

CITY OF ST. CHARLES
TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT DIVISION

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>CASEY'S FUEL STATION</u>
Project Number:	<u>2021 -PR- 012</u>
Cityview Project Number:	<u>PLSU202100036</u>



To request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property, complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

1. Property Information:	Location: 2600 E Main Street St. Charles, IL 60174	
	Parcel Number (s): 09-25-151-001, 09-25-151-002, 09-25-100-020	
	Proposed Name: Casey's Fuel Station & Convenience Store	
2. Applicant Information:	Name Erik Nikkel (Casey's Retail Company)	Phone 515-381-5722
	Address 3305 SE Delaware Avenue Ankeny, IA 50021	Fax
		Email erik.nikkel@caseys.com
3. Record Owner Information:	Name PNC Bank, National Association	Phone 412-762-3345
	Address PNC Realty Services The Tower at PNC Plaza 300 Fifth Avenue, 22nd Floor Mail Stop: PT-PTWR-22-1 Pittsburgh, PA 15222	Fax
		Email kathleen.taylor@pnc.com

Please check the type of application:

- Special Use for Planned Unit Development - PUD Name:** Foxfield Commons
- New PUD
- Amendment to existing PUD- Ordinance #: 1975-Z-15
- 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 #: _____

Information Regarding Special Use:

Comprehensive Plan designation of the property: _____

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

What is the property's current zoning? BC

What is the property currently used for? 2-story commercial building

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

Construction of Casey's Fuel Station and Convenience Store

For Special Use Amendments only:

Why is the proposed change necessary?

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

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.

Attachment Checklist:

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:

Application fee in accordance with Appendix B of the Zoning Ordinance. (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 site:

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 and DISCLOSURE:

- a) A current title policy report; or
- b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

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.

LEGAL DESCRIPTION: For entire subject property, on 8 1/2 x 11 inch paper

PLAT OF SURVEY:

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

FINDINGS OF FACT:

Fill out the attached forms or submit responses on a separate sheet (*Submit "Criteria for PUD" for any PUD application; "Findings for Special Use" 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.

SOIL AND WATER CONSERVATION DISTRICT APPLICATION:

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

Submit the application form and fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy with this application.

ENDANGERED SPECIES REPORT:

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnr.illinois.gov/EcoPublic/>

Fill out the online form, print the report and submit with this application.

TRAFFIC STUDY: If requested by the Director of Community Development.

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 of Plans:

Initial Submittal - Ten (10) full size copies, Three (3) 11" by 17", and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

SITE PLAN (Note: For a Special Use for PUD, submit PUD Preliminary Plan Application in lieu of Site Plan)

A plan or plans showing 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

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
<i>Eric Mubel, Agent</i>	<i>7/12/21</i>
Applicant or Authorized Agent	Date

- 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

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.

6W ST. CHARLES LLC, Contract Purchaser
 J. J. [Signature] Manager 7-20-21

 Record Owner Date

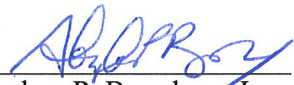
 Applicant or Authorized Agent Date

**OWNERSHIP DISCLOSURE FORM
CORPORATION**

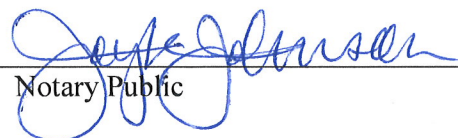
STATE OF IOWA)
) SS.
POLK COUNTY)

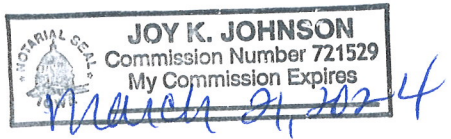
I, Stephen P. Bramlage, Jr., being first duly sworn on oath depose and say that I am the
President of Casey's Retail Company, an
(Iowa) (_____) Corporation and that the following persons are all of the shareholders
of 7% or more of the common stock of said Corporation:

<u>Not Applicable</u>	_____
_____	_____
_____	_____
_____	_____

BY: 
 Stephen P. Bramlage, Jr.
TITLE: President
 Casey's Retail Company

Subscribed and Sworn before me this 8th day of
July, 2021.


Notary Public



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

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, James R. Troutman, being first duly sworn on oath depose and say that I am
Manager of GW St. Charles 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.:

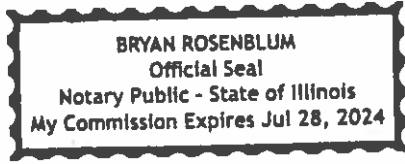
TRoutman & Dams LLC

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: J. R. Troutman, Manager

Subscribed and Sworn before me this 20 day of
JULY, 2021.

[Signature]
Notary Public



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

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, James R. Troutman being first duly sworn on oath depose and say that I am
Manager of Troutman & Dams 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.:

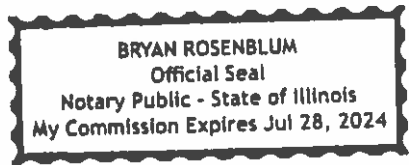
- | | |
|--------------------------|-------|
| <u>James R. Troutman</u> | _____ |
| <u>ERIC G. Dams</u> | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

By: [Signature], Manager

Subscribed and Sworn before me this 20 day of
July, 2021.

[Signature]

Notary Public



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.

Casey's
Project Name or Address

7/16/21
Date

From the 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.

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

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.

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.

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.

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.

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)



For Special Use 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 a 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.

(You may utilize this form or provide the responses on another sheet.)

Foxfield Commons
PUD Name

6/30/21
Date

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

- 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 are, 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.

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.

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

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.

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.

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.

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.

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

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

Criteria for Planned Unit Developments

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. **Casey's would bring a strong brand to the location. The development would bring an attractive building to the location and become 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. **The development will provide pedestrian access to the facility allowing customers walkable access to the convenience store.**
3. To encourage a harmonious mix of land uses and a variety of housing types and prices. **The development is appropriate at the proposed location.**
4. To preserve native vegetation, topographic and geological features, and environmentally sensitive areas. **The development will significantly increase the greenspace on the previously developed property.**
5. To promote the economical development and efficient use of land, utilities, street improvements, drainage facilities, structures and other facilities. **The development has been designed to be an economical development with an efficient use of the land, utilities, and drainage facilities while providing traffic flow through the property.**
6. To encourage redevelopment of sites containing obsolete or inappropriate buildings or uses. **The development is replacing a bank which has been vacant for several years.**
7. To encourage a collaborative process among developers, neighboring property owners and residents, governmental bodies and the community. **As part of the public process, the development team has gone through a collaborative process while seeking feedback from residents, Village staff and board members along the way.**

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.

1. The PUD will provide community amenities beyond those required by ordinance, such as recreational facilities, public plazas, gardens, public areas, pedestrian and transit facilities. **Pedestrian facilities through the site and to the store will be provided as part of the PUD amendment.**
2. The PUD will preserve open space, natural beauty and critical environmental areas in excess of what is required by ordinance or other regulation. **The development has significantly more greenspace than required and in addition of the current development.**
3. The PUD will provide superior landscaping, buffering or screening. **The development provides aesthetically pleasing landscaping on site to meet code and has significantly more greenspace than the current development.**
4. The buildings within the PUD offer high quality architectural design. **The proposed building is a high quality architectural design.**
5. The PUD provides for energy efficient building and site design. **The building and site are designed to operate efficiently as code required.**
6. The PUD provides for the use of innovative stormwater management techniques. **The develop will work in conjunction with the existing stormwater management facilities that were installed with the original PUD.**
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. **The PUD will conform to ADA codes.**
8. The PUD provides affordable dwelling units in conformance with, or in excess of, City policies and ordinances. **Not applicable, no dwelling units are proposed.**
9. The PUD preserves historic buildings, sites or neighborhoods. **Not applicable.**

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 proposed special use as a convenience store with motor vehicle fuel sales is all about the public convenience, providing a fast, clean, safe place for the public to access common convenience items and prepared food, and fuel their vehicles.**

- B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided. **Sufficient infrastructure exists for the development and shall be utilized to serve the development.**
- 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 Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. The proposed use is consistent with the underlying zoning.**
- 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 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. This property is located within an existing development and will be designed to fit within any constraints that exist today.**
- 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 Special use will not be detrimental to general welfare. The building will be attractive to the general public and provide a clean, safe location for convenience and motor vehicle fuel purchases. There will be no negative effect on public health, safety, or comfort with the proposed development.**
- 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 Special Use proposes small deviations from the landscape code, however, the development significantly increases the overall landscaping for the site.**

iv. The proposed PUD will be beneficial to the physical development, diversity, tax base and economic well-being of the City. **The proposed special use will construct a new appealing building and will result in significant retail sales, bringing in both property and sales taxes. The location of a convenience store will also make other physical development more appealing.**

v. The proposed PUD conforms to the purposes and intent of the Comprehensive Plan. **The proposed PUD meets several of the Main Street Subarea Plan Goals including providing accommodations for multi-modal transportation by enhancing public sidewalks, providing good connectivity to adjacent development, and improved landscaping.**

NONRESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: Casey's Fuel Station & Convenience Store

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District:	Ordinance #:	
Minimum Lot Area	1 acre	4 acres	2.35 acres
Minimum Lot Width	None	300 ft	~310 ft
Maximum Building Coverage	40%	30%	4.8%
Maximum Gross Floor Area per Building	75,000 sq ft	1.0 ratio	~4747 sq ft
Maximum Building Height	40 ft	80 ft	21 ft
Front Yard	20 ft	100 ft	30 ft
Interior Side Yard	10 ft	50 ft	15 ft
Exterior Side Yard	20 ft	50 ft	32 ft
Minimum Rear Yard	30 ft	50 ft	100 ft
Landscape Buffer Yard ²	N/A	Not specified	N/A
% Overall Landscaped Area	20%	Not specified	46%
Building Foundation Landscaping	5' wide for 50% horizontal bldg dimension	Not specified	5' wide for ~50% horizontal bldg dimension
Public Street Frontage Landscaping	50% street frontage to be screened	Not specified	289' (93%)
Parking Lot Landscaping	1 island/10 prkg spaces	10 ft setback from side & rear property lines	15 ft min. setback; 0 landscape islands
# of Parking Spaces	21	Not specified	25
Drive-through Stacking Spaces (if applicable)	N/A	N/A	N/A

² 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.