

Received Date:

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KANE COUNTY DEVELOPMENT DEPARTMENT
Zoning Division, Kane County Government Center
719 S. Batavia Avenue
Geneva, Illinois 60134
Office (630) 444-1236 Fax (630) 232-3491

FEB 07 2025

Kane Co. Dev. Dept.
Zoning Division

APPLICATION FOR ZONING MAP AMENDMENT

Property Information: Parcel Number(s): 12-01-377-011

Street Address: 33 w 624 Ste. B Roosevelt Road
West Chicago, IL 60185

Applicant Information:

Name: Café Parlay Kane County, LLC

Phone : (224) 238-9091

Address : 2401 Highway 20, Ste. 208
Pingree Grove, IL 60140

email : lazarkyle@gmail.com

Applicant Contact Information:

Name: Christopher Aiston

Phone: (630) 277-7786

Email: chrisaiston9@gmail.com

Owner of Record Information:

Name: JW McConnaughay Properties, LLC

Phone: (630) 208-0040

Address: P.O. Box 348
Geneva, IL 60134

Email (c/o): joestanton@fagansinc.com

Zoning and Use Information:

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

Current zoning of the property: B3 District – Business

Current use of the property: 6297 Sq Ft, multi-tenant commercial building with surrounding surface parking

Proposed zoning of the property: B4 District – Business

Proposed use of the property: Alcohol sales and service, ultimately, with video gaming, pursuant to any and all required state and local licensing requirements, specifically for a single, 1000+/- square foot tenant space, as indicated in the submitted plat of survey and legal description, with exhibit.

If the proposed Map Amendment is approved, what improvements or construction is planned?

(An accurate site plan may be required):

Applicant (prospective lessor) will complete Tenant finish/ interior build-out construction, per ownership and County permitting approvals.

Attachment Checklist

- Plat of Survey (Ex. A).
- Legal Description (Ex. A).
- Aerial Photograph (Ex. B).
- Complete Land Use Opinion. K-D SWCD has provided a formal letter indicating that no formal report is required in this case. (Ex. C)
- Endangered Species Consultation Agency Action report.
- List of record owners if all property within 250 feet of the subject property. List was provided by County Development Department as a pdf file via email on Jan. 6, 2025. (Ex. D).
- Trust Disclosure.
- Project Summary Narrative (Ex. E).
- Proposed Site Plan (Ex. F).
- Interior Floor Plan (Ex.G).
- Findings of Fact Sheet (Ex. H).
- Application Fee (to be paid to Kane County electronically).

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.

Josh W. McCreary

1/23/25

Owner

Date

Findings of Fact Sheet – Map Amendment

Name of Applicant: Café Parlay Kane County LLC

Date: January 15, 2025

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

The proposed use is consistent and not out of character with the commercial (amusement/recreational, service, retail, office) and light industrial uses in the general area of the property in question.

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

The zoning classifications of properties in the general area of the property are as follows:

- a. B3 District–Business, and B3 District–Business with a special use permit to allow for an auto body and paint shop (Kane County);*
- b. B1 Business District (City of Geneva); and*
- c. L1 Light Industrial District (City of Geneva).*

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

The property in question is suitable for both the existing zoning classification and is also suitable for the proposed alcohol sale and service and video gaming uses, per in the instant request for rezoning to the B4 District – Business Zoning in unincorporated Kane County.

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

The trend of development, in the property’s general area is characteristically commercial along or near transportation arterials and nodes (Kirk Rd & Roosevelt Rd./Rt 38) and light industrial/office on neighboring properties.

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

The projected use of the subject property closely relates to the County 2040 Land Use Plan in the following ways (citations to the Kane County 2040 Plan (relevant citations to document are presented in parentheses).

- a. Land Use and Built Environment*

Objective No. 1. To encourage compact, mixed-use, multi-modal development that will increase travel options within existing urbanized areas, employment centers, and along transit nodes and corridors as a means to ... reduce land consumption....”, (p. 45). Subject property is located within the County’s Fox River urbanized area, generally along the Kirk Road transit corridor (including regional bike path system) and within the Pace Geneva/St Charles On-Demand Service Area (including Metra Rail service in downtown Geneva).

- b. Smart Growth and Supporting the Development and Redevelopment/Infill within the Existing “Sustainable Urban Area”*

Approving the Instant zoning map amendment application is consistent with the “Livability Principles” set forth in the Plan, and in support of compact, mixed and multi-modal development (pp. 48 and 49)

c. Mobility and Connectivity

In this chapter, the 2040 Land Use Plan again emphasizes the need to “Strengthen [the County’s] Existing Developed Area” (p. 73) and notes that, per the Kane County Bicycle and Pedestrian Plan, that existing, and planned expansions to the countywide bicycle and pedestrian path network are intended “to improve public safety, encourage alternative modes of transportation, and increase recreational opportunities in the County.” (p. 74)

d. Suitability & Energy

Objective No. 8. “To support a multi-modal transportation system that decreases reliance on fossil fuels”. (p. 165)

See also the aforementioned Pace On-Demand St. Charles/Geneva Service area, to include Metra Rail facilities in downtown Geneva, and the subject property’s proximity to the region’s bike path system.

2030 Land Resource Management Plan, reiterated in the 2040 Plan, identifies traffic congestion as one of three challenges and emphasizes the need to reduce traffic congestion, provide transportation options, and improve air quality. The Plan further emphasizes that there are multiple transportation options available in the more urban areas of Kane County., [to] include the use of public transportation, where available, and walking and biking...” (p. 175)

e. Economic Prosperity

The requested B4 District – Zoning Map Amendment will qualify the Applicant, subject to Kane County and State licensing requirements, to sell alcohol at the subject property and, as such, will broaden and diversify the tax base in Kane County through additional employment and retail sales. Additional revenues payable directly to Kane County include annual liquor licensing fees.

Objective No. 7. “To encourage mixed use land use patterns and transit opportunities that reduce commute times and locate small business opportunities and employment centers in close proximity to diverse and affordable housing.” (p.189) The subject property is located immediately east of Kirk Road. This regional arterial provides easy access to the site from a vast number of diverse and affordable neighborhoods located in eastern Geneva, Batavia and St. Charles. See also the Pace St Charles/Geneva On-Demand service area.

Project Summary Narrative

Map Amendment. Applicant Café Parlay is requesting an Amendment to the Official Kane County Zoning map for a single, approximately 800-square foot tenant space within an approximate 6300-square foot, multi-tenant commercial building located at 33 w 624 Roosevelt Road, West Chicago, IL. This location is within Section One of Geneva Township and found along the north right-of-way line of IL RT 38, approximately 500 feet east of its intersection with Kirk Road. The property (PIN 12-01-377-011) on which this building is located is approximately 0.71 acre in size, all of which, including the subject building and the specific tenant space, are presently zoned B3 District-Business in the County. The instant rezoning request for the aforesaid single tenant space, if approved, will create a new, separate zoning lot, (“a donut whole”) zoned B4 District-Business. The Applicant is undertaking this initiative to allow for the sale and service of alcoholic beverages on this zoning lot, in accordance with Section 25-10-5-1. Ultimately, once the requisite State of Illinois and Kane County liquor licenses are secured for the site, the Applicant intends to establish a video gaming enterprise at this tenant space as well.

Applicant Relevant Experience. The Applicant presently owns and is successfully operating video gaming businesses pursuant to Illinois licensing in Pingree Gove, at 2401 US Hwy 20 Ste. 102, and Hoffman Estates, at 2565 W. Golf Rd. There has been no license violations at either location to date. Cafe Parlay and will also soon be opening a third Illinois location in Wheeling at 1000 S. Milwaukee Ave.

Project Development Plans.

A. Site Plan

The project site plan (Ex. E) depicts the entire multi-tenant building footprint, including the (proposed) Applicant’s demised interior tenant space (hash marked), as well as the building’s dedicated parking stalls (existing, as verified by aerial photograph (Ex B.) and an additional 9 proposed parking spaces to more than service projected demand, based on the Applicant’s change of use.

- i. Current parking conditions and existing parking on site
There are currently 18 striped parking stalls serving the three existing commercial tenant spaces/uses
 - a. martial arts studio
 - b. retail
 - c. professional office (former and now vacant insurance agency and subject Applicant’s proposed zoning lot)
- ii. Required Parking Calculations (See County Zoning Ordinance at Sect. 25-14-1-7)
Per sub para A (i)(c), above, the 875 sf insurance office has a parking demand of three parking stalls (1 pkg space per 400 sf). The proposed alcohol sales and service, replacing said office use, will carry a parking demand of 9 spaces (@ 10 pkg spaces per 1000 sf), or a

net additional 4 spaces on site. The site plan shows a total of 27 parking spaces, or an additional 9 spaces on the building site. Therefore, the increase in parking demand resulting from replacing the business office use with the proposed alcohol sales and service use, will be more than met by the combined total parking inventory shown on the proposed development plan (existing and proposed additional parking spaces).

B. Interior Floor Plan

The Applicant is presenting an interior floor plan (Ex. F) which depicts the 875 sf build-out of their aforementioned tenant space. As shown, the plan divides the total tenant space into three distinct areas of operation, to wit: 1. the alcohol sales and service area (standing bar and two, 4-top tables); 2. the restroom; and 3. the proposed video gaming area. There are six video gaming points shown and an ATM machine within this area. The total of six gaming points meets the maximum points permitted by state law.

C. Commercial Signage

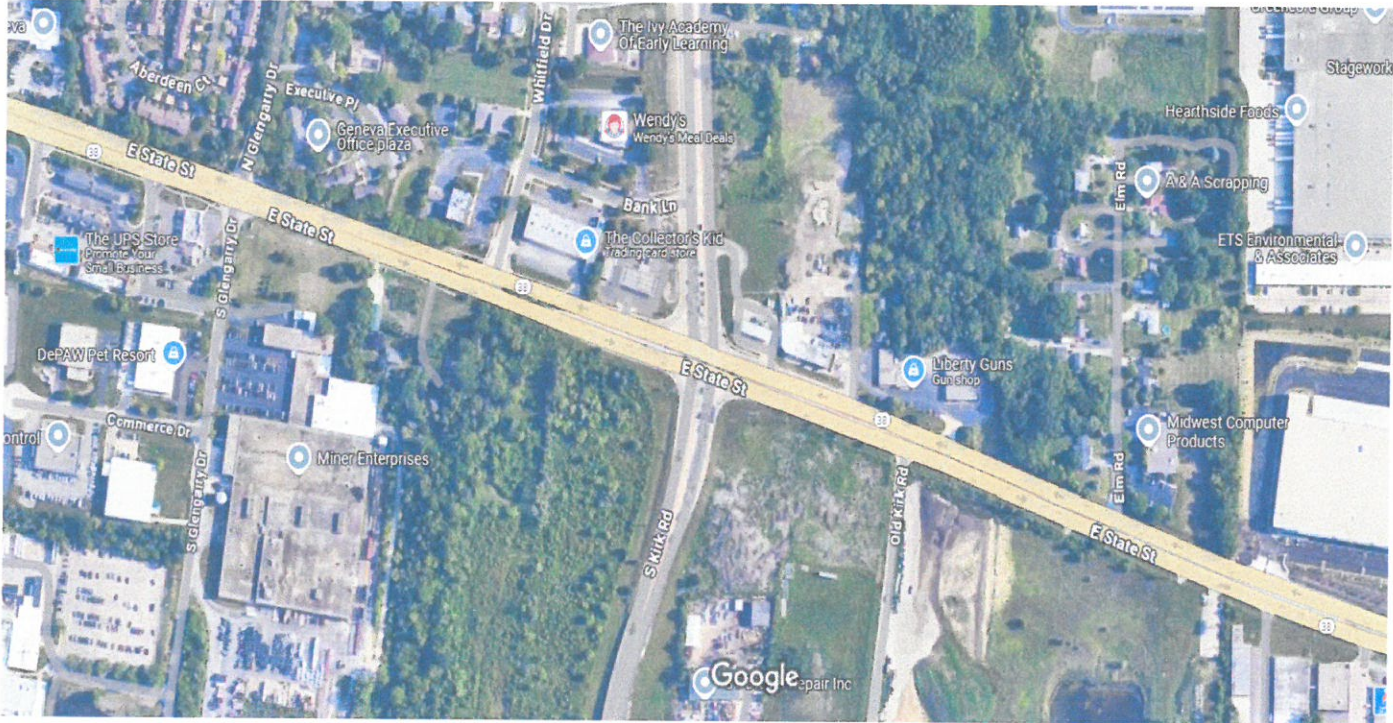
The Applicant is proposing one exterior commercial sign to designate the Café Parlay business at the subject tenant space. This “façade” sign, to be installed immediately above the single, public access door (south building elevation, facing Roosevelt Road) to said space, will essentially be of similar size and fashion of the existing facade sign it will replace (the sign designating the former insurance agent occupying this tenant street address. See below.



Aerial Photograph

1/21/25, 2:39 PM

Google Maps



**Note: Subject multi-tenant building is identified as “Liberty Guns”,
an existing, neighboring tenancy**

JW McConnaughay Properties, LLC

Rezoning from B-3 District Business to B-4 District Business to allow for the sale and consumption of alcohol

Special Information: The petitioner is seeking to rezone a unit of the building to allow for an establishment which would feature video gaming machines and the sale and consumption of alcohol. The petitioner would be adding additional parking on the northeast side of the building for their customers.

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. The areas designated for Commerce/Employment development are based primarily on municipal plans and existing land uses. The County recognizes the importance of balancing future residential and population growth with the generation of additional employment opportunities. This category encourages a mix of uses, compact design, place making, pedestrian, bicycle, and other transportation alternatives to link jobs with housing. Most of the areas recommended for Commerce/Employment land uses are along major County or municipal highways and streets and are close to population concentrations. Access point control and aesthetic design criteria requirements will be critical concerns to prevent inefficient traffic patterns and unsightly strip commercial development. The County's management of these land uses will need to be carefully coordinated with the municipalities. It is anticipated that most of this type of development occurs only as the properties are annexed and provided with municipal services.

This rezoning would occur in an existing business-oriented strip mall comprised of several units. The change in use would allow for an establishment to serve alcoholic beverages for sale and consumption on site. This change in use would allow for an existing business suite to be put into productive use again.

Comments received regarding this petition as of February 25, 2025:

1. From the Kane County Health Department stating "Kane County Health Department will require a foodservice plan review to be reviewed and approved prior to commencing construction/buildout of the site. This includes completing a health plan review packet, providing architectural drawings and specifications for all equipment and a plan review fee. This property is on a shared septic system. The business activities may be limited to ensure the septic system capacity is not exceeded.

2. From the City of Batavia stating “Thank you for sending that over for our review. Officially, the City of Batavia will have no position in this since the property is surrounded by the City of Geneva and is on Geneva’s side of our boundary line agreement.

That said, I would note two things of concern and why I am copying Geneva in this response as they can elect to respond directly. First, the unit while small it appears that it would not meet the Illinois Plumbing Code as the occupancy of the unit is over ten (10) persons. There are six (6) gaming positions, and two (2)-four (4) person tables within the proposed facility. That plus one (1) bartender/employee would mean an occupancy of at least 15 persons, not including those at the standee bar. Since this number exceeds ten (10) persons, two (2) separate restrooms would need to be provided in this unit. One (1) restroom unit as proposed would not be sufficient to meet code.

Secondly, as I have expressed before, certain zoning map amendments done by the County have raised concerns about “spot” zoning. We expressed this previously with a map amendment that was done near Batavia’s borders, but we elected not to formally object to that at that time. This circumstance, however, is clearly a “spot” zoning situation in that it is a map amendment for a single tenant space in a unified building to a B-4 District. The rest of the zoning lot and the unincorporated lots that surround it are all are and will remain zoned B-3. This in my opinion is a textbook case of a spot zoning map amendment that is for a single use and not for a unified zoning district. In fact, the application indicates that they are aware that this is a “donut whole” [sic] of zoning, so they know that this would be a grant of special privilege if approved. I would hope that the County and/or Geneva would recognize this issue and would take an appropriate position regarding the request.

3. From the Kane County Health Department in response to the City of Batavia’s comments: “Restroom issue noted by City of Batavia would also be addressed during the foodservice plan review process with health department.”
4. From the Kane County Division of Transportation stating “KDOT has no comments”
5. From the City of Geneva stating “This property falls within Geneva’s planning jurisdiction as we have boundary line agreements with St. Charles and Batavia. I agree with Scott’s comments regarding spot zoning. It is highly unusual to see a rezoning request for a single tenant space within a building. The City of Geneva has repeatedly declined requests to allow videogaming within its corporate limits, reflected most recently in the minutes from the November 1, 2024 strategic planning workshop.

Staff recommended findings of fact:

1. The rezoning would allow for the sale and consumption of alcoholic beverages on the property.

Attachments: Location Map

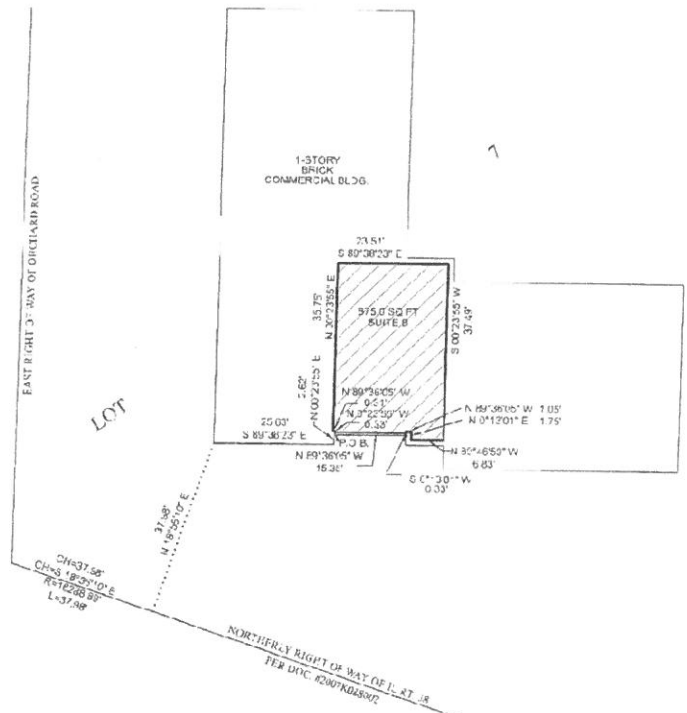
Township Map
Petitioner's finding of fact sheet

Plat of Survey And Legal Description

PLAT OF SURVEY
D.F.L.S.
 DALE FLOYD LAND SURVEYING L.L.C.
 2600 KESLER ROAD SUITE A
 GENEVA, ILLINOIS 60134
 PHONE: 630-232-7705 FAX: 630-232-7725
 E-MAIL: DFLS@DODGLDDA.NET



THAT PART OF LOT 7 OF GENEVA HEIGHTS, TOWN OF GENEVA, DESCRIBED AS FOLLOWS COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF ORCHARD ROAD AND THE NORTH RIGHT OF WAY OF ILLINOIS ROUTE 38 AS PER PLAT OF HIGHWAY RECORDS AS DOCUMENT NO. 7007K18F007; THENCE SOUTHWESTERLY ALONG AN ARC WITH A RADIUS OF 16,286.89 AND ARC LENGTH OF 37.98 FEET, SAID CURVE HAS A CHORD BEARING SOUTH 71 DEGREES 04 MINUTES 50 SECONDS EAST AND A CHORD LENGTH OF 37.98 FEET; THENCE NORTH 18 DEGREES 55 MINUTES 10 SECONDS EAST, TO THE SOUTHWEST CORNER OF A BRICK BUILDING, 37.98 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 23 SECONDS EAST ALONG THE FACE OF SAID BUILDING, 25.63 FEET; THENCE NORTH 0 DEGREES 23 MINUTES 55 SECONDS EAST 2.62 FEET FOR THE POINT OF BEGINNING, THE FOLLOWING TEN CALLS FOLLOW THE INTERIOR FINISHED WALLS OF SUITE B, THENCE NORTH 3 DEGREES 23 MINUTES 55 SECONDS WEST 0.33 FEET; THENCE NORTH 85 DEGREES 36 MINUTES 05 SECONDS WEST 0.31 FEET; THENCE NORTH 0 DEGREES 23 MINUTES 55 SECONDS EAST 35.75 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 23 SECONDS EAST 23.51 FEET; THENCE SOUTH 0 DEGREES 22 MINUTES 56 SECONDS WEST 37.49 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 59 SECONDS WEST 6.83 FEET; THENCE NORTH 0 DEGREES 13 MINUTES 01 SECONDS EAST 11.75 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 05 SECONDS WEST 1.05 FEET; THENCE SOUTH 0 DEGREES 13 MINUTES 01 SECONDS WEST 3.33 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 05 SECONDS 15.35 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS



LEGEND

| | | | |
|-------|-----------------|-------|-------------------|
| —•—•— | OLD IRON ROD | —•—•— | PUBLIC UTILITY |
| —•—•— | FOUND IRON PIPE | —•—•— | MUNICIPAL UTILITY |
| —•—•— | FENCE | —•—•— | ASPHALT |
| —•—•— | BLDG. TIE | —•—•— | CONCRETE |
| —•—•— | BLDG. LINE | —•—•— | BUILDING |
| —•—•— | EASEMENT | | |

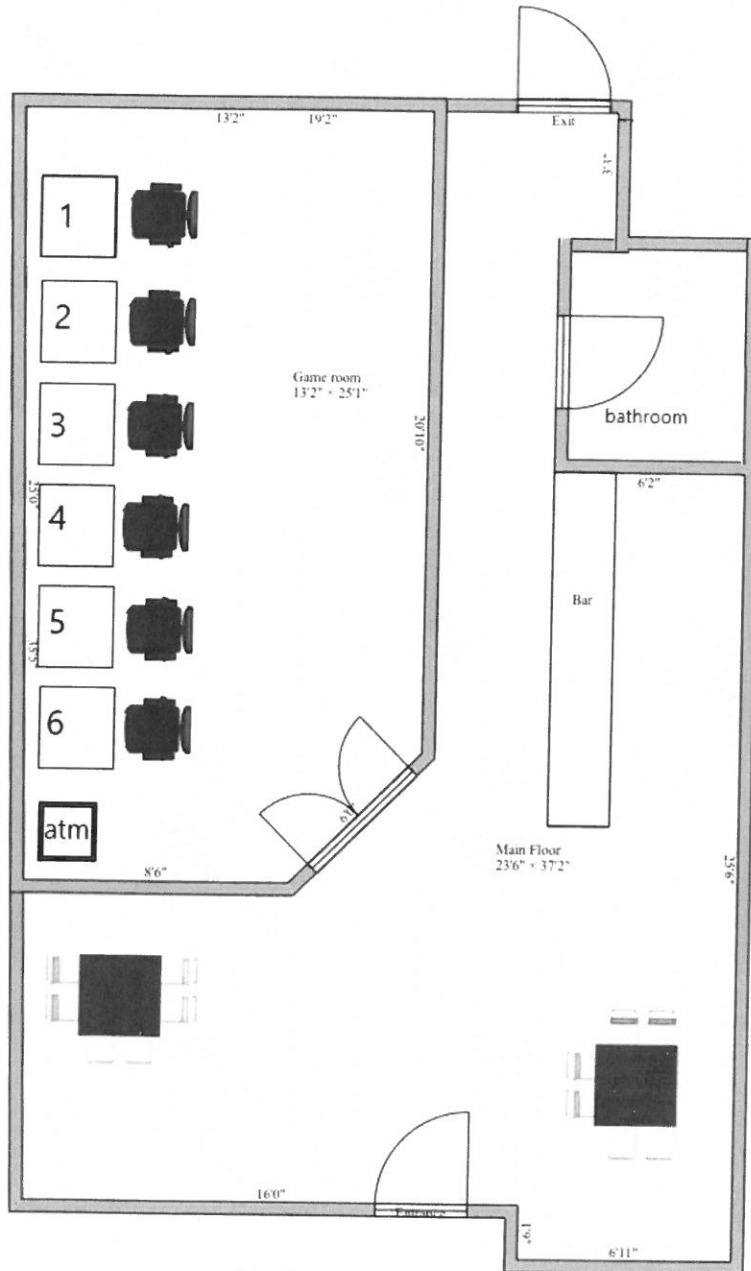
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
 COMPARE ALL POINTS BEFORE BUILDING BY THE SAME AND AT ONCE REPORT ANY DIFFERENCE.



STATE OF ILLINOIS
 COUNTY OF KANE
 WE, DALE FLOYD LAND SURVEYING L.L.C., A PROFESSIONAL DESIGN FIRM LICENSE NO. 184-007694-3008 DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.
 DIVISIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
 GENEVA, ILLINOIS 2-3 A.D. 2025
 [Signature]
 ILLINOIS PROFESSIONAL LAND SURVEYOR
 NO. 038-003908

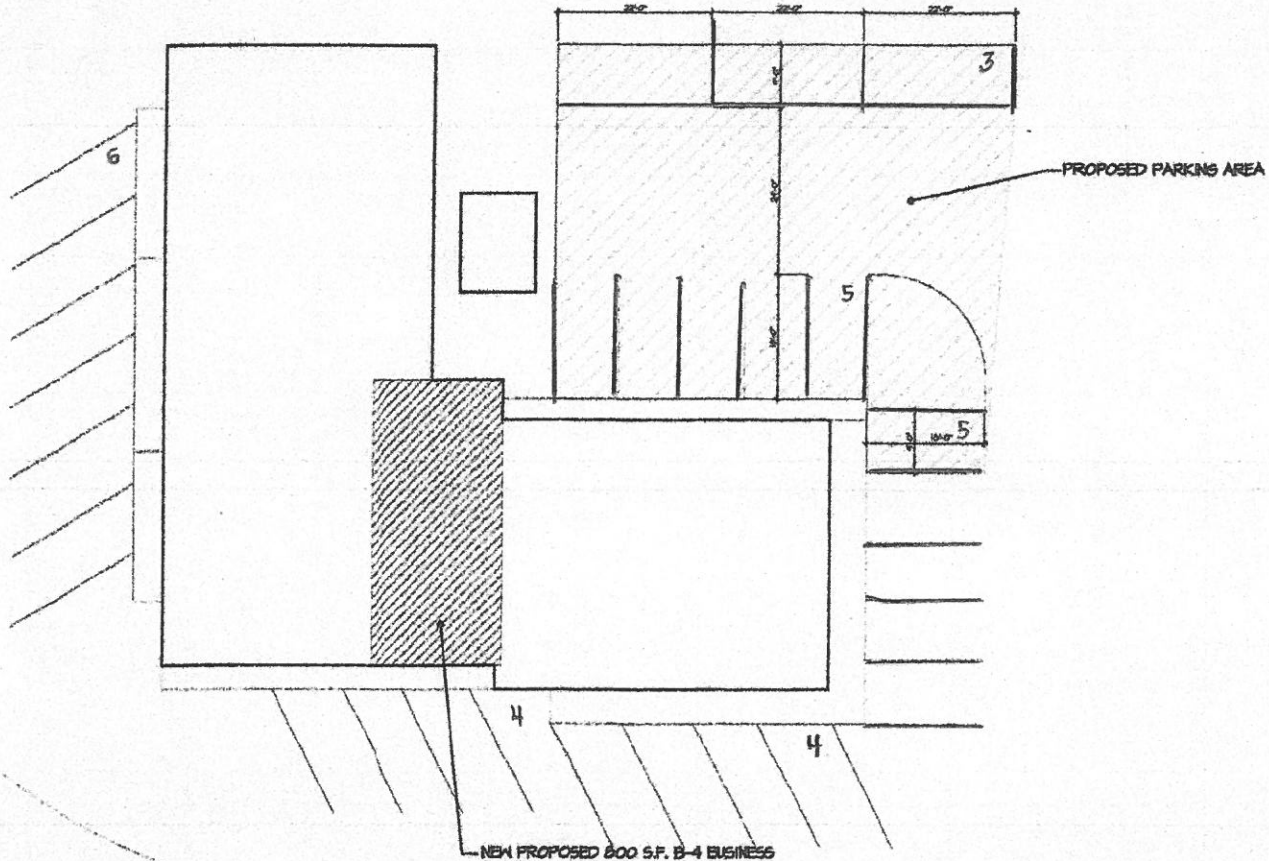
License expiration date 1-30-2026
 FIELD WORK COMPLETED 2-6-2025
 PREPARED FOR CHRIS AUSTIN
 JOB NO. 125-34

Interior Floor Plan



SITE PLAN

EXISTING PARKING SPACES 18
NEW PARKING SPACES 4
TOTAL SPACES 21



EAST STATE STREET

PROPOSED SITE PLAN

SITE PLAN

