

4587

KANE COUNTY DEVELOPMENT DEPARTMENT
Zoning Division, Kane County Government Center
719 S. Batavia Avenue
Geneva, Illinois 60134
Office (630) 444-1236 Fax: (630) 232-3411

Received Date

**APPLICATION FOR ZONING MAP AMENDMENT
AND/OR SPECIAL USE**

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number (s): 15-24-276-010 15-24-276-009
	Street Address (or common location if no address is assigned): 2190 Liberty Street, Aurora, Illinois 60502

2. Applicant Information:	Name Michael Bryant AIR802 Corporation / Kane Land Club, LLC	Phone 630.585.6383
	Address 1981 D Wiesbrook Drive	Fax
	Oswego, IL 60543	Email mbryant@air802.com

3. Owner of record information:	Name Kane Land Club, LLC	Phone 630.585.6383
	Address 1981 D Wiesbrook Drive	Fax
	Oswego, IL 60543	Email mbryant@air802.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Commerce / Employment

Current zoning of the property: Farm

Current use of the property: Farm and small older single family rental home

Proposed zoning of the property: PUD

Proposed use of the property: Office/Warehouse/Light Assembly Commercial Building for AIR802 Corp

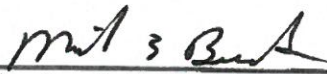
If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

The redevelopment will include building a fence around this Kane County property. A commercial building is planned to house AIR802's operations. The existing home will be demolished.

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion (Available in pdf form at www.kanedupageswed.org/luo.pdf), as required by state law, mailed to: The Kane Dupage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- Endangered Species Consultation Agency Action Report (available in pdf form at <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources. (* This report may best be accessed with Internet Explorer on some computers, per the State)
- List of record owners of all property within 250 feet of the subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

<u>Kane Land Club, LLC</u>	<u>December 29, 2021</u>
Record Owner	Date
<u></u>	<u>December 29, 2021</u>
Applicant or Authorized Agent	Date

Findings of Fact Sheet – Map Amendment and/or Special Use

- *The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)*
- *You should "make your case" by explaining specifically how your proposed rezoning relates to each of the following factors.*

AIR802 Corp / Kane Land Club
Name of Development/Applicant

December 29, 2021
Date

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?

The west and north sides are adjoining DuKane Precast (Industrial). We own the property to the east side which is zoned I-2 Industrial on the DuPage County side. The south side is Liberty street, with the land across Liberty being owned by the City of Aurora. Townhomes exist on the Dupage side of the property to the northeast and eastern side.

Our proposed use fits well within the general area and will be a nice improvement.

2. What are the zoning classifications of properties in the general area of the property in question?

As stated in #1 above, all adjoining properties are already zoned industrial.

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

The existing classification is "Farm". Technically at 2.2 acres it is too small to be of any value as a farm. It is not economically viable as a farm operation.

4. What is the trend of development, if any, in the general area of the property in question?

The general overall area is mixed use. The farm land directly across Liberty Street was purchased by the City of Aurora for either maintenance facilities or other use.

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?

It will provide economic prosperity with our research and development and product production. It will meet mixed use land patterns and by providing employment opportunities in close proximity to diverse and affordable housing. We promote environmentally responsible and sustainable business.

Findings of Fact Sheet – Special Use

Special Use Request

12/29/2021

Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
- *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board **will not** recommend a special use **unless** the following items are addressed:*
- 6. **Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

AIR802 operations do not utilize chemicals or any other items that would present a public health issue. Our research and development and light product assembly operations are completely quiet operations and essentially non-noticeable in contrast to the concrete plant operations to the sides.

- 7. **Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.**

AIR802 produces no sounds, odors, or for that matter any concern that would affect anyone. The property plans are for fencing to surround it, with Thuja Green Giant Trees to be planted on the inside of the fence. Thus a year around lush green "privacy forest" will exist that grows to a height of 30 to 50 feet.

- 8. **Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.**

It will be virtually invisible from all respects to any neighboring properties. Traffic entry is lower than many typical homes in the area.

- 9. **Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:**

Road access will be the existing driveway for the home to be demolished. All storm water management practices shall be met.

10. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:

Road access will be the existing driveway to the current home which will be demolished.

Traffic into and out of AIR802 is extremely low.

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

Yes, AIR802 will comply to all district regulations.



PLAN SUMMARY

AIR802 / Kane Land Club plans to develop the property at 2190 Liberty Street, adjacent to DuKane Precast. The parcel is relatively narrow at 208.73 feet. It borders DuKane Precast to the west and north sides, which is industrial. The adjacent property in DuPage County was also purchased which is zoned -2, Industrial. There are no immediate plans for the DuPage County side of the property.

Today a concrete wall borders the property along DuKane Precast, to the north and west sides side of the property. Plans include to build a vinyl fence panel fence, setback 100 feet from the center of Liberty Street on the south side continuing to the edge of the Kane/DuPage County line, with a gate on the existing driveway. The home off the existing driveway will be demolished. The fence will be placed along the Kane/DuPage County line. This will provide a secure border around the property. Just on the inside of the fence along all sides will be Green Giant Thuja trees which grow to 50 feet or more providing lush green scenery all year around.

Road access will be the existing road the small home (2190 Liberty St) which will be demolished. A building will be built near the northeastern portion of the property. This building is currently planned as a metal building but with wood panels on the outside and rock on the lower portion. The appearance is more like a farm building although it will house our offices, warehouse and assembly operations.

AIR802 is a manufacturer of antennas, cabling products, connectors and power-over-Ethernet devices. We operate with a low staff count, thus there is no traffic. Our products are small in nature and over 90% are shipped via USPS. Normal UPS and/or FedEx delivery trucks may visit. There is no large trucks ever needed at our facility. Our operations are quiet with no environmental issues whatsoever. Assembly operations involve soldering, screwdrivers and small hand tools only. Our hours of operation are Monday through Friday, 8:30am to 5:30pm.

Bryan Mandel, et ux (*AIR802 Corporation / Kane Lane Club, LLC*)

Rezoning from F-District Farming to PUD – Planned Unit Development to allow for an electronics assembly business

Special Information: The petitioner is requesting a rezoning on a property which straddles the Kane and DuPage county line. The portion to be rezoned would be on the Kane County side only. The petitioner is requesting the rezoning so his electronic assembly business can be relocated to the property. The business would be housed in a building to be constructed on the northern portion of the property. The existing home would be demolished and the existing access used for the business.

Analysis: The Kane County 2040 Land Use Plan designates this area as Commerce / Employment. This new combined category reflects the need for non-residential land uses to be centers for commerce and to generate local employment opportunities. The suitability of various uses within this category for specific locations depend on the trend and character of the adjacent land uses, availability of infrastructure and the economic development needs of the local community.

Staff recommended findings of fact:

1. The rezoning would allow for the redevelopment of this property to business use.

Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet

A.L.T.A./N.S.P.S.

LAND TITLE SURVEY

2190 & 2192 LIBERTY STREET, AURORA, IL

SHEET 1 OF 1

SYMBOL LEGEND

- - UNPAVED
- - MET
- - CLEAN OUT
- - WATER VALVE
- - GAS REGULATOR
- - UNDERGROUND GAS LINE
- - UNDERGROUND FIBER OPTIC
- - UNDERGROUND PHONE CABLE
- - GAS VALVE
- - WELL
- - STREET SIGN
- - CONCRETE SURFACE

LINE LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- INTERESTED PARTY LINE
- ADJACENT PROPERTY LINE OR INTERESTED PARTY LINE
- UNDEVELOPED PROPERTY LINE
- UNDEVELOPED INTERESTED PARTY LINE
- UNDEVELOPED ADJACENT PROPERTY LINE
- UNDEVELOPED INTERESTED PARTY LINE
- SECTION LINE
- 1/4 SECTION LINE

ABBREVIATIONS LEGEND

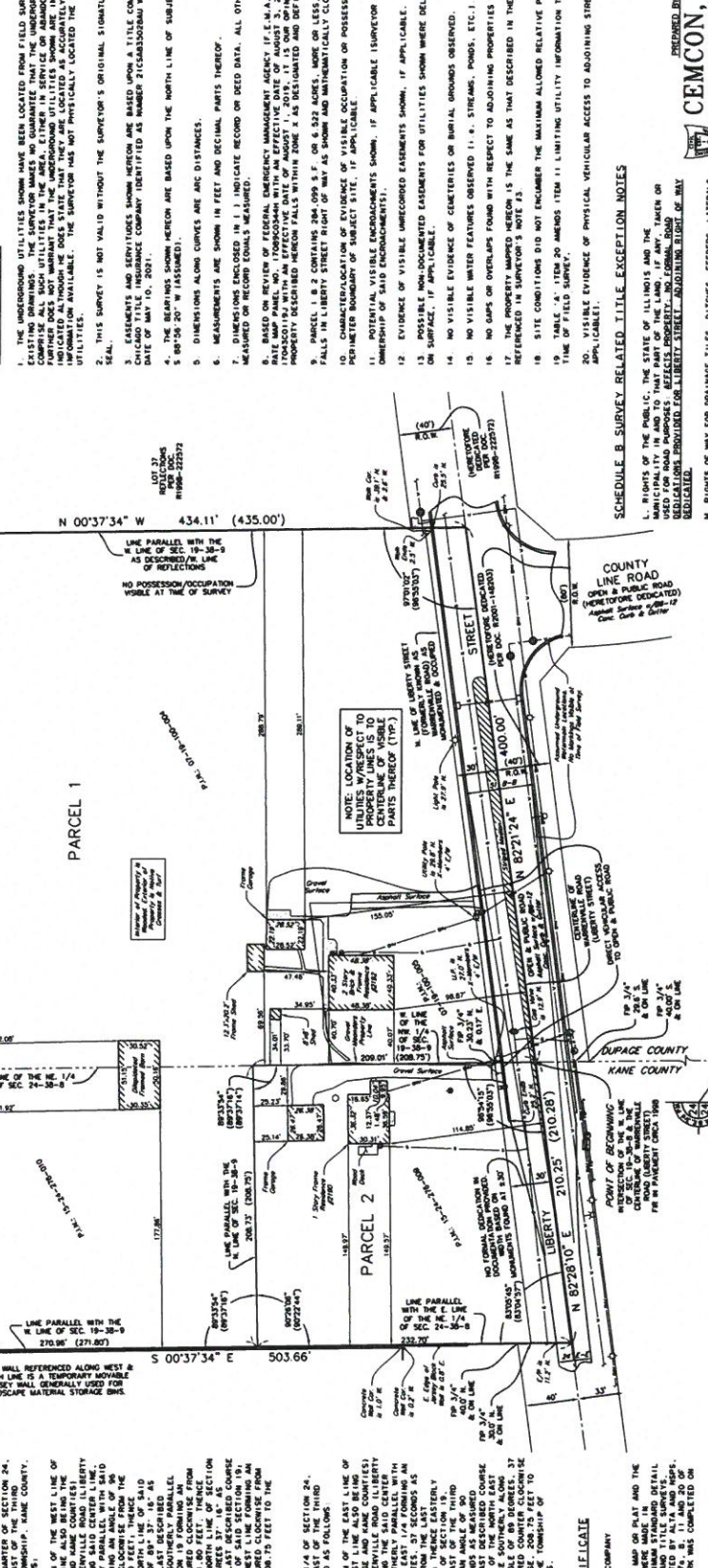
- R.O.M. - RIGHT-OF-WAY
- F.P. - FOUND SIGN (P. AS SHOWN)
- M. - FOUND SIGN (P. TO BACK OF CURB)
- E-C - EDGE OF PAVEMENT TO EDGE OF PARADEWAY
- S.F. - SQUARE FEET
- U.P. - UTILITY POLE

SURVEYOR'S NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE ACCURATE. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION OR DEPTH AS SHOWN. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.
3. EASEMENTS AND SERVITUDES SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY IDENTIFIED AS NUMBER 21C4300300AM WITH AN EFFECTIVE DATE OF MAY 10, 2022.
4. THE BEARING AND DISTANCE ARE BASED UPON THE NORTH LINE OF SUBJECT PROPERTY BEING 90° 00' 00" W (ASSUMED).
5. DIMENSIONS ALONG CURVES ARE DISTANCES.
6. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
7. DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.
8. BASED ON REVIEW OF FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP (FIRM) NO. 17030C0101A WITH AN EFFECTIVE DATE OF AUGUST 3, 2009 AND PANEL NO. 17030C0101A, THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE AS DESIGNATED AND DEFINED BY F.E.M.A. PROPERTY DESCRIBED HEREON FALLS WITHIN ZONE X AS DESIGNATED AND DEFINED BY F.E.M.A.
9. PARCEL 1, 2 CONTAINS 284,099 S.F. OR 6,532 ACRES, MORE OR LESS, OF WHICH 19,307 S.F. FALLS IN LIBERTY STREET RIGHT OF WAY AS SHOWN AND MATHEMATICALLY CLOSURES.
10. CHARACTERIZATION OF EVIDENCE OF VISIBLE OCCUPATION OR POSSESSION SHOWN ALONG PRIMEVER BOUNDARY OF SUBJECT SITE, IF APPLICABLE.
11. POTENTIAL VISIBLE ENCROACHMENTS SHOWN, IF APPLICABLE.
12. EVIDENCE OF VISIBLE UNRECORDED EASEMENTS SHOWN, IF APPLICABLE.
13. POSSIBLE UNDOCUMENTED EASEMENTS FOR UTILITIES SHOWN WERE DELINEATED OR VISIBLE ON SURFACE, IF APPLICABLE.
14. NO VISIBLE EVIDENCE OF EASEMENTS OR BURIAL GROUNDS OBSERVED.
15. NO VISIBLE WATER FEATURES OBSERVED (I.E., STREAMS, PONDS, ETC.).
16. NO GAPS OR OVERLAPS FOUND WITH RESPECT TO ADJOINING PROPERTIES AND RIGHTS OF WAY.
17. THE PROPERTY MAPPED HEREON IS THE SAME AS THAT DESCRIBED IN THE TITLE COMMITMENT REFERENCED IN SURVEYOR'S NOTE 3.
18. SITE CONDITIONS DID NOT ENTAILER THE MAXIMUM ALLOWED RELATIVE POSITION PRECISION.
19. TABLE A, ITEM 30 AMENDS ITEM 11 LIMITING UTILITY INFORMATION TO THAT VISIBLE AT TIME OF FIELD SURVEY.
20. VISIBLE EVIDENCE OF PHYSICAL VEHICULAR ACCESS TO ADJOINING STREETS SHOWN (IF APPLICABLE).

SCHEDULE B SURVEY RELATED TITLE EXCEPTION NOTES

1. RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY OF AURORA TO THAT PART OF THE LAND, IF ANY, TAKEN OR TO BE TAKEN FOR THE CONSTRUCTION OF LIBERTY STREET, ADJOINING ALLOT OF ANY EASEMENTS SHOWN ON THIS SURVEY.
2. RIGHTS OF WAY FOR DRAINAGE TILES, DITCHES, FEEDERS, LATERALS AND UNDERGROUND PIPES, IF ANY, REFERRED TO BY THE SURVEYOR AS "UNRECORDED EASEMENTS FOR UTILITIES" ARE NOT SHOWN ON THIS SURVEY.
3. RIGHTS OF WAY FOR DRAINAGE TILES, DITCHES, FEEDERS, LATERALS AND UNDERGROUND PIPES, IF ANY, REFERRED TO BY THE SURVEYOR AS "UNRECORDED EASEMENTS FOR UTILITIES" ARE NOT SHOWN ON THIS SURVEY.
4. RIGHTS OF WAY FOR DRAINAGE TILES, DITCHES, FEEDERS, LATERALS AND UNDERGROUND PIPES, IF ANY, REFERRED TO BY THE SURVEYOR AS "UNRECORDED EASEMENTS FOR UTILITIES" ARE NOT SHOWN ON THIS SURVEY.



PREPARED BY:
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DATE OF PLAT OR MAP: _____ 2021.
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072
 MY REGISTRATION EXPIRES ON NOVEMBER 30, 2022
 I AM LICENSED UNDER NUMBER 164-000937
 EXP. APRIL 30, 2021.

PARCEL DESCRIPTION

PARCEL 1: THE NORTH EAST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 10 EAST, COUNTY OF DUPAGE, ILLINOIS, AND THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 10 EAST, COUNTY OF DUPAGE, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SECTION 19 SAID EAST 1/4 SAID EAST LINE ALSO BEING THE CENTER LINE OF WHARFVILLE ROAD (LIBERTY STREET), THENCE WESTERLY ALONG THE SAID CENTER LINE OF SAID EAST 1/4 SAID EAST LINE FORMING AN ANGLE OF 83 DEGREES 04 MINUTES, 37 SECONDS AS DESCRIBED COURSE 232 TO FEET, THENCE SOUTHERLY ALONG SAID WEST LINE FORMING AN ANGLE OF 83 DEGREES 37' 16" AS DESCRIBED COURSE 232 TO FEET, THENCE SOUTHERLY ALONG SAID WEST LINE FORMING AN ANGLE OF 83 DEGREES 37' 16" AS DESCRIBED COURSE 232 TO FEET TO THE POINT OF BEGINNING.

PARCEL 2: THE NORTH EAST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 10 EAST, COUNTY OF DUPAGE, ILLINOIS, AND THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 10 EAST, COUNTY OF DUPAGE, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SECTION 19 SAID EAST 1/4 SAID EAST LINE ALSO BEING THE CENTER LINE OF WHARFVILLE ROAD (LIBERTY STREET), THENCE WESTERLY ALONG THE SAID CENTER LINE OF SAID EAST 1/4 SAID EAST LINE FORMING AN ANGLE OF 83 DEGREES 04 MINUTES, 37 SECONDS AS DESCRIBED COURSE 232 TO FEET, THENCE SOUTHERLY ALONG SAID WEST LINE FORMING AN ANGLE OF 83 DEGREES 37' 16" AS DESCRIBED COURSE 232 TO FEET, THENCE SOUTHERLY ALONG SAID WEST LINE FORMING AN ANGLE OF 83 DEGREES 37' 16" AS DESCRIBED COURSE 232 TO FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

TO: CHICAGO TITLE INSURANCE COMPANY
 AND/OR COOPERATION COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS FOR ALLIANCE LAND TITLE SURVEYS, AND THE DESIGN IS BASED ON THE DATA SHOWN IN TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON _____ 2021.


DATE OF PLAT OR MAP: _____ 2021.

VICINITY MAP


THE LOCATION OF THE SURVEYED PROPERTY IS SHOWN ON THE VICINITY MAP ATTACHED TO THIS SURVEY.

DATE OF PLAT OR MAP: _____ 2021.



 Concrete wall exists bordering DuKane Precast to the west and north. Line represents new 8' height fence.

Setback is 25' from property line on west, north and east sides. Fence along Liberty Street to be setback 100' from center of Liberty Street.

 Building is 65' wide x 150' length.

 Existing home to be demolished. Existing driveway to be utilized as entranceway.

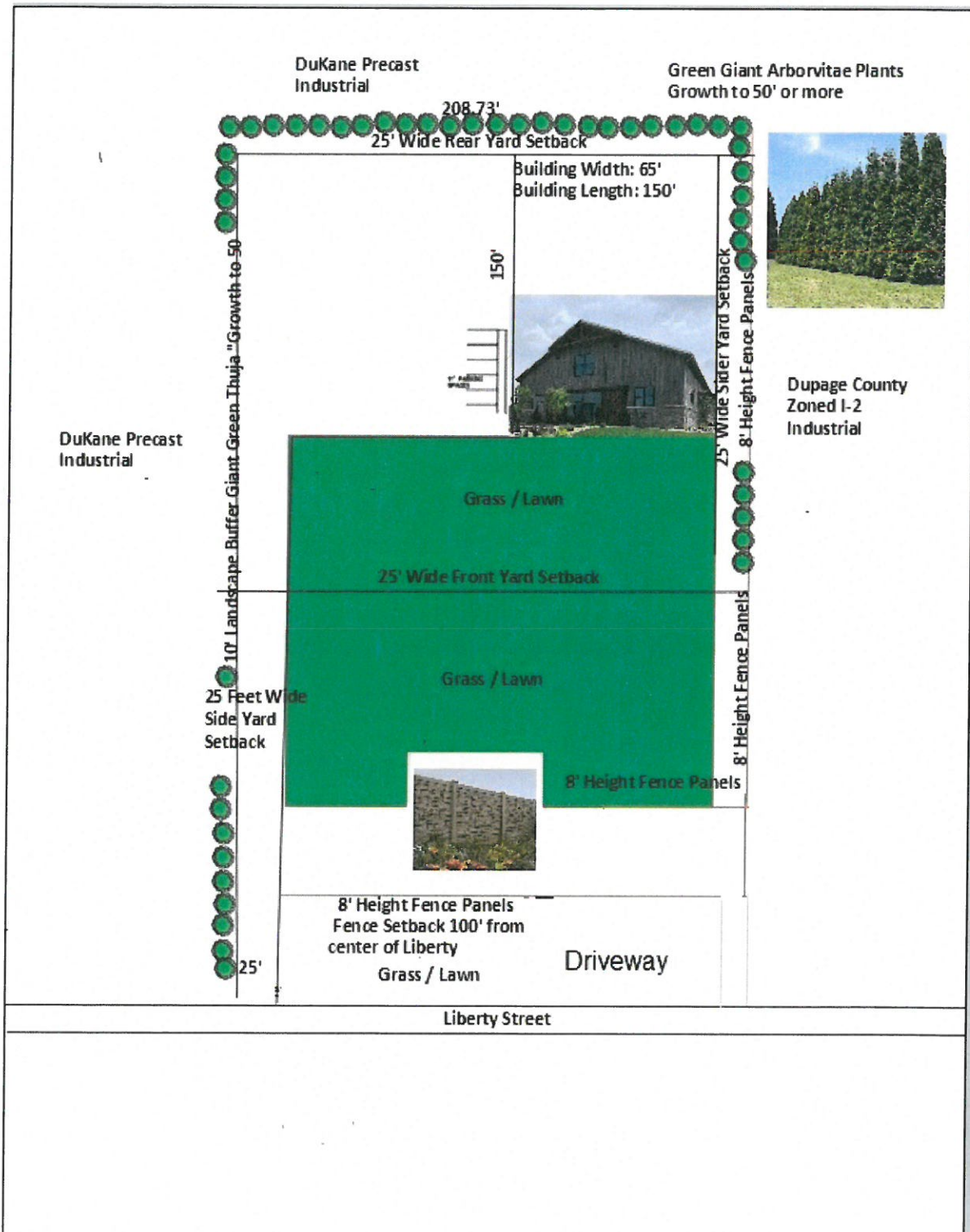
 Parking spaces in front of building

Fence Concept



Buildig Concept



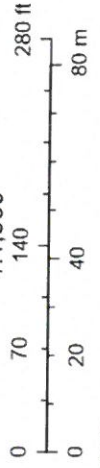


Map Title



January 24, 2022

1:1,560

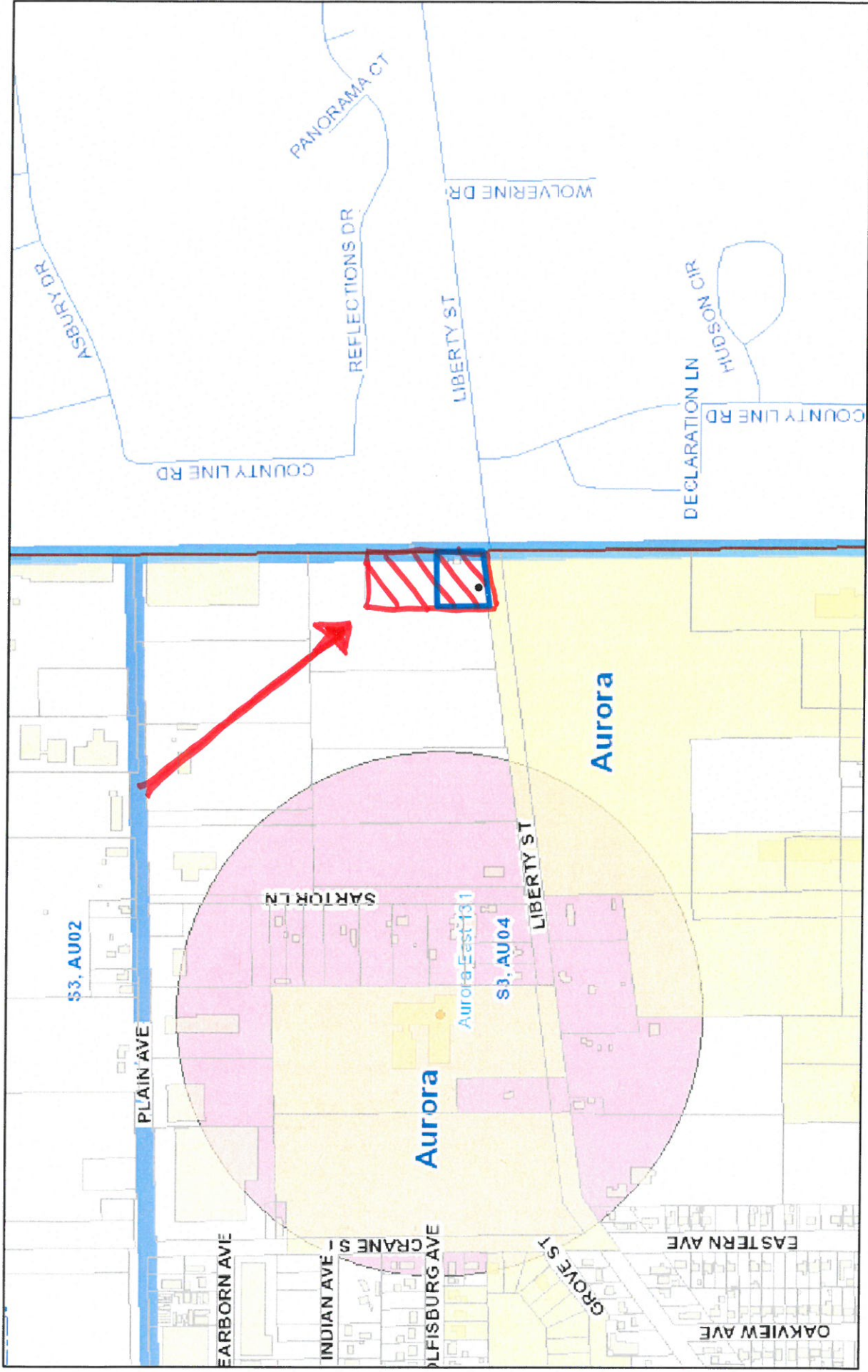


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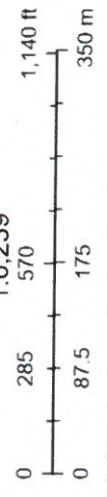
GIS-Technologies
Kane County Illinois

Map Title



January 24, 2022

1:6,239



GIS-Technologies

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