

City of St. Charles
 Community Development Division
 2 E. Main Street
 St. Charles, IL 60174



Phone: (630) 377-4443
 Email: cd@stcharlesil.gov

SPECIAL USE APPLICATION

(To request a Special Use or Amendment, or a Special Use for PUD or Amendment)

For City Use	
Project Name:	Grocery Store Sign, 300 S. 2nd St.
Project Number:	_____ -PR- _____
Cityview Project Number:	_____

Received Date
RECEIVED
APR 13 2023
 City of St. Charles
 Community Development

- File this application to request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property
- Complete the application and submit with all required attachments to the Community Development Division.
- The information you provide must be complete and accurate. If you have a question please contact the Community Development Division.
- City staff will review the submittal for completeness and for compliance with applicable requirements prior to establishing a public hearing date.

1. Property Information:	Location:	300 S. 2nd Street, St. Charles, IL	
	Parcel Number (s):	09-34-128-012, 09-34-132-016, 09-34-132-017, 09-34-132-018	
	Proposed Name:	Former Blue Goose Supermarket	
2. Applicant Information:	Name:	SDGFTU, LLC	Phone: 630-536-6964
	Address:	444 N. Michigan Avenue, Suite 3450 Chicago, IL 60611	Email: matt@ft-union.com
3. Record Owner Information:	Name:	The Lencioni Family Partnership, LLC	Phone: 630-890-5739
	Address:	300 S. 2nd Street St. Charles, IL 60174	Email: paul.lencioni@bluegoosemarket.com

4. Identify the Type of Application:

- Special Use for Planned Unit Development - PUD Name:**
 - New PUD
 - Amendment to existing PUD- Ordinance #: 2006-Z-29
 - PUD Preliminary Plan filed concurrently

- Other Special Use (from list in the Zoning Ordinance):**
 - Newly established Special Use
 - Amendment to an existing Special Use Ordinance #:

5. Information Regarding Special Use:

Comprehensive Plan designation of the property: Mixed Use

Is the property a designated Landmark or in a Historic District? Yes

What is the property's current zoning? CBD-1 Central Business District (PUD)

What is the property currently used for? Vacant grocery store, commercial uses

If the proposed Special Use is approved, what improvements or construction are planned?

Construction of a new 20 foot tall free-standing pylon sign at IL 31 frontage.

6. For Special Use Amendments only:

Why is the proposed change necessary?

The amendment to the PUD is necessary in order to permit signage that is properly visible as required by the proposed new grocery store that will occupy the vacated grocery store building.

What are the proposed amendments? (Attach proposed language if necessary)

To permit a 20 foot tall free-standing pylon sign.

Note for existing buildings: If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

7. Required Attachments:

If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

Provide 1 copy of each required item, unless otherwise noted.

- APPLICATION FEE:** Special Use for PUD: \$1,000
All other Special Use requests: \$750

- REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

- REIMBURSEMENT OF FEES INITIAL DEPOSIT:** Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

- PROOF OF OWNERSHIP:** a) A current title policy report; or
b) A deed and a current title search

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.

- OWNERSHIP DISCLOSURE:** Use the appropriate disclosure form (attached), if the owner or applicant is a Partnership, Corporation, Trust, or LLC.

- LETTER OF AUTHORIZATION:** If the property owner is not the applicant, an original letter of authorization from the property owner permitting the applicant to file the zoning application with the City of St. Charles for the subject property. [See attached redacted Purchase and Sale Agreement containing authorization provision]

- LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper and Microsoft Word file.

- PLAT OF SURVEY:** A current plat of survey for the subject property showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

- FINDINGS OF FACT:** Fill out the attached "Criteria for Planned Unit Developments (PUDs)" form for any PUD application and the "Findings of Fact – Special Use" form for all other Special Use applications.

- LIST OF PROPERTY OWNERS WITHIN 250 FT.:** Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized. Property ownership information may be obtained using Kane County's interactive GIS mapping tool: http://gistech.countyofkane.org/gisims/kanemap/kanegis4_AGOx.html

- SOIL AND WATER CONSERVATION DISTRICT LAND USE OPINION APPLICATION:** As required by State law, submit a Land Use Opinion application and required fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy of completed Land Use Opinion application to the City. The Land Use Opinion application can be found on the Kane-DuPage SWCD website: <http://www.kanedupageswcd.org/>

- ENDANGERED SPECIES REPORT:** As required by State law, file an Endangered Species Consultation Agency Action with the Illinois Department of Natural Resources. Provide a copy of the report to the City. The online Ecological Compliance Assessment Tool (EcoCAT) should be utilized: <https://dnr2.illinois.gov/EcoPublic/>
- TRAFFIC STUDY:** If applicable. Staff will advise you whether a traffic study is recommended based on the project. Regardless, the Plan Commission or City Council may request a traffic study as a part of the review process.
- PLANS:** All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

Copies: Ten (10) full size copies, one (1) 11" by 17", and PDF electronic file emailed to: cd@stcharlesil.gov

Site Plan or plans shall show the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplain and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance
17. Angle of parking spaces
18. Parking space dimensions and aisle widths
19. Driveway radii at the street curb line
20. Width of driveways at sidewalk and street curb line
21. Provision of handicapped parking spaces
22. Dimensions of handicapped parking spaces
23. Depressed ramps available to handicapped parking spaces
24. Location, dimensions and elevations of freestanding signs
25. Location and elevations of trash enclosures
26. Provision for required screening, if applicable
27. Exterior lighting plans showing:
 - a. Location, height, intensity and fixture type of all proposed exterior lighting
 - b. Photometric information pertaining to locations of proposed lighting fixtures

(Note- For a Special Use for PUD, submit PUD Preliminary Plan Application In lieu of Site Plan)

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.

Record Owner

Date

A handwritten signature in black ink, appearing to be 'MJD', is written over a horizontal line.

4-13-23

Applicant or Authorized Agent

Date

**OWNERSHIP DISCLOSURE FORM
LIMITED LIABILITY COMPANY (L.L.C.)**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, Matt Hendy , being first duly sworn on oath depose and say that I am
Manager of SDGFTU, LLC , an Illinois Limited Liability
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

- | | |
|---------------------------------|-------|
| <u> Steven M. Swanson II </u> | _____ |
| <u> Matt Hendy </u> | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

By: [Signature] , Manager

Subscribed and Sworn before me this 11 day of
 April , 20 23 .

 [Signature]
Notary Public



CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

Use this form for PUD or PUD Amendment applications

The St. Charles Zoning Ordinance requires the Plan Commission to consider the criteria listed below in making a recommendation to the City Council on whether the proposed Planned Unit Development is in the public interest. As the applicant, the “burden of proof” is on you to provide information that addresses the criteria below in order to demonstrate that the project is in the public interest.

PUD Name:

From the St. Charles Zoning Ordinance, Section 17.04.410.3:

The Plan Commission shall not favorably recommend, and the City Council shall not approve, a Special Use for a PUD or an amendment to a Special Use for a PUD unless they each make findings of fact based on the application and the evidence presented at the public hearing that the PUD is in the public interest, based on the following criteria:

i. The proposed PUD advances one or more of the purposes of the Planned Unit Development procedure stated in Section 17.04.400.A:

1. To promote a creative approach to site improvements and building design that results in a distinctive, attractive development that has a strong sense of place, yet becomes an integral part of the community.
2. To create places oriented to the pedestrian that promote physical activity and social interaction, including but not limited to walkable neighborhoods, usable open space and recreational facilities for the enjoyment of all.
3. To encourage a harmonious mix of land uses and a variety of housing types and prices.
4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas.
5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities.
6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses.
7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community

The addition of the free-standing pylon sign encourages the redevelopment of the vacant grocery-store, thereby promoting the economical development and efficient use of land and the existing structures. The proposed signage is necessary for the financial viability of the new grocery use.

ii. **The proposed PUD and PUD Preliminary Plans conform to the requirements of the underlying zoning district or districts in which the PUD is located and to the applicable Design Review Standards contained in Chapter 17.06, except where:**

- A. Conforming to the requirements would inhibit creative design that serves community goals, or**
- B. Conforming to the requirements would be impractical and the proposed PUD will provide benefits that outweigh those that would have been realized by conforming to the applicable requirements.**

Factors listed in Section 17.04.400.B shall be used to justify the relief from requirements:

1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public art, pedestrian and transit facilities.
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation.
3. The PUD will provide superior landscaping, buffering or screening.
4. The buildings within the PUD offer high quality architectural design.
5. The PUD provides for energy efficient building and site design.
6. The PUD provides for the use of innovative stormwater management techniques.
7. The PUD provides accessible dwelling units in numbers or with features beyond what is required by the Americans with Disabilities Act (ADA) or other applicable codes.
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances.
9. The PUD preserves historic buildings, sites or neighborhoods.

The existing building and site plan of the PUD will be unchanged. The taller freestanding pylon sign is necessary to ensure that the signage is visible to maintain the financial viability of the new use. Signage that conforms to the underlying zoning requirements is not tall enough to permit proper visibility.

iii. **The proposed PUD conforms with the standards applicable to Special Uses (Section 17.04.330.C.2):**

A. Public Convenience: The Special Use will serve the public convenience at the proposed location.

The PUD will continue to serve the public convenience at the proposed location, providing a much-needed grocery use to fill the empty store. The signage being requested will ensure the financial viability of the new store.

B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary utilities have been, or are being, provided.

The amendment to the PUD will have no impact on utilities, access roads, or drainage. Necessary access and utilities exist.

C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

The request for a 20 foot freestanding pylon sign will not be injurious to the use and enjoyment of other property not substantially diminish or impair property values within the neighborhood. A taller sign will help ensure the financial viability of the new grocery store and is necessary in order to fill the existing vacant store.

D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The PUD amendment for the taller free-standing pylon sign will have no impact on the normal and orderly development and improvement of the surrounding property. It is located entirely within the property lines of the existing PUD.

E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The PUD amendment for the taller free-standing pylon sign will have no impact on the public health, safety, comfort or general welfare.

F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

Except for the relief sought for the 20 foot tall free-standing pylon sign, the development conforms to the St Charles Municipal Code and the requirements of the underlying PUD ordinance.

iv. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City.

The sign is required by the proposed future grocery store use and accordingly, will ensure that the vacant building is occupied with a high-quality, sales tax producing user, which will enhance the tax base and economic well-being of the City.

v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan.

The Comprehensive Plan identifies the subject property for Mixed Use development. The approved PUD is consistent with the Comprehensive Plan. The PUD amendment for the sign will only enhance the viability of the commercial development.