

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



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

## SPECIAL USE APPLICATION

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

<b>For City Use</b>	
Project Name:	_____
Project Number:	_____ -PR- _____
Cityview Project Number:	_____

*Received Date*

- *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.*

<b>1. Property Information:</b>	Location:	3645 Illinois Ave, St Charles, IL 60174	
	Parcel Number (s):	09-25-376-030	09-25-376-030
	Proposed Name:	Inter Plastics Building Addition	
<b>2. Applicant Information:</b>	Name:	Jeff Muellner	Phone: 630-844-6020
	Address	Muellner Construction, PO Box 17, Elburn, IL 60119	Email: <a href="mailto:Jeff@muellnerconstruction.com">Jeff@muellnerconstruction.com</a>
<b>3. Record Owner Information:</b>	Name:	J & L Real Estate Enterprises LLC	
	Address:	38W314 Chickasaw Ct, Saint Charles, IL 60175	

**4. Identify the Type of Application:**

- Special Use for Planned Unit Development - PUD Name:**
  - New PUD
  - Amendment to existing PUD- Ordinance #:
  - 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 #: 2011-Z-22

**5. Information Regarding Special Use:**

Comprehensive Plan designation of the property: Industrial/Business Park

Is the property a designated Landmark or in a Historic District? No

What is the property's current zoning? M-2 Limited Manufacturing District

What is the property currently used for? Vacant

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

Building Addition, Parking Lot, and stormwater Management

**6. For Special Use Amendments only:**

Why is the proposed change necessary?

Expansion of existing building because the existing building facilities no longer is adequate.

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

That a special use for a recycling center be granted in the M-2 zoning district

**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.*

**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.

**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](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](mailto: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 JOSE E Gutierrez

7/20/22  
Date .

  
Applicant or Authorized Agent

7/20/22  
Date



## FINDINGS OF FACT – SPECIAL USE

**\*Use this form for all Special Uses, except for PUDs or PUD Amendments\***

*The St. Charles Zoning Ordinance requires the Plan Commission to consider the factors listed below in making a recommendation to the City Council. As the applicant, the "burden of proof" is on you to show how your proposed Special Use will comply with each of the applicable standards. Therefore, you need to "make your case" by explaining specifically how your project meets each of the following standards.*

**Project Name or Address:** 3645 Illinois Ave, St Charles, IL 60174

**From the St. Charles Zoning Ordinance, Section 17.04.430.C.2:**

No Special Use or amendment to Special Use shall be recommended by the Plan Commission unless it finds that the proposed Special Use or amendment to Special Use will conform with each of these standards. The Plan Commission shall submit its written findings together with its recommendations to the City Council after the conclusion of the Public Hearing, and also may recommend such conditions as it may deem necessary to ensure conformance with these standards.

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:

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

The application for a special use is to permit a recycling center use, which is listed as a special use in the underlying M2-Limited Manufacturing District, to be established in an existing industrial area. This property provides ingress-egress via the existing roadway network that is designed to accommodate manufacturing/industrial uses. Furthermore, businesses located in this vicinity are, or may become, clients of the business.

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

All necessary utilities, access, and public facilities are already constructed. The property is located within an industrial zoned area that is designed with the appropriately sized streets, lot sizes to support a wide variety of manufacturing uses.

- 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 use will be located in manufacturing area that is currently occupied by industrial, warehouse, and recycling businesses whose current business practices are very similar to those of the proposed use. Therefore, establishing a similar use in this location will not be injurious to the use and enjoyment of other properties.

- 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 majority of the surrounding properties are already developed and occupied by similar industrial uses.

- 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 proposed uses will be similar in nature to the other industrial processes already occurring in the vicinity. The property exists without any stormwater management system. The new development will be a benefit to local properties by providing full stormwater management for the area being disturbed. Therefore, the use will not be detrimental to the public health, safety, comfort or general welfare of this area.

- 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.**

The proposed use meets the definition of a recycling center, and demonstrates that there is a parking lot area large enough to accommodate the required off-street parking spaces. Additionally, there are sufficient loading, and unloading, and semi trailer parking facilities on the site.



## NONRESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development:

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District: M-2	Ordinance #:	
Minimum Lot Area	None		none
Minimum Lot Width	None		none
Maximum Building Coverage	60%		53%
Maximum Gross Floor Area per Building	n/a		n/a
Maximum Building Height	60 Ft		35'
Front Yard	40'		40'
Interior Side Yard	B:20' P:0		B:43' P:2'
Exterior Side Yard	40'		40'
Minimum Rear Yard	B:20' P:0		B:60' P:1.5'
Landscape Buffer Yard <sup>2</sup>	n/a		n/a
% Overall Landscaped Area	20%		24%
Building Foundation Landscaping	5'		5'
Public Street Frontage Landscaping	40'		40'
Parking Lot Landscaping	island per 10 space		met
# of Parking Spaces	<b>65</b>		<b>66</b>
Drive-through Stacking Spaces (if applicable)	<b>n/a</b>		<b>n/a</b>

<sup>2</sup> Within the zoning districts specified, a Landscape Buffer Yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, RT or RM District. See Chapter 17.26 for planting and screening requirements for Landscape Buffers. Landscape Buffer Yards may include or overlap with other required yards.