



**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 4c

Title:	Plan Commission recommendation to approve a Special Use for Motor Vehicle Sales for MotoExec, 731 N. 17 <sup>th</sup> St. Unit 3
Presenter:	Ellen Johnson

Meeting: Planning & Development Committee

Date: November 14, 2016

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted:

**Executive Summary** *(if not budgeted please explain):*

Jimmy Wilmes, owner of JW Auto Group LLC, d/b/a MotoExec, has requested a Special Use to allow Motor Vehicle Sales at 731 N. 17<sup>th</sup> St., Unit 3 in the Foundry Business Park. Details of the proposal are as follows:

- MotoExec will occupy Unit 3, which is approx. 3,000 sf in size.
- All business operations will be conducted within the unit; there will be no outside storage or display of vehicles.
- The interior of the unit will include office space/waiting area and an indoor showroom.
- Hours of operation are as follows:
  - Tuesday – Friday 10:00 a.m. to 6:00 p.m.
  - Saturday 10:00 a.m. to 5:00 p.m.
  - Closed Sunday
- The applicant and a co-owner will be the only employees.
- No changes to the exterior of the building or site are proposed.

Per Ordinance 1999-Z-2, Special Use approval is required to permit Motor Vehicle Sales in the Foundry Business Park PUD.

**Plan Commission Review**

The Plan Commission held a public hearing on the Special Use on 11/1/16. The Commission voted 6-0 to recommend approval, with three conditions:

1. There shall be no outdoor storage or display of vehicles.
2. There shall be no outdoor repair or maintenance of vehicles.
3. Test driving of vehicles may begin on the property, but shall be primarily conducted off the premises of the Foundry Business Park.

**Attachments** *(please list):*

Plan Commission Resolution, Staff Report, Application, Photos of Unit, Letter from Property Owner

**Recommendation/Suggested Action** *(briefly explain):*

Plan Commission recommendation to approve a Special Use for Motor Vehicle Sales for MotoExec, 731 N. 17<sup>th</sup> St. Unit 3.

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 18-2016**

**A Resolution Recommending Approval of an Application for Special Use for  
Motor Vehicle Sales at 731 N. 17<sup>th</sup> St., Unit 3 (Jimmy Wilmes)**

**Passed by Plan Commission November 1, 2016**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for Special Use; and

WHEREAS, the Plan Commission held a public hearing and has reviewed the Application for Special Use for Motor Vehicle Sales at 731 N. 17th St., Unit 3, filed by Jimmy Wilmes; and

WHEREAS, the Plan Commission adopts the following Findings of Fact for Special Use in accordance Section 17.04.430.C.2 of the Zoning Ordinance:

**FINDINGS OF FACT FOR SPECIAL USE**

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

The proposed special use will provide the public with an establishment to purchase high quality vehicles at a great price locally.

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

All necessary infrastructure is currently in place and there will be no additional burden on the City's infrastructure.

**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.**

All business activity under the proposed Special Use will be conducted within the specified leased unit within the Foundry Business Park, with no effect on nearby property. All vehicle sales will occur inside the unit without any exterior display or storage; indoor showroom only.

**Resolution 18-2016**

- 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 Special Use will allow such business activity that can be conducted within an already established unit in the Foundry Business Park. No further development of the parcel is necessary.

- 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 operation of the proposed Special Use will be maintained with no effect on the general welfare of the public by operating day to day as office space with a warehouse and showroom. There will be no manufacturing or use of dangerous materials.

- F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation 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 will be regulated by the State of Illinois and will abide by all state legislation and regulation during its existence. The proposed Special Use will obtain and responsibly hold a state issued licence to conduct business.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a Special Use for Motor Vehicle Sales at 731 N. 17th St., Unit 3 (Jimmy Wilmes), subject to the following conditions:

1. There shall be no outdoor storage or display of vehicles.
2. There shall be no outdoor repair or maintenance of vehicles.
3. Test driving of vehicles may begin on the property, but shall be primarily conducted off the premises of the Foundry Business Park.

Roll Call Vote:

Ayes: Holderfield, Schuetz, Pretz, Frio, , Kessler, Macklin-Purdy

Nays:

Absent: Wallace, Spruth, Doyle

Motion carried: 6-0

PASSED, this 1st day of November 2016.

**Resolution 18-2016**

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Chairman  
St. Charles Plan Commission

Community and Economic Development  
 Planning Division

Phone: (630) 377-4443  
 Fax: (630) 377-4062



**Staff Report**

**TO:** Chairman Todd Bancroft  
 And the Members of the Planning and Development Committee

**FROM:** Ellen Johnson, Planner

**RE:** MotoExec – 731 N. 17<sup>th</sup> St. Unit 3 (Foundry Business Park PUD)

**DATE:** November 8, 2016

**I. APPLICATION INFORMATION:**

**Project Name:** MotoExec – 731 N. 17<sup>th</sup> St. Unit 3

**Applicant:** Jimmy Wilmes

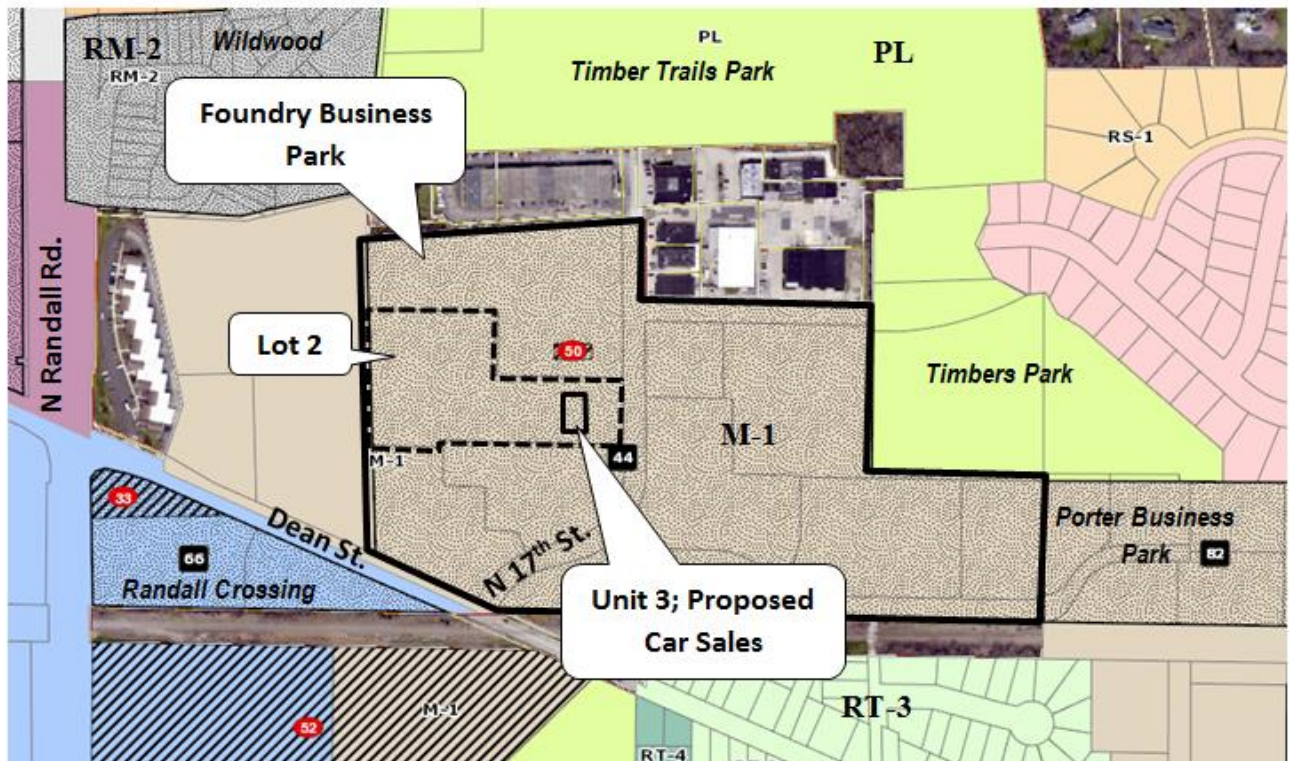
**Purpose:** Permit an indoor Motor Vehicle Sales establishment

<b>General Information:</b>		
<b>Site Information</b>		
Location	<b>731 N. 17<sup>th</sup> St. Unit 3, Foundry Business Park Lot 2</b>	
Acres	4.6 acre (Lot 2)	
Applications	<b>Special Use</b>	
Applicable Zoning Code Sections and PUD Ordinance	Ch. 17.16 Office/Research, Manufacturing and Public Land Districts Ordinance 1999-Z-2 “An Ordinance Amending Ordinance No. 1997-M-44 (Foundry Business Park PUD)”	
<b>Existing Conditions</b>		
Land Use	Multi-tenant industrial/office building	
Zoning	M-1 Special Manufacturing (PUD)	
<b>Zoning Summary</b>		
North	M-1 Special Manufacturing (PUD)	Multi-tenant industrial/office building
East	M-1 Special Manufacturing (PUD)	Multi-tenant industrial/office building
South	M-1 Special Manufacturing (PUD)	Vacant/detention pond
West	M-1 Special Manufacturing	Manufacturing
<b>Comprehensive Plan Designation</b>		
Industrial/Business Park		

**Aerial**



**Zoning**



## **II. BACKGROUND**

### **A. PROPERTY HISTORY**

The subject property is a 3,000 sf unit (Unit 3) within the multi-tenant industrial/office building on Lot 2 of the Foundry Business Park PUD. The Foundry Business Park PUD was first established in 1997 under Ordinance No. 1997-M-44 “An Ordinance Granting a Special Use as a Planned Unit Development for the Foundry Business Park PUD”. The property was also annexed into the City of St. Charles at that time. In 1999, Ordinance No. 1999-Z-2 “An Ordinance Amending Ordinance 1997-M-44 (Foundry Business Park PUD)” was approved, which added additional land to the PUD and replaced the original 1997 PUD ordinance.

A total of six buildings encompass the Foundry Business Park. The eastern four buildings were constructed in the early 2000s. The building north of the subject property was constructed in 2005. In 2006, Resolution No. 2006-26, “A Resolution Approving the Architectural Elevations for Lot 2 (Foundry Business Park PUD)” was approved for the subject property. The building was completed in 2008.

### **B. PROPOSAL**

Jimmy Wilmes, applicant and owner of JW Auto Group LLC, d/b/a MotoExec, has requested a Special Use to allow Motor Vehicle Sales at 731 N. 17<sup>th</sup> St., Unit 3 in the Foundry Business Park. Details of the proposal are as follows:

- MotoExec will occupy Unit 3, which is approx. 3,000 sf in size.
- All business operations will be conducted within the unit; there will be no outside storage or display of vehicles.
- The interior of the unit will include office space/waiting area and an indoor showroom.
- Hours of operation are as follows:
  - Tuesday – Friday 10:00 a.m. to 6:00 p.m.
  - Saturday 10:00 a.m. to 5:00 p.m.
  - Closed Sunday
- The applicant and a co-owner will be the only employees.
- No changes to the exterior of the building or site are proposed.

## **III. ANALYSIS**

Staff has performed an analysis of the Special Use application for conformance with the Zoning Ordinance and PUD Ordinance. No physical changes are proposed to the exterior of the building or to the site. As such, the two review items to be considered are the proposed Special Use and whether there is adequate parking provided on site to accommodate the proposed use.

### **A. SPECIAL USE**

Ordinance No. 1999-Z-2, Exhibit C includes a list of uses that are permitted in the Foundry PUD. Exhibit C also states that all permitted uses and special uses in the M-1 Limited Manufacturing District under the City’s previous Zoning Ordinance are also allowed.

Motor Vehicle Sales was a Special Use in the M-1 district under the previous Zoning Ordinance. As such, Motor Vehicle Sales may be permitted within the Foundry Business Park if it is determined that the proposal meets the findings of fact for Special Use. The applicant has provided findings of fact as part of the Special Use application.

The previous Zoning Ordinance did not provide a definition of Motor Vehicle Sales. However, the current Zoning Ordinance defines “Motor Vehicle Sales and Leasing” as follows:

*An establishment licensed by the State of Illinois where the principal use is the sale or lease of new or used automobiles, trucks, vans, trailers, boats or motorcycles, or other similar motorized transportation vehicles. A Motor Vehicle Sales and Leasing establishment may maintain an inventory of the vehicles for sale or lease on-site. Secondary support uses may also exist upon the same site, such as maintenance, repair, and service areas, indoor parts storage areas, and financial services areas. Motor Vehicle Display, Outdoor, is permitted as an accessory use; Vehicle Service and Repair, Major and Minor, as defined herein, are permitted as accessory uses or as additional principal uses.*

#### Related Use

Over the past few years, Staff has received occasional inquiries regarding “internet car sales” and whether the use is permitted in any of the City’s zoning districts. These businesses advertise and sell vehicles online, but require a physical space to store the vehicles and for customers to pick up the vehicles they purchase online.

Staff has determined that this type of use would fall into the general use category of “Warehouse/Distribution” if there will be no showroom or customers visiting the location to shop, test drive, or purchase vehicles.

Warehouse/Distribution is a permitted use in the M-1 and M-2 manufacturing zoning districts. Staff has directed individuals inquiring about this type of use that they are permitted to locate in these zoning districts.

The proposed Motor Vehicle Sales establishment is different from typical car dealerships in St. Charles. There will be no outdoor display of vehicles, the operation will be relatively small, and the applicant has indicated they plan to primarily advertise online. Were it not for the fact that customers will be visiting the business to test drive and purchase vehicles on-site, the use would likely be considered Warehouse/Distribution and would therefore be a permitted use at the proposed location.

#### **B. PARKING**

Per Ordinance No. 1999-Z-2, off-street parking requirements for the Foundry Business Park are based on the requirements of the City’s previous zoning ordinance. Staff has determined the number of off-street parking spaces required for each use within the building on Lot 2 and compared the requirement with the number of existing spaces. Including the proposed Motor Vehicle Sales establishment, there are 30 parking spaces in excess of the off-street parking requirement for Lot 2.



Parking Spaces on Lot 2	238
Parking Spaces Required for Existing Uses	203
Parking Spaces Required for Existing Uses + Proposed Use	208
Additional Parking Spaces	30

Although there are excess off-street parking spaces on the site, the property owner has provided a letter requesting that no outdoor storage or display of vehicles be permitted. The applicant has indicated in the application materials that all vehicles will be stored and displayed inside the unit.

The property owner has also requested that test driving of vehicles be conducted off the premises of the Foundry Business Park. Per the letter provided by the property owner, test drives may begin in the parking lot, but vehicles shall then be driven off-site.

#### **IV. PLAN COMMISSION RECOMMENDATION**

The Plan Commission held a public hearing for the Special Use on 11/1/16. The Commission voted 6-0 to recommend approval, with three conditions which were recommended by staff:

1. There shall be no outdoor storage or display of vehicles.
2. There shall be no outdoor repair or maintenance of vehicles.
3. Test driving of vehicles may begin on the property, but shall be primarily conducted off the premises of the Foundry Business Park.

#### **V. ATTACHMENTS**

- Photos of Unit 3
- Application for Special Use; received 9/20/16
- Letter from Property Owner; dated 10/13/16

**Photos – 731 N. 17<sup>th</sup> St. Unit 3**

**Front (south) Elevation:**



**Rear (north) Elevation:**



# CITY OF ST. CHARLES

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



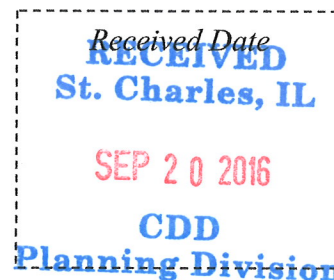
COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## 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:	<u>731 N. 17th St. Unit 3</u>
Project Number:	<u>2016 -PR- 013</u>
Application Number:	<u>2016 -AP- 033</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.

<b>1. Property Information:</b>	Location:	<u>731 N. 17th St. UNIT 3 St. Charles, IL 60174</u>	
	Parcel Number (s):	<u>09-28-301-039</u>	
	Proposed Name:	<u>JW AUTO GROUP LLC D.B.A. "MOTD EXEC"</u>	
<b>2. Applicant Information:</b>	Name	<u>Jimmy Wilmes</u>	Phone <u>630-901-4263</u>
	Address	<u>3018 Seckonk Ave.</u>	Fax
		<u>Elgin, IL 60124</u>	Email <u>Jwilmes17@sbcglobal.net</u>
<b>3. Record Owner Information:</b>	Name	<u>American Small Business II LLC</u>	Phone <u>630-355-8094</u>
	Address	<u>1805 HIGH GROVE LANE</u>	Fax
		<u>Naperville, IL 60540</u>	Email

**Please check 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 #: MOTOR VEHICLE SALES

**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-1 and PUD

What is the property currently used for? Vacant OFFICE / WAREHOUSE UNIT

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

There will be NO construction necessary or improvements needed to fulfill special use requested on the parcel.

**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
	9-12-2016
Applicant or Authorized Agent	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*

\_\_\_\_\_  
*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.

*The proposed special use will provide the public with a  
establishment to purchase high quality vehicles at a great  
price locally.*

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

*All necessary infrastructure is currently in place and there  
will be no additional burden on the city for proposed special  
use.*

- 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.



All business activities under the proposed special use will be conducted within the business park's specifically leased unit with no effect on nearby property. All vehicle sales will occur inside the unit without a exterior lot or outside storage. Indoor Showroom Only.

- 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 special use will allow such business activity that can be conducted within a already established unit in the Funding Business Park. No further development of the parcel is necessary.

- 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 special use operates and maintains all business activity with no effect on the general welfare of the public by operating day to day as office space with warehouse. Furthermore there will be no harmful manufacturing or use of dangerous materials.

- F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation 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 will be regulated by the State of Illinois and will abide by all state and local legislation/regulation during its existence. The proposed special use will also obtain and responsibly hold a State Issued license to conduct business.

## JW AUTO GROUP LLC

JW Auto Group LLC is a family owned and operated independent used auto dealer established by father and son. The purpose of this establishment is to sell top quality vehicles at a competitive price. The establishment's main goal is to be successful by offering something unique and different to the motor vehicle customer; a pleasant car buying experience. The dealership will be selling professional service and a experience *that will bring customers back again, as well as referring friends and family.* This establishment will be successful because of the excellent team in place and the drive and determination of the owners.

Located in the well known Foundry Business Park of St. Charles, IL and operating within one of the park's well lit and spacious units, the dealership's client's will be able to comfortably view their desired vehicle to purchase in a indoor showroom. Away from the elements and along with the guidance of trust worthy owner operators encouraged by the two most important values, honor and integrity, every individual visiting the *establishment will immediately feel welcomed, comfortable, and confident in their purchase.*

Furthermore, the dealership will be able to operate comfortably inside the park's unit without impacting the surrounding businesses and community while still being a benefit to the diversity, tax base, and economic well being of the city.

We value the privilege to operate our business in the wonderful city of St. Charles, IL and remain grateful for the opportunity to become one of the most trusted and prestigious small independent auto dealers in the area.

Sincerely,



Jimmy Wilmes

JW Auto Group LLC

731 N. 17th Street  
Unit 3  
3,138 Sq. Ft.

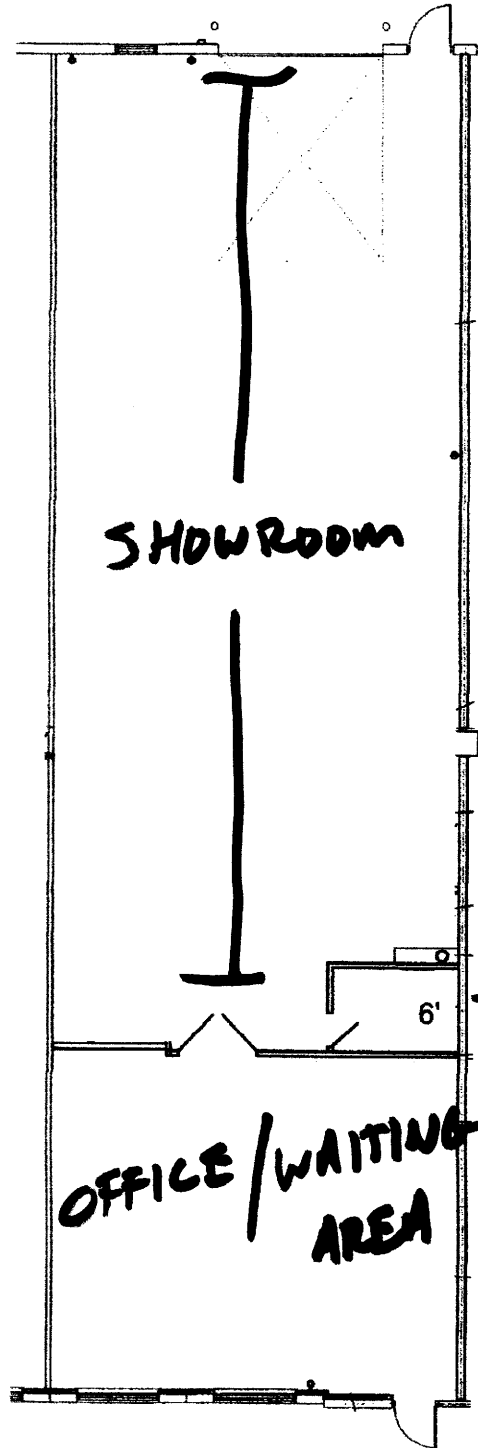


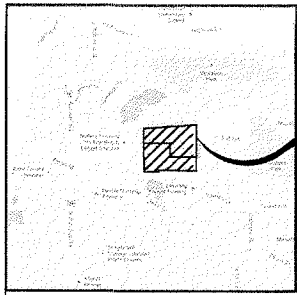
EXHIBIT 'A' IS ATTACHED TO  
THIS LEASE AGREEMENT  
DATED AUGUST 31, 2016

SIGNATURE: *[Handwritten Signature]* *owner manager Jew Auto Camp LLC*

SIGNATURE: \_\_\_\_\_

# A.L.T.A./A.C.S.M. LAND TITLE SURVEY

LOTS 2 & 3 FOUNDRY BUSINESS PARK  
ST. CHARLES, ILLINOIS



**SITE LOCATION**

**VICINITY MAP**

**LINE LEGEND**

- PROPERTY LINE (Heavy Solid Line)
- ADJACENT PROPERTY LINE OR RIGHT-OF-WAY LINE (Light Solid Line)
- - - EASEMENT LINE/LIMITS OF EASEMENT (Thin Dashed Line)

**SYMBOL LEGEND**

- MANHOLE
- CATCH BASIN
- INLET
- CLEANOUT STRUCTURE
- WATER VALVE
- △ HYDRANT
- △ VALVE & VAULT
- BOLLARD
- ONLY WIRE
- UTILITY POLE
- LIGHT ON BUILDING
- STREET SIGN
- TELEPHONE CANSISTER
- ELECTRIC CANSISTER
- CABLE CANSISTER
- TRANSFORMER
- FENCE LINE
- MAILBOX
- STORM SEWER
- STORM SEWER
- WATERMAIN
- OVERHEAD WIRES
- UNDERGROUND GAS LINE
- UNDERGROUND ELECTRIC CABLE
- UNDERGROUND PHONE CABLE
- UNDERGROUND TELEVISION CABLE
- DEPRESSED CURB
- BUFFALO BOX
- CONCRETE SURFACE (NOT ALL CONCRETE SURFACES ARE SHOWN FOR CLARITY)
- DOWN SPOUT
- GAS METER
- ELECTRIC METER
- AIR CONDITIONING UNIT
- ELECTRIC CONTROL BOX
- B-B BACK TO BACK
- K-B-B NORTH-OF-WAY



**ENCROACHMENT NOTES**

WITHOUT EXPRESSING OPINION AS TO OWNERSHIP OF IMPROVEMENTS, THE FOLLOWING IS A TABULATION OF POSSIBLE ENCROACHMENTS WITH RESPECT TO PROPERTY LINES (DIMENSIONS TIES PROVIDED ACCORDINGLY).

- FENCE LINE AT NW CORNER OF LOT 3
- MAILBOX CLUSTER AT NE CORNER OF LOT 3
- SIDEWALK JUST SOUTH OF NE CORNER OF LOT 3

**NOTES ON SCHEDULE B SURVEY RELATED TITLE EXCEPTIONS/EXEMPTIONS**

O. ENVIRONMENTAL DISCLOSURE DOCUMENT RECORDED AS DOCUMENT 93K29963. PARTICULARS THEREOF DO NOT PLOT.

M. ANNEXATION AGREEMENT WITH CITY OF ST. CHARLES AS DOCUMENT 97K02850. MANY PARTICULARS THEREOF DO NOT PLOT. VARY REQUIREMENTS NOT PLOTTED.

Y. PUBLIC UTILITIES AND DRAINAGE EASEMENT AND PROVISIONS ON THE PLAT OF SUBDIVISION DOCUMENT 00K076280. PLOTTED.

\*PROPERTY SUBJECT TO ENVIRONMENTAL AND FURTHER NOTIFICATION LETTERS RECORDED AS DOCUMENT 2010K054423. PARTICULARS THEREOF DO NOT PLOT.

**PARCEL DESCRIPTION**

LOT 2 AND 3 IN FOUNDRY BUSINESS PARK, BEING A PART OF THE WEST HALF OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 25, 2000 AS DOCUMENT 2000K076280, IN CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

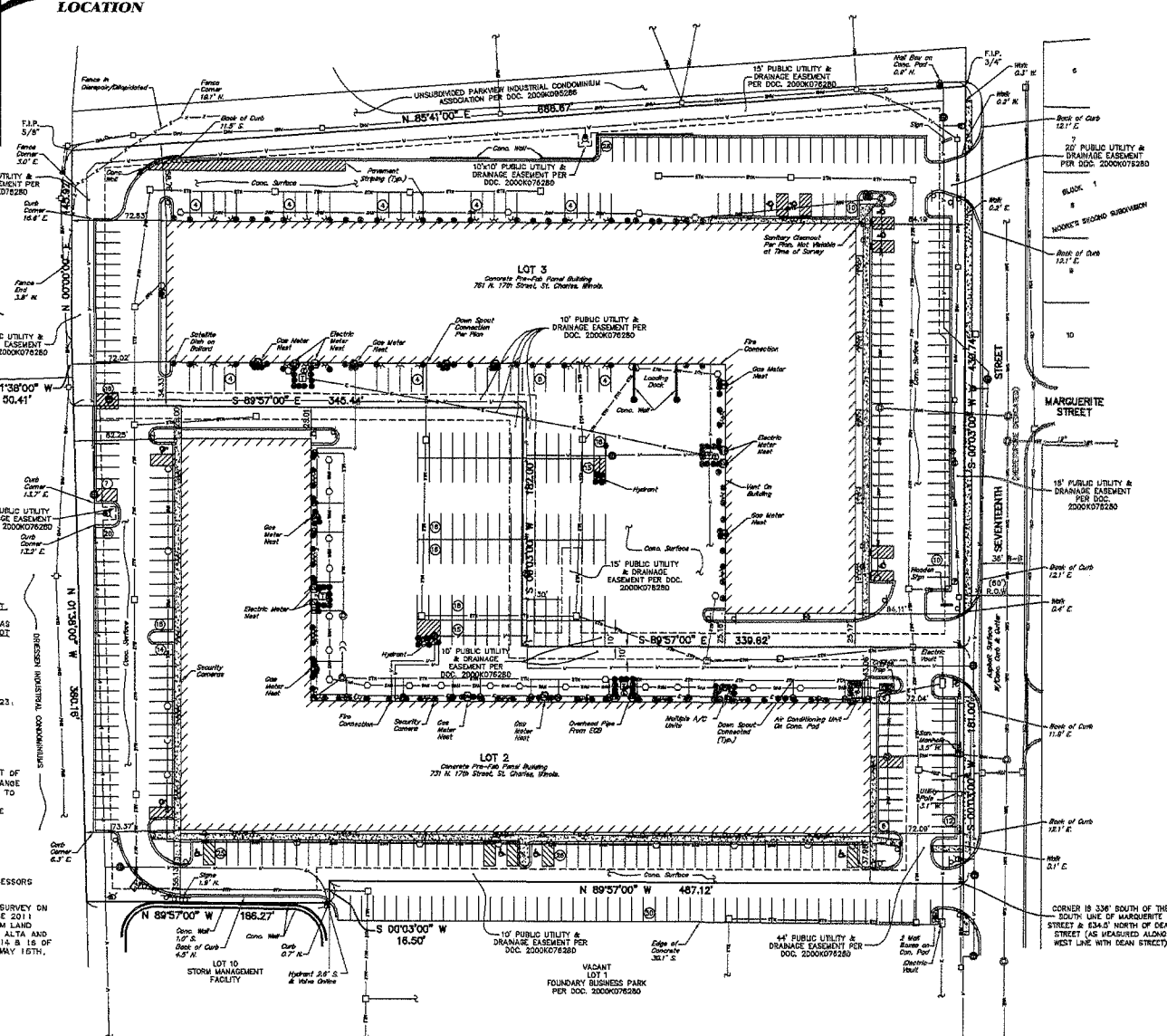
**SURVEYOR'S CERTIFICATE**

TO: CHICAGO TITLE INSURANCE, CO.  
AMERICAN NATIONAL INSURANCE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 8, 9, 11c, 12, 13, 14, B, 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 15TH, 2014.

DATE OF PLAT OR MAP: MAY 28TH, 2014.

PETER A. BLAESER  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3072  
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2014  
PROFESSIONAL DESIGN FIRM LICENSE NUMBER 184-002937  
EXPIRES APRIL 30, 2015



**SURVEYOR'S NOTES**

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE. ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCE IMMEDIATELY.
3. BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAPS. REFER TO YOUR DEED OR ABSTRACT FOR ADDITIONAL ZONING RESTRICTIONS.
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.
5. EASEMENTS AND SERVICES SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY IDENTIFIED AS NUMBER 141 MMS165270 UA WITH AN EFFECTIVE DATE OF APRIL 18, 2014.
6. THE BEARING'S SHOWN HEREON ARE BASED UPON THE WEST LINE OF 17TH STREET & 00°03'00" W (AS SHOWN).
7. DIMENSIONS ALONG CURVES ARE ARC DISTANCES.
8. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
9. DIMENSIONS ENCLOSED IN ( ) INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED.
10. FIP = FOUND IRON PIPE (AS SHOWN)  
FIR = FOUND IRON ROD  
FIP = SET IRON PIPE (AS SHOWN)
11. BASED ON REVIEW OF FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP PANEL NO. 170802028H WITH AN EFFECTIVE DATE OF AUGUST 3, 2009, IT IS OUR OPINION THAT NO PART OF THE PROPERTY DESCRIBED HEREON FALLS WITHIN A SPECIAL HAZARD ZONE (NO SHADING) AS DESIGNATED AND DEFINED BY F.E.M.A.
12. LOT 2 CONTAINS 188,109 SQ. FT.  
LOT 3 CONTAINS 214,558 SQ. FT.
13. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.

PREPARED BY:  
**CEMCON, Ltd.**  
Consulting Engineers, Land Surveyors & Planners  
2280 White Oak Circle, Suite 100  
Aurora, Illinois 60502-9875  
PH: 630.882.2100  
E-Mail: ccs@cemcon.com FAX: 630.882.2199  
Website: www.cemcon.com

DISC NO.: 488032 FILE NAME: FILE NAME  
DRAWN BY: MSD FLD. BK. / PG. NO.: N/A  
COMPLETION DATE: 5-26-14 JOB NO.: 498.032  
REFERENCE: 488013

## Johnson, Ellen

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**From:** Jimmy Wilmes <jwilmes17@sbcglobal.net>  
**Sent:** Thursday, September 22, 2016 9:30 AM  
**To:** Johnson, Ellen  
**Subject:** Re: Meeting Dates- 731 N 17th St. Special Use  
**Attachments:** 731Unit3Map.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hi Ellen,

The following is in regards to the Application Completeness Review questions:

### 1. Anticipated Hours of Operation / # of Employees

Closed - Sunday - Monday

Open - Tuesday - Friday 10am - 6pm / Saturday 10am - 5pm

Owner Operated with 2 Owners and No other employees.

**2. Location Identification** - See Attached. Confirmed 3,138 sqft

**3. Business Name** - JW Auto Group LLC D.B.A. "MotoExec"

Thanks,

Jimmy Wilmes  
630-901-4263  
[jwilmes17@sbcglobal.net](mailto:jwilmes17@sbcglobal.net)

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**From:** "Johnson, Ellen" <[ejohnson@stcharlesil.gov](mailto:ejohnson@stcharlesil.gov)>  
**To:** Jimmy <[jwilmes17@sbcglobal.net](mailto:jwilmes17@sbcglobal.net)>  
**Sent:** Wednesday, September 21, 2016 3:58 PM  
**Subject:** RE: Meeting Dates- 731 N 17th St. Special Use

Jimmy,  
Great, we will go ahead and schedule for November 1<sup>st</sup>.

Attached please find a letter outlining my review of the application materials, as well as a more detailed project schedule.

Let me know if you have any questions.

Thanks,  
Ellen



# Foundry Business Park

*At Dean & N. 17th Street, St. Charles, IL*



October 13, 2016

Ms. Ellen Johnson  
City of St. Charles  
Planning Division  
2 East Main Street  
St. Charles, Illinois 60175

Re: 731 N. 17<sup>th</sup> Street, Unit 3  
St. Charles, Illinois

Dear Ms. Johnson,

We are in agreement of a special use permit to include internet car sales inside 731 N. 17<sup>th</sup> Street, Unit 3. Jimmy Wilmes is authorized to apply to the City of St. Charles for a Special Use to permit internet car sales at the above specified address. We agree to allow vehicles to be test driven starting in the parking lot to off the property and sold on our property with the proper City of St. Charles permits and State of Illinois licensing. However, we do not agree to allow a new vehicle or used vehicles sales parking lot. All vehicles for sale, or otherwise, must be stored inside the space and will not be permitted to be stored on the exterior of the premises.

Thank you,

RG Ripper  
Member Manager  
American Small Business, LLC  
1805 High Grove Lane  
Naperville, Illinois 60540  
(630) 355-8094