

VILLAGE OF NORTH AURORA KANE COUNTY, ILLINOIS

Ordinance No. 25-06-02-01

#### ORDINANCE APPROVING A SPECIAL USE TO ALLOW A CANNABIS CRAFT GROWER AND TRANSPORTING ORGANIZATION IN THE I-2 GENERAL INDUSTRIAL DISTRICT FOR THE PROPERTY LOCATED AT 220 POPLAR PLACE, NORTH AURORA, ILLINOIS

Adopted by the Board of Trustees and President of the Village of North Aurora this <u>2</u> day of <u>5</u>, 2025

Published in Pamphlet Form by authority of the Board of Trustees of the				
Village of	Nort	th Aurora,	Kane C	ounty, Illinois,
thi	s 2	_day of _	SIR	_, 2025
by	1		-	•
Signed	6	4	2	

# ORDINANCE NO. 25-04-02-01

#### ORDINANCE APPROVING A SPECIAL USE TO ALLOW A CANNABIS CRAFT GROWER AND TRANSPORTING ORGANIZATION IN THE I-2 GENERAL INDUSTRIAL DISTRICT FOR THE PROPERTY LOCATED AT 220 POPLAR PLACE, NORTH AURORA, ILLINOIS

#### (Petition #25-05; 220 Poplar Place)

WHEREAS, the President and Board of Trustees of the Village of North Aurora have heretofore adopted the North Aurora Zoning Ordinance, otherwise known as Title 17 of the Code of North Aurora, Illinois (the "Code"); and,

WHEREAS, an application has been filed by GCF Industries, Inc. (the "Applicant") requesting approval of a special use pursuant to Title 17, Chapter 9 of the North Aurora Zoning Ordinance (the "Code") to allow for a Cannabis Craft Grower and Transporting Organization for the property located at 220 Poplar Place, North Aurora, Illinois (the "Property") in the I-2 General Industrial District as described in the application materials attached as Exhibit A; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of North Aurora Plan Commission on May 6, 2025, pursuant legal notice as required by State law and the Code; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the special use described herein; and,

WHEREAS, the President and Board of Trustees determine that the findings and recommendations of the Plan Commission are reasonable and appropriate and that the approval of the requested special use for the Subject Property is consistent with the criteria for special use approval and is in the best interest of the Village.

# NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

**SECTION 1:** The recitals set forth above are incorporated in this Ordinance as material finding of the President and the Board of Trustees.

**SECTION 2:** The application for special use for a Cannabis Craft Grower and Transporting Organization is hereby approved for the Property.

**SECTION 3:** That this Ordinance is limited and restricted to the Applicant and shall not be transferred to any other party. This Ordinance is further limited and restricted to the property located at 220 Poplar Place, North Aurora, Illinois and legally described as follows:

PIN 15-05-400-014: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 0 DEGREES 18 MINUTES 53 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 49.50 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 38 SECONDS WEST PARALLEL WITH THE SOUTH LINE SAID SOUTHEAST QUARTER 366 FEET; THENCE NORTH 0 DEGREES 18 MINUTES 53 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER 290 FEET TO THE POINT OF BEGINNING, THENCE NORTH 0 DEGREES 18 MINUTES 53 SECONDS EAST PARLLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 38 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST OUARTER, 300 FEET THENCE SOUTH 0 DEGREES 18 MINUTES 53 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 38 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 38 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 38 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE NORTH A9 DEGREES 35 MINUTES 38 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE NORTH A9 DEGREES 35 MINUTES 38 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE NORTH A9 DEGREES 35 MINUTES 38 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 404.95 FEET; THENCE NORTH A9 DEGREES 35 MINUTES 38 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 300 FEET TO THE POINT OF BEGINNING IN THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS.

**SECTION 4:** Each and every provision of this Ordinance is severable from each and every other provision of this Ordinance; and if any provision of this Ordinance is deemed invalid and/or unenforceable, such provision shall be deemed severed from this Ordinance, leaving each and every other provision in this Ordinance in full force and effect.

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 2nd day of \_\_\_\_\_, 2025, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this <u>2nd</u> day of <u>June</u>, 2025, A.D.

Jason Christiansen	yea	Laura Curtis	yea
Mark Guethle	yea_	Michael Lowery	yea
Todd Niedzwiedz	yea	Carolyn Bird Salazar	yea

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this <u>7nd</u> day of <u>June</u>, 2025, A.D.

Mark Garino, Village President

ATTEST:

Holly O'Brien, Village Clerk

## Exhibit A

# Application Materials



## **APPLICATION FOR SPECIAL USE**

Project Name: GCF Indsutries Cannabis Craft Grow Facility

Subject Property/Location: 220 Poplar Place, North Aurora, IL 60542

PIN(s): 15-05-400-014

Current Zoning District: I-2

Present Use: Empty

Proposed Special Use: Cannabis Craft Grow

#### **CONTACT INFORMATION:**

Applicant Name: GCF Industries, Inc.	Phone: 630-696-1361		
Applicant Address: 43 East Jefferson Ave, Suite 201, Na	aperville, IL 60540		
Applicant Email: tim.nitsch@kcolegal.com			
Signature of Applicant:	Signature Date: 3/20/2025		
Property Owner(s): 220 Poplar Place, LLC	Phone:		
Owner Address: 609 Airport Road, Suite B North Aurora, IL 60542			
Owner Email: jwarden@cyberdynemasonry.com			
Signature of Owner*:	Signature Date: 3-20-25		

\*A signed letter by the owner authorizing the applicant to apply for a special use may be submitted in lieu of signing this form. If Applicant is other than owner, please attach letter of authorization from Owner.

#### **Instructions:**

- Please see the submittal checklist regarding required submittals for special uses.
- Provide all submitted documents electronically in PDF format.
- Provide a written letter of introduction and narrative describing the proposed special use.
- Provide the following plans for the site: site plan, building elevations, signage, and a plat of survey.
- Application shall include the submittal fee as required by Chapter 15.56 of the North Aurora Municipal Code. See submittal checklist for additional details.
- Please see Sections 4.3.F, 4.3.G, and 4.2.H of the Village's Zoning Ordinance for additional information on special use regarding no presumption of approval, conditions on special uses and limitations special uses.
- Applicant is required to follow public hearing and notice requirements outlined in Title 17, Chapter 3.4 of the Municipal Code. Please see public hearing and notice requirements on page 5 of this application.
- Staff may request the applicant provide additional materials in order to process and complete application review.



## **REQUIRED SUBMITTAL CHECKLIST**

- ☑ Introduction Letter. Please include information relevant to the proposed use of the property and its business operations (hours of operation, number of employees, etc.). Please note any large water user (over 5,000 gallons per day) must provide information for a water impact study and pay an impact fee per section 13.24.060 of the North Aurora Municipal Code.
- Proof of ownership of the zoning lot in question. If applicant is not the owner, a statement signed by the owner must be submitted certifying that the owner is jointly filing the application for a special use.
- A plat of survey of the parcel or parcels of land comprising the zoning lot, drawn to scale showing the actual dimensions of said zoning lot, including all parcels or lots contained therein, and drawn in accordance with the recorded plat of such land. Plat must include a legal description and show any existing structures on the lot. This includes any setbacks to the principal building, accessory buildings and all other relevant dimensions.
- A site location map drawn to an appropriate scale indicating existing land use and zoning of all property within two hundred (200) feet of the subject property. *Please note, all special uses are subject to site plan review and the requirements of that procedure.*
- □ Filing fee in the amount of \$500.00; if paid by check make payable to the 'Village of North Aurora'. Please note, an escrow deposit is required per Chapter 15.56. Any unused portion of the escrow will be returned to the payer upon completion of the project. Please see the Village's Escrow Application for more info.
- Disclosure of beneficiaries of land trust, if applicable.
- A written certified list containing the names of registered owners, their <u>mailing</u> addresses and tax parcel numbers, of all properties within 250 feet of the property for which the amendment is requested. See full public hearing and notice requirements on page 5.
- A statement indicating the manner in which the requested special use supports each of the following conclusions. See Special Use Standards section on the following page.

FOR OFFICE USE				
Petition Number:	File Name:			
Filing Date:	Fee Received:			

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# SPECIAL USE STANDARDS

Attach a statement indicating the manner in which the requested special use supports each of the following standards:

- 1. That the establishment, maintenance and operation of the special use in the specific location proposed will not endanger the public health, safety, comfort or general welfare of the community as a whole or any portion thereof.
- 2. That the proposed special use is compatible with adjacent properties and other property within the immediate vicinity.
- 3. That the special use in the specific location proposed is consistent with the spirit and intent of the Zoning Ordinance and the adopted Comprehensive Plan.
- 4. The standards contained in Section 4.3.E (Standards for Special Uses) of the Zoning Ordinance. Please answer each standard below individually.
  - The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.
  - $\circ~$  The proposed special use is deemed necessary for the public convenience at that location.
  - 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 use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations.
  - The proposed special use will be designed, located, operated, and maintained so as to be harmonious and compatible in use and appearance with the existing or intended character of the general vicinity.
  - The proposed special use will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.
  - The proposed special use is compatible with development on adjacent or neighboring property.



- The proposed special use minimizes potentially dangerous traffic movements, and provides adequate and safe access to the site.
- The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.
- The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.
- The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.



#### PUBLIC HEARING AND NOTICE REQUIREMENTS

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 sending mail notices to properties within 250 feet of the property line of the subject property, excluding street rights-of-way, and posting a sign(s) on the property advertising the public hearing. The Village will publish a legal notice in the newspaper, which the applicant shall reimburse the Village for any fees associated with it. Please see Chapter 3.3 and 3.4 of the Village Zoning Ordinance, Title 17, for all public hearing and notice requirements.

The undersigned hereby also 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 Chapter 15.56 of the North Aurora Municipal Code. 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	<u>3.10,15</u> Date
STATE OF ILLINOIS ) ) SS COUNTY OF KANE )	
I,say that I am trust officer ofbeneficiaries of the	, being first duly sworn on oath depose and and that the following are all of the
SUBSCRIBED AND SWORN TO Before me this day of MAPL	TRUST OFFICER $1, 20$ 25.
A Notacy Public in and for such County	OFFICIAL SEAL KELLY M JONES NOTARY PUBLIC, STATE OF ILLINOIS WILL COUNTY MY COMMISSION EXPIRES 07/14/2025



Below is a template for PINs, names and mailing addresses of all property owners within 250 feet of the property in questions for which the Special Use is being requested. An attached spreadsheet or list matching the template below also is permitted.

TAX PARCEL NO.	PROPERTY OWNER	MAILING ADDRESS
15-05-400-008	609 AIRPORT ROAD LLC	609 AIRPORT RD STE B NORTH AURORA, IL, 60542-1467
15-05-400-006	205 POPLAR PLACE LLC	205 Poplar Pl North Aurora IL 60542
15-05-400-005	203 POPLAR PLACE LLC	203 POPLAR PL NORTH AURORA, IL, 60542-1406
15-05-400-023	TRIZZINO, SCOTT	39W494 BAERT LN SAINT CHARLES, IL, 60175-7736
15-05-476-002	WEST AURORA SCHOOL DISTRICT 129	1877 W DOWNER PL AURORA, IL, 60506-7302
15-05-400-009	SUGAR GROVE INDUSTRIES INC	18 DORCHESTER CT SUGAR GROVE, IL, 60554-4139
15-05-400-057	BATAVIA ENTERPRISES INC	140 FIRST ST BATAVIA, IL, 60510-2453
15-05-400-025	UBER PRODUCTS LLC	202 POPLAR PL NORTH AURORA, IL, 60542-1498
15-05-400-040	203 Poplar Place LLC	03 POPLAR PL NORTH AURORA, IL, 60542-1406•
	7	

# I, Timothy M Nitsch

, 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. Jann

**Applicant Signature** 

4/8/2025 \_ Date

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#### GCF Industries, Inc.

GCF Industries, Inc. plans to operate a Cannabis Craft Grow and Cannabis Transport operation at 220 N Poplar Place, North Aurora, IL. The location is 60,000 square feet with 6,258 sf office space and 53,742 sf of warehouse space. The warehouse space will include grow rooms, production machinery, preparation and packaging. The facility will operate Monday-Friday from 8:00am until 5:00pm and will be closed on weekends and holidays. The facility will have an access control system and extensive camera coverage on the exterior and interior of the facility in compliance with the Illinois Cannabis Regulation Tax Act. Cannabis products will be delivered and taken from the facility under GCF 's license. Products will be delivered and removed by vehicles licensed a cannabis transport vehicle. The facility has an overhead door that allows a vehicle to pull into the warehouse to load and unload products outside of public view. The facility will employ 20-30 employees when fully operational. GCF Industries will grow cannabis at the facility. The property has 66 designated parking spaces available on a daily basis for use by GCF.

Our team has reviewed the statements below and will ensure that the location meets all of the items outlined below and the setbacks in the ordinance.

- 1. That the establishment, maintenance and operation of the special use in the specific location proposed will not endanger the public health, safety, comfort or general welfare of the community as a whole or any portion thereof.
  - a. The location at 220 Poplar Place is enclosed from general public and only authorized personnel can access the property. The operation will comply with the Illinois Department of Agriculture cannabis regulations and will ensure that the general welfare of the public is not endangered.
- 2. That the proposed special use is compatible with adjacent properties and other property within the immediate vicinity.
  - a. The property at 220 Poplar Place is zoned as I-2, which allows for a cannabis craft grow as a special use under Title 17, Chapter 9 Section 9.2 of the North Aurora Zoning Code. The adjacent properties are a masonry contractor, a towing service and a school bus parking facility. Applicants' craft grow operation would not impede or affect any of the adjacent businesses. No site changes are being proposed with this use.
- 3. That the special use in the specific location proposed is consistent with the spirit and intent of the Zoning Ordinance and the adopted Comprehensive Plan.
  - a. The property at 220 Poplar Place is zoned as I-2, which allows for a cannabis craft grow as a special use under Title 17, Chapter 9 Section 9.2 of the North Aurora Zoning Code and is consistent with the Zoning

# Ordinance in allowing cannabis operations in the I-2 zone and with the adopted Comprehensive Plan.

- 4. The standards contained in Section 4.3.E (Standards for Special Uses) of the Zoning Ordinance. Please answer each standard below individually.
  - a. The proposed special use is, in fact, a special use authorized in the zoning district in which the property is located.
    - The property at 220 Poplar Place is zoned as I-2, which allows for a cannabis craft grow as a special use under Title 17, Chapter 9 Section 9.2 of the North Aurora Zoning Code and is in fact a Special Use.
  - b. The proposed special use is deemed necessary for the public convenience at that location.
    - i. The property at 220 Poplar Place is necessary for public convenience.
  - c. 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.
    - i. The property at 220 Poplar Place will not require any additional public expense for public facilities and services and will be beneficial to the economic welfare of the community by providing tax revenue and a number of good paying jobs.
  - d. The proposed use is in conformance with the goals and policies of the Comprehensive Plan, and all Village codes and regulations.
    - i. The cannabis craft grow operation at 220 Poplar Place is in conformance with the goals and policies of the Comprehensive Plan and will is in conformance with all Village Codes and regulations.
  - e. 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.
    - i. The cannabis craft grow operation at 220 Poplar Place is in conformance 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.
  - f. 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.

- i. The cannabis craft grow operation at 220 Poplar Place will not significantly diminish the safety, use, enjoyment, and value of other property in the neighborhood in which it is located.
- g. The proposed special use is compatible with development on adjacent or neighboring property.
  - i. The cannabis craft grow operation at 220 Poplar Place is compatible with development on adjacent or neighboring property.
- h. The proposed special use minimizes potentially dangerous traffic movements and provides adequate and safe access to the site.
  - i. The cannabis craft grow operation at 220 Poplar Place will minimize potentially dangerous traffic movements and provides adequate and safe access to the site.
- i. The proposed special use provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.
  - i. The property at 220 Poplar Place provides the required number of parking spaces and maintains parking areas, in accordance with the requirements of this Ordinance.
- j. The proposed special use is served by adequate utilities, drainage, road access, public safety, and other necessary facilities.
  - i. The cannabis craft grow operation at 220 Poplar Place is served by adequate utilities, drainage, road access, public safety, and other necessary facilities. We estimate the craft grow operation will use 2000 gallons of water per day.
- k. The proposed special use conforms with the requirements of this Ordinance and other applicable regulations.
  - i. The cannabis craft grow operation at 220 Poplar Place conforms with the requirements of this Ordinance and other applicable regulations.

630 918.8512

609 AIRPORT RD., SUITE B NORTH AURORA, IL 60542

MARCH 20, 2025

TO WHOM IT MAY CONCERN,

This Letter serves notice that I am the owner of 220 Poplar Place, North Aurora, IL 60542. I authorize my tenant, GCF Industries, to file for a special use permit for 220 Poplar Place, North Aurora, IL 60542.

We agree to be co-applicants for the special use permit.

With Regards,

JASON G. WARDEN 220 POPLAR PLACE LLC



### LAND USE AND ZONING MAP





PAGE 6 SECTION 5 DAILY HERALD

FRIDAY, APRIL 18, 2025

<text> Probate Probate Probate Probate Probate Probate Storage Public Hearings & Notices