 08/03/2009.  
ZONE "C" DENOTES AREA OUTSIDE OF THE 100' FEET FLOOD ZONE.
- 9) PROPERTY PRESENTLY ZONED "O-3" CENTRAL BUSINESS DISTRICT" PER VILLAGE OF NORTH AURORA COMMUNITY DEVELOPMENT
- 10) HEIGHT OF BUILDING 35' ON EAST SIDE. ALSO BUILDING IS 3 STORIES TALL ON EAST SIDE.
- 11) 15' FRONT YARD SETBACK LINE & 20' REAR YARD SET BACK LINE PER CURRENT ZONING IS PLOTTED ABOVE ON DRAWING
- 12) SIDE YARD SETBACKS PER CURRENT ZONING IS 0 FT. - THEREFORE NO SIDEYARD SETBACK LINES COULD BE PLOTTED

TO:

1.) MOREIF SUBREIT, LLC A DELAWARE LIMITED LIABILITY COMPANY,  
AND ITS SUCCESSORS AND/OR ASSIGNS

2.) TYLER GLEN, LLC AN ILLINOIS LIMITED LIABILITY COMPANY

3.) COMMONWEALTH LAND TITLE INSURANCE COMPANY

STATE OF ILLINOIS) ss

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5(c), 7(a), 7(b)(1), 7(b)(2), 7(c), 8, 9, 10(e), 13, 14, 16, 17, 18, 19, 20, AND 21 OF TABLE "A" THEREOF.

THE FIELD WORK WAS COMPLETED ON FEBRUARY 6, 2018.  
DATE OF PLAT: FEBRUARY 7, 2017.

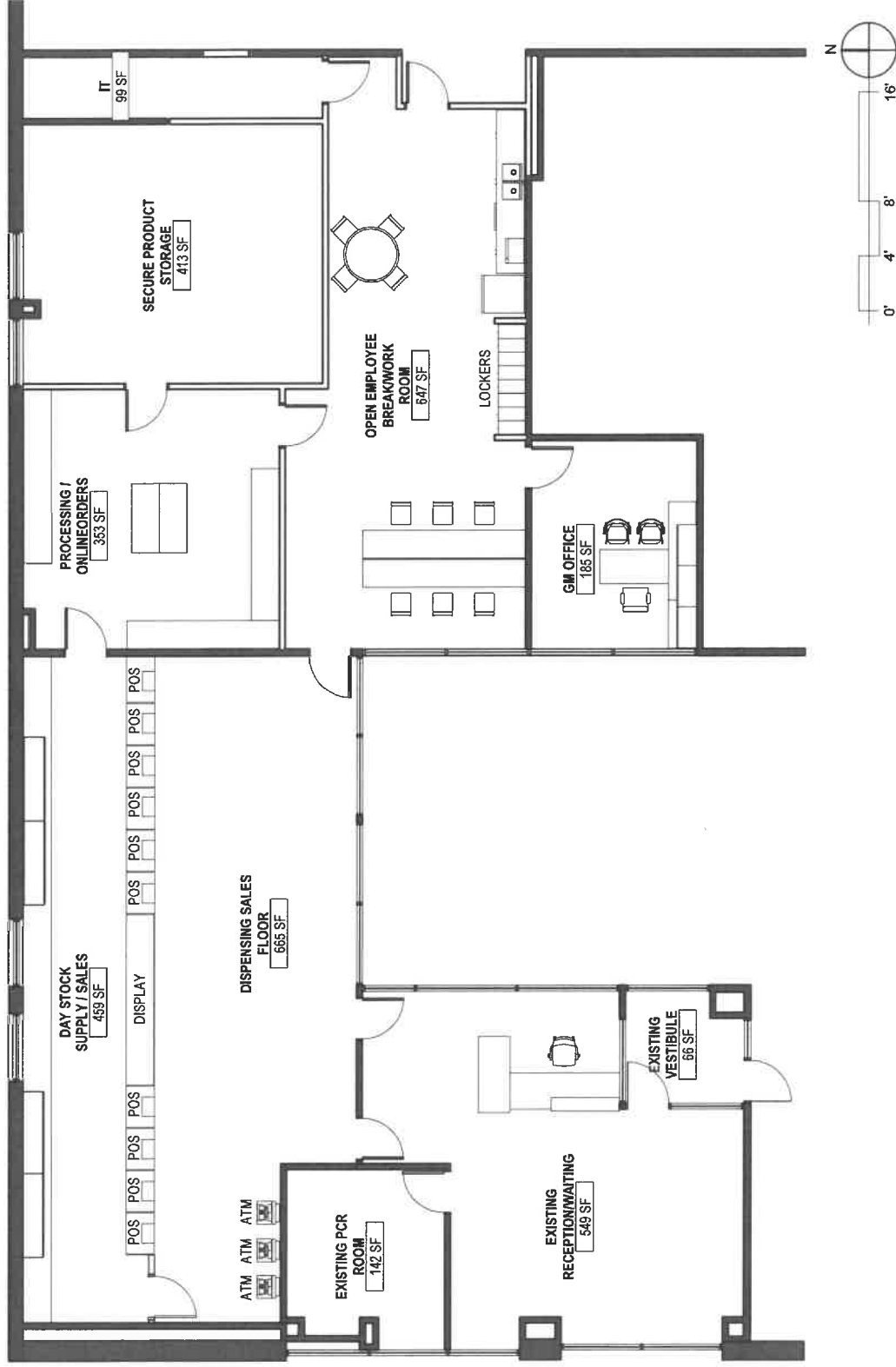
PROJECT NO.: 18-118

ACCURATE SURVEY SERVICE, INC.  
28 W. 123 INDUSTRIAL AVE.  
BARRINGTON, IL 80010  
PHONE: (847) 381-8735



WILLIAM C. DOLAND, P. P. S. #035-002732

## SITE PLAN



161 SOUTH LINCOLN HIGHWAY  
NORTH AURORA, IL  
EXPANSION SPACE PLAN 02

## SPECIAL USE STANDARDS

## **North Aurora**

### **Special Use Application**

#### **PharmaCann LLC**

#### **161 S Lincolnway, Suite 301, 302 and 304 – Expansion of Recreational Cannabis Dispensary**

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

The proposed site is in the B3 – Central Business District, which permits Recreational Cannabis Dispensaries as a special use.

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

The proposed special use is deemed necessary for the public convenience at this location as the site has operated as a medical dispensary and the adult use cannabis dispensary since January 2020. The expansion into additional space within the same building will allow the public to be served more efficiently. It will also continue to drive increased tax revenues into the Village. This particular location is well-suited to accommodate this use due to the office/commercial nature of the area.

- 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 proposed special use does not create excessive additional impacts at the public expense. Expanding into additional space will alleviate any potential impacts as there is increased capacity to accommodate customers. The applicant has implemented an online ordering and reservation system that further alleviates any impacts that may be caused by waiting customers. The applicant has operated a dispensary at the existing location and addressed any issues that arose at the outset.

This use will be beneficial to the economic welfare of the community as sales of Recreational Cannabis can be taxed beyond general sales taxes for the benefit of the municipality, generating additional revenue for the municipality.

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

The proposed special use will help to further enhance a vibrant and unique commercial use consistent with the goals of the Comprehensive Plan to develop Lincolnway into an attractive, multifunctional corridor and to promote and maintain vibrant commercial areas throughout the Village to serve the day-to-day needs of local and regional residents.

The expansion of the Recreational Cannabis Dispensary will specifically address the Village's objective to encourage new commercial uses that will increase the range of employment opportunities and strengthen and expand the Village's tax and economic base.

The proposed use will be operated in accordance with 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.**

The applicant proposes to expand the existing adult use cannabis dispensary. The space is currently designed and operated in a manner that is harmonious and compatible in use and appearance with the surrounding uses. The expansion of the use will continue in a professional and harmonious manner so as to maintain and enhance the character of the neighborhood as a whole.

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

The proposed special use will not significantly diminish the safety, use, enjoyment and value of the property in the neighborhood. On the contrary, it will expand upon an existing, unique use in the neighborhood, which will help increase the value of the area. The use will continue in an existing space and will be operated by the current operators. The experience of these operators will help ensure the use will remain consistent and compatible with the surrounding uses. Consistent with State of Illinois requirements, the operator will have a robust safety and security plan to ensure no diminution in safety for the neighborhood.

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

The proposed special use, just as the current use, is compatible with development on adjacent or neighboring property. The location is in a center with medical office and professional services as well as commercial uses. Other, similarly varied commercial uses populate the street.

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

The proposed special use is in an existing building with safe ingress and egress to Lincolnway. Access to the site will continue to operate safely even with the expansion. The existing building and parking area is designed to promote traffic and pedestrian safety and to minimize potentially dangerous traffic movements.

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

The dispensary location is in an existing building which provides parking as required by village ordinance. Forty (40) spaces on the site will be specifically reserved for dispensary customers.

- 10) The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessities.**

The proposed special use will be adequately served by adequate utilities, drainage, road access, public safety and other necessities, in the same way that the existing use is served at this location.

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

The proposed site is in the B3 – Central Business District, which permits Recreational Cannabis Dispensaries as a special use. The existing site otherwise complies with the requirements of the zoning ordinance and other applicable regulations.