 ST. CHARLES SINCE 1834	PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY			
	Project Title/Address:		General Amendment: BL District Drive-Through Facility Lot Area	
	City Staff:		Ellen Johnson, Planner	
	PUBLIC HEARING 8/16/16		X	MEETING 8/16/16
APPLICATION:		General Amendment		
ATTACHMENTS AND SUPPORTING DOCUMENTS:				
Staff Report		Application for General Amendment		
SUMMARY:				
<p>David and Julie Lundeen, owners of Lundeen Liquors at 1315 W. Main St., have applied for a Special Use for a Drive-Through Facility for their business at that location. The Special Use request is also on the Plan Commission agenda for this meeting.</p> <p>However, the Zoning Ordinance requires that Drive-Through Facilities in the BL Local Business zoning district have a minimum lot area of 1 acre. The lot size of 1315 W. Main St. is 0.39 acre.</p> <p>The Lundeens are requesting a General Amendment to remove the 1 acre lot area requirement for Drive-Through Facilities in the BL Local Business zoning district. This General Amendment would need to be approved for the Special Use request to be considered.</p>				
SUGGESTED ACTION:				
<p>Conduct the public hearing and close if all testimony has been taken.</p> <p>Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission feel that they have enough information to make a recommendation.</p>				
INFO / PROCEDURE – GENERAL AMENDMENT APPLICATIONS:				
<ul style="list-style-type: none"> • See Sec. 17.04.320 regarding General (Text) Amendments. A General Amendment (or Text Amendment) is an application requesting a change to the Zoning Ordinance, Title 17 of the City Code. A change may be requested to a numerical standard (such as a setback requirement) or to any other text of the Zoning Ordinance. Often, a General Amendment is proposed to change the standards that apply to a specific zoning district or a specific land use or business category. Changes to the text apply to all properties in the City that are located in the same zoning district or fall within the same category of land use or business. A General Amendment application may also involve changes to procedures or application requirements that are listed in the Zoning Ordinance. • Public hearing is required. No mailed notice to surrounding property owners. • Findings: 6 items of information for Plan Commission to consider in making a recommendation; all items need not be in the affirmative to recommend approval. 				

Community & Economic Development
Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



Staff Report

TO: Chairman Todd Wallace
And the Members of the Plan Commission

FROM: Ellen Johnson, Planner

RE: Application for a General Amendment to Title 17 of the City Code (Zoning Ordinance) to remove the 1 acre lot area requirement for Drive-Through Facilities in the BL Local Business District

DATE: August 12, 2016

I. GENERAL INFORMATION

Project Name: General Amendment – BL District Drive-Through Facility Lot Area

Applicant: David and Julie Anna Lundeen

Purpose: To permit Drive-Through Facilities on lot sizes less than 1 acre in the BL Local Business District

II. BACKGROUND & PROPOSAL

David and Julie Lundeen, owners of Lundeen Liquors at 1315 W. Main St., have applied for a Special Use for a Drive-Through Facility for their business at that location. The Special Use request is also on the Plan Commission agenda for this meeting. However, the Zoning Ordinance requires that Drive-Through Facilities in the BL Local Business zoning district have a minimum lot area of 1 acre. The lot size of 1315 W. Main St. is 0.39 acre.

The Lundeens are requesting a General Amendment to remove the 1 acre lot area requirement for Drive-Through Facilities in the BL Local Business zoning district.

III. ANALYSIS

The minimum lot area required for non-residential uses in the business and mixed use zoning districts are provided on **Table 17.14-2 Business and Mixed Use Districts Bulk Regulations**, as follows:

	BL Local Business	BC Community Business	BR Regional Business	CBD-1 Central Business District	CBD-2 Mixed Use Business District
Min. Lot Area	<u>Drive-thru facilities, Minor Motor Vehicle Service & Repair: 1 acre</u> Other Uses: No minimum lot area	1 acre	1 acre	No minimum lot area	5,000 sf

Lot area requirements for commercial uses were not imposed in commercial zoning districts under the City's previous Zoning Ordinance. These requirements were added to the Zoning Ordinance when it was re-written in 2006. As a result, there are many commercial parcels that are smaller in size than the current ordinance requires.

In the BL Local Business District, there is only a minimum lot area requirement for two specified uses: Drive-Through Facilities and Minor Motor Vehicle Service & Repair. These uses require a lot size of 1 acre in order to establish at any given location. These uses cannot be established on existing lots that are less than 1 acre in size.

Staff has collected lot size and use data on all BL zoned parcels. A map showing the location of the BL parcels is attached. Most properties in the BL District are located along Main Street and back up to residential neighborhoods. BL parcels are generally smaller in size than parcels zoned BC or BR, and contain smaller scale commercial and office uses. The purpose of the BL District as provided in the Zoning Ordinance is as follows:

"To provide locations for small-scale service and retail uses that primarily serve the convenience needs of St. Charles neighborhoods. The BL District permits a mix of uses, but care must be taken to ensure that adequate access, parking and screening are provided so as not to negatively impact adjoining residential neighborhoods."

Lot size data for parcels in the BL District is provided in Table 2. Only 8 parcels are over 1 acre in size and are therefore available for establishment of new Drive-Through Facilities or Motor Vehicle Service & Repair:

Table 2:

Total BL Parcels	70
Median Lot Size	0.395 acre
Parcels under 1 acre	62
Parcels over 1 acre	8

There are 6 Drive-Through Facilities currently operating in the BL District. Lot size information for these sites is provided in Table 3. A total of 5 of these Drive-Through Facilities do not meet the 1 acre lot area requirement:

Table 3:

Existing Drive-Through Facilities	6 (4 restaurants, 2 banks)
Median Lot Size	0.417 acre
Drive-Through Parcels under 1 acre	5 (3 restaurants, 2 banks)
Drive-Through Parcels over 1 acre	1 (1 restaurant)

For reference, staff also collected lot size data for Drive-Through Facilities in all zoning districts. There are a number of Drive-Through Facilities located on sites less than 1 acre in size in the BC, BR, CBD-1, and CBD-2 zoning districts. This data can be found attached.

If the proposed General Amendment is approved, Drive-Through Facilities in the BL District would still require Special Use approval to establish. Applicants would continue to be required to demonstrate that all requirements of **Section 17.24.100 Drive-Through Facilities** can be met, including the number of stacking spaces, as well as parking count and all other applicable bulk standards. The 1 acre lot area

requirement would continue to apply to Minor Motor Vehicle Service & Repair. Lot area requirements for all other zoning districts would remain unchanged.

IV. SUGGESTED ACTION

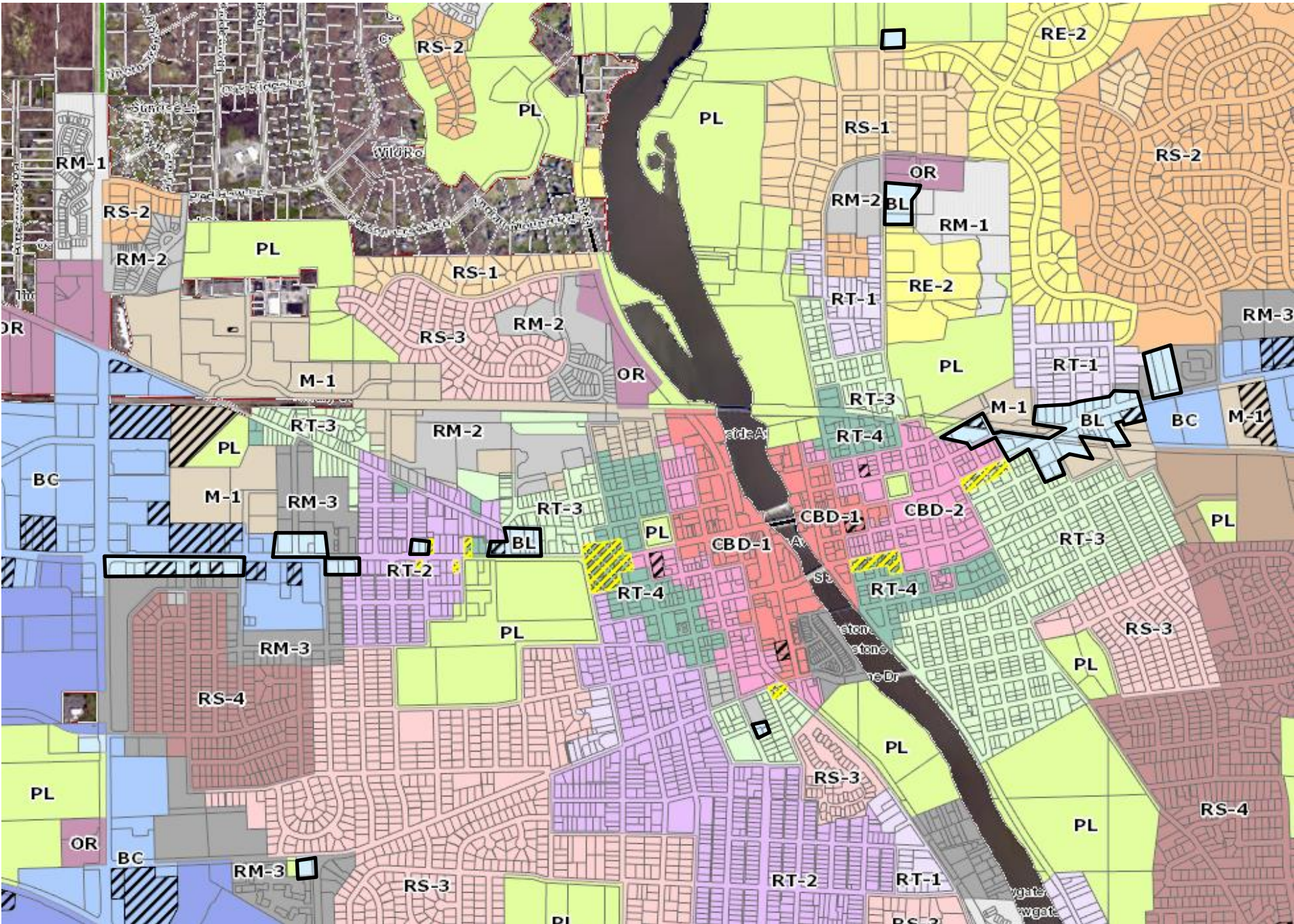
Conduct the public hearing on the General Amendment and close if all the testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission determine that they have enough information to make a recommendation. The applicant has provided findings of fact in support of their proposal as part of the General Amendment application.

V. ATTACHMENTS

- Map of BL Local Business District parcels
- Lot size data for existing Drive-Through Facilities
- Application for General Amendment; received 6/28/16

BL- Local Business District Parcels



DRIVE-THROUGH FACILITIES- ALL ZONING DISTRICTS					
ADDRESS	LOT SIZE- SF	LOT SIZE- ACRES	USE	ZONING DISTRICT	
103 N 9th Ave.	11,716	0.270	Drive-Thru Bank	BL	Under 1 acre
24 S 2nd St.	13,611	0.312	Drive-Thru Bank	CBD-1	
1615 W Main St.	15,246	0.35	Drive-Thru Bank	BC	
1825 W Main St.	15,300	0.351	Drive-Thru Restaurant- Just Kabobs	BL	
409 S 1st St.	16,299	0.374	Drive-Thru Bank		
900 W Main St.	16,790	0.385	Drive-Thru Restaurant- Dairy Queen	BL	
1711 W Main St.	19,500	0.448	Drive-Thru Restaurant- Dunkin Donuts	BL	
1910 Lincoln Hwy	21,028	0.482	Drive-Thru Restaurant- Brown's Chicken	BR	
1850 Lincoln Hwy	24,463	0.561	Drive-Thru Restaurant- Salsa Verde	BR	
510 Dunham Rd.	25,265	0.58	Drive-Thru Restaurant- Taco Bell	BC	
2019 Dean St.	28,954	0.664	Drive-Thru Bank	BC	
300 S Randall Rd.	29,653	0.68	Drive-Thru Bank	BC	
2057 Lincoln Hwy	32,300	0.741	Drive-Thru Restaurant- Baskin Robin/Dunkin Donuts	BR	
413 W Main St.	32,393	0.743	Drive-Thru Bank	CBD-2	
315 S Randall Rd.	36,590	0.84	Drive-Thru Bank	BL	
1534 E Main St.	38,491	0.883	Drive-Thru Restaurant- Arby's	BC	
942 S Randall Rd.	40,946	0.94	Drive-Thru Restaurant- Wendy's	BR	
860 S Randall Rd.	41,817	0.96	Drive-Thru Bank	BR	
2526 E Main St.	42,689	0.98	Drive-Thru Restaurant- Franky's	BC	
600 S Randall Rd	43,176	0.991	Drive-Thru Coffee/Tea Room (not currently in use) <i>shopping center; not stand alone parcel</i>	BC	
1950 Bricher Rd.	45,462	1.043	Drive-Thru Restaurant- Taco Bell	BR	Over 1 acre
2601 Oak St.	45,738	1.05	Drive-Thru Bank	BC	
1790 W Main St.	45,939	1.054	Drive-Thru Restaurant- Oberweis Dairy	BC	
1925 Lincoln Hwy	47,916	1.1	Drive-Thru Bank	BR	
1915 W Main St.	47,916	1.1	Drive-Thru Restaurant- McDonald's	BL	
150 S Kirk Rd.	49,527	1.137	Drive-Thru Bank	BR	
700 S Randall Rd.	50,530	1.16	Drive-Thru Bank	BC	
4068 E Main St.		1.17	Drive-Thru Restaurant- Culver's	BR	
2701 E Main St.	50,965	1.17	Drive-Thru Restaurant- Dunkin Donuts (not currently in use)	BC	
520 Dunham Rd.	54,886	1.26	Drive-Thru Bank	OR	
3879 E Main St.	55,357	1.27	Drive-Thru Bank	BR	
3900 E Main St.		1.4	Drive-Thru Restaurant- McDonald's	BR	
3890 E Main St.	61,855	1.42	Drive-Thru Bank	BR	
3000 E Main St.	62,385	1.432	Drive-Thru Bank	BR	
2825 Foxfield Dr.	63,103	1.448	Drive-Thru Bank	BC	
2425 W Main St.	66,914	1.536	Drive-Thru Restaurant- Buona Beef	BC	
922 S Randall Rd.	67,337	1.545	Drive-Thru Restaurant- Zippy's	BR	

959 S Randall Rd.	69,696	1.6	Drive-Thru Restaurant- Burger King <i>shopping center; not stand alone parcel</i>	BR	
3875 E Main St.	72,440	1.663	Drive-Thru Restaurant- Potbelly	BR	
135 Smith Rd.	73,127	1.68	Drive-Thru Bank	OR	
2901 E Main St.	84,007	1.928	Drive-Thru Bank	BC	
2751 E Main St.	85,955	1.973	Drive-Thru Pharmacy- Walgreens	BC	
2600 E Main St.	93,999	2.159	Drive-Thru Bank	BC	
1500 Lincoln Hwy	94,726	2.175	Drive-Thru Pharmacy- CVS	BR	
3895 E Main St.	105,582	2.424	Drive-Thru Restaurant- Portillo's	BR	
575 S Randall Rd.	121,445	2.788	Drive-Thru Bank	OR	
1910 W Main St.	133,807	3.071	Drive-Thru Restaurant- Starbucks <i>shopping center; not stand alone parcel</i>	BC	
1566 E Main St.	196,020	4.5	Drive-Thru Restaurant- Dunkin Donuts <i>shopping center; not stand alone parcel</i>	BC	

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

GENERAL AMENDMENT APPLICATION

1315 W Main St.

CITYVIEW

Project Name: *Lundeen Liquors - West, Inc.*

Project Number: *2015 -PR- 004*

Application Number: *2015 -AP- 208*

Received Date
RECEIVED
St. Charles, IL

JUN 28 2016

CDD
Planning Division

Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance (City Code Title 17), 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 meeting or 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.

Applicant:	Name	<i>David & Julie Anna Lundeen</i>	Phone	<i>630 508 0755</i>
	Address	<i>6 Greenwood Ct, DeKalb, IL 60115</i>	Fax	<i>815 899 1231</i>
			Email	<i>jlu978745@aol.com</i>

Attachment Checklist

If multiple zoning or subdivision applications are being 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 (\$500)

☒ **REIMBURSEMENT OF FEES AGREEMENT:** *only need 1 copy.*

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. (For a General Amendment application only: \$1,000 deposit.)

☐ **FINDINGS:** Fill out the attached form or submit responses on a separate sheet.

☐ **WORDING OF THE REQUESTED TEXT AMENDMENT**

What is the amendment regarding?

The addition of a drive-through facility at
our 1315 W-main Street location

What sections are proposed for amendment?

Chapters(s): 17.14

Section(s): 17.14-2

The wording of the proposed amendment: Insert below or attached wording on a separate page.

To amend Title 17- 17.14-2 (1 acre minimum
lot area for BL zoning districts) to allow
a special use permit to be granted for
drive-through facilities for parcels under
the 1 acre provision

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.

David R. Lunder
Julie Anna Lunder 12/1/15
Applicant Date

FINDINGS OF FACT – GENERAL AMENDMENT

The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the "burden of proof" is on you to show why the proposed amendment is appropriate. Therefore, you need to "make your case" by explaining how the following factors support your proposal. If a factor does not apply to the amendment in question, indicate "not applicable" and explain why it does not apply.



Amendment Description/Ordinance Section Number

Date

From the Charles Zoning Ordinance, Section 17.04.320.C:

In making its recommendation to grant or deny an application for a Zoning Text Amendment, the Plan Commission shall consider:

1. The consistency of the proposed amendment with the City's Comprehensive Plan.

This amendment will enable owners of pre-existing commercial lots of less than one acre to re-invest in their property and rejuvenate the commercial corridor that is represented in the comprehensive plan.

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

*This amendment will move forward on Maintaining business areas that are attractive & economically viable (17.02.020 D)
2. - Increase the value of the property & esthetics for neighbors, citizens & visitors (17.02.020 E) 3. Will be implementing many of the goals & objectives for this commercial corridor as stated in the Comprehensive Plan - (17.02.020-K)*

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

Currently the one acre requirement only benefits developers of combined acreage and large developments and hinders the owners of smaller commercial lots to re-develop their own property. There are numerous existing drive-thrus that function very well under one acre.

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

The drive-thru business model is one that is only increasingly being utilized by consumers. The customers are driving this business model by choosing to conduct their purchases using a drive-thru - Banks, Coffee Shops, Cleaners, Drug stores - Fast food etc all utilize this model

5. The extent to which the proposed amendment creates nonconformities.

This amendment will not create a nonconforming situation

6. The implications of the proposed amendment on all similarly zoned property in the City.

Dune-houses will continue to be reviewed on a case by case basis even after this amendment is adopted