



**PLAN COMMISSION AGENDA
TUESDAY, MARCH 2, 2021
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/83469195430>
Meeting ID: 834 6919 5430
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 January 5, 2021.

PUBLIC HEARING

1. **Petition #21-02 (1057 & 1059 Orchard Road):** The petitioner, Stephen Newman, requests a Special Use to allow for the indoor and outdoor expansion of a Microbrewery in the B-2 General Business District.

NEW BUSINESS

1. **Petition #21-02 (1057 & 1059 Orchard Road):** The petitioner, Stephen Newman, requests a Special Use to allow for the indoor and outdoor expansion of a Microbrewery in the B-2 General Business District.
2. Village staff would like to solicit feedback from the Plan Commission regarding residential ground floor area minimums.

OLD BUSINESS

PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES

ADJOURNMENT

**VILLAGE OF NORTH AURORA
PLAN COMMISSION MEETING MINUTES
JANUARY 5, 2021**

CALL TO ORDER

Chairman Brackett called the meeting to order.

ROLL CALL

In attendance: Chairman Mike Brackett, Commissioners, Anna Tuohy, Mark Bozik, Tom Lenkart, Doug Botkin and Connie Holbrook

Not in attendance: Commissioners Jennifer Duncan and Aaron Anderson

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 December 1, 2020

Motion for approval made by Commissioner Lenkart and seconded by Commissioner Tuohy. All in favor.
Motion approved.

PUBLIC HEARING

1. Petition #21-01 (314 Kingswood Dr. & 200 Overland Dr.): The petitioner, Josh Bauer - OPUS Development Company, LLC, requests the following actions on the subject properties:

- 1) Map Amendment to establish the O-R-I Office, Research and Light Industrial Zoning District (Golf Course Property)
- 2) Special Use - Planned Unit Development with deviations to the Zoning and Subdivision Ordinances
- 3) Site Plan Approval
- 4) Preliminary Final Plat

Josh Bauer, Opus Development Company, stated that their company has a strong development focus on industrial projects, while also focusing on office, retail, and multi-family. Opus is headquartered out of Minneapolis, MN and has seven offices, which are located mostly in the Midwest. They are a full service company which means they are able to minimize their outsourcing while keeping as much of the development process in house. Bauer stated that Opus Development has already completed two projects in North Aurora. In 2014, they developed a 604,565 SF warehouse located at 1200 Orchard Gateway Blvd. The current tenant is Midwest Warehouse. In 2016, they developed a 452,133 SF warehouse at 1100 Orchard Gateway Blvd. and Glanbia Performance Nutrition is the current tenant.

Bauer stated that the proposed project will consist of three (3) buildings that will be completed in two phases. The development will be constructed over two (2) separate parcels. The 7-acre parcel located at the southern tip of the proposed development is currently vacant and owned as access land by Euclid Beverage. The second parcel composed of 59-acres is currently being used as Valley Green Golf Course. Incorporating the smaller parcel owned by Euclid Beverage allows for access off of Overland, making the site much more accessible.

The site will consist of three (3) separate buildings. As shown on the concept site plan, the buildings have been located further back on the lots in order to create a desirable buffer of 625 feet between the new construction and the residences to the north. The construction will be broken down into two (2) phases. The first phase will consist of Building A (104,978 SF) just north of Overland Drive and Building B (543,638 SF). The second phase will consist of Building C (408,195 SF), which will be subject to future site plan review and approval. Bauer stated that the primary access drive off of Overland Drive is 29' wide, which will allow for three (3) lanes, making transportation flow easier to get in and out of the development. Building A will have a dedicated access drive off Overland Drive for construction traffic. Subject to easement approval from ComEd, the developer intends on installing a paved access road for emergency vehicles only at the northeast corner, connecting to Kingswood Drive. On Building A, the loading docks will be located on the north side of the building in order to screen them from Overland Drive. A total of eight (8) parkway trees will be planted along Overland Drive. The larger square footage of Building B was designed in order to attract institutional tenants. The footprint is designed for a single tenant, but can accommodate for two. Bauer stated that numerous evergreen trees will be planted along the north side of the building in order to provide screening for the residential district to the north. The ponds will be planted with native plants, which will help deter geese and filter the water runoff. The future Building C will be similar to Building B and allow for two tenants if necessary. The evergreen tree screening will continue along in front of Building C, to provide that landscaping buffer.

Luay Aboona, KLOA, Inc., presented the traffic study that was completed for the proposed development. Access to the development will be provided by Overland Drive. There are two (2) intersections along Airport Road, which are controlled by stop signs. The study showed that traffic should operate normally at the different intersections. There will obviously be an increase in traffic, but that increase should stay within the acceptable limits. Aboona stated that a majority of the increase in traffic will occur at the intersection of IL Route 31 and Airport Road, but the traffic will continue to flow adequately. It will not cause traffic to extend beyond the access drive that serves the North Aurora Police Station. The study also showed that a majority of the truck traffic will be oriented to/from the south on IL Route 31.

Matthew Etcheson, Opus Development Company, presented the building elevations for the proposed development. Building A will be constructed of precast concrete panels. The color scheme will consist of mostly whites and greys to create a modern appearance. There will be two (2) building entrances. The office areas will allow for natural light through glazing and precast walls. The building will be 39' high. The elevations for Building B are complimentary to that of Building A. It will also be constructed of precast concrete panels with the same color scheme. Etcheson stated that the office footprint will be larger than in Building A, and will also provide the same natural light aesthetic. The building height is 43'.

Community & Economic Development Director Mike Toth stated that the Village has attempted to apply for grants for the intersection at Airport Road and IL Route 31 and it is a capital improvement project for the TIF. Toth stated that the applicant is requesting to rezone the current property from the R-1 Single Family Residence District to the the O-R-I (Office, Research and Light Industrial) District. The proposed use would be classified as warehousing, storage, or distribution facilities. The Comprehensive Plan actually calls for the Valley Green Golf Course to be Office / Research so the proposed change does meet the plan. The applicant is also requesting a special use to allow a Planned Unit Development with deviations to the Zoning and Subdivision Ordinances. Toth stated that per zoning ordinance, any non-residential parcel over 2 acres or more is to be a Planned Unit Development. The planned development does meet all bulk requirements for the designated zoning district, with one exception to the lot width of Building B. The access point off Overland Drive does not meet the minimum lot width per code. The applicant is also requesting site plan approval and final plat approval. Toth stated that staff is recommending approval with twelve (12) conditions included.

Mike Brackett then opened the public hearing for any questions or comments.

Bruce Goldsmith, Dykema Gossett PLLC, stated that he represents the Slaker family in North Aurora. Goldsmith asked if a condition could be put in place that would permit access to the east so that the Slaker property would have full access to Overland Drive, which would allow them to have the ability to develop their property. The best approach is to take the access point where it meets at Willow Way and possibly extend it to the Slaker property to the east if it were to be developed.

NEW BUSINESS

1. **Petition #21-01 (314 Kingswood Dr. & 200 Overland Dr.):** The petitioner, Josh Bauer - OPUS Development Company, LLC, requests the following actions on the subject properties:

- 1) Map Amendment to establish the O-R-I Office, Research and Light Industrial Zoning District (Golf Course Property)
- 2) Special Use - Planned Unit Development with deviations to the Zoning and Subdivision Ordinances
- 3) Site Plan Approval
- 4) Preliminary Final Plat

Commissioner Tuohy asked how the emergency vehicle access road will be restricted. Toth responded that the developer has been in contact with the Fire District. Bauer responded that they will have some kind of breakaway at the access point to prevent regular traffic from using the emergency only route. Brackett stated that during the presentation it was mentioned the access road would go into Kingswood Drive and in the staff report it states the access road would go into Willow Way. Toth responded that it goes into Willow Way and when you take a left, you would be on Kingswood. Tuohy asked what the hours of operation will be. Bauer responded that since the buildings are speculative at this point, they do not have specific tenants currently. Most tenants for this particular use prefer to have 24-hour access, but that does not mean that trucks would be entering and exiting at all hours of the day. Toth responded that it is about working with the future tenants and the developer to establish an expectation of what is tolerable for this type of use. Tuohy responded that when trucks are making noise while backing up in the middle of the night, it could be a potential problem for the nearby residences. Tuohy asked if the landscaping in front of the buildings will provide enough screening for the residences to the north. Toth responded that the developer will be installing numerous evergreen trees which will help create a fuller and more natural barrier for the neighboring residences. Tuohy asked how Bruce Goldsmith's condition will be handled in regards to obtaining full access to Overland Drive from the Slaker property. Toth responded that at this time there is not a development proposal for the Slaker property. There are no structures that would prohibit the potential for full access to Overland Drive since it is a fairly open area. Goldsmith responded that they are requesting a condition that would allow the potential developer for the Slaker property to connect to the bypass road. Bauer responded that conceptually making this particular condition is concerning on their end since they do not know anything about the future development that could possibly go on the Slaker property. Bauer also stated that they may increase the footprint of Building B, depending on what tenant goes in there. If they decided to expand the building to the west, then it would interfere with the access point in question. Bauer stated they are willing to work with Goldsmith when the time is right. Brackett asked if the property that was the railroad is considered Slaker property as well. Goldsmith responded that it is. He asked that their proposed condition be considered as it will be beneficial for the Slaker property. Brackett responded that he agreed. Tuohy stated she had no further questions.

Commissioner Holbrook stated that she used to live on Princeton Drive and one of the reasons they purchased the home was because of the open green land. She is concerned that the proposed warehouses will affect the home values of the neighboring residences and also stated that North Aurora has enough warehouse facilities.

Commissioner Bozik asked how the excessive traffic flow will be handled off the access point at Overland Drive, since that is near the access point for the Euclid Beverage trucks as well. Bozik also asked how access to Building C will be provided. Toth responded that there is a cross access easement included with Buildings B & C. Aboona responded that the frequency of traffic in and out will not be overly excessive and there will be no sight interruptions. Bozik asked how many truck trips are anticipated daily. Aboona responded that with all three (3) buildings, they anticipate 344 truck movements throughout the day. Bozik asked if the developer would be completing any off-site improvements for Overland Drive since there will be excessive wear and tear on the road. Toth responded that it was brought up to the Public Works Department and there were no apparent concerns. He stated that Euclid Beverage has four (4) separate entrances into their facility which should help alleviate excessive truck flow at Overland Drive. Bozik asked what the elevation difference is between Kingswood Drive and the finished floor of Building B. Bozik stated that he is concerned about the building towering over the residences on Kingswood Drive. Jason Snyder, Jacob & Hefner Associates, stated that at the emergency access drive off of Kingswood, it is 698 feet above sea level. The finished floor of Building B is 694 feet above sea level. Bozik stated he had no further questions.

Commissioner Lenkart asked if the proposed height of Building A and Building B includes the rooftop mechanical equipment as well. Snyder responded that the height measurement is to the top of the parapet wall and does not include the mechanical equipment. Lenkart asked if there will be any screening for the mechanical units since they will be visible from the houses to the north. Snyder responded that there is currently not a plan for screening. Toth responded that screening is required but a site perspective is required in order to determine how visible the equipment will be. Lenkart stated that this requirement should be included in the comments to the Trustees. He asked if anyone remembers how tall the My Place Hotel building is. Toth responded it was around 50' tall. Lenkart asked how tall the other Opus buildings are that were built off of Randall Road. Bauer responded they are 36' tall and with the mechanical equipment they are probably around 42'. Lenkart stated that a chain link fence was added to the parking lot for the Midwest Warehouse property and many people were not happy with that style of fence. He stated it appears too cheap and other materials should be considered. Brackett asked if the ordinance was changed prior to the Glanbia property being built since they have an iron fence. Toth responded that he tried to have the ordinance changed but it was not supported. He stated that a condition was originally established which required a decorative fence to be installed, but unfortunately there was miscommunication and a chain link fence was installed instead. Toth asked if there was actual fencing being proposed at this time. Bauer responded that either fencing or landscape screening will be installed. He stated at this time they are planning for the landscaping screening, unless a potential tenant requests to have a fence installed for security purposes. Lenkart asked if a condition could be put in place that would require the developer to get approval for the proposed fence prior to installation. Toth responded that fencing could be included as a site plan approval. It would not be a public hearing, but rather be presented to the Plan Commission and Village Board for approval. Bauer asked that if and when a tenant does seek fence approval, the Village considers economic circumstances so that the fence in its entirety does not have to be decorative. Lenkart asked if a replacement plan can be incorporated into the PUD for the landscaping so that when spring comes around and half the trees are dead, the developer will be required to replace them. Toth responded that this would fall under code enforcement, so staff can work with the developer if any landscaping does not survive and needs to be replaced. Lenkart asked if a berm can be added to the northern edge of the property and then incorporate trees on top of them. Bauer responded that they did look into incorporating a berm, but with the detention area and ComEd lines, there was not enough room and the sanitary easement creates a restriction as well. Lenkart asked if it will be the tenant's responsibility to ensure the noise level is kept to a minimum during off hours. Toth responded that in the past, it has been easiest to work with the Property Management company if any issues arise. Lenkart asked if all trucks will exit east on Airport Road, rather than head west and try and make a 90 degree turn. Toth responded that a portion of Alder Drive was widened and improvements were completed in order to obtain better access to Randall Road. Lenkart responded that trucks will be trying to complete S-turns at the 90 degree intersections, so staff may want to consider

improving those intersections down the road. Lenkart asked Aboona if he stated that there will be an estimated 344 or 244 daily truck activities per the traffic report. Aboona responded that for all three (3) buildings, there will be 344 daily truck activities. Lenkart responded that will be a lot of trucks within an hourly basis. The average semi is 75' and this could create congestion delays in traffic, especially at peak hours between 2:30 – 3:30 PM. Lenkart suggested working with the State to adjust the traffic signal wait time at the intersection of Airport Road and IL Route 31. Lenkart stated that he would support putting a curb cut in by the Slaker's property in order to appease the request of Bruce Goldsmith to allow for future access to the property. Lenkart stated he had no further questions.

Commissioner Botkin stated he had no further questions. All concerns have been addressed.

Chairman Brackett stated that most of his questions have been addressed. Brackett stated he agrees it is important to be sensitive to the Slaker property to the north and we should consider access to it now rather than later.

Toth summarized the concerns brought up during the discussion, which included replacing any dead landscaping, site plan approval for future fencing, screening of rooftop mechanical units, and looking into the best course of action for access to the Slaker property. Village Administrator Bosco asked Village Attorney Drendel if the Village can automatically grant access and approval for one property for a different property owner. Drendel responded that there are some issues with the request which will need further clarification. He stated that it should be considered whether or not allowing access to the Slaker property would be beneficial to Opus Development Group. There are private issues as well as public issues that would need to be sorted out. Drendel stated at this time he was not prepared to give a definitive response. Bosco responded that this item should be a talking point when being presented to the Village Board. Toth responded that the conditions previously mentioned and the Slaker property access will be brought up as a talking point at the next Committee of the Whole meeting. Between now and then, discussions will be made with the property owners and legal representation to determine the best course of action for all parties. Drendel stated that it does have an impact on future planning so it is a fair question to be discussed. Lenkart asked if the request should be tabled for another month in order to sort through all the unanswered questions. Toth responded that the request will be presented next at the Committee of the Whole for discussion purposes. These concerns can be addressed in the meantime before it officially goes to Village Board for approval. Lenkart asked if the dumpsters will be screened at the loading docks. Toth responded that it is a general code requirement so all dumpsters will be screened.

Motion for approval of a Map Amendment to establish the O-R-I Office, Research and Light Industrial Zoning District on the 314 Kingswood Drive property made by Commissioner Botkin and seconded by Commissioner Lenkart. Vote: Holbrook – No, Lenkart – Yes, Bozik – Yes, Tuohy – Yes, Brackett – Yes, Botkin – Yes. **Motion approved.**

Motion for approval of a Special Use - Planned Unit Development with deviations to the Zoning and Subdivision Ordinances including (15) conditions and discussion of eastern access to the Slaker property made by Commissioner Lenkart and seconded by Commissioner Bozik. Vote: Holbrook – No, Lenkart – Yes, Bozik – Yes, Tuohy – Yes, Brackett – Yes, Botkin – Yes. **Motion approved.**

Motion for approval of Site Plan Approval made by Commissioner Lenkart and seconded by Commissioner Tuohy. Vote: Holbrook – No, Lenkart – Yes, Bozik – Yes, Tuohy – Yes, Brackett – Yes, Botkin – Yes. **Motion approved.**

Motion for approval of the Preliminary Plat of Subdivision for Valley Green Subdivision made by Commissioner Bozik and seconded by Commissioner Tuohy. Vote: Holbrook – No, Lenkart – Yes, Bozik – Yes, Tuohy – Yes, Brackett – Yes, Botkin – Yes. **Motion approved.**

OLD BUSINESS – None

PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES

Toth stated that final consideration was approved by Village Board for 307 Banbury Road (Chapelstreet Church) and 145 S Lincoln Way (PharmaCann). Mike Sorrentino will be applying for site plan approval for his development off of Randall Road by the storage facilities. There have also been discussions about potentially developing Lots 1 & 2 of Orchard Commons, which may include a gas station and quick service restaurants. Lenkart & Brackett stated it would be nice to see development on the east side of Orchard Road across the street from Hardware. Toth responded that he is in constant contact with the owner, Continental Properties. They are having issues that are access related since the curb cuts are defined by the intergovernmental agreement with KDOT for Orchard Road and Oak Street. Staff has been working with KDOT to get additional access to the property.

ADJOURNMENT

Motion to adjourn made by Commissioner Botkin. 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: March 2, 2021

Petition Number: 21-02

Petitioner: Stephen Newman

Request: Special Use to allow for the indoor and outdoor expansion of a Microbrewery

Location: 1057 & 1059 Orchard Rd.

Parcel Number(s): 12-32-327-007

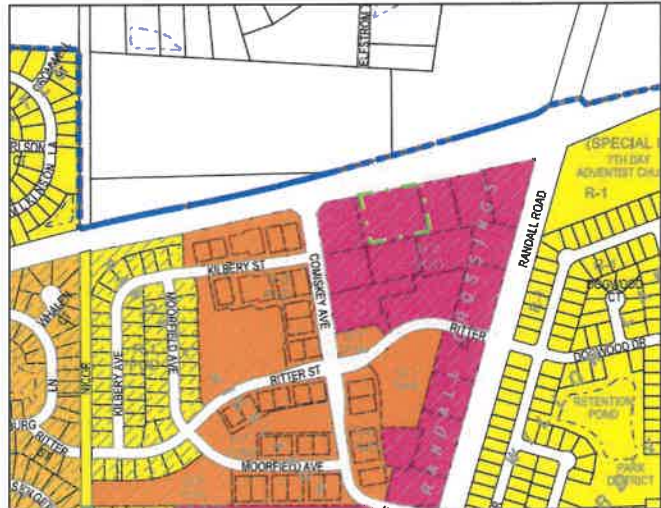
Property Size: Approximately 2.84 acres

Current Zoning: B-2 PUD – General Business District Planned Unit Development

Contiguous Zoning: North – Unincorporated Property, East – B-2 PUD – General Business District Planned Unit Development, South – B-2 PUD – General Business District Planned Unit Development, West – B-2 PUD – General Business District Planned Unit Development

Contiguous Land Use: North – large tract vacant land, South – restaurant, East – multi-tenant commercial building West – vacant parcel

Comprehensive Plan Designation: Commercial /Retail



PROPOSAL

On June 3, 2019, the Village Board approved Ordinance #19-06-03-02 granting a special use to allow a Microbrewery, known as Brother Chimp Brewing, at 1059 Orchard Road in the B-2 General Business District. The original special use approval allowed use of the 1,640 square foot tenant space located in the Orchard Crossing Shopping Center for the production and sales of beer.

The owner of Brother Chimp Brewing is now requesting use of the adjacent indoor tenant space (1057 Orchard Road) and also the use of an outdoor beer garden to be located behind both tenant spaces

along the southern portion of the building. According to the petitioner, the indoor and outdoor expansion areas would serve as seating for patrons and not be used for any brewing production.

The outdoor dining area would be approximately 36 ft. x 28 ft. (1,008 sq. ft.) and consume a total of four available parking spaces. As one of the spaces is an accessible parking space, a condition of approval would require that the accessible parking space be relocated on the subject property also adjacent to the building. According to the petitioner, the outdoor seating area would be covered with a canopy and be contained by plastic walls. Staff notes the enclosure will be subject to review per the supplemental outdoor liquor license. A concrete slab would be poured to accommodate the outdoor seating area to allow for transition from the walkway adjacent to the building and provide a raised curb around the area.

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.* Brother Chimp 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.

Staff requested feedback from the Village Board on this petition at their February 15, 2021 Committee of the Whole meeting. The Board review was done prior to the public hearing to allow for final consideration from the Village Board on March 15, 2021 so the petitioner can open the expanded areas for business as soon as possible. The Village Board was in favor of the expansion, but raised the idea of potentially adding safety barriers by the outdoor seating area.

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 that the Plan Commission make the following motion recommending **approval** of Petition #21-02, subject to the following conditions:

1. A building permit shall be secured from the Village for any applicable building improvements.
2. The outdoor seating area enclosure will be subject to review per the supplemental outdoor liquor license.
3. The outdoor expansion area shall not extend into the adjacent drive aisle.

APPLICATION FOR SPECIAL USE

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

PETITION NO. 21-02

FILE NAME BROTHER CHIMP EXPANSION

DATE STAMP

RECEIVED

FEB 02 2021

VILLAGE OF
NORTH AURORA

I. APPLICANT AND OWNER DATA

Name of Applicant Stephen Newman

Applicant Address 345 N Batavia Ave, Batavia IL 60510

Applicant Telephone # 312 339-9180

Email Address Steve@brotherchimpbrewing.com

Property Owner(s) Orchard Crossing Bceline, LLC

Owner Address 511 Broadway, Denver, CO 80203

Owner Telephone # 303 974-9200

II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property 1035-1061 West Orchard Road
(indicate location if no common address)

Legal Description: 12-32-327-007

Parcel Size 2.92

Present Use Vacant (mixed)
(business, manufacturing, residential, etc.)

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

III. PROPOSED SPECIAL USE

Proposed Special Use Microbrewery
(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? Yes

If so, when? April 2019 to what district? _____

Describe briefly the type of use and improvement proposed _____

Microbrewery (See attached letter for more details)

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

Retail, Personal training facility, liquor store, credit union, dentist, Microbrewery

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

capacity for existing Microbrewery

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 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 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

2/5/21
Date


Owner
Alysa Scalisi agent

2/5/21
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 Attachment 1)

I, _____, 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.


Applicant Signature

2/5/2021
Date

SUBSCRIBED AND SWORN TO

Before me this 5th day of February, 2021.


Notary Public



Attachment I

Parcel	Address	City	State	Zip
1232327007	ORCHARD CROSSING BACELINE LLC, 1391 SPEER BLVD STE 800	DENVER	CO	80204-2555
1232100013	LOYAL ORDER OF MOOSE	MOOSEHEART	IL	60539
1232200014	LOYAL ORDER OF MOOSE	MOOSEHEART	IL	60539
1232300017	LOYAL ORDER OF MOOSE	MOOSEHEART	IL	60539
1232327001	SYNERGY PROPERTY HOLDINGS LLC, 8750 W BRYN MAWR AVE STE 1300	CHICAGO	IL	60631-3655
1232327010	NA TOWNHOMES LLC, 123 W WASHINGTON ST STE 214	OSWEGO	IL	60543-8204
1232403001	DENVER CAPITAL LLC, 123 W WASHINGTON ST STE 214	OSWEGO	IL	60543-8204
1232403008	TURF ROOM LLC, PARKER GRABOWSKI 1033 FOREST TRL	SUGAR GROVE	IL	60554-9252
1232403010	SYNERGY PROPERTY HOLDINGS LLC, 8750 W BRYN MAWR AVE STE 1300	CHICAGO	IL	60631-3655
1232403019	NA LODGING 1 LLC, DECADE GROUP - RANDALL LLC 564 S WASHINGTON ST STE 200	NAPERVILLE	IL	60540-6674
1232403021	PL6 LLC, 123 W WASHINGTON ST STE 214	OSWEGO	IL	60543-8204

Letter in Support of special use permit

To Whom It May Concern:

Brother Chimp Brewing proposes to increase the footprint of its current operation by expanding into the unit directly to the east (unit 1057) and erecting a permanent beer garden directly behind both units (1059 and 1057). Please see the attached diagrams for the proposed additional and existing seating plans. The expected long-term hours of operation would be Mon – Thur 2pm -9pm, Friday – Sat 12 – 10 pm and Sundays 12-7 pm. If there is demand, we may open early on the weekends for international rugby and soccer matches. Patrons would be able to beers brewed and premise and guest beers and ciders. We will also offer pre-packaged snacks and non-alcoholic beverages. Customers would be permitted to bring their own food and encouraged to order form local restaurants. We would also cater food through licensed food vendors from time to time.

This would be an expansion of our current special use permit approved in 2019. The brewery has been well received by the community, but in the current COVID 19 it is important to have enough space to allow patrons to be properly socially distant. There is no need for additional infrastructure, and the project fits within the Village's Comprehensive Plan, which suggest regional commerce for the property. There will be not changes to the front of the outside structure aside form additional signage, which will comply with any applicable regulations. In back we would establish a permanent beer garden (see attached diagram). The permanent beer garden would take away fewer parking spaces than have been used during the current executive order and there have been no parking issues even during our busiest hours. There will not be any changes to existing traffic patterns. All necessary utilities are already in place. The brewery already has all necessary Federal, State and Local licensing and would make the necessary amendments to cover the additional space.

Thank you for your consideration on this matter.

A handwritten signature in black ink, appearing to read 'Stephen C Newman', with a long horizontal flourish extending to the right.

Stephen C Newman
CEO Brother Chimp Brewing

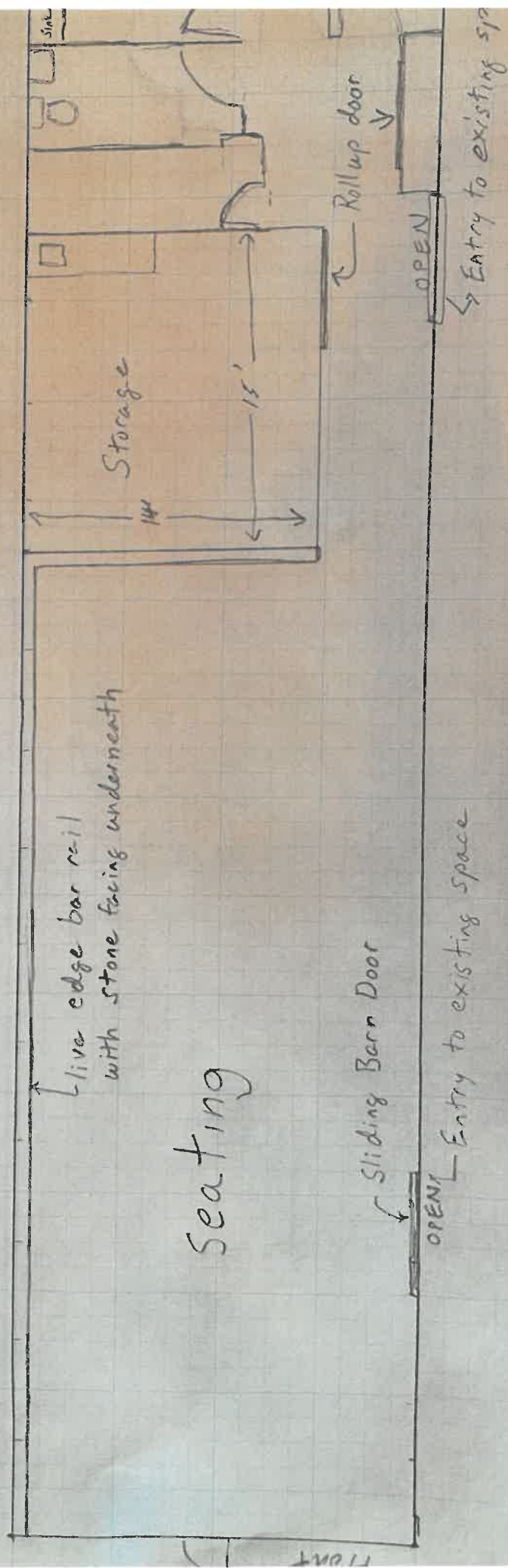
Proposed Special Use Permit conformance with standards:

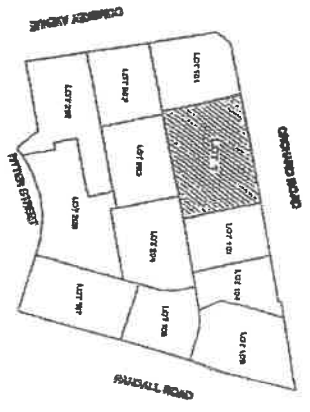
1. The Village has previously approved a special use permit for the Microbrewery at 1059 West Orchard Rd.
2. There are currently no other microbreweries in the immediate area
3. The necessary infrastructure to the microbrewery already exists and the expansion of the microbrewery would provide additional employment and tax revenue.
4. The Comprehensive Plan suggests regional commerce for this property, making the expansion a good fit.
5. It is not necessary to make any changes to the front outside of the building and the addition of the beer garden to the back of the building would be an improvement over the current temporary structure.
6. The adjacent neighboring properties are commercial and should have their business enhanced by the additional patrons attracted to the microbrewery
7. As previously stated, the microbrewery should help increase customer flow to the neighboring commercial businesses and will provide a comfortable place for local residents to meet.
8. The microbrewery will have no impact on traffic movement at the site.
9. The location already provides adequate parking
10. The necessary utilities, drainage, access and other facilities already exist.
11. The microbrewery already has all necessary Federal, State and Local licensing and we will make the necessary amendment to incorporate the additional space

Approximate dimension 36ft x 28ft height 10-12 ft
Base would be a concrete pad with at least a 6" curb
There would be 3'-4' side walls on clear ~~plastic~~ plastic that
can be zipped up there would be doors at the side walk to
delimitate the drinking area.



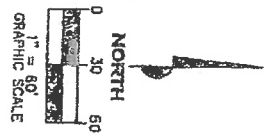
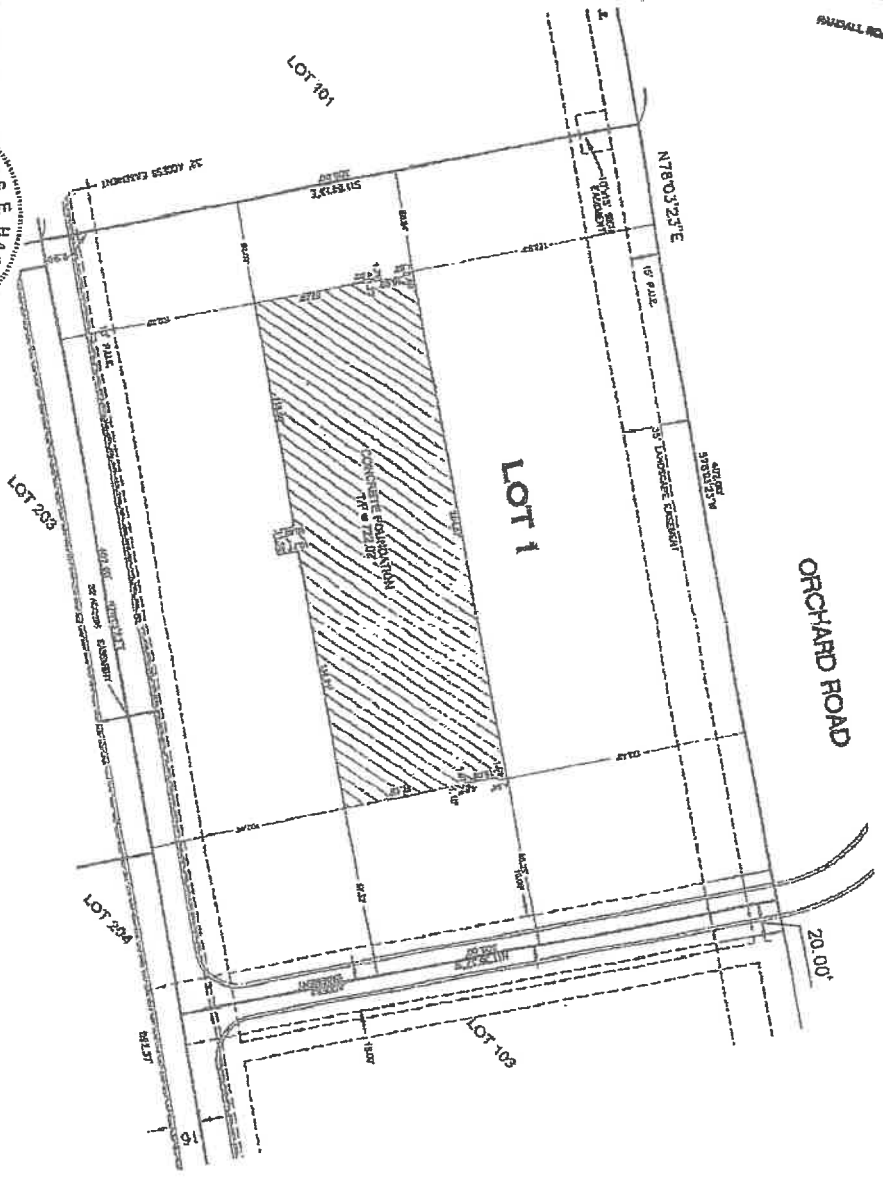
1057 West Orchard Rd



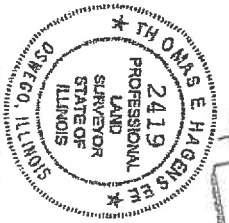


PLAT OF SURVEY

LOT 1 IN THE SHOPPES AT RANDALL CROSSING,
 BEING A SUBDIVISION OF SECTION 32, TOWNSHIP 38 NORTH,
 RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
 RECORDED NOVEMBER 29, 2007 AS DOCUMENT NO. 200711671 IN WANE COUNTY, ILLINOIS.



WE, MERITCORP, PC, DO HEREBY DECLARE THAT WE HAVE SURVEYED THE
 HEREIN DESCRIBED PROPERTY, UNDER THE DIRECTION OF AN ILLINOIS
 PROFESSIONAL LAND SURVEYOR, AND THAT THE PLAT HEREON DRAWN IS A
 CORRECT REPRESENTATION OF SAID SURVEY.
 GIVEN UNDER MY HAND AND SEAL THIS 30th DAY OF March, A.D. 2008
 Thomas E. Hagenson
 THOMAS E. HAGENSON
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2419
 LICENSE EXPIRES NOVEMBER 30, 2008



PROJECT NO. 171 SHEET NO. 1/1	LOT 1 THE SHOPPES AT RANDALL CROSSING PLAT OF SURVEY	MeritCorp, PC Engineering • Planning • Surveying 20 S. Main Street Chicago, IL 60643 Lic. No. 184-006823	DATE: 3/30/08 DESCRIPTION: LOT 1 IN THE SHOPPES AT RANDALL CROSSING, BEING A SUBDIVISION OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 29, 2007 AS DOCUMENT NO. 200711671 IN WANE COUNTY, ILLINOIS.	CHECKED BY: TCM	SCALE: 1"=60'	DRAWN BY: ALB	CREDIT: MeritCorp, PC
				DATE: 3/30/08	DESCRIPTION: LOT 1 IN THE SHOPPES AT RANDALL CROSSING, BEING A SUBDIVISION OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 29, 2007 AS DOCUMENT NO. 200711671 IN WANE COUNTY, ILLINOIS.	CHECKED BY: TCM	SCALE: 1"=60'

Copyright © 2007
 MeritCorp, PC
 SCALE: 1"=20'
 DRAWN BY: JMM
 CHECKED BY: JMM
 TITLE:

DATE: 11/09/07
 DRAWING NO.: 11-09-07
 PROJECT NO.: 11-09-07
 CLIENT: THE SHOPS AT RANDALL
 ADDRESS: 20 S. Main Street
 Chicago, IL 60643
 L.S. No. 104-00-0523
 MeritCorp, PC
 Engineering - Planning - Surveying
 Office: 600 S. Dearborn
 Fax: 312.554.7710
 Web: www.meritcorp.com

THE SHOPS AT RANDALL
 CROSSING
 NORTH AURORA, IL
 FINAL SITE PLAN

PROJECT NO. 1077975
 SHEET NO. 2/2



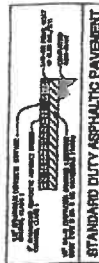
LOCATION MAP



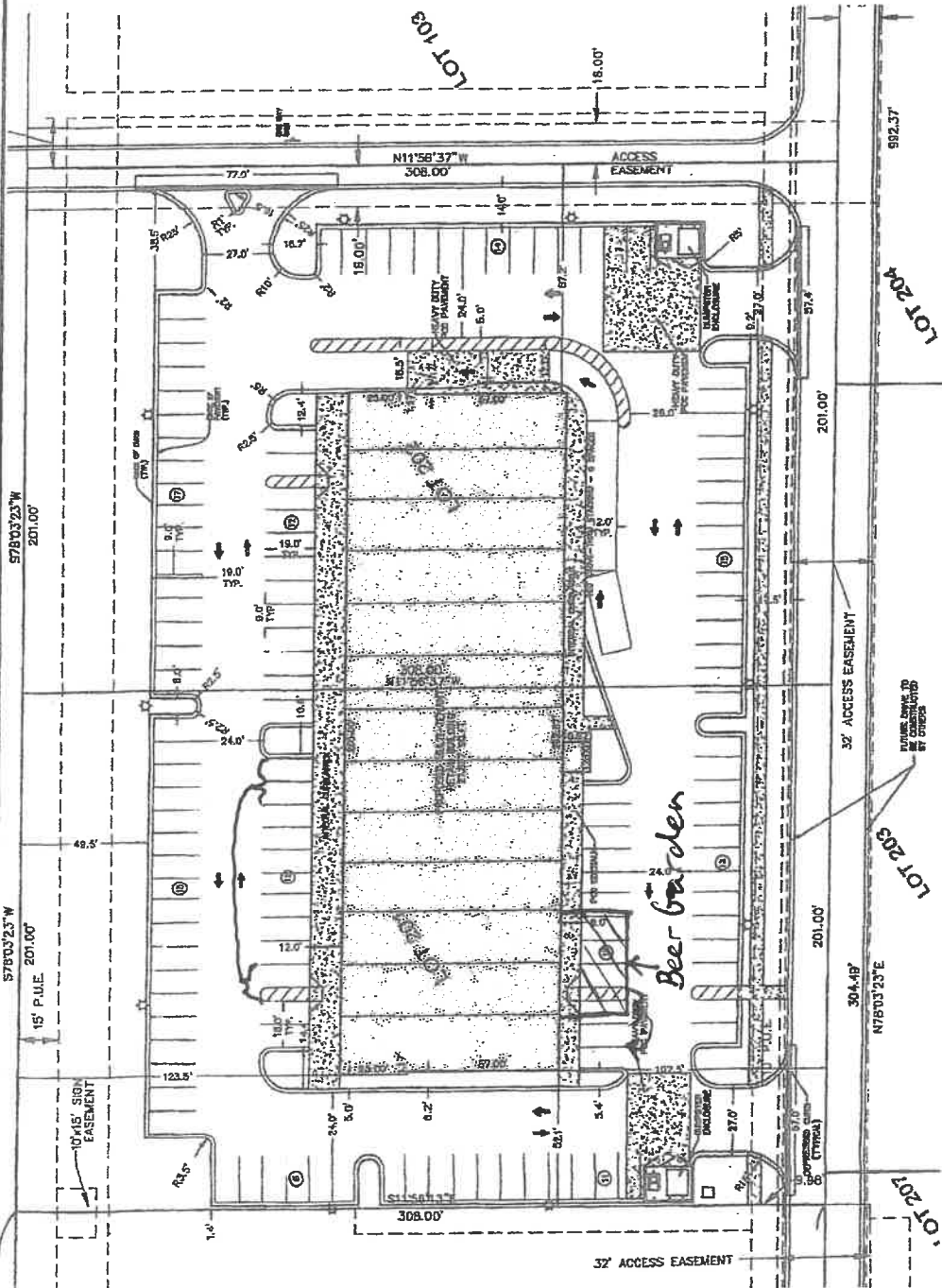
- NOTES:
1. CROSS-LOT ACCESS TO BE PROVIDED FOR ACCESS TO SITE AND TO ADJACENT STREET.
 2. ALL RAIN SHOWN TO BACK OF CURB.



HEAVY DUTY POC PAVEMENT DETAIL



STANDARD DUTY ASPHALTIC PAVEMENT



- SITE DATA:
 1. TOTAL AREA: 2.84 ACRES
 2. PROPOSED USE: COMMERCIAL CENTER
 PROPOSED BUILDING - 21,320 SQ. FT. - 17,45% F.A.R.
 PROPOSED PAVEMENT - 82,860 SQ. FT. - 50.2%
 3. EXISTING ZONING: S-2 GENERAL COMMERCIAL
 PROPOSED USE: COMMERCIAL CENTER
 W/ DRIVE THRU WHOLESALE CROSSING SUBDIVISION
 4. PARKING CALCULATION
 ONE SPACE REQUIRED FOR EACH 300 S.F. OF GROSS FLOOR AREA.
 1 / 300 x 21,320 = 71 SPACES REQUIRED
 150 SPACES REQUIRED
 602 PARKING SPACES
 +46 DRIVE THRU STACKING SPACES
- NOTE: LOCATION OF PARKING SPACES WILL BE DETERMINED BASED ON NUMBER AND LOCATION OF BUSINESSES WITHIN BUILDING



Memorandum



To: Mike Toth, Community and Economic Development Director
Cc: Steve Bosco, Village Administrator
From: David Hansen, Administrative/GIS Analyst
Date: March 2, 2021
Re: Ground Floor Area Minimums for Single Family Zoning Districts

Overview

I was given direction to evaluate minimum building sizes for single family homes in estate residential zoning districts, as regulated by surrounding communities. The 10 communities researched were Aurora, Batavia, Geneva, Montgomery, Naperville, Oswego, South Elgin, St. Charles, Sugar Grove, and Yorkville. Upon research and evaluation, four of the ten communities had minimum building sizes for residential zoning districts included in their zoning ordinances. Those building sizes were regulated as ground floor area minimums (definitions below). The four communities that regulated minimum ground floor areas were Aurora, Oswego, Montgomery, and Sugar Grove. Of those four communities, three included ground floor area minimums for estate zoning districts. Oswego has minimum ground floor area requirements for four of their R Districts, but does not have a ground floor minimum for any estate districts.

After reviewing which communities had ground floor area minimums, staff looked into definitions for ground floor area minimums for those communities. Three of the four communities had two classifications for ground floor area minimum dwelling standards (one-story residence and more than one-story residence) while Sugar Grove had three classifications that refer to ground floor minimums (one-story with basement, one-story residence and more than one-story residence). Below are the definitions from the four communities who have ground floor minimums.

Definitions of Ground Floor Area

Aurora - The sum of horizontal areas of the ground floor measured from the exterior faces of the exterior walls, including utility rooms, but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating, or sleeping purposes, except that enclosed space intended for habitable rooms which are to be completed within a reasonable time may be considered in computing such floor areas.

Montgomery - A total ground floor area is measured from the outside of the exterior walls, including utility rooms but excluding cellars, basements, open porches, breeze ways, garages, and other spaces that are not frequently used.

Oswego - A total floor area is measured from the outside of the exterior walls, including utility rooms but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes, except that enclosed space intended for habitable rooms which are to be completed.

Sugar Grove - minimum floor area requirements that follow are exclusive of garages, basements or porches.

Estate District - Ground Floor Area Minimums

Staff focused review on estate zoning districts as the Village's estate districts have the largest share of vacant and infill lots available for developers to build out. Currently there are 131 vacant lots remaining in the Village's E-3 Districts. If replotted, Unit 3 for Moose Lake Estates could include an additional 36 lots. As mentioned before, only three communities (Aurora, Montgomery, and Sugar Grove) of the ten researched had ground floor area minimums for their estate districts.

For reference, the Village of North Aurora describes the purpose of our Estate Districts as: *the purpose of the E-R Estate Rural Residence District (E-R), the Estate One-Acre District (E-1) and the Estate Standard District (E-3) is to provide a transition from the more dense single-family areas of rural unincorporated Kane County. These classifications offer lower density and bulk regulations so as to produce a more open atmosphere for single-family dwellings. The purpose of E-R District is to provide lots that are large enough to contain their own source of water and self-contained sewage disposal (well and septic). The purpose of the E-1 District is to provide very large lots in a rural atmosphere with municipal utilities. The purpose of E-3 District is to provide a transition zone between more dense residential zoning districts and the estate districts.*

The following is a summary of the three community's estate districts along with their ground floor area minimum:

Aurora - "E" Estate Single Family Detached Dwelling District

- Lot Size: All single-family detached dwelling units shall be established on a lot having an area of not less than fifty-five thousand (55,000) square feet.
- Bulk Restrictions: All single family detached dwelling units shall have a floor area of not less than thirty-five hundred (3,500) square feet.

Montgomery – "E-R" Estate Residence District

- Lot Size: Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than eighteen thousand five hundred (18,500) square feet, and a width at the established building line of not less than one hundred twenty-five feet (125) feet.
- Dwelling Size Standards: Every one-story dwelling hereafter erected in any E-R Estate Residence District shall have a total ground floor area of not less than one thousand three hundred (1,300) square feet, measured from the outside of the exterior walls, including utility rooms but excluding cellars, basements, open porches, breezeways, garages, and other spaces that are not frequently used. Every dwelling of more than one story hereafter erected in any E-R Estate Residence District shall have a total floor area, measured from the outside of the exterior walls, of not less than two thousand four hundred (2,400) square feet, including utility rooms, but excluding cellars, basements, open porches, breezeways, garages, and other spaces that are not frequently used.

Sugar Grove – "E-1" Estate Residential District

- Minimum lot size: Not less than one acre (43,560 square feet).
- Single-Family Detached Residences Floor Area: One-story, single-family residence, with basement: Not less than two thousand (2,000) square feet of living area. One-story, single-family residence: Not less than two thousand two hundred (2,200) square feet of living area. More than one-story, single-family residence: Not less than one thousand five hundred (1,500) square feet of living area.

Estate Districts: Ground Floor Area Minimums and Lot Sizes			
Municipality	Estate District	Minimum Lot Size (Sq. Ft)	Ground Floor Area Minimum
North Aurora	E-3	14,000	N/A
Aurora	E	55,000	3,500
Montgomery	E-R	18,500	1,300; 2,400
Sugar Grove	E-1	43,560	2,000; 2,200; 1,500

*Measurements are in square footage unless otherwise specified

Semi colon for two: one-story residence; more than one-story residence

Semi colon for three: one-story with basement; one-story residence; more than one-story residence

Estate Zoning Districts - Floor Area Minimums and Lot Size

Municipality	Criteria	E	E-1	E-2	E-3	RE	RE-1	RE-2	E-R	RL
North Aurora	Floor Area Minimums									
Aurora	Lot Size	3,500	43,560		14,000				130,680	
Batavia	Floor Area Minimums	35,000								
Geneva	Lot Size									
Montgomery	Floor Area Minimums					20,000				
Naperville	Lot Size		108,900	40,000	20,000				1,300; 2,400 18,500	30,000
Oswego	Floor Area Minimums									
South Elgin	Lot Size					87,120				
St. Charles	Floor Area Minimums						54,450	25,000		
Sugar Grove	Lot Size		2,000; 2,200; 1,400							
Yorkville	Floor Area Minimums		43,560							

*Measurements are in square footage unless otherwise specified

Semi column for two; one-story residence; more than one-story residence

Semi column for three; one-story with basement; one-story residence; more than one-story residence

Residential Zoning Districts - Floor Area Minimums and Lot Size (Single Family Home Development)

Municipality	Criteria	R-0	R-1	R-2	R-3	R-4	R1-L	R2-M	R1-H	R1A	R1B	RR	RT-1	RT-2	RT-3
North Aurora	Floor Area Minimums														
Aurora	Lot Size		10,000	8,400	8,400	8,400									
Batavia	Floor Area Minimums		1,149; 1,450	950; 1,300	700; 950										
Geneva	Lot Size		10,000	8,000	8,000										
Montgomery	Floor Area Minimums														
Naperville	Lot Size	14,000													
Oswego	Floor Area Minimums														
South Elgin	Lot Size		13,000	10,000	8,400	6,500									
St. Charles	Floor Area Minimums		1,104; 1,800	1,000; 1,200	900; 1,200	900; 1,050									
Sugar Grove	Lot Size		14,000	11,000	9,000	7,200									
Yorkville	Floor Area Minimums														

*Measurements are in square footage unless otherwise specified

Semi column for two; one-story residence; more than one-story residence

Semi column for three; one-story with basement; one-story residence; more than one-story residence