



Staff Report
Plan Commission Meeting – May 3, 2022

Applicant:	Fox River Harley-Davidson
Property Owner:	WCFX Real Estate Holdings, LLC
Location:	Vacant lot west of Fox River Harley-Davidson and north of Costco
Purpose:	Create an unpaved motorcycle training area
Application:	Special Use (PUD Amendment)
Public Hearing:	Yes, required
Zoning:	BR- Regional Business & Zylstra PUD
Current Land Use:	Vacant
Comprehensive Plan:	Corridor/ Regional Commercial
Summary of Proposal:	Application for a Special Use requesting to amend the Zylstra PUD to allow an unpaved motorcycle training area on the vacant lot behind Fox River Harley-Davidson.

Fox River Harley-Davidson Lot



Subject Property

Info / Procedure on Application:

Special Use for Planned Unit Development (PUD Amendment):

- Approval of development project with specific deviations from the Zoning Ordinance standards. (Establishes a PUD ordinance with unique zoning or subdivision standards that apply to a single development site)
- Public hearing is required, with a mailed notice to surrounding property owners.
- Single finding – Is the PUD in the public interest? Criteria are considered in reaching a decision. Responses to the criteria need not be in the affirmative to recommend approval of a PUD or PUD Amendment.
- The Plan Commission may recommend conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation and other elements of the PUD as deemed necessary to secure compliance with the standards specified in the Zoning Ordinance.
- The Plan Commission may recommend exceptions and deviations from the requirements of the Zoning and Subdivision Codes requested by the applicant, to the extent that it finds such exceptions and deviations are supportive of the standards and purposes for PUDs.

Suggested Action: Conduct the public hearing and close if all testimony has been taken.

The Plan Commission may vote on this item should the Commission feel that they have enough information to make a recommendation.

The applicant has provided responses to the Criteria for PUD for the Commission's consideration.

Staff Contact: Rachel Hitzemann, Planner

I. PROPERTY INFORMATION

A. History / Context

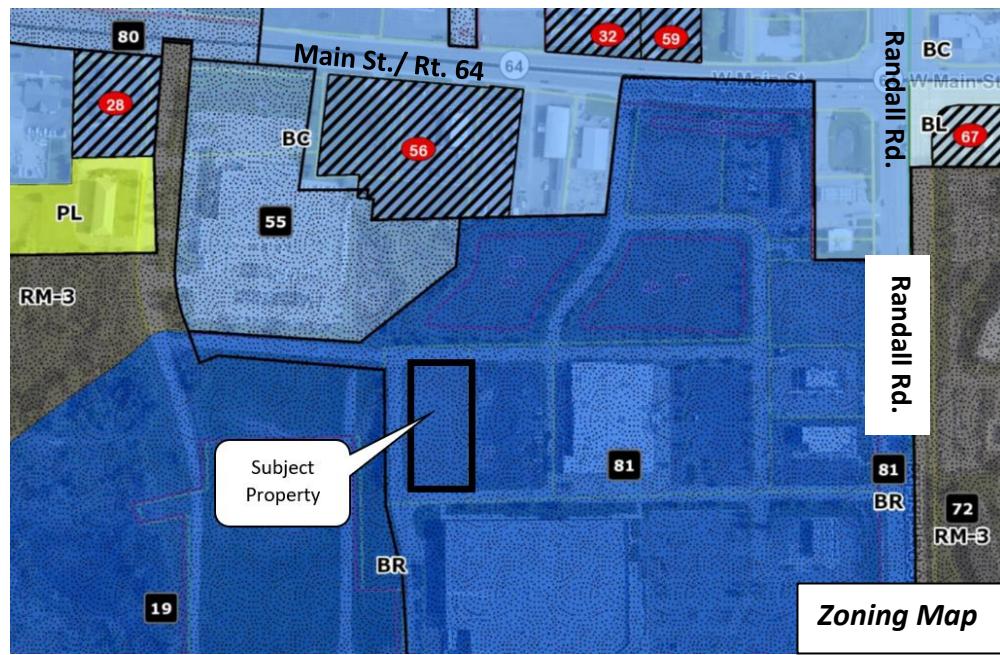
The subject property is a vacant lot located behind the Fox River Harley-Davidson at 131 S. Randall Rd. The 1.75-acre parcel is Lot 9 of the Zylstra Center PUD, directly east of the Kane County Fairground property, north of the Costco and west of the paved test track/parking lot.

In 2005, the Zylstra PUD was created. Under the PUD Preliminary Plan, numerous other lots were established to be developed in two phases. There were no set building plans or tenants for those lots at the time of approval. Since then, the Zylstra PUD ownership has sold those vacant lots, which been developed into commercial spaces for Costco, Discount Tire, Firestone, Culvers and Belle Tire. Zylstra Harley- Davidson, which now goes by Fox River Harley-Davidson, has retained ownership of the two parcels behind their dealership (the paved test area and the vacant subject property).

B. Zoning

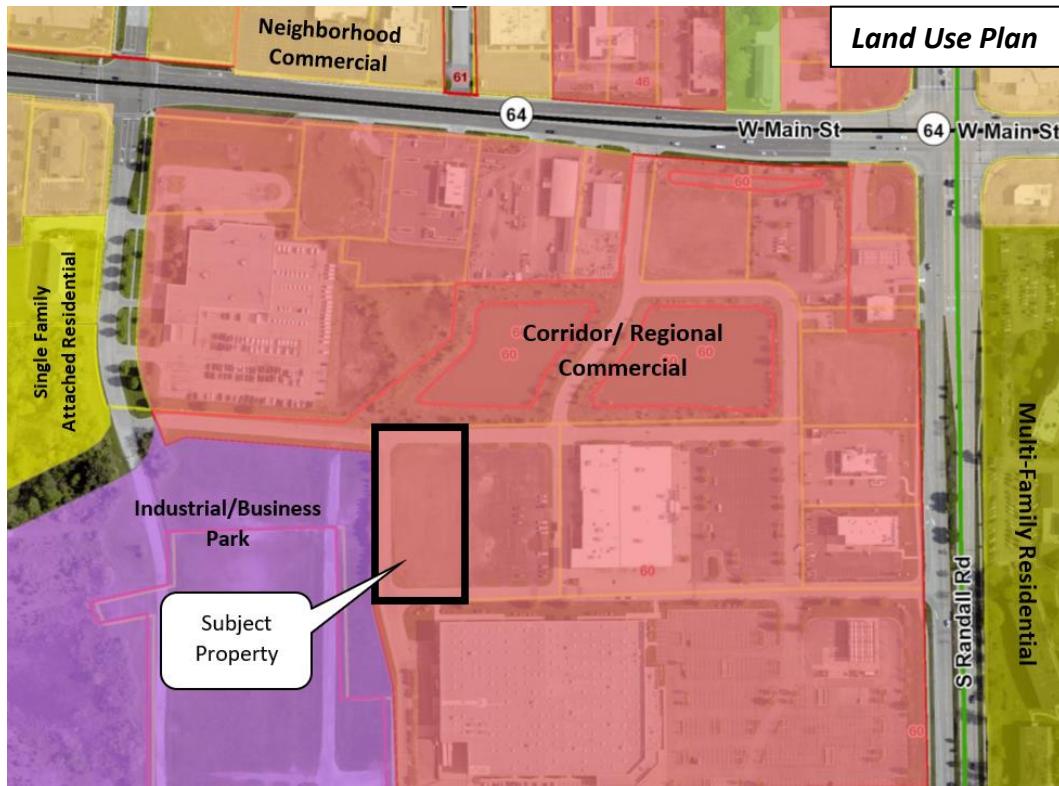
The subject property is zoned BR Regional Business District and also located in the Zylstra PUD. The same zoning designation exists adjacent to the property on the north, south and east. The property to the west is also zoned BR, but is located within the Miller-Fairgrounds PUD.

	Zoning	Land Use
Subject Property	BR- Regional Business /PUD	Vacant commercial
North	BR- Regional Business /PUD	Commercial – Detention Pond
East	BR- Regional Business /PUD	Commercial – Harley Davidson
South	BR- Regional Business /PUD	Commercial – Costco
West	BR- Regional Business /PUD	Commercial – Vacant (Fairgrounds)



C. Comprehensive Plan

The subject property is designated Corridor/ Regional Commercial in the Land Use Plan adopted as part of the 2013 Comprehensive Plan. Adjacent properties to the north, south and east have the same designation, while the property to the west is designated Industrial/ Business Park.



The Corridor/Regional Commercial land use category is described as follows:

Areas designated as corridor/regional commercial are intended to accommodate larger shopping centers and developments that serve a more regional function, drawing on a customer base that extends beyond the City limits. These areas often have a mix of "big box" stores, national retailers, and a "critical mass" of multiple stores and large shared parking areas. Areas designated for corridor/regional commercial are located primarily in larger consolidated areas along the City's heavily traveled corridors and intersections.

The following Commercial Area Goals and Objectives are relevant to review of this project (p.23):

Goal

Develop attractive and highly functional retail and commercial areas that are market responsive, create a diverse tax base, and serve the needs of the City's residents and, in some areas, a larger regional market.

Objectives

- *Maintain a range of retail and service activities throughout the City*
- *Ensure that new commercial development and redevelopment is designed in scale with, and complementary to, existing adjacent development that aligns with the vision for future character.*
- *Ensure that all retail, office, and service commercial activities are logically organized by use and concentrated within or near areas of similar or compatible uses*

II. PLANNING ANALYSIS

Staff has analyzed the submitted application and plans for conformance with the standards established in applicable sections of the PUD and Zoning Ordinances, including:

- Zylstra PUD Ordinance (2005-Z-11)
- Ch. 17.26 Landscaping & Screening

A. Proposed Uses

Proposed is to use the subject property as an unpaved motorcycle test area. The Zylstra PUD Ordinance allows for paved testing areas, but does not specifically permit an unpaved area. The proposal is to amend the PUD Ordinance to list unpaved test areas as a permitted use on the subject property (Lot 9).

The Applicant has provided the following information in regards to the type of bikes being tested and how the area will be used:

The unpaved training area will be used for instructional classes primarily for "adventure bikes," which are bikes that can be used both on and off paved surfaces. Adventure bikes are NOT what people typically think of as "dirt bikes" in that they have full sized engines and are not as loud.

The unpaved training area will be used for scheduled classes only, likely only on the weekends, during which trained instructors will use the training area to teach students different exercises on the bikes, e.g., braking, turning, riding posture, and other off-pavement skills. These skills will be demonstrated at low

speeds and RPMs; in other words, students will not be racing around the training course. The training course will NOT be open to the public generally, but will be used solely for the scheduled classes (while it is possible that the course area might be used for an occasional supervised test ride, such use would be only an occasional exception to its primary use as an instructional course). Classes will be held from approximately April through October each year, weather permitting. Classes are typically one-day sessions from around 8:30 to 5:00 on weekends.

Compared with the adjacent paved training area that has been in use for years, and on which hundreds if not thousands of people have learned to ride a motorcycle, the unpaved course will have a maximum of only 8 students at a time, compared with 12 students on the paved course. Motorcycles using the unpaved training course will comply with all applicable noise statutes during operation.

B. Landscaping & Screening

The only site change being proposed at this time is an outer ring of landscape area around the lot. The landscaping will be comprised of native perennial grasses and other similar landscaping plants. No landscaping is required by Code, but the proposed landscaping will provide a safety buffer for those using the test area.

III. DEPARTMENTAL REVIEWS

The Development Engineering Division reviewed the plan and had no comments.

IV. OPTIONS FOR PLAN COMMISSION ACTION

1. Public Hearing – Close or Continue

If the Plan Commission feels they have adequate information the public hearing may be closed. The public hearing may be continued if additional information is deemed necessary to provide a recommendation.

If Public Hearing is closed-

2. Make a Recommendation to Planning & Development Committee

For PUD applications, only one finding must be made in the affirmative to recommend approval, which is: Is the PUD in the public interest?

The Criteria for PUDs should be considered to reach a conclusion.

The applicant has provided responses to the Criteria for Planned Unit Developments, attached.

a. Recommend approval of the application for Special Use for PUD Amendment.

i. This recommendation should be subject to resolution of outstanding staff comments.

- ii. Additional conditions if deemed necessary by the Plan Commission to meet the PUD finding.

OR

- b. **Recommend denial of the application for Special Use for PUD Amendment.**
 - i. Plan Commission must substantiate how the PUD finding is not being met in order to recommend denial.

V. ATTACHMENTS

- Criteria for PUDs Provided by applicant
- Application for Special Use; received 4/14/2022
- Site Plan
- Zylstra PUD Ord. 2005-Z-11
- Letter from Resident; received 4/28/2022

CRITERIA FOR PLANNED UNIT DEVELOPMENTS (PUDs)

Use this form 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 the 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.

PUD Name: Zylstra Center PUD

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

The Special Use advances numerous of the above-referenced criteria. Allowing the Property to be used for an unpaved motorcycle training area is consistent with the purposes of the existing PUD, which permits motorcycle training in the area but only on a "paved" surface. Thus, the intended Special Use seeks to clarify the PUD by permitting an additional training area in which community members may be trained in a different and increasingly popular form of motorcycle riding. This furthers the original purpose of the PUD consistent with the current and Permitted Use of the adjacent property.

In addition, the Property is currently vacant with no improvements. As part of the Special Use, landscaping improvements will be added, including attractive landscaping around the outside perimeter of the Property, that will act as a natural barrier and provide a defined area where the training classes will take place. This buffer zone will include decorative native perennial grasses and other native landscape plantings. These plantings will provide an attractive natural screening. The portion of the Property within the training area will be planted with lawn grass, also improving the drainage and overall look of the Property from its current use.

- 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 art, 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.

The Special Use will provide community amenities, including a recreational area where members of the community may learn to safely operate off-road adventure bike and other related types of motorcycles. It will further promote improvements to the space through the planting of decorative native perennial grasses and other native landscape plantings. These plantings will provide an attractive natural screening from adjacent roadways, beautifying the surrounding area and also defining the space that will be utilized for the motorcycle training area.

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.**

Public convenience is enhanced by permitting the Special Use, in that community members will be provided a safe area in which to be taught a new and increasingly popular form of enjoying motorcycles. It will encourage community members to learn a new skill while also enjoying the outdoors.

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

All infrastructure is already in place under the existing PUD. The Special Use request is simply to clarify the existing PUD so that training classes may be offered in Zylstra Lot 9, which is unpaved, while courses may still be offered on the paved portion of the adjacent Zylstra Lot 8 (which is already a Permitted Use under the existing PUD).

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 adjacent parcel of property to the east is already under the same ownership and is currently used for the operation of a successful Harley-Davidson dealership, Fox River Harley-Davidson. Many members of the community already take motorcycle training courses at Fox River Harley-Davidson without any adverse issues to the property owners in the immediate vicinity. Slightly altering the PUD to allow for training courses to also take place on the unpaved Zylstra Lot 9 will not result in a material impact to the adjacent property owners or otherwise diminish the property values. If anything, it will attract additional people to the area to learn a different form of enjoying motorcycles and the outdoors.

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 of the surrounding property. The property to the east is already being used for motorcycle training. The property to the west is vacant land that is owned by the Kane County Fair. There is a substantial buffer zone to the north used by retention ponds that are a part of the PUD.

- 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 is consistent with the current use of the adjacent parcel, only the proposed Special Use will take place on unimproved/unpaved Zylstra Lot 9; motorcycle training is already a Permitted Use on the adjacent paved Zylstra Lot 8, which will continue. This minor change to the existing PUD 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.

See response to subpart E above, providing that the Special Use is substantially the same as the current use, only it will take place on the unimproved/unpaved Zylstra Lot 9. Motorcycle training on the adjacent paved Zylstra Lot 8 will continue per the current Permitted Use.

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

The use of adventure bikes and other off-road motorcycles is increasing in popularity. Allowing the Special Use will permit a successful local business, Fox River Harley-Davidson, to train members of the community to safely operate this form of motorcycle and enjoy an entirely new form of outdoor activity. It will also allow Fox River Harley-Davidson to educate community members on the benefits of motorsports and should increase the local tax base and economic well-being of the City through increased sales and interest in Fox River Harley-Davidson.

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

Yes, the Special Use is largely consistent with the current Permitted Uses under the PUD, it simply allows for training courses to be offered on the unpaved and unimproved Zylstra Lot 9.

City of St. Charles
Community Development Division
2 E. Main Street
St. Charles, IL 60174



Phone: (630) 377-4443
Email: cd@stcharlesil.gov

SPECIAL USE APPLICATION

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

For City Use

Project Name: Harley-Davidson Race Track
 Project Number: 2022 -PR- 008
 Cityview Project Number: PLSU202200043

Received Date
RECEIVED

APR 14 2022

**City of St. Charles
Community Development**

- File this application to request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property*
- Complete the application and submit with all required attachments to the Community Development Division.*
- The information you provide must be complete and accurate. If you have a question please contact the Community Development Division.*
- City staff will review the submittal for completeness and for compliance with applicable requirements prior to establishing a public hearing date.*

1. Property Information:	Location: 131 S. Randall Road, St. Charles, IL 60174		
	Parcel Number (s): 09-32-230-006 09-32-230-006		
	Proposed Name: Zylstra Center Lot 9 Zylstra Center Lot 9		
2. Applicant Information:	Name: Fox River Harley-Davidson	Phone: 630-816-5978	
	Address 131 S. Randall Road St. Charles, IL 60174	Email: b.rapier@windycityhd.com	
3. Record Owner Information:	Name: WCFX Real Estate Holdings, LLC	Phone: 773-213-8988	
	Address: 5490 Park Place, Rosemont, IL 60018	Email: j.diller@windycityhd.com	

4. Identify the Type of Application:

Special Use for Planned Unit Development - PUD Name: Zylstra Center PUD

- New PUD
- Amendment to existing PUD- Ordinance #: 2005-Z-11
- 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: Corridor/Regional Commercial

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

What is the property's current zoning? BR Regional Business District

What is the property currently used for? Vacant lot behind Motorcycle Dealership & Training Course

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

Unpaved training course on Lot 9 of Zylstra Center, including landscaping around perimeter of property as set forth on the included Plans.

6. For Special Use Amendments only:

Why is the proposed change necessary?

Use is limited to a "paved" training area for a Motorcycle Dealership, per PUD Exhibit III, A. Permitted Uses, 71. "Motorcycle Dealership including repair facilities completely enclosed within a building and a paved outdoor training area for motorcycle riders, which may also be used as overflow parking."

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

Revise Exhibit III, A. Permitted Uses, 71 to include "unpaved" training area on Lot 9 of Zylstra Center.

Note for existing buildings: If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

7. Required Attachments:

If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

APPLICATION FEE: Special Use for PUD: \$1,000
All other Special Use requests: \$750

REIMBURSEMENT OF FEES AGREEMENT: An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

REIMBURSEMENT OF FEES INITIAL DEPOSIT: Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the subject property:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

PROOF OF OWNERSHIP: a) A current title policy report; or
b) A deed and a current title search

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there are 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://gitech.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.

[Signature]

Record Owner 4/12/22 Date

[Signature]

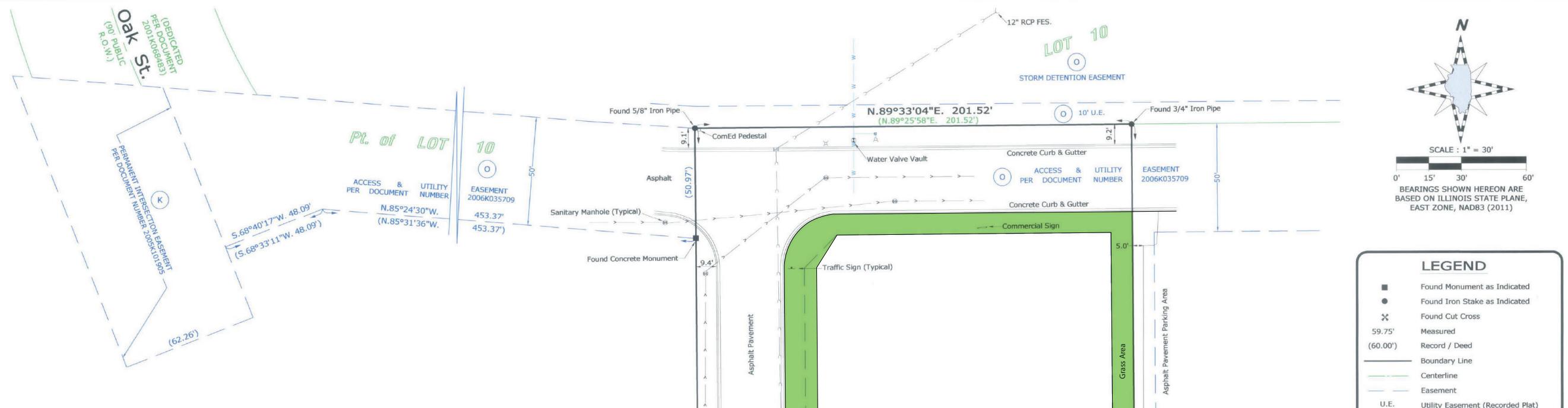
Applicant or Authorized Agent 4/12/22 Date

EXHIBIT A

Legal Description:

LOT 9 OF THE ZYLSTRA CENTER SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 29 AND PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS PURSUANT TO THE PLAT RECORDED APRI 4, 2006 AS DOCUMENT NO. 2006K035709.

PIN: 09-32-230-006



City of St. Charles, Illinois

Ordinance No. 2005-Z-11

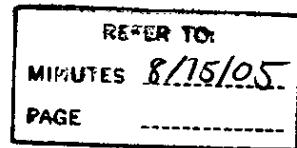
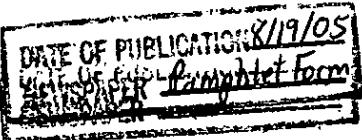
**An Ordinance Amending Ordinance 1990-Z-2 and
Granting an Amended Special Use as a
Planned Unit Development in the
B-3 Service Business District (Zylstra PUD)**

**Adopted by the
City Council
of the
City of St. Charles
August 15, 2005**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, August 19, 2005**

Nancy D Garrison
City Clerk

(S E A L)



ORDINANCE NO. 2005-Z-11

AN ORDINANCE AMENDING ORDINANCE 1990-Z-2
AND GRANTING AN AMENDED SPECIAL USE
AS A PLANNED UNIT DEVELOPMENT
IN THE B-3 SERVICE BUSINESS DISTRICT
(Zylstra PUD)

WHEREAS, Ordinance 1990-Z-2 entitled "An Ordinance Granting a Special Use as a Planned Unit Development for the Raymond B. Miller Trust PUD" (the "Miller PUD Ordinance") granted a Special Use as a Planned Unit Development for the property described in Exhibit "I" attached hereto and made a part hereof (the "Miller Property"); and

WHEREAS, a petition to amend the Miller PUD Ordinance with respect to the real estate described in Exhibit "II" attached hereto and made a part hereof (hereinafter sometimes referred to as the "Zylstra Property"), being a portion of the Miller Property, has been filed by Zylstra, L.L.C. and Kane County Fair, an Illinois no-for-profit corporation; and

WHEREAS, at the time of filing the petition to amend the Miller PUD Ordinance, the Kane County Fair was record owner and Zylstra L.L.C. was contract purchaser of the Zylstra Property, and Zylstra, L.L.C. subsequently became record owner of part of the Zylstra Property described in Exhibit II-A attached hereto and made a part hereof (the "Zylstra Purchase Property"); and

WHEREAS, the Plan Commission has held a public hearing on said petition in accordance with law; and

WHEREAS, the City Council of the City of St. Charles has received the recommendation

of the Plan Commission and has considered same; and

WHEREAS, the City Council makes the following findings of fact with respect to the proposed Amendments to the Special Use as a Planned Unit Development:

- 1. 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 Planned Unit Development is consistent with the Comprehensive Plan, which indicates this site to be developed for retail and service uses. The proposed PUD will have a network of roads, which along with other eventual peripheral improvements such as traffic signals and roadway improvements on Randall Road as well as Rt. 64 will provide for orderly development of this site. Development standards for site design and architecture will also provide for orderly development.

- 2. That the special use will not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**

The existing uses to the north and south are compatible to the proposed uses, and as such the Special Use will not be injurious to the use and enjoyment of property in the immediate vicinity, nor will it impair property values. The developer has provided information showing that sound generated from the motorcycle training operation should not be at a level that will disturb surrounding properties. However, some screening along the western property line is also necessary to mitigate the visual and noise aspects as they relate to future developments on the Fairground site, immediately west of the subject site.

- 3. 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 Fairgrounds property to the west can be developed in the future in an orderly fashion, provided the service and outdoor motorcycle practice areas are adequately screened. The extension of Oak Street west from Randall Road will improve site access to the vacant land west of the Zylstra Harley development, especially in conjunction with a future traffic signal and connection of Oak Street between Randall and Rt. 64.

4. That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.

The subject site is adequately served by Randall Road and Rt. 64. Other necessary infrastructure in terms of roads and utilities will be constructed as part of this project. Onsite stormwater detention facilities are being constructed to accommodate the needs of the development in accordance with the City's requirements. A 10-ft wide multi-modal path needs to be constructed along at least one side of Oak Street off of Randall Rd., to be eventually connected to the Oak Street extension off of Rt. 64 (as per the recommendations of the regional Bike Plan).

5. That adequate measures have been, or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.

A traffic study has been conducted to assess the requirements of roads, traffic signals and turn lanes, in order to ensure proper access and traffic needs, and these must be provided. Oak Street will be extended westerly from Randall Road to further serve the property. A service road will be provided from Oak Street off of IL Rt. 64 into the site, from behind the Post Office building. Two other access points are included in the proposal, which will adequately serve the site. Randall Road widening by the Kane County Dept. of Transportation will further improve traffic circulation in the area.

6. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the City Council pursuant to recommendations of the Plan Commission.

The Special Use will conform to all other applicable regulations of the B-3 Business Service district as well as the Planned Unit Development.

WHEREAS, the City Council makes the following findings of fact with respect to the standards for Planned Unit Developments:

1. The proposed PUD plan is consistent with the stated purposes of promoting a creative approach to the use of land and physical facilities and will provide aesthetic amenities including landscaping, quality building design and materials, and public art. Building design and the relationships between buildings will be coordinated, and the economical use of land will be promoted.

2. The proposed plan meets the requirements and standards of the planned unit development regulations. Appropriate documentation has been provided, for a first phase preliminary plan, with a concept plan and additional development standards for later phases.
3. The proposed plan requires a setback variance for the Randall Road frontage for parking, from the required 50 feet to 25 feet. Intense landscaping and berming will be provided within the setback area. The reduced distance is appropriate in the context of right of way already having been acquired for widening of Randall Road to its ultimate cross section. In addition, for most of the Randall Road frontage, the width of the parkway between the travel lanes of Randall Road, and the edge of the right of way, is much greater than is typical, resulting in a comparable amount of green space that will be perceived by the public.
4. The plan provides for all required utilities and services, and provides safe and appropriate access and circulation as determined by a traffic study. Landscaping and setbacks will soften the visual appearance of the project, and unique features such as the archways and landscape treatment of the entrance road from Randall will enhance the character of the site.
5. The site is appropriately located in an area planned for retail use. It does not adjoin residential uses, and fits into the context of retail development at major intersections.
6. Retail development has been sought in this location for more than 15 years. The proposed development will enhance the City's tax base and economic well being, and will provide appropriate development of an under-utilized site.
7. The retail commercial use and the design of the project fully conform with the recommendations of the Comprehensive Plan.
8. There are no known violations of federal, state or local legislation or regulation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

SECTION 1. That the Miller PUD Ordinance is hereby amended with respect to the Zylstra Property by deleting the provisions thereof regarding the Zylstra Property in their entirety and substituting the provisions hereof.

SECTION 2. That a Special Use as a Planned Unit Development in the B-3 Service Business District is hereby granted for the Zylstra Property, subject to the conditions, restrictions and requirements contained herein.

SECTION 3. That the Zylstra Property may be developed only in accordance with all ordinances of the City of St. Charles, Illinois ("CITY") in effect as of the date of this Ordinance or hereafter amended, except as specifically varied or provided in this Ordinance, and in accordance with the additional procedures, definitions, uses, and restrictions contained in this Ordinance and as set forth in Exhibits III, IV, V, VI, VII, VIII and IX, all as attached hereto and made a part hereof.

A. ZONING REQUIREMENTS AND STANDARDS

1. Permitted and Special Uses: Within the Zylstra Property, only those uses listed in Exhibit "III" shall be allowed as permitted and special uses. The procedure for granting a special use shall be the same as if there were no planned unit development and shall not require an amendment to this Ordinance.
2. Yards and setbacks: The minimum yard and setback requirements set forth in Title 17 of the St. Charles Municipal Code applicable to the underlying zoning district shall apply to the Zylstra Property, except as specifically provided in Exhibit "IV".

3. Maximum floor area ratio and height: The maximum floor area ratio and the maximum height for all uses within the Zylstra Property shall be as provided in Exhibit "IV" attached hereto.
4. Signs: Signs shall be permitted in conformance with the provisions of Title 17 of the St. Charles Municipal Code applicable to the B-3 Service Business Districts, except as specifically provided in Exhibit "V" attached hereto.
5. Off-street parking and loading: The off-street parking and loading requirements set forth in Title 17 of the St. Charles Municipal Code shall apply to the Zylstra Property, except as specifically provided in Exhibit "VI" attached hereto.

B. PUD PRELIMINARY PLANS

The PUD Preliminary Plan, a reduced size copy of which is attached hereto as Exhibit "VII", is hereby approved. Additional or revised PUD Preliminary Plans for development of the Zylstra Property may be submitted for review by the City staff and Plan Commission and approval by the City Council, and no public hearing or amendment to this Ordinance is required unless the submitted plan constitutes a Major change as provided in Section C below. City Council approval of any additional or revised PUD Preliminary Plan shall be by ordinance.

C. CHANGES TO PLANNED UNIT DEVELOPMENT

Changes to the Planned Unit Development shall be reviewed and evaluated as follows:

1. Major changes: Major changes shall include any changes to the PUD

which require an amendment of this Ordinance or any other change for which a public hearing is required by law or by the St. Charles Municipal Code. Major changes may be approved by the City Council after public hearing and recommendation by the St. Charles Plan Commission pursuant to the provisions of the St. Charles Municipal Code.

2. Minor Changes: Minor changes shall include any change not defined herein as a major change or a technical change. Minor changes shall include, but not be limited to, changes to the PUD Preliminary Plan and final plans. Minor changes may be approved by the City Council without review or public hearing by the St. Charles Plan Commission.
3. Technical Changes: Technical changes shall include any change which is determined by the City Administrator to be in substantial conformance with the PUD Preliminary Plan and other plans approved by the City Council, and in compliance with the provisions of this Ordinance. The City Administrator or his designee may approve technical changes.

D. ARCHITECTURAL GUIDELINES

The exterior architectural characteristics of the buildings to be constructed on the Zylstra Property shall be subject to the review and approval by the CITY. Review by the Plan Commission and approval by the City Council of building architectural characteristics shall be limited solely to conformance of proposed building elevations with the Architectural Guidelines attached hereto as Exhibit VIII. The City Council may approve building elevations that do not strictly conform with all of the specific guidelines in Exhibit VIII if it determines that the building is of a superior architectural design and meets the intent of

Exhibit VIII. The building elevations for the Harley Davidson dealership are approved in this Ordinance as part of the PUD Preliminary Plan (Exhibit VII). The developer may install and maintain a motorcycle sculpture in proximity to the motorcycle dealership building, as generally depicted on the PUD Preliminary Plan (Exhibit VII).

E. LANDSCAPING

The Zylstra Property and each lot thereof shall be landscaped in substantial conformance with the approved PUD Preliminary Plans subject to modifications as may be approved by CITY in a final landscape plan. The future owner or developer of a lot shall be responsible for installing and maintaining that part of the landscaping located within that lot.

Landscaping for a lot or phase shall be completed prior to the occupancy of any structure within that lot or phase. However, if conditions beyond the control of the owner of the phase or lot prohibit the installation of the landscaping prior to a request of occupancy of a structure, a temporary certificate of occupancy may be issued for a period not to exceed six months, in which case the required landscaping shall be installed not later than sixty (60) days following the commencement of the next successive planting season following issuance of the temporary certificate of occupancy. If the landscaping is not completed as of the expiration of the temporary certificate of occupancy, the Building Commissioner shall not be required to issue a final certificate of occupancy or any additional temporary certificates of occupancy but may do so in his discretion as governed by the St. Charles Municipal Code; if the Building Commissioner does not issue any additional temporary certificates of occupancy, continued occupancy shall be

considered a violation of this Ordinance.

F. SITE LIGHTING

All exterior site lighting on the Zylstra Property shall conform with the requirements of Exhibit "IX" attached hereto. Plans for site lighting shall be subject to the review and approval by the Director of Community Development at the time of submittal of final engineering plans and building permit plans.

G. RESTRICTIONS ON USE OF RESIDENTIAL STREETS

No operator of a motorcycle dealership or automobile dealership shall permit the use of residential streets for test drives by customers, employees, or contractors.

SECTION 4. That all exhibits attached to this Ordinance are hereby incorporated herein and made a part of the substance hereof.

SECTION 5. The provisions hereof shall be deemed to be separable; and if any section, paragraph, clause, provision or item herein shall be held invalid, the invalidity of such section, paragraph, clause, provision, or item shall not affect any other provision hereof; provided, however, the CITY shall under no circumstances be required to incur any liability or loss or incur any expense for any reason in the event that any such section, paragraph, clause, provision or item is held invalid.

SECTION 6. The provisions of the Amended Annexation Agreement set forth in Exhibit "X" are incorporated herein by reference as if fully set forth herein.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties,

Ordinance No. 2005-7-11
Zylstra PUD
Page 10

Illinois this 15th day of August, 2005.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties,
Illinois this 15th day of August, 2005.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties,
Illinois this 15th day of August, 2005.


Donald P. Delisle
Mayor



Xanice Garrison
City Clerk

COUNCIL VOTE:

AYES:	<u>8</u>
NAYS:	<u>1</u>
ABSENT:	<u>1</u>

SCHEDULE OF EXHIBITS

- I. Legal Description of Miller Property
- II. Legal Description of Zylstra Property
- II-A Legal Description of Zylstra Purchase Property
- III. Permitted and Special Uses
- IV. Development Standards
- V. Signs
- VI. Parking and Loading
- VII. PUD Preliminary Plan
- VIII. Architectural Guidelines
- IX. Site Lighting Requirements
- X. Provisions of Amended Annexation Agreement

EXHIBIT III

Permitted and Special Uses

A. Permitted Uses

1. Amusement establishments including bowling alleys, indoor movie theaters, pool halls, dance halls, gymnasiums, swimming pools and skating rinks;
2. Animal hospital or veterinary facility;
3. Antique stores;
4. Apparel stores;
5. Art and school supply stores;
6. Art galleries;
7. ATM machines;
8. Auction rooms;
9. Audio recording sales;
10. Automobile parts, accessory and equipment stores;
11. Automobile dealership with indoor and/or outdoor sales and display areas and indoor vehicle repair and/or service facilities and body shop;
12. Automobile service station in conjunction with a department store, retail store, wholesale club, or wholesale department store;
13. Bakeries;
14. Banks, credit unions and financial institutions with drive-through services;
15. Barber shops;
16. Beauty parlors;
17. Bicycle sales, rental and repair;

18. Blueprinting and photocopying establishments;
19. Book and stationery stores (with or without coffee shop and/or eatery);
20. Building material and home improvement stores;
21. Business, professional and medical offices;
22. Business machine sales and service;
23. Camera and photographic supply stores;
24. Candy and ice cream stores;
25. Carpet and rug stores;
26. Catering establishments;
27. China and glassware stores;
28. Clothing stores;
29. Clubs and lodges, private, fraternal, or religious;
30. Coffee shops;
31. Convenience stores, including those with 24 hour operations;
32. Coin and philatelic stores;
33. Communication towers;
34. Computer sales and service;
35. Currency exchanges and telegraph offices;
36. Custom dressmaking;
37. Delicatessens;
38. Department stores;
39. Drive-in or drive-through in conjunction with other permitted uses including but not limited to restaurants, drug stores, pharmacies, ice cream parlors, coffee shops; juice shops, banks, credit unions and financial institutions;

40. Drug stores including those with 24 hour operations;
41. Dry cleaning establishments;
42. Electronics stores, including radio, television, computer, appliance, and stereo sales and service;
43. Employment agencies;
44. Flower shops;
45. Frozen food stores, including locker rental;
46. Furniture stores, including upholstering as an accessory use;
47. Furriers, including storage and conditioning of furs as an accessory use;
48. Garden supply and seed stores, including outdoor garden area as accessory use to a home improvement store or other principal retail use;
49. Gift and card shops;
50. Greenhouses;
51. Grocery stores, including those with 24 hour operations;
52. Hardware stores;
53. Health clubs; physical therapy; gyms; and other physical fitness establishments;
54. Hobby shops;
55. Household appliance stores;
56. Interior decorating shops, including upholstery and making of draperies and similar articles as an accessory use;
57. Jewelry stores;
58. Job printing shops;
59. Juice shop;

60. Laundries, automatic self-service or hand, including coin operated;
61. Leather goods and luggage stores;
62. Libraries;
63. Liquor stores, retail;
64. Loan offices;
65. Locksmith shops;
66. Mail order establishments;
67. Meat markets;
68. Medical and dental clinics;
69. Medical and dental laboratories;
70. Meeting halls;
71. Motorcycle dealership including repair facilities completely enclosed within the building and a paved outdoor training area for motorcycle riders, which may also be used as overflow parking.
72. Musical instrument sales and repair;
73. Newspaper offices, not including printing;
74. Nursery schools and day care centers;
75. Office supply stores;
76. Opticians and optometrists;
77. Orthopedic and medical appliance stores;
78. Paint and wallpaper stores;
79. Pet shops;
80. Photography studios;
81. Picture framing;

82. Post office;
83. Radio and television service and repair;
84. Radio and television studios;
85. Recording studios;
86. Recreational buildings or community centers;
87. Research and testing laboratories;
88. Restaurants, including live entertainment;
89. Sale of building materials;
90. Schools: music, dance, business, commercial, trade or technical
91. Sewing machine sales and service;
92. Shoe and hat repair stores;
93. Shoe stores;
94. Sporting goods store;
95. Tailor shops;
96. Telephone exchanges, telephone transmission equipment building, and electric distribution centers;
97. Tobacco shops, retail only;
98. Toy stores;
99. Travel agencies;
100. Undertaking establishments and funeral homes;
101. Video and music sales and rental;
102. Vehicle service facilities
103. Watercraft dealership, sales, rentals, parts and accessory sales, service and repair;
104. Wholesale establishments;

105. Any use otherwise permitted in the underlying Zoning District in which the lot is located

B. Special Uses

Special Uses: A special use may be granted for any special use allowed in the underlying zoning district, not otherwise herein designated as a Permitted Use.

C. Accessory Uses

The following shall be allowed as permitted accessory uses:

1. Outdoor dining accessory to a restaurant, including recorded sound, provided that the sound level does not exceed 60 decibels as measured at the property line in any residence district and the recorded sound is not generated between the hours of 10:00 p.m. and 10:00 a.m. of the following day.
2. The use of private walkway areas and not more than 25 parking spaces on a lot as an Outdoor sales area accessory to a motorcycle dealership within 250 feet of the motorcycle dealership building during business hours, without limitation as to the number of days of operation; the incidental sale of food and beverages is permitted.
3. Temporary Outdoor sales areas and/or Temporary outdoor entertainment and dining accessory to a motorcycle dealership located within the PUD, collectively described as "Special Events", subject to the following:
 - a. No more than four Special Events per calendar year of not more than two days each, the schedule for which shall be subject to approval by the CITY so as to avoid conflicts between the Special Events and major festivals or events occurring in the CITY including but not limited to the Flea Market held at the Kane County Fairgrounds, RiverFest, Bloomington Gold, Scarecrow Festival,

Sisters Weekend, and the St. Patrick's Parade. Determination as to potential for conflict shall be as determined by the Director of Community Development, who shall consider traffic congestion and impact on public facilities.

- b. Permitted only during business hours or between the hours of 10:00 am and 7:00 pm, whichever is more restrictive.
 - c. May be located anywhere within a lot containing a motorcycle dealership, subject to the approval of the Building Commissioner as to safe emergency and vehicular access.
 - d. May include inside and/or outside food and beverage sales, tents, and live entertainment.
 - e. Shall not produce sound levels in excess of 60 dBA as measured at the property line of a residential district.
- 4. Automobile laundries accessory to an automobile dealership or automobile service station;
 - 5. Other accessory uses as permitted within the underlying zoning district.

Exhibit IV
Development Standards

A. Minimum Setbacks:

From Main Street/Route 64	Building setback: 40 ft. Parking/paving setback: 25 feet
From Oak Street	20 feet for buildings, parking and paving
From Randall Road	Building setback: 40 feet Parking/paving setback: 25 feet
From interior lot lines, except along centerlines of roads or drives, common building walls, or shared parking areas	20 feet for buildings; 10 feet for parking and paving
From interior lot lines that are the centerline of roads or drives, common building walls, or shared parking areas	None

B. Maximum Floor Area Ratio:

The maximum floor area ratio within the Zylstra Property as a whole shall be 0.30

C. Lot Area and Depth:

There shall be no minimum lot area or minimum lot depth required within the Zylstra Property.

D. Building Height:

The maximum building height shall be 46 feet.

E. Outside Storage:

Except as permitted in the list of permitted uses in Exhibit III, all accessory outside storage shall be screened from view from adjoining property and from public streets, and shall not be located within a required yard or setback adjoining a public street.

**Exhibit V
Signs**

Signs accessory to a use within the Zylstra Property may be located anywhere within the Zylstra Property, and when so located shall not be considered to be off-site or advertising signs.

The design of all freestanding signs shall generally conform with the Sign Plan which is part of the approved PUD Preliminary Plan. Where signs are to be located on a wall of a multi-tenant shopping center, they shall be located at a generally uniform height on the building wall and shall not cover or overhang any architectural feature.

The following signs are permitted within the Zylstra Property:

1. Wall Signs: Wall signs are permitted on any side of a building, and there shall be no restriction on the color of any wall signs.

Maximum number	No limitation.
Maximum sign area	Square feet equal to 1 ½ times the linear frontage of the wall on which the sign is located

2. Freestanding Signs:

The anticipated location of the freestanding signs is shown on the PUD Preliminary Site Plan, but any freestanding signs may be relocated without amending the PUD Preliminary Plan if their locations conform with the setback requirements.

Type I: Randall Road and Main Street “Community Signs”

Maximum Number	2 (for the entire Zylstra Property)
Maximum Height	30 feet
Maximum Area	225 square feet per sign face (not including any structural elements or architectural features lying outside the display area of the sign.)
Setbacks	Route 64 – 10 feet Randall Road - 10 feet Other lot lines – 10 feet

Type II: (Monument)

Maximum number	One per outlot
Maximum height	10 feet above grade of adjoining street curb (or pavement edge if no curb exists)
Maximum area	30 square feet per sign face (not including any structural elements or architectural features lying outside the display area of the sign.)
Setbacks	10 feet

Type III: Entry Sign

Maximum number	One for the entire Zylstra Property
Maximum height	25 feet
Maximum area	150 square feet
Setbacks	10 feet

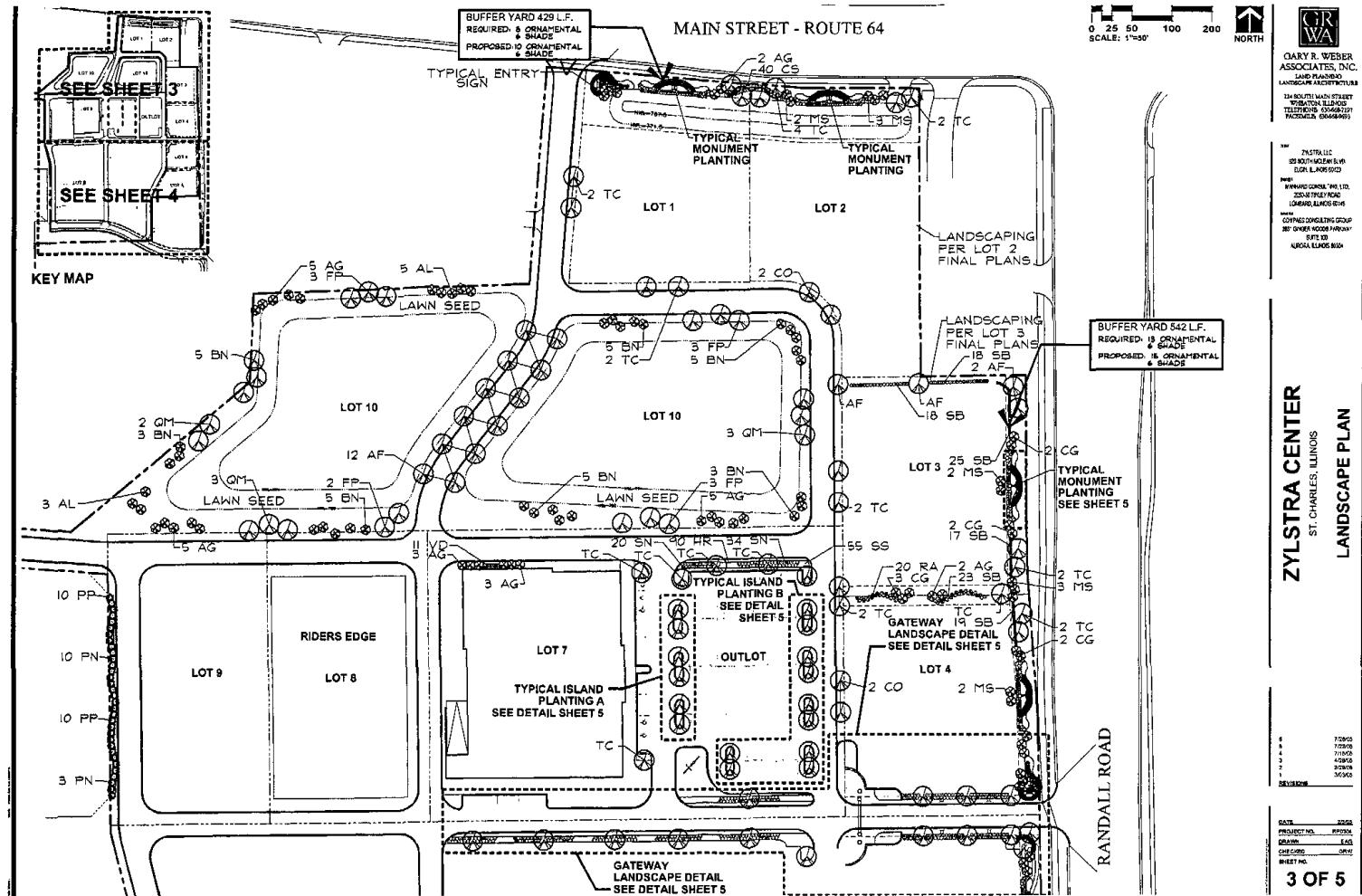
Exhibit VI
Parking and Loading

All off-street parking areas shall be designed, improved and landscaped in conformance with the provisions of the Zoning Ordinance in effect at the time of issuance of a building permit, except as modified by the following requirements:

1. Motorcycle dealerships shall provide not less than three (3) parking spaces per 1000 square feet of floor area (as defined in the Zoning Ordinance) of all uses within the building related to the dealership, such as sales area, offices, and service; The "Riders Edge" motorcycle training area depicted on Exhibit VII is not required to be striped for parking, but may be striped in the event it is no longer used as a motorcycle training area.
2. Except for motorcycle dealerships, any lot with mixed uses shall prorate its number of required parking spaces for the square footage of each separate use located on the Lot.
3. Surfacing: Off-street parking spaces and access drives shall be graded and paved using asphalt, bituminous concrete, Portland cement concrete, concrete pavers, clay pavers, any comparable materials, or any combination thereof;
4. Marking: Parking spaces within Lots shall be delineated with paint or other permanent materials which shall be maintained in clearly visible condition. Handicap spaces shall be identified with a sign visible at all times of the year, regardless of snow cover, plant growth, or similar conditions;
5. Drainage: Off-street parking facilities shall comply with the requirements of Title 18 of the St. Charles Municipal Code, as amended.
6. Screening: Landscaping along all public streets shall provide a minimum of fifty percent (50%) screening of the parking areas, measured horizontally as viewed from Main Street and Randall Road; such screening shall be at least 18 inches but not more than thirty (30) inches in height above the parking area pavement grade adjoining the screening area. Berming and decorative walls may be used in conjunction with plantings to obtain the required screening.
7. 10% Landscaping: The requirement of the St. Charles Zoning Ordinance for 10% of a lot to be landscaped may be satisfied for that part of the

Zylstra Property located more than 250 feet from the Route 64 or Randall Road right of way by calculating its landscape area collectively, and individual lots need not conform with the 10% requirement so long as the total landscape area within the area located more than 250 feet from Route 64 or Randall Road is in conformance with the 10% requirement; stormwater detention facilities the area more than 250 feet from Route 64 or Randall Road may be included as landscape area. All lots or portions of lots located within 250 feet of Route 64 or Randall Road shall conform with the 10% landscaping requirement in accordance with the St. Charles Zoning Ordinance.

8. Tree Plantings: A minimum of one (1) tree shall be planted or preserved on each Lot for every ten (10) parking spaces in an off-street parking area located on the respective Lot. All trees to be planted must be at least 2-1/2 inches in caliper-width.
9. Tree Planting Credits: Lots shall be credited the equivalent of one (1) tree for each tree planted on Lots devoted primarily to stormwater detention, up to thirty percent (30%) of the total number of trees otherwise required to be planted on the respective Lot pursuant to the provisions herein. The total number of Tree Planting Credits provided throughout the Subject Property shall not exceed the total number of trees planted on Lots devoted to stormwater detention.
10. Training Area: The "Riders Edge" motorcycle training area depicted on Exhibit VII is not required to be striped or lighted as a parking area and need not conform to the Tree Planting requirements of this section.
11. Landscaping West of Training Area: Developer shall provide a landscaping buffer and low berm along the westerly edge of the Service Road for the length of the "Riders Edge" motorcycle training Area. The landscaping set forth on the Preliminary Plan satisfies this requirement.
12. Maintenance: All landscaping shall be properly maintained in good health.
13. General Landscaping: The Lots shall be landscaped in substantial conformance with the approved Preliminary Plan and the approved final landscape plans for each Lot.

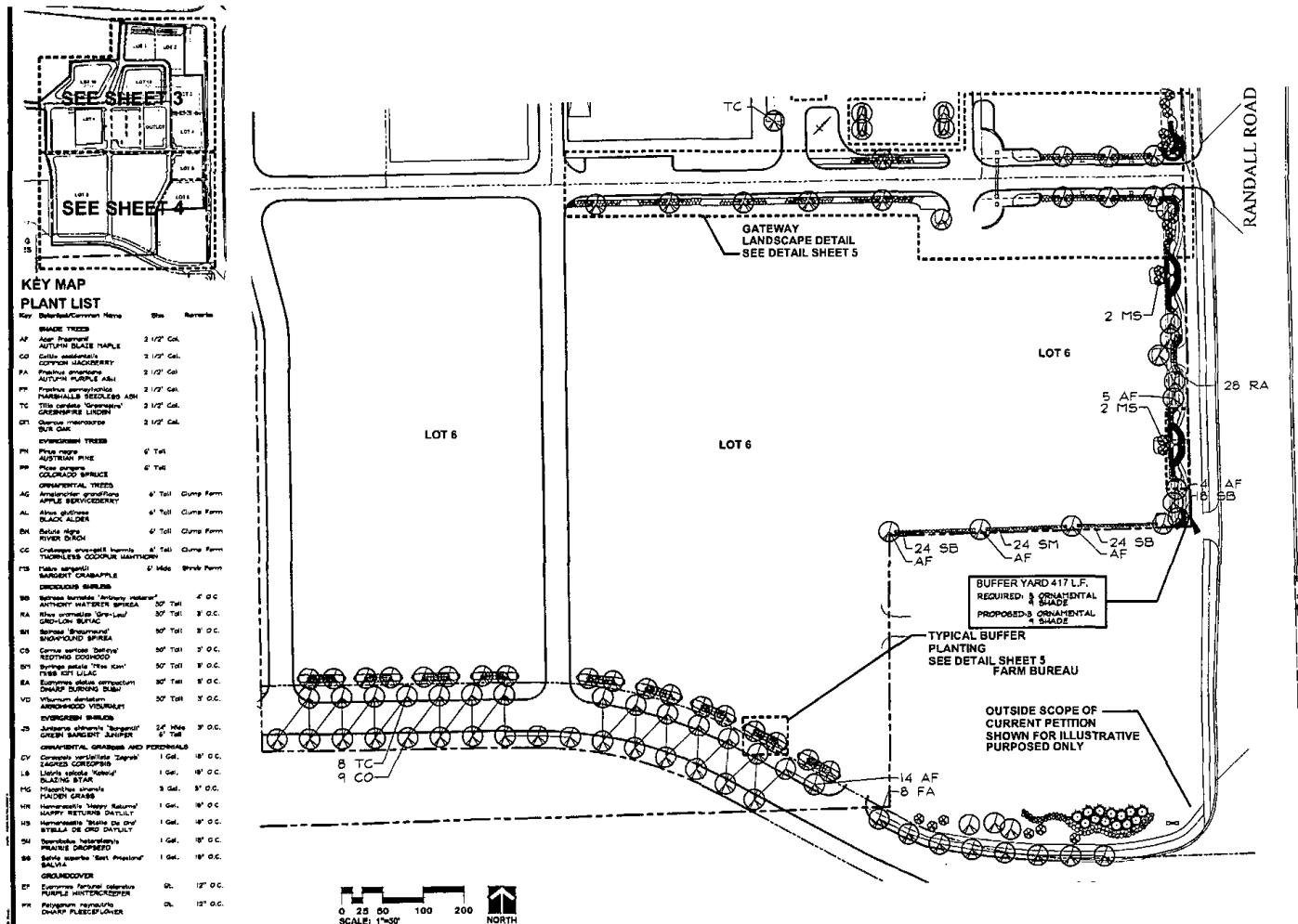


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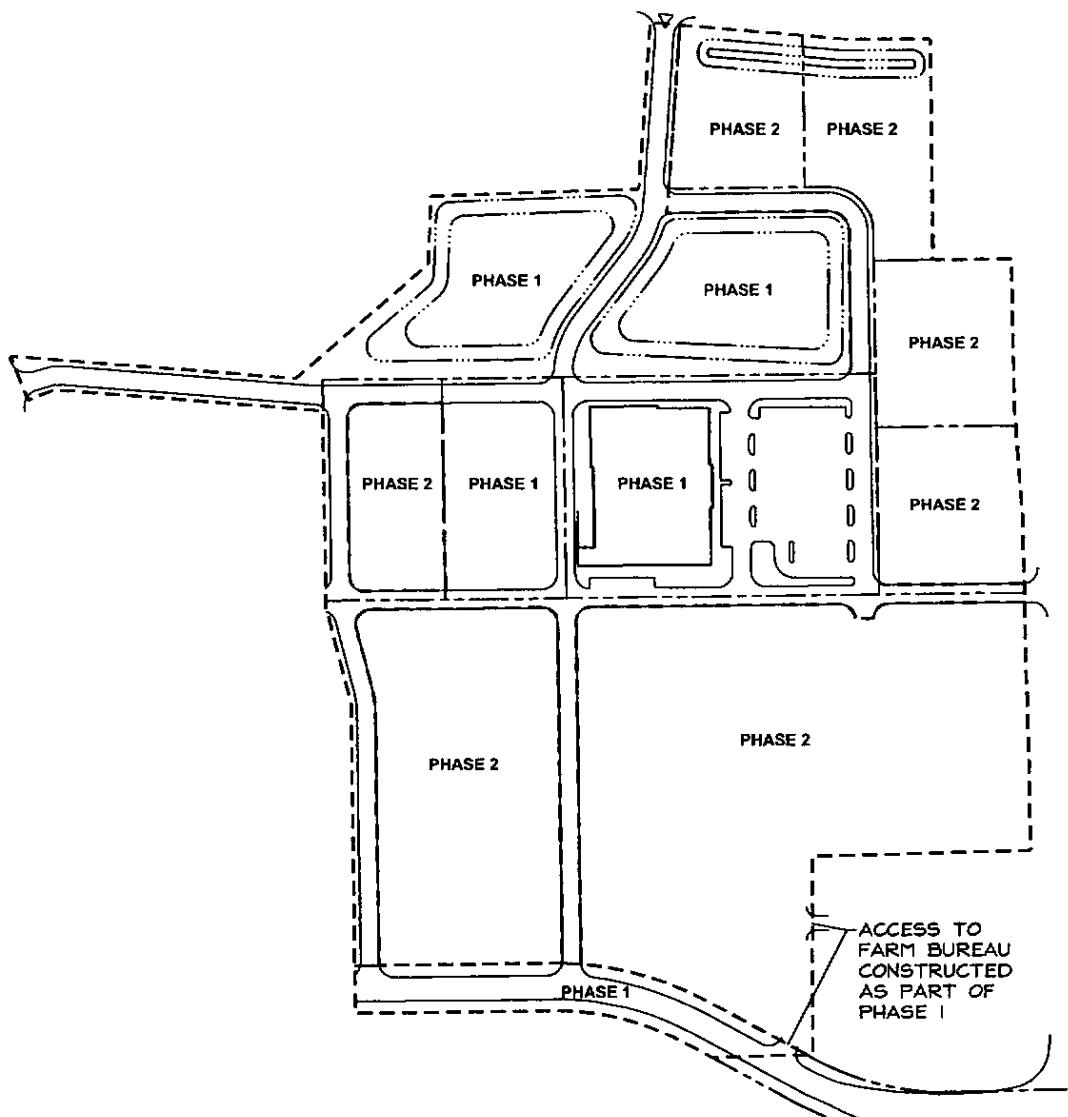
GRWA

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ZYLSTRA CENTER
ST. CHARLES, ILLINOIS
LANDSCAPE PLAN



4 OF 5



PHASING PLAN

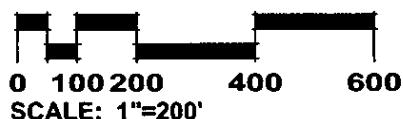


Exhibit IX
Site Lighting Requirements

1. All exterior lighting shall be designed, shielded and directed so that light from the lamp (point light source) is not directly visible from other properties or public rights-of-way. This can be accomplished using luminaries which a) by their design, direct the light downward; b) have opaque shielding installed that prevents direct illumination from reaching adjacent properties or public rights of way; or c) utilize a translucent material to diffuse the light. No exterior lighting shall be maintained on a lot so as to shine into, or upon, any other lot or any right of way with an intensity great enough to reduce a viewer's ability to see, or to cause momentary blindness.
2. Exterior lighting shall be designed and maintained at or below the following average foot-candles, as measured horizontally at the property line:

1. Residential to residential:	Horizontal foot candles: 0.5
2. Nonresidential to nonresidential	Horizontal foot candles: 2.0
3. Nonresidential to residential:	Horizontal foot candles: 0.5
4. Right of way, except motor vehicle sales display lots:	Horizontal foot candles: 0.5
5. Right of way, motor vehicle sales display lots:	Horizontal foot candles: 20.0

3. Interference with Traffic Safety

The following are specifically prohibited:

- a. Exterior lighting used in a manner that could interfere with the safe movement of motor vehicles on public streets and alleys.
- b. Any light that could be confused with, or construed as, a traffic control device, unless authorized by State, Federal, City or County government.

4. Uniformity

The uniformity ratio of exterior lighting for all property other than one and two family dwellings and townhomes, as defined by the Illuminating Engineering Society of North America (IESNA), shall be 4:1.

5. Uplighting and Architectural Lighting

Uplighting and architectural lighting is permitted to light a building façade, walkway, driveway, landscaping, sign or primary entrance, provided that all direct illumination from uplighting shall be directed onto the building wall, walkway, driveway, landscaping, sign or entrance it is intended to illuminate, and the light intensity at the property line does not exceed the light trespass standards specified in the preceding paragraph F. Illumination to highlight architectural features may include lines of low-intensity unshielded incandescent bulbs of a single color, or neon tube type lighting, but only where such lighting is consistent with and will enhance the architectural character of the building and does not constitute part of a sign, trademark, or other advertising display.

6. Building Mounted Luminaires

- a. Luminaires mounted on buildings other than one and two family dwellings and townhomes shall be a non-adjustable full cut-off design and shall be directed downward at an angle of no greater than 45 degrees from the vertical plane. No luminaire mounted on a building shall project above the height of the building.
- b. Luminaires exceeding 2000 lumens mounted on one and two family dwellings and townhomes shall be a non-adjustable full cut-off design and shall be directed downward at an angle of no greater than 45 degrees. No luminaire mounted on a building shall project above the height of the building.

7. Canopy Lighting

Luminaires mounted on gas station and drive-through canopies shall be a full cut-off design and shall be directed downward at an angle of no greater than 45 degrees from the vertical plane, or may be completely recessed under the canopy with flat lenses. Light intensity shall not exceed twenty (20) foot candles at ground level under the canopy or elsewhere on the site. All lighting mounted under the canopy, including auxiliary lighting within signage and panels over the pumps, shall be included in the twenty (20) foot candle limit.

If necessary due to the design of the luminaires selected, the sides (fascia) of the canopy shall extend below the lens of the luminaires at least 12 inches to block direct view of the light sources from the property line.

8. Light Pole Height

The maximum height of light poles, as measured from finished grade at the base to the bottom of the luminaire, shall not exceed the maximum building height in the zoning district in which they are located.

9. Blinking Lights

Blinking, flashing, moving, revolving, flickering, changing intensity and changing color lights shall be prohibited, except for temporary holiday displays, lighting for public safety or traffic control, or lighting required by the FAA or other governmental agency for air traffic control and warning purposes.

RE: Public Hearing - 5/3/22 - Plan Commission - Fox River Harley-Davidson - Special Use

Notice is hereby given that a public hearing will be held by the Plan Commission of the City of St. Charles, Illinois on Tuesday, May 3, 2022 at the hour of 7:00 p.m. in the City Council Chambers of the Municipal Building at 2 E. Main Street, St. Charles, Illinois, at which time and place the Commission will consider, for the purposes of making a recommendation to the City Council, the following:

A petition for Special Use filed by Fox River Harley-Davidson requesting to amend PUD Ordinance No. 2005-Z-11 in order to allow an unpaved motorcycle training course on the subject property. The subject property is generally located west of the Fox River Harley-Davidson Store located at 131 S. Randall Rd., and legally described as follows:

LOT 9 OF THE ZYLSTRA CENTER SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 29 AND PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS PURSUANT TO THE PLAT RECORDED APRIL 4, 2006 AS DOCUMENT NO. 2006K035709

PIN# 09-32-230-006

The public hearing will be held at the location identified above. Anyone wishing to be heard for or against the Special Use request may submit statements orally or in writing or both. Written comments may be submitted by email to cd@stcharlesil.gov or mail to City of St. Charles, Community Development Department, 2 E. Main St., St. Charles, IL 60174. A copy of the petition requesting said Zoning Map Amendment viewed on the project webpage: www.stcharlesil.gov/projects/development

Dated this 16th day of April, 2022

Plan Commission of the City of St. Charles, Illinois.

Peter Vargulich, Chairman

Plan Commission Members,

Please let it be known that me, my family, and many of our Timbers Subdivision neighbors are adamantly opposed to the “Fox River Harley-Davidson - Special Use” application. An off-road course with off-road motorcycles would be perfectly fine in a rural setting, but absolutely NOT within city limits.

Even though we are not located immediately next to the site, we already clearly hear the annual Kane County Fair events, such as tractor pulls, demolition derby, and more. This short-term noise is fine, as it is all a part of summertime fun in St Charles and the Fair only takes place a few days out of the year.

Off-road motorcycles typically have smaller, higher revving engines. The resulting sound is like a chain saw running. Do we really want to subject not only the Timbers, but ALL west side properties to this constant ‘revving chainsaw’ sound in the spring, summer, and fall EVERY year? I think not.

Please DENY this request. If you don’t, you and the entire west side of the city may regret your decision. If you do decide to approve it, maybe make it conditional that if any noise complaints result, they must shut down??

Respectfully,



Tom Staroske
506 Bradley Circle
St Charles, IL 60174