



February 1, 2024

Rachel Hitzemann

City Planner – City of St. Charles Illinois
2 E. Main Street,
St. Charles, IL 60174-1984

Re: Promise Church Request for Special Use Application for 3809 Illinois Ave.

Dear Rachel,

We want to thank you for your time and advice that has been so helpful while we navigate the process to be able to use the existing offices.

Please find attached our fee payment and Special Use Application for modifying the M-2 Zoning for 3809 Illinois Ave.

As you know, Promise Church is leasing a unit of the subject property, the buildings of which have been in use for a couple of decades. Our intent is to use suite 300, as is, for both offices and as a worship space. The space will be lightly occupied during business hours throughout the work week, and more highly attended on Sunday mornings and some weekday evenings. There is ample parking for the Sunday and week night meetings based on our current experience at Haines Center in St. Charles. We expect Sunday attendance to average 75 persons comprised of 25 families.

The current owners have been extremely helpful and are fully knowledgeable of the content of the application and Promise Church's plans. We anticipate our use will be not unlike that of River City Church which is less than a mile away as the crow flies and which, not long ago, received a Special Use approval for the same M-2 zoned district.

Included with the application are the following Exhibits:

- A. Legal Description of the Property
- B. Findings of Fact Answers E and F to overcome form problems
- C. Image of Landscaping to Support Non-Residential Compliance Table


- D. Aerial Image of Parking to Support Non-Residential Compliance Table
- E. Plat of Survey
- F. Current Office Layout and Fixtures

A full-size plat of survey and full-size interior drawing are included, also, with this document.

Please let us know if you would like us to attend any meetings during your review. Please contact me or Hank Betts, 630-935-6133 (hankbetts@comcast.net) with any questions. We stand ready to supply any further information you may require.

Again, thank you for all your help.

Respectfully,



Rino Miulli,
Pastor, Promise Church
rino@hispromisechurch.org
630-918-4286



SPECIAL USE APPLICATION

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

For City Use	
Project Name:	_____
Project Number:	_____ -PR- _____
Cityview Project Number:	_____

<i>Received Date</i>

- *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: 3809 Illinois Ave.Suite 300, St. Charles, IL. 60174	
	Parcel Number (s): 09-25-477-001	
	Proposed Name:	
2. Applicant Information:	Name: Promise Church - Contact Person: Rino Miulli	Phone: 630-918-4286 mobile
	Address 1258 Bison Trail Carol Stream, IL 60185	Email: rino@hispromisechurch.org
3. Record Owner Information:	Name: Professional Properties Partnership	Phone: 630-513-9790
	Address: 3811 Illinois Avenue, St Charles, IL 60174	Email: Josh.Johnson@tpri.com

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 #:

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? Offices

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

None.

6. 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.

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.

- 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

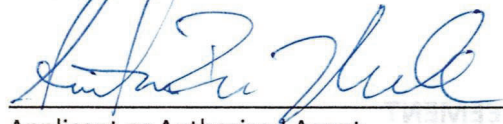
(Note- For a Special Use for PUD, submit PUD Preliminary Plan Application In lieu of Site Plan)

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.

 2/1/24

Record Owner

Date



2-7-24

Applicant or Authorized Agent

Date

I. Owner: _____
 Owner of Property: Professional Partnership
 Owner's Address: 1911 Illinois Ave. St. Charles, IL 60174
 Owner's Phone Number: 630-513-8790-630-377-8835
 If Owner is a Land Trust, the names and addresses of the beneficiaries of the Trust:
 James Johnson, 3017 Turnberry Rd. St. Charles, IL 60174 Joshua Johnson, 1530 Perimeter Dr. St. Charles, IL 60174

II. Person Making Request (Petitioner/Applicant):
 Name of Petitioner/Applicant: Francis Church, Rino Millie, Pastor
 Petitioner's/Applicant's Address: 1258 Bison Trail, Canal Stream, IL 60182
 Petitioner's/Applicant's Phone Number: 630-618-4588

III. Location of Property:
 General Location of Property: 3809 Illinois Ave. St. Charles, IL 60174
 Acreage of Parcel: .09 acres
 Permanent Index Number: 09-25-177-001
 Legal Description (attach as Exhibit A)

IV. Reimbursement of Fees:
 If the City determines, in its sole and exclusive discretion, that it is necessary to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, court reporters, traffic, drainage or other consultants, and/or to incur costs related to any required notices or recordings, in connection with any Petition or Application filed by the Petitioner/Applicant, then the Petitioner/Applicant and Owner shall be jointly and severally liable for the payment of such professional fees and costs, as shall actually be incurred by the City.

The City Administrator is hereby authorized to assign the above described services to the City staff or to consultants, as they deem appropriate. When the City staff renders any services contemplated by this agreement, then in such case the City shall be reimbursed for its cost per productive work hour for each staff person providing said services.

**OWNERSHIP DISCLOSURE FORM
PARTNERSHIPS**

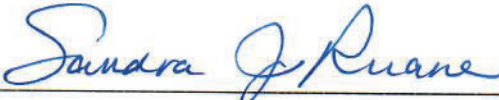
STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, Joshua Johnson, being first duly sworn on oath depose and say that I am a
General Partner of Professional Properties Partnership, an Illinois
(General) (Limited) Partnership and that the following persons are all of the partners thereof:

- | | |
|-------------------------|----------------------------|
| <u>James P. Johnson</u> | (General)(Limited) Partner |
| <u>Joshua Johnson</u> | (General)(Limited) Partner |
| _____ | (General)(Limited) Partner |
| _____ | (General)(Limited) Partner |
| _____ | (General)(Limited) Partner |
| _____ | (General)(Limited) Partner |

By:  (General)(Limited) Partner

Subscribed and Sworn before me this 11th day of
December, 2023.


Notary Public




**OWNERSHIP DISCLOSURE FORM
LAND TRUST**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, Joshua Johnson, being first duly sworn on oath depose and say that I am
Trust Officer of Professional Properties Partnership, and that the following
persons are all of the beneficiaries of Land Trust No. HTSC 02500S:

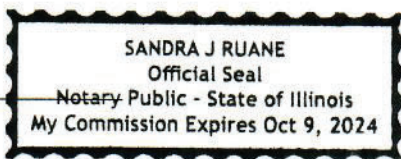
- | | |
|-------------------------|-------|
| <u>James P. Johnson</u> | _____ |
| <u>Joshua Johnson</u> | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

By:  _____, Trust Officer

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



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.

Project Name or Address: Promise Church, Rino Miulli, Pastor

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.

Common area of 3809 Illinois includes separate men's and women's bathrooms and a break room accessible from Suite 300

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

At time of original construction of 3809 Illinois Ave. all utilities, access roads, drainage and/or necessary utilities were provided and approved by the City of St.Charles.

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 for Promise Church will not alter the exterior of the building or the landscaping; and will not impede neighboring properties regarding their orderly development and improvement of their properties. Nor, should the use impact the neighboring industrial/commercial property values. The lessor is providing Promise Church with adequate parking on the property and noise will be consistent with typical office use for neighboring 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 requested Special Use will not impact orderly development and improvement of surrounding properties. There are no planned changes to the building property or landscaping other than the addition of signage facing Illinois Ave.

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.

Promise Church's use of 3809 Illinois is expected to slightly increase traffic on Sunday mornings between 8 am and 1 pm. Illinois Ave has only light traffic passing by the property during these hours. We do not anticipate any nearby intersections to be impacted. We do not anticipate creating noise pollution, using any kind of hazardous material or participating in any illegal activities. Our intention is to be a great neighbor and a positive asset for St Charles.

See Exhibit B for uncompromised text

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 Special Use for Promise Church will conform to all Municipal Ordinance Codes and meet or exceed all the provisions of the Special Use. Our use of suite 300 in 3809 Illinois will be primarily as a typical office user. The location is surrounded by businesses operating 9am to 5 pm, most days, who we expect will not perceive any impact to their operations.

See Exhibit B for uncompromised text

See Exhibit B for uncompromised text

NONRESIDENTIAL ZONING COMPLIANCE TABLE

Name of Development: *3809 Illinois Ave., St Charles
Promise Church*

	Zoning District Requirement	Existing PUD Requirement (if applicable)	Proposed
	District: M-2 <input type="checkbox"/>	Ordinance #:	
Minimum Lot Area	None		43,105 SF
Minimum Lot Width	None		127.58'
Maximum Building Coverage	60%		23%
Maximum Gross Floor Area per Building	N/A		—
Maximum Building Height	60ft		1 STORY
Front Yard	40ft		40.84'
Interior Side Yard	20ft		20.00'
Exterior Side Yard	40ft		57.50'
Minimum Rear Yard	20ft		97.13
Landscape Buffer Yard ²	100ft N/A		—
% Overall Landscaped Area	20 %	12,978 SF ± GRASS AREA	30% ±
Building Foundation Landscaping	50%	?	See Exhibit C 50%
Public Street Frontage Landscaping	75%	?	See Exhibit C 75%
Parking Lot Landscaping		1/2 OF LAND-SCAPE ISLAND	→ 1087 SF × 2 = 2174 SF
# of Parking Spaces			32 - REG. + 2 H.C. TOTAL ISLAND
Drive-through Stacking Spaces (if applicable)	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.

Tax Parcel Number	Name	Address
00-32-11-0010		
00-32-11-0011		
00-32-11-0012		
00-32-11-0013		
00-32-11-0014		
00-32-11-0015		
00-32-11-0016		
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00-32-11-0043		
00-32-11-0044		
00-32-11-0045		
00-32-11-0046		
00-32-11-0047		
00-32-11-0048		
00-32-11-0049		
00-32-11-0050		

or plans submitted herewith are true and correct. _____, being first duly sworn on oath certifies that all of the above statements and statements contained in any papers

Signature - Applicant: [Signature] Date: 2/1/24
 Signature - Owner: [Signature] Date: 2/1/24

Subscribed and sworn before me on this 1st day of February, 2024.

[Signature]
 Notary Public
 My Commission Expires Oct 9, 2024

Exhibit A
to Promise Church and professional Properties Partnership Special Use
Application

Legal Description

3809 Illinois Ave., St. Charles, IL 60174

“LOT 1 of TRANSAM RESUBDIVISION, IN THE CITY OF ST. CHARLES, KANE COUNTY,
ILLINOIS”

FILED FOR RECORD
KANE COUNTY, ILL.

RECORDATION REQUESTED BY:
Harris Bank St. Charles
One East Main Street
St. Charles, IL 60174

2002K039745

2002 MAR 21 PM 3:45

Sandy Wejman
RECORDER

WHEN RECORDED MAIL TO:
Harris Bank/BLST
Attn: Collateral management
P.O. Box 2880
Chicago, IL 60690-2880

*pd
2/25/02*

FOR RECORDER'S USE ONLY

This Hazardous Substances Agreement prepared by:

Carmen Palacios, Documentation Specialist
Harris Bank/BLST
311 West Monroe Street, 14th floor
Chicago, IL 60606

TRANSAM/

HAZARDOUS SUBSTANCES CERTIFICATE AND INDEMNITY AGREEMENT

THIS HAZARDOUS SUBSTANCES AGREEMENT dated February 21, 2002, is made and executed among Professional Properties Partnership, 3811 Illinois Avenue, St. Charles, IL 60174 (sometimes referred to below as "Guarantor" and sometimes as "Indemnitor"); and Harris Bank St. Charles, One East Main Street, St. Charles, IL 60174 (referred to below as "Lender"). For good and valuable consideration and to induce Lender to make a Loan to Borrower, each party executing this Agreement hereby represents and agrees with Lender as follows:

PROPERTY DESCRIPTION. The word "Property" as used in this Agreement means the following Real Property located in Kane County, State of Illinois:

LOT 1 OF TRANSAM RESUBDIVISION, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

The Real Property or its address is commonly known as 3809 Illinois Avenue, St. Charles, IL 60174. The Real Property tax identification number is 09-25-477-001

REPRESENTATIONS. The following representations are made to Lender, subject to disclosures made and accepted by Lender in writing:

Use of Property. After due inquiry and investigation, Indemnitor has no knowledge, or reason to believe, that there has been any use, generation, manufacture, storage, treatment, refinement, transportation, disposal, release, or threatened release of any Hazardous Substance by any person on, under, or about the Property.

Hazardous Substances. After due inquiry and investigation, Indemnitor has no knowledge, or reason to believe, that the Collateral, whenever and whether owned by previous Occupants, has ever contained asbestos, PCB or other Hazardous Substances, whether used in construction or stored on the Collateral.

No Notices. Indemnitor has received no summons, citation, directive, letter or other communication, written or oral, from any agency or department of any county or state or the U.S. Government concerning any intentional or unintentional action or omission on, under, or about the Property which has resulted in the releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of Hazardous Substances into

(Handwritten mark)

2002K039745

*22-0
1*

Exhibit B

to Promise Church Special Use Application

Uncompromised Text for Findings of Fact Items E and F

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.

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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 Special Use for Promise Church will conform to all Municipal Codes and will meet or exceed all the provisions of the Special Use. Our use of suite 300 in 3809 Illinois will be primarily as a typical office user. The location is surrounded by businesses operating 9am to 5 pm, most days, who we expect will not perceive any impact to their operations.

3809 Illinois Frontage Landscaping

Exhibit C to Promise Church Special Use Application

Legend

 3809 Illinois Ave



Google Earth

© 2023 Google

© 2024 Google

6.89 ft

Exhibit D - 3809 Illinois Ave Parking

Building has 2 handicapped spaces and 32 other parking spaces. PPP has approved our use of additional spaces alongside 3811 Illinois Ave. for Sunday morning

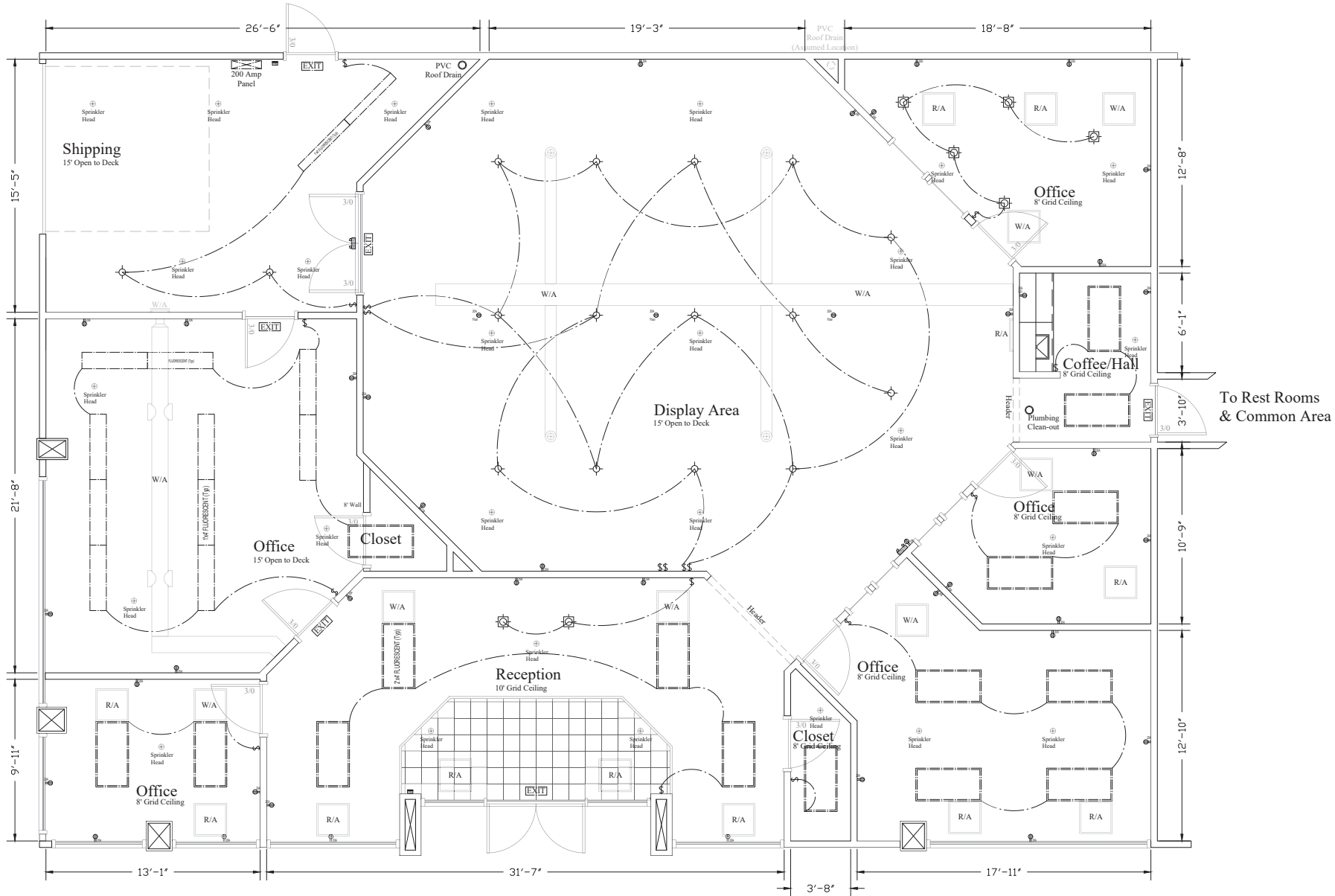
Legend

-  3809 Illinois Ave
-  Feature 1
-  Target



As Built
 (Onsite measurements - 12/11/2023)

Exhibit F - Office Interior



To Rest Rooms
& Common Area

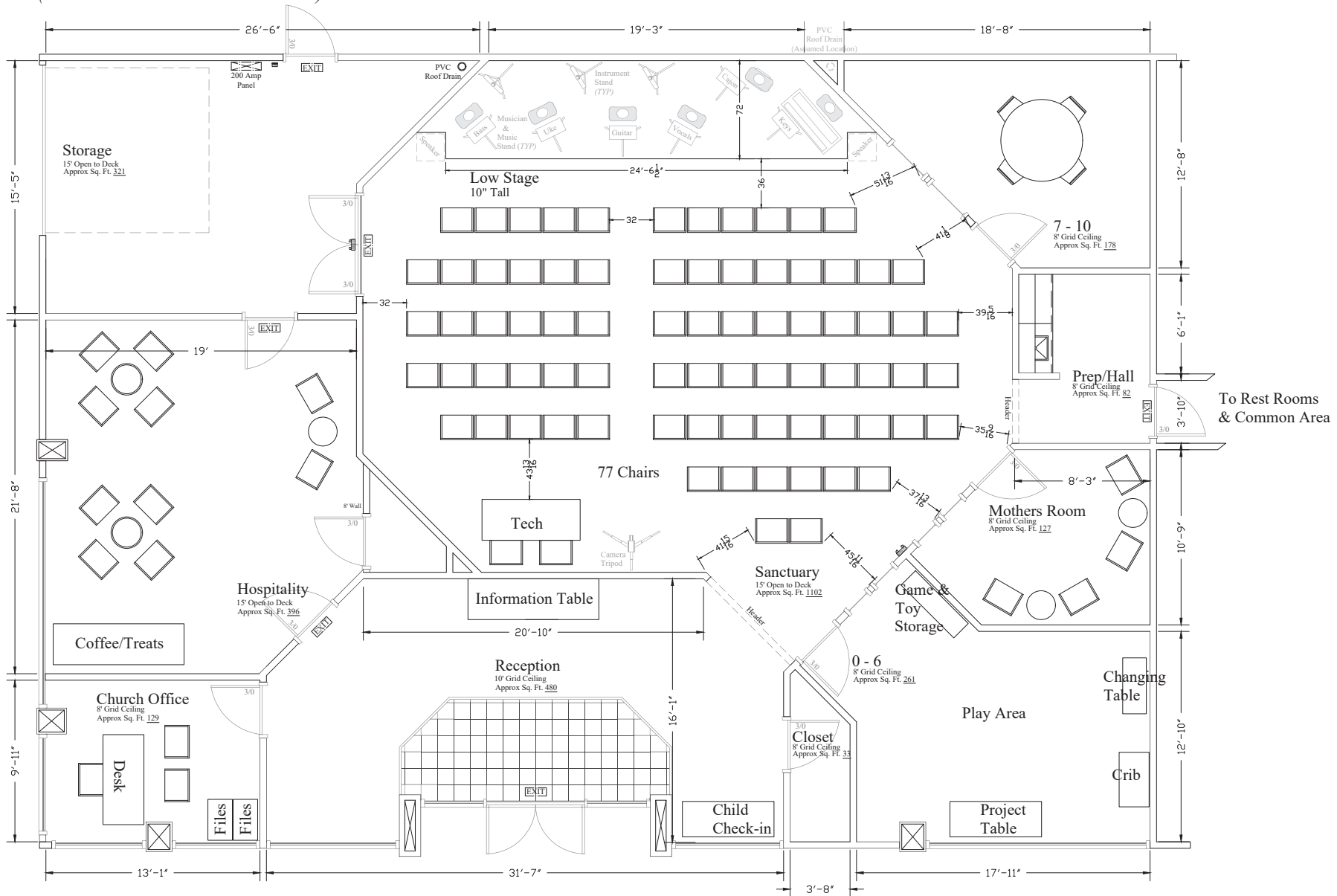
Promise Church

Promise Church
 Proposed Use - Rental Space
 3809 Illinois Ave. Unit 300 - Saint Charles IL 60174

Rev. # 1	01/16/2024
Rev. #	Rev. Date

Proposed Use
(Onsite measurements - 12/11/2023)

Exhibit F - Office Interior



Promise Church

Promise Church
Proposed Use - Rental Space
3809 Illinois Ave. Unit 300 - Saint Charles IL 60174

Rev. # 1	01/16/2024
Rev. #	Rev. Date

January 16, 2024	2
Joe Lyon	
38" - 1'-0"	