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FEB 15 2022
 Building & Code Enforcement
 St. Charles, IL

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:	<u>The Burn Effect</u>
Project Number:	<u>2022 -PR- 004</u>
Cityview Project Number:	<u>PLSU 202200007</u>

Received Date
RECEIVED
FEB 22 2022
 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: 201 South 3rd Street St. Charles, IL 60174	
	Parcel Number (s):	
	Proposed Name: The Burn Effect / The Water Bar	
2. Applicant Information:	Name: Ron Anderson	Phone: (224) 522-9369
	Address: 711 South 4th Street St. Charles, IL 60174	Email: rona@finetixfitness.com
3. Record Owner Information:	Name: (Tom Staroske) - <i>Third Street LLC Manager</i>	Phone: (847) 863-7476
	Address: 506 Bradley Circle, St. Charles, IL 60174	Email: t.star@sbcglobal.net

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):** CBD-2 District (Health/Fitness Club)
 - Newly established Special Use
 - Amendment to an existing Special Use Ordinance #:

5. Information Regarding Special Use:

Comprehensive Plan designation of the property: **Neighborhood Commercial**

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

What is the property's current zoning? **CBD-2 Mixed Use Business District**

What is the property currently used for? **Print Shop**

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

Only cosmetic changes need to be made.

6. For Special Use Amendments only:

Why is the proposed change necessary?

N/A

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

N/A

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

- 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.

Thomas Stawski - Manager
Record Owner Third Street LLC

2/14/22
Date

[Signature]
Applicant or Authorized Agent

2-15-2022
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: The Burn Effect | 201 South 3rd Street St. Charles, IL

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 proposed used would be to have a community center in addition to a fitness center for youths, adolescence and adult recreational activity. The community center would allow those from the community to study, have meetings and/or just hangout with their peers. We also, plan on having outdoor seating right outside of the facility to allow those that want to relax and/or catch up outside to do so, safely.

The addition of the fitness center, more specifically a group fitness center, will allow those that want to get a quick workout in to do so and will aid in community engagement and awareness/traffic to other local businesses.

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

Previously being a print show, the utility use will be far less with our proposed plan, in regards to utilities, than was previously needed. Being just outside of the main hub of downtown St. Charles allows for more than adequate parking on 3rd street, Illionis and/or other adjacent streets. As an existing building and being that our new business use does not require any modification to the drainage system whatsoever, the current system is more than sufficient.

- 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.**

Outside of the potential outdoor seating, all business activities will be enjoyed within the premises and will not reduce the enjoyment or use of any other property in the immediate vicinity. The purpose of this business is not only to bring more enjoyment to the area but to also bring more awareness and customers to the immediate other businesses.

- 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 proposed business will have no impediment on the surrounding establishments. Fitness and community centers bring greater awareness and traffic to an area and being that we are not conducting business outside of our four walls, I do not foresee any potential for impediment to any other establishment.

- 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.**

Our proposed fitness and community center should have no effect on the general welfare of the community or local businesses. On the contrary, our establishment is designed to enrich the lives of those in communities and other local businesses.

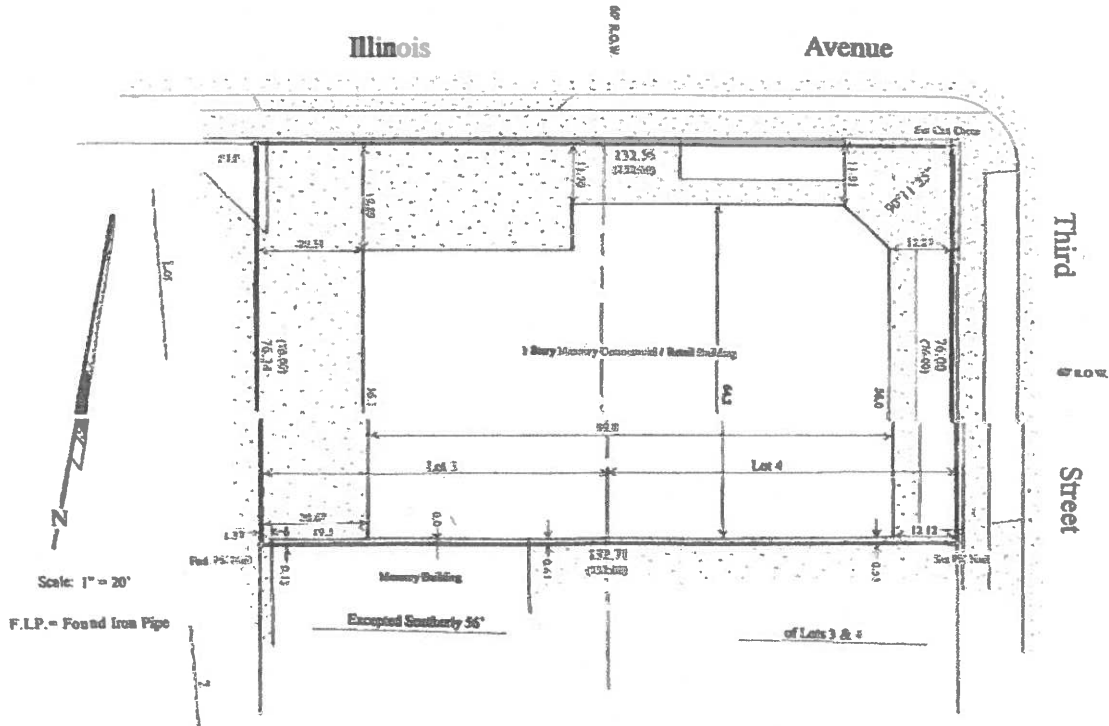
- F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.**

Yes, our proposed use for this space is in accordance with the current business property and will not need to be altered. The proposed business is within the CBD-2 Business District.

Plat of Survey

LOTS 3 AND 4 (EXCEPT THE SOUTHERLY 56 FEET) IN BLOCK 51 OF THE ORIGINAL TOWN OF ST. CHARLES, ON THE WEST SIDE OF THE FOX RIVER, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

Commonly known as 201 South Third Street, St. Charles
P.I.N. 09-34-113-003



Scale: 1" = 20'

F.L.P. - Found Iron Pipe

State of Illinois)
County of Kendall) SS

I, Thomas J. Todd, an Illinois Professional Land Surveyor, do hereby certify that the plat shown hereon, being completed in the field on March 28, 2014, is a correct representation of a survey performed as and under my direction.

This professional service complies with the current Illinois minimum standards for a boundary survey.

Signed and sealed at Ottawa, Illinois on March 31, 2014.

Thomas J. Todd

Thomas J. Todd
Illinois Professional Land Surveyor No. 2467
License Expires Nov. 30, 2014

All distances are in feet and decimal parts thereof.

Bearing distances, angles and bearings are in parentheses

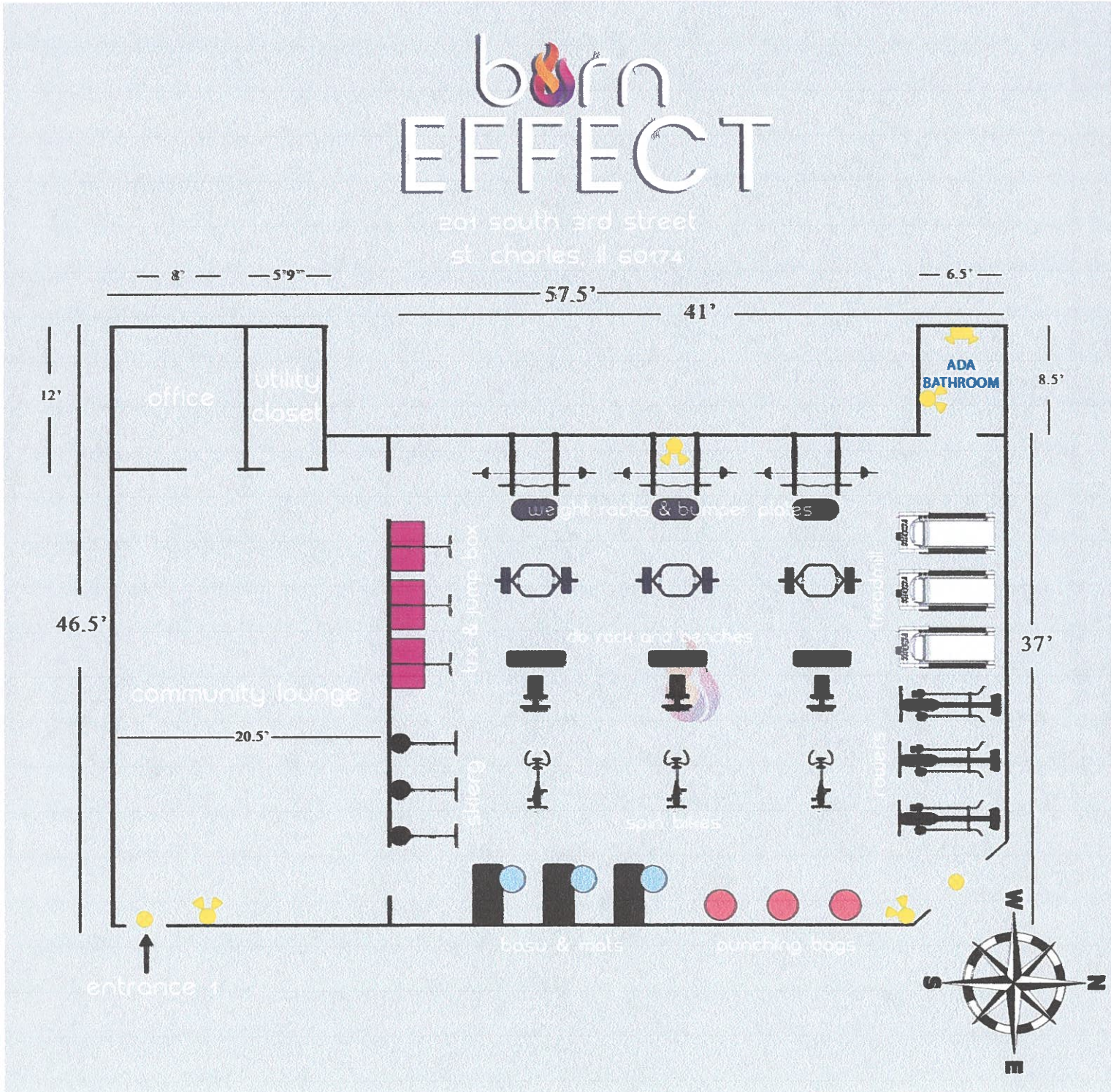
True North
Surveying & Mapping, Ltd.
Oswego 630.554.2321

Facility Lay Out

Final facility layout for 201 South 3rd Street, St. Charles, IL 60174
 On the corner of Illinois and 3rd Street CBD-2 Business



201 south 3rd street
 st. charles, il 60174



Plan was designed and verified by
 RLT Consulting Group, LLC