



Planning and Zoning Division 44 E. Downer Place, Aurora, IL 60507-2067
phone (630)256-3080 fax (630)-256-3089 email COAPlanning@aurora-il.org

Land Use Petition

Project Number: 2018.022

Subject Property Information

Address/Location: 1553 Ogden Avenue/being south of Ogden Avenue and west of S. Farnsworth Avenue

Parcel Number(s): 03-01-102-004; 03-01-102-005

Petition Request(s)

Requesting approval of a Final Plan for Lot 2 of Citizens First National Bank Business Park Subdivision located at 1553 Ogden Avenue being south of Ogden Avenue and west of S. Farnsworth Avenue for a Day Care (6310) Use

Attachments Required

(a CD of digital files of all documents are also required)

- | | | |
|--|--|---|
| Development Tables Excel Worksheet - digital only (1-0) | Two Paper and One pdf Copy of:
Address Plat | One Paper and pdf Copy of:
Final Plan (2-4) |
| Word Document of: Legal Description (2-1) | Fire Access Plan (2-6) | Landscape Plan (2-7) |
| | Final Engineering Plans (2-16) | Building and Signage Elevations (2-11) |
| One Paper and pdf Copy of:
Qualifying Statement (2-1) | Stormwater Permit Application (App 1-14) | Documentation that the tax parcels are being consolidated by the county |
| Plat of Survey (2-1) | Stormwater Report (2-10) | |
| Legal Description (2-1) | Soil Investigation Report | |
| Letter of Authorization (2-2) | Wetland Determination Report / Letter by Design Professional | |
| Existing or Proposed CC and Rs OR Lease Restrictions (2-1) | | |
| Contact Worksheet (1-5) | | |
| Filing Fee Worksheet (1-6) | | |
| Parking Worksheet (1-8) | | |
| Landscape Requirement Worksheet (1-22) | | |
| Landscape Materials Worksheet (1-23) | | |

Petition Fee: \$1,400.00 (Payable to The City of Aurora)

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.
*The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Auhorization with owner's Name and contact information is required.

Authorized Signature: Reed Fenton Date 5/11/2018
Print Name and Company: Reed Fenton 814 Development, LLC

I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this 11 day of May 2018.

State of Michigan)
County of Oakland) SS

NOTARY PUBLIC SEAL

Erin Bourdic
Notary Signature

ERIN BOURDIC
Notary Public, State of Michigan
County of Macomb
My Commission Expires 10-12-2022
Acting in the County of Oakland

(2-1 D) Qualifying Statement:

The subject property is an existing 3.21 acre parcel. The site is clear and is currently being graded as part of the Zilber Ltd. Multi-family development project. The site is served with sanitary and water services from utilities recently installed in the new development's street on the north side of the site. A storm drain is stubbed on the west side of the lot that is intended to drain into a proposed stormwater management pond on the parcel to the west of this site. There is an existing 12 foot utility easement along the east side of the site containing underground electric, telephone, and gas lines. The property will use exiting ingress and egress easements previously designed for this parcel.

Rainbow Child Care Center's intent is to provide the community with safe quality child care. Rainbow is a national child care provider with approximately 120 locations throughout the United States and serving children from 6 weeks to 12 years of age. They incorporate quality education with a fun, safe learning environment. They propose to construct a new 10,782 square foot, non-sprinkled facility that will contain classroom spaces, a gymnasium, and an outdoor playground area along with other inviting amenities. The Center will include sports and physical fitness as part of their curriculum, along with healthy menu options for the children.

Rainbow Child Care Center intends to operate with 15 full time employees as the Day Care Center grows to its anticipated capacity of 115 students. Child Care Center has no plans for future expansion of the building at this time.

Rainbow Child Care Center will operate between the hours of 6:00am and 6:30pm. Peak on-site traffic flow will occur during primary drop off/pick up times in the mornings and evenings - between 6:00am and 10:00am, and between 3:00pm and 6:30pm, respectively. Parents and/or guardians are not allowed to drop off the children at the door. They are required to park their vehicle and escort the child inside the building. They are required to sign in the child at the front desk and then escort them to their assigned classroom. Rainbow CCC will have outside play for the children throughout the day beginning at 9:30am. The outdoor play area will be bound by a 5' tall black vinyl-coated chain link fence, for children's safety, and the play area will be subdivided by age group into three separate sections using a 4' tall black vinyl-coated chain link. The play area will have multiple structures designed to fit the age group/ability of the children and will also include a canopy tent structure approximately 15'x15' in size. In addition, a concrete splash pad amenity will make for a fun, refreshing activity during hot summer days. Outside play will be limited to one classroom at a time. A 5' wide sidewalk will surround all sides of the building for purposes of exiting in the event of an emergency.

The overall proposed site plan will meet all required building setbacks and bulk standards for the B-2: Community Shopping District as outlined in the Zoning Code. Forty-eight (48) total parking stalls (including 2 ADA stalls) will offer parents dropping off/picking up their children a place to park conveniently near the building's main entrance, while accessible sidewalks allow

access from the parking area to the entrance. Employees will also utilize these parking stalls on a daily basis. Rainbow Child Care Center will propose a standalone monument sign off of Ogden Avenue, if approved by the Plan Commission. Signage for the development will also be placed on the building in locations approved by the Village of Oswego.

The exterior of the building will be constructed of brick and timber trim as the predominate finish. The gables will have stucco with timber trim, with the base of the building having an accent of decorative masonry block. The roof will have darker asphalt shingles with texture and color variations to provide depth to the roof.

The entry and dormers will have a 13:12 pitch roof where as the main roof will have a 6:12 pitch. The front entrance has decorative masonry block columns, cast stone outer arch and brick inner arch, stucco and timber gables and a prominent tower allowing light into the lobby. The entry also provides a decorative signage, lighting and tile accent to provide a welcoming atmosphere for the children.

(2-1 B) Legal Description:

Lot 2 in Citizens First National Bank Business Park, being a subdivision of part of the northwest 1/4 of Section 1, Township 37 North, Range 8, East of the Third Principal Meridian, according to the plat thereof recorded February 9, 2007 as document 200700005029, in Kendall County, Illinois.



May 11, 2018

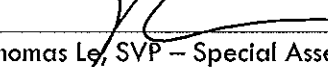
From: Heartland Bank and Trust Company
Thomas Le, SVP – Special Assets
1575 Ogden Avenue
Aurora, IL 60503
tle@hbtbank.com

To: City of Aurora, Planning and Zoning Division
44 E. Downer Place, Aurora IL 60507
630-256-3080 c
oaplanning@aurora-il-org

Re: Authorization Letter for: Ogden & Farnsworth Avenue, Aurora, IL 60503
Citizens First National Bank Business Park, Lot #2

To whom it may concern:

As the record owner of the above stated property I hereby affirm that I have full legal capacity to authorize 814 Development, LLC and its representatives, to act as the owner's agent through the Land Use Petition process with the City of Aurora for said property.

Signature:  Date 5/14, 2018
Thomas Le, SVP – Special Assets

Subscribed And Sworn To Before Me This 14th Day
Of May, 2018

Notary Signature Cynthia L Thompson



Project Contact Information Sheet

Project Number: 2018.022

Petitioner Company (or Full Name of Petitioner): 814 Development

Owner

First Name: Thomas Initial: Last Name: Le Title: Mr.
 Company Name: Heartland Bank and Trust Company
 Job Title: Vice President
 Address: 1575 Ogden Avenue
 City: Aurora State: Illinois Zip: 60503
 Email Address: tle@hbtbank.com Phone No.: Mobile No.:

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Consultant
 Company Name: 814 Development
 First Name: Samantha Initial: Last Name: Coponen Title: Ms.
 Job Title: Real Estate Entitlement Coordinator
 Address: 1742 Crooks Road
 City: Troy State: Michigan Zip: 48084
 Email Address: samantha@814cre.com Phone No.: 248-519-9274 Mobile No.: 734-260-6820

Additional Contact #1

Relationship to Project: Engineer
 Company Name: Crandall Engineering, Inc.
 First Name: Lisa Initial: M Last Name: Crandall Title: Ms.
 Job Title: PE & Owner
 Address: 236 E Main Street
 City: Gas City State: Indiana Zip: 46933
 Email Address: lisa@crandalloffices.com Phone No.: 765-677-0996 Mobile No.: 765-251-3413

Additional Contact #2

Relationship to Project: Architect
 Company Name: Strang Inc
 First Name: Jonathan Initial: R Last Name: Nelson Title: Mr.
 Job Title: Senior Project Architect
 Address: 6411 Mineral Point Road
 City: Madison State: WI Zip: 53705
 Email Address: jnelson@strang-inc.com Phone No.: 608-276-9201X1 Mobile No.: 414-534-6888

Additional Contact #3

Relationship to Project:
 Company Name:
 First Name: Initial: Last Name: Title:
 Job Title:
 Address:
 City: State: Zip:
 Email Address: Phone No.: Mobile No.:

Additional Contact #4

Relationship to Project:
 Company Name:
 First Name: Initial: Last Name: Title:
 Job Title:
 Address:
 City: State: Zip:
 Email Address: Phone No.: Mobile No.:

Filing Fee Worksheet

Project Number: 2018.022
Petitioner: 814 Development
Number of Acres: 3.22
Number of Street Frontages: 2.00
Non-Profit No

Linear Feet of New Roadway: 0
New Acres Subdivided (if applicable): 0.00
Area of site disturbance (acres): 1.49

Filing Fees Due at Land Use Petition:

Request(s):	Final Plan	\$ 750.00
	Final Engineering Filing Fee	\$ 650.00
		\$ -
		\$ -
		\$ -
		\$ -

Total: **\$1,400.00**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By: Jill N. Morgan

Date: 5/4/2018

Parking and Stacking Requirement Worksheet

Project Number: 2018.022

Petitioner: 814 Development

Parking Requirement

Total Parking Requirement	48
Enclosed Parking Spaces	-
Surface Parking Spaces	48

Note: All parking spaces must be individually accessible spaces in order to count towards this requirement

Stacking Requirement

Total Stacking Requirement (number of stacking spaces)		
Drive-through facilities	-	5 stacking spaces at each bay, window, lane, ordering station, machine or similar.
Car wash facilities, automated	-	20 stacking spaces or 10 per approach lane, whichever is greater.
Car wash facilities, self-service	-	3 stacking spaces per approach lane, plus 2 drying spaces per stall
Preschool or daycare facilities, drop-off area		5 stacking spaces for facilities 5,000 SF or less or 10 spaces for faculties greater than 5,000 SF.

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

OFFICE USE ONLY

Verified By: Jill N. Morgan

Requirement Based On:

<u>Sq Ft / Units</u>	<u>Use</u>	<u>Needed</u>	<u>Number Required</u>
11,990	Structure 4215: Preschool or daycare	1 space per 250 SF of GFA, with additional requirements for stacking	48
Total			48



Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
 phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org

Landscaping CTE Requirement Worksheet

Project Number: 0
Petitioner: 814 Development
Street Frontage: 664 L.F.
Stormwater HWL: - L.F. Wet Bottom
 - L.F. Dry Bottom
Neighborhood Border: - L.F.
Dwelling Units: - units
Subdivision Name: Citizens National Bank Business Par **Unit/Phase:** **Lot Number:** Lot 2
Perimeter Yard: 1,507 L.F.
Buffer Yard: - L.F.
Surface Parking Spaces: 48 spaces
Parking Lot Islands: - Number
Building Foundation: 490 L.F.

Standard Requirements

	Total CTEs Required	Plant Mix Guidelines				
		Canopy Trees	Evergreen Trees	Understory Trees	Evergreen Shrubs	Deciduous Shrubs
		CTE Equivilant Value				
		1	1/3	1/3	1/20	1/20
Street Trees	20.0	20	0	0	0	0
Wet Stormwater Facility	0.0	0	0	0	0	0
Dry/Turf Stormwater Facility	0.0	0	0	0	0	0
Neighborhood Border	0.0	0	0	0	0	0
Dwelling Unit	0.0	0	0	0	0	0
Perimeter Yard	45.0	23	20	20	90	90
Buffer Yard	0.0	0	0	0	0	0
Parking Lot Islands	4.0	3	0	0	13	13
Building Foundation	5.0	0	0	0	50	50
Total:	74.0	46	20	20	153	153

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By:

Date:

Landscape Material Worksheet

Project Number: 0
Petitioner: 814 Development

Proposed Street Trees (Minimum of 4 unique entries required)

Family	Genus	Species	Common Name
Tiliaceae	Tilia	americana	American Linden
Fagaceae	Quercus	Bicolor	Swamp White Oak
Aceraceae	Acer	Saccharum	State Street Miyabe Maple
Ulmaceae	Celtis	occidentalis	Hackberry

Proposed Canopy Trees (Minimum of 4 unique entries required)

Family	Genus	Species	Common Name
Oleaceae	Fraxinus	Pennsylvanica	Green Ash
Fagaceae	Quercus	Bicolor	Swamp White Oak
Aceraceae	Acer	freemanii	Marmo Maple
Ginkgoaceae	Ginkgo	biloba	Autumn Gold Ginkgo
Fabaceae	Gleditsia	Triacanthos	Skyline Honeylocust

Proposed Evergreen Trees (Minimum of 4 unique entries required)

Family	Genus	Species	Common Name
Pinaceae	Picea	abies	Norway Spruce
Pinaceae	Pinus	strobus	Eastern White Pine
Cupressaceae	Taxodium	distichum	Baldcypress
Pinaceae	Picea	glauca	Black Hills Spruce
Pinaceae	Pinus	Sylvestris	Scots Pine
Pinaceae	Pinus	Nigra	Austrian Pine

Proposed Understory Trees (Minimum of 4 unique entries required)

Family	Genus	Species	Common Name
Rosaceae	Malus	Zumi	Zumi Crabapple
Rosaceae	Crataegus	viridis	Winter King Hawthorne
Oleaceae	Syringa	pekinensis	China Snow Peking Lilac
Cornaceae	Cornus	alternifolia	Pagoda Dogwood
Rosaceae	Malus	Sp.	Snowdrift Crabapple
Rosaceae	Malus	Sp.	Profusion Crabapple

Proposed Deciduous Shrubs (Minimum of 4 unique entries required)

Family	Genus	Species	Common Name
Myricaceae	Myrica	Pensylvanica	Northern Bayberry
Cornaceae	Cornus	alba	Ivory Halo Dogwood
Adoxaceae	Viburnum	dentatum	Blue Muffin Viburnum
Rosaceae	Spiraea	nipponica	Snowmound Spirea

Proposed Evergreen Shrubs (Minimum of 4 unique entries required)

Family	Genus	Species	Common Name
Cypress	Juniperus	chinensis	Sea Green Juniper
Buxaceae	Buxus	Glencoe'	Chicagoland Green Boxwood
Taxaceae	Taxus	media	Dense Intermediate Yew
Cypress	Thuja	occidentalis	Woodward Arborvitae

For Trees no more than three of the same species shall be clustered together. And the goal should be that no Family shall account for more than 30%, no Genus shall account for more than 20%, and no Species shall account for more than 10% of any Planting Material Type.

The Landscape Materials are subject to review and approval by the Review Planner.

Verified By: _____ Date: _____

Project: 2018.022
1553 Ogden

PLACE HOLDER FOR CC & R's

Lisa Crandall

From: Morgan, Jill <JMorgan@aurora-il.org>
Sent: Friday, May 04, 2018 5:27 PM
To: Lisa Crandall
Subject: RE: Application Rainbow Child Care Center / 1553 Ogden Avenue / Final Plat and Final Plan (2018.022 / Legistar)

Lisa,

We will work on getting you the Land Use Petition for official submittal, which will include the official request to be signed by the petitioner and the fee. The CC and Rs can be submitted later. You are correct that we don't need the Final Plat. We will just need verification that you are working with the county to combine the tax parcels. Also, do you have a Letter of Authorization (2-2) from the actual owner or some legal documentation that Rainbow is purchasing the property and will close before this process is complete? We must have authorization from the actual owners in order for the project to be officially submitted to ensure we have the owners approval to initiate the land use process. The Letter of Authorization should be authorizing whoever is the lead on this project and will sign the Land Use Petition and represent the project at meetings. I'm not certain if you or Rainbow is taking the lead role. I will also add an Address Plat since there still appears to be confusion on the address.

Thanks,
Jill

AGREEMENT OF PURCHASE AND SALE

THIS AGREEMENT OF PURCHASE AND SALE (this "Agreement") is made as of this 29 day of January, 2018 (the "Effective Date"), by and between HEARTLAND BANK AND TRUST COMPANY, an Illinois banking corporation ("Seller"), and 814 ACQUISITIONS LLC, a Michigan limited liability company ("Purchaser").

R E C I T A L S:

A. Seller is the owner of approximately 3.21 acres of undeveloped real property known as Lot 2 located at the 1521 Ogden Avenue, located in the City of Aurora, Kendall County, State of Illinois, as set forth on Exhibit A attached hereto and incorporated herein by reference, which property, together with all of Seller's right, title and interest in all easements, hereditaments, air, mineral and subsurface rights, building fixtures, appurtenances and licenses now or hereafter belonging to such property is referred to below as the "Property."

B. Seller has agreed to sell, and Purchaser has agreed to purchase, the Property subject to and upon the terms and conditions of this Agreement.

NOW, THEREFORE, for the mutual covenants and benefits and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Seller and Purchaser agree as follows:

1. **Basic Provisions**. The following words and phrases, set forth in alphabetical order, are hereby defined for use in subsequent provisions of this Agreement.

(a) **Closing**: The consummation of the transaction contemplated hereby shall be held through an escrow arrangement with the Title Company and shall occur, if at all, within thirty (30) days after the conclusion of the Inspection Period, as the same may be extended (or earlier termination of same, if Purchaser waives all or any portion of such period), provided that the Conditions have been satisfied (or expressly waived in writing) by Purchaser. Purchaser shall have the right to accelerate the date set for Closing to a date no earlier than seven (7) days after written notice thereof to Seller.

(b) **Commitment**: A commitment for a 2006 ALTA extended coverage owner's policy of title insurance without standard exceptions (provided Purchaser orders a Survey) and issued by the Title Company, as agent for a nationally recognized title insurer, in the amount of the Purchase Price bearing a date no earlier than the Effective Date of this Agreement. Seller will provide an ALTA Statement to the Title Company concerning parties in possession, construction liens and other matters for the purpose of assisting the Title Company to issue the title insurance policy without standard exceptions.

(c) **Conditions**: The conditions precedent to Purchaser's obligation to purchase the Property, which Conditions are as follows:

(i) **Title Condition**: On the date of Closing, title to the Property shall be in the condition required herein pursuant to Section 5 below, and the Title Company shall have unconditionally agreed to issue an owner's policy of title insurance to Purchaser in the condition required by Section 5, and with such Purchaser's Endorsements (as defined herein). Any endorsements, except extended coverage and those specifically required to be issued in order to issue an owner's policy of title insurance to Purchaser in the condition required in Section 5 below, shall be paid for by Purchaser.

[Signature Page to Purchase and Sale Agreement]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

PURCHASER:

814 ACQUISITIONS LLC, a Michigan limited liability company

By: 
Reed Fenton, Manager

SELLER:

HEARTLAND BANK AND TRUST COMPANY, an Illinois banking corporation

By: 
Thomas Le, Vice President