

City of St. Charles
Ordinance No. 2024-Z-_____

**An Ordinance Granting Approval of a Special Use for a
Cultural Facility
(1317 E Main St. – Andrew Koczvara)**

WHEREAS, on or about January 22, 2024, Andrew Koczvara (“the Applicant”) filed a petition for Special Use for a Cultural facility for the real estate commonly known as 1317 E. Main St. and legally described in Exhibit “A”, attached hereto and incorporated herein (the "Subject Property"), for the purpose of operating a motorcycle museum and gallery on the Subject Property addressed as 1317 E. Main St.; and,

WHEREAS, Notice of Public Hearing on said petition for Special Use was published on or about February 5, 2024 in a newspaper having general circulation within the City, to-wit, the Daily Herald newspaper, as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said Notice, the Plan Commission conducted a public hearing on or about February 21, 2024, on said Special Use petition in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petition and all interested parties were afforded an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said petition on or about February 21, 2024; and,

WHEREAS, the Planning & Development Committee of the City Council recommended approval of said petition on or about March 11, 2024; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning & Development Committee and has considered the same; and,

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

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as though fully set out in this Section 1.

2. That passage of this Ordinance shall constitute approval of a Special Use for a Cultural Facility with respect to the Subject Property pursuant to the provisions of Title 17 of the St. Charles Municipal Code, as amended, and based upon the Applicant’s petition and the evidence

presented at the Public Hearing, the City Council hereby adopts the Findings of Fact for Special Use, set forth in Exhibit “B”, which is attached hereto and incorporated herein.

3. That approval of said Special Use for a Cultural Facility is subject to substantial compliance with the plans attached hereto and incorporated herein as Exhibit “C”.

4. The Subject Property shall be developed and used only in accordance with all ordinances of the City as now in effect and as hereafter amended,

5. That after the adoption and approval hereof, the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of March 2024.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of March 2024.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of March 2024.

Lora A. Vitek, Mayor

Attest:

Nancy Garrison, City Clerk

Vote:

Ayes:

Nays:

Absent:

Abstain:

Date: _____

EXHIBIT "A"

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF EAST MAIN STREET AND THIRTEENTH AVENUE SOUTH, BEING AT A POINT THAT IS 60.0 FEET NORTHEASTERLY OF THE THEE NORTHEAST CORNER OF BLOCK 12 OF SARAH E. PERKINS ADDITION TO ST. CHARLES, ILLINOIS (MEASURED ALONG THE SOUTHERLY LINE OF SAID EAST MAIN STREET); THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID EAST MAIN STREET 225.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY PARALLEL WITH THE EASTERLY LINE OF SAID THIRTEENTH AVENUE SOUTH 141.70 FEET; THENCE NORTHEASTERLY 210.32 FEET TO A POINT ON THE WESTERLY LINE OF A TRACT OF LAND CONVEYED TO BELA T. HUNT BY DEED RECORDED NOVEMBER 10, 1866 IN BOOK 87 AT PAGE 510 THAT IS 257.60 FEET, NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY (MEASURED ALONG SAID WESTERLY LINE); THENCE NORTHWESTERLY ALONG SAID WESTERLY LINE AND SAID WESTERLY LINE EXTENDED 148.92 FEET TO THE SOUTHERLY LINE OF SAID EAST MAIN STREET; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 236.98 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

PIN# 09-26-302-002

EXHIBIT “B”

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

Motorcycle museum and art gallery.

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

Existing building.

- 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.**

Very little to none.

- 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.**

None.

- 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.**

None.

- 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.**

Yes.

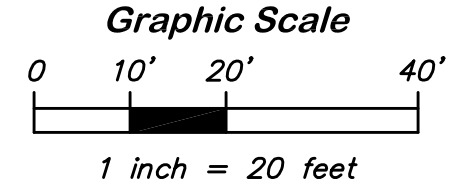
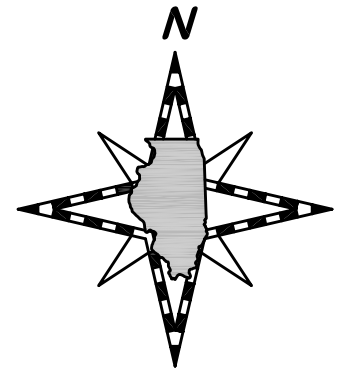
EXHIBIT "C"

PLANS

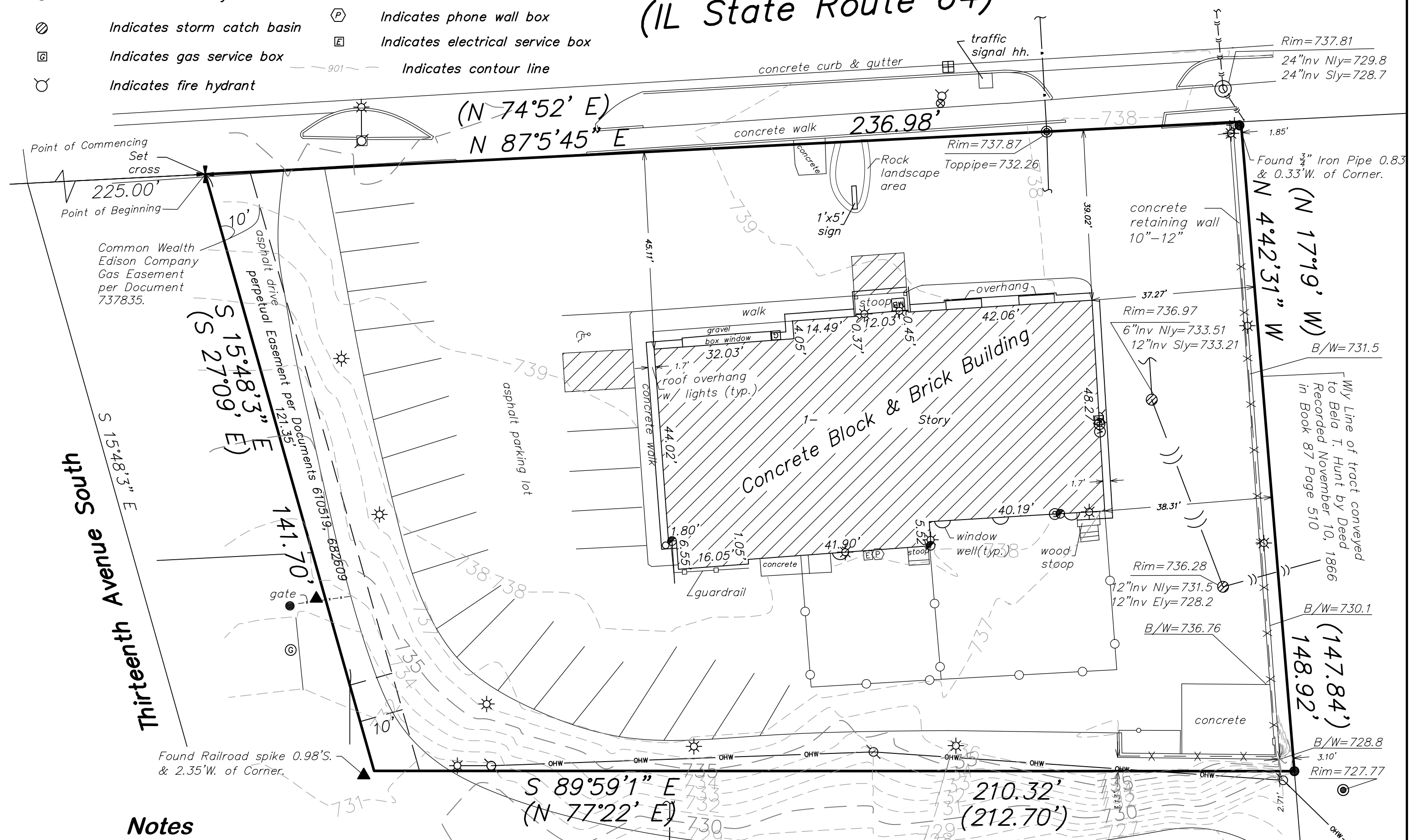
ALTA/NSPS Land Title Survey

Legend

- | | | | | | |
|-------|----------------------------------|-------|-------------------------------------|---------|--|
| △ | Indicates mag nail | ⊗ | Indicates water shut off valve | 10" PVC | Indicates sanitary sewer line, pipe size, material and direction of flow |
| ● | Indicates iron stake | ⊙ | Indicates light standard | 18" RCP | Indicates storm sewer line, pipe size, material and direction of flow |
| Meas. | Indicates measured data | ⊕ | Indicates utility pole | ⊠ | Indicates traffic signal box |
| (60') | Indicates record data | ○ | Indicates b-box | ⊗ | Indicates light standard |
| —□— | Indicates metal fence line | ♿ | Indicates handicapped parking space | | |
| —○— | Indicates wood fence line | ⊠ | Indicates storm inlet | | |
| —OHW— | Indicates overhead wire | ⊕ | Indicates water valve vault | | |
| —○— | Indicates underground water line | ⊕ | Indicates gas valve | | |
| ⊙ | Indicates sanitary sewer manhole | ⊕ | Indicates phone wall box | | |
| ⊙ | Indicates storm catch basin | ⊕ | Indicates electrical service box | | |
| ⊕ | Indicates gas service box | —901— | Indicates contour line | | |
| ⊙ | Indicates fire hydrant | | | | |



East Main Street
(IL State Route 64)



Notes

Bearings shown hereon are based upon Illinois State Plane, East Zone, NAD 83. Vertical Control based on St. Charles Vertical Control Network Station STC 06 Elevation = 770.03 ft. NAVD 88.

Descriptions, easements, and Servitudes indicated hereon, are based upon Chicago Title Insurance Company Order Number: 18014574GV having an effective date of August 29, 2018.

Parcel Identification reported as 09-26-302-002-0000 in Title Policy 18014574GV issued by Chicago Title Insurance Company, dated August 29 2018.

Common Address: 1317 E. Main Street, St. Charles, Illinois 60174

It appears the building is currently vacant.

At time of survey 22 conventional parking spaces and one handicapped space were marked with paint striping

The property described is located within No Special Flood Hazard "Zone X" (area of Minimal Flood Hazard) as identified by NFIP Flood Insurance Rate Map No. 17089C0266H with a map revision date of August 3, 2009.

Underground utilities structures and routings protracted hereon are based upon field observations and are believed to be correct, but not warranted.

The maximum relative positional precision of the survey does not exceed that which is specified therein.

All distances are given in feet and decimal parts thereof.

Parcel Contains 31,973 Square Feet. = 0.73 Acres.

Exterior footprint of the building at ground level is 5,032 Square feet.

Property Description: That part of the Southwest Quarter of Section 26, Township 40 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of East Main Street and Thirteenth Avenue South, which lies 60 feet Northeastly from the Northeast corner of Block 12 of Sarah E. Perkins Addition to St. Charles, Illinois, (measured along the Southerly line of East Main Street); Thence North 74° 52' East along along the Southerly line of East Main Street, 225 feet for the Point of Beginning; Thence South 27° 9' East Parallel with the Easterly line of said Thirteenth Avenue South 141.7 feet; Thence North 77° 22' East 212.7 feet to the Westerly line of a Tract of Land conveyed to Bela T. Hunt by deed dated March 14, 1849 and recorded November 10, 1866 in Book 87, Page 510; Thence North 17° 19' West along said Westerly line and said Westerly line Extended 147.84 feet to the Southerly line of East Main Street as Established by the Illinois State Highway Department; Thence South 74° 52' West along said Southerly line of East Main Street to the Point of Beginning, in the City of St. Charles, Kane County, Illinois.

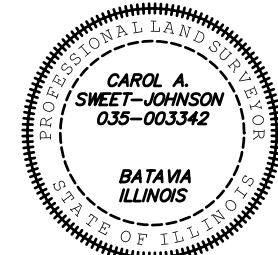
Certification to: Chicago Title Company
Dolores J. Morrison, Trustee
Gary McGrath

This is to certify that this map or plat and survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 7(b), 8, and 9 of Table A thereof. The field work was completed on October 5, 2018.

Date of plat or map: October 23, 2018.

Carol A. Sweet-Johnson

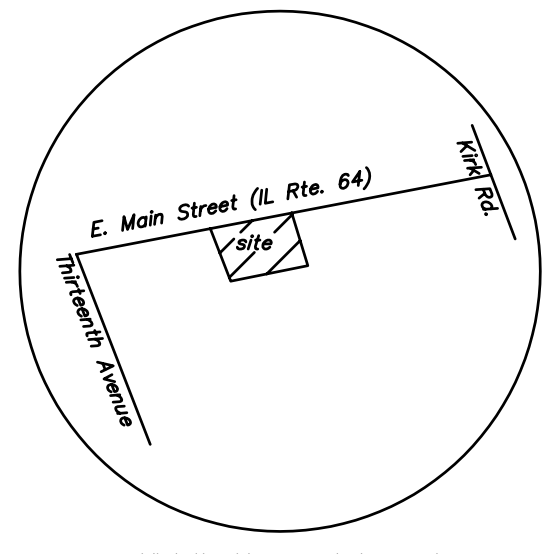
Carol A. Sweet-Johnson
Illinois Professional Land Surveyor No. 3342
License Expiration Date: November 30, 2018
Illinois Professional Design Firm No. 184-006014



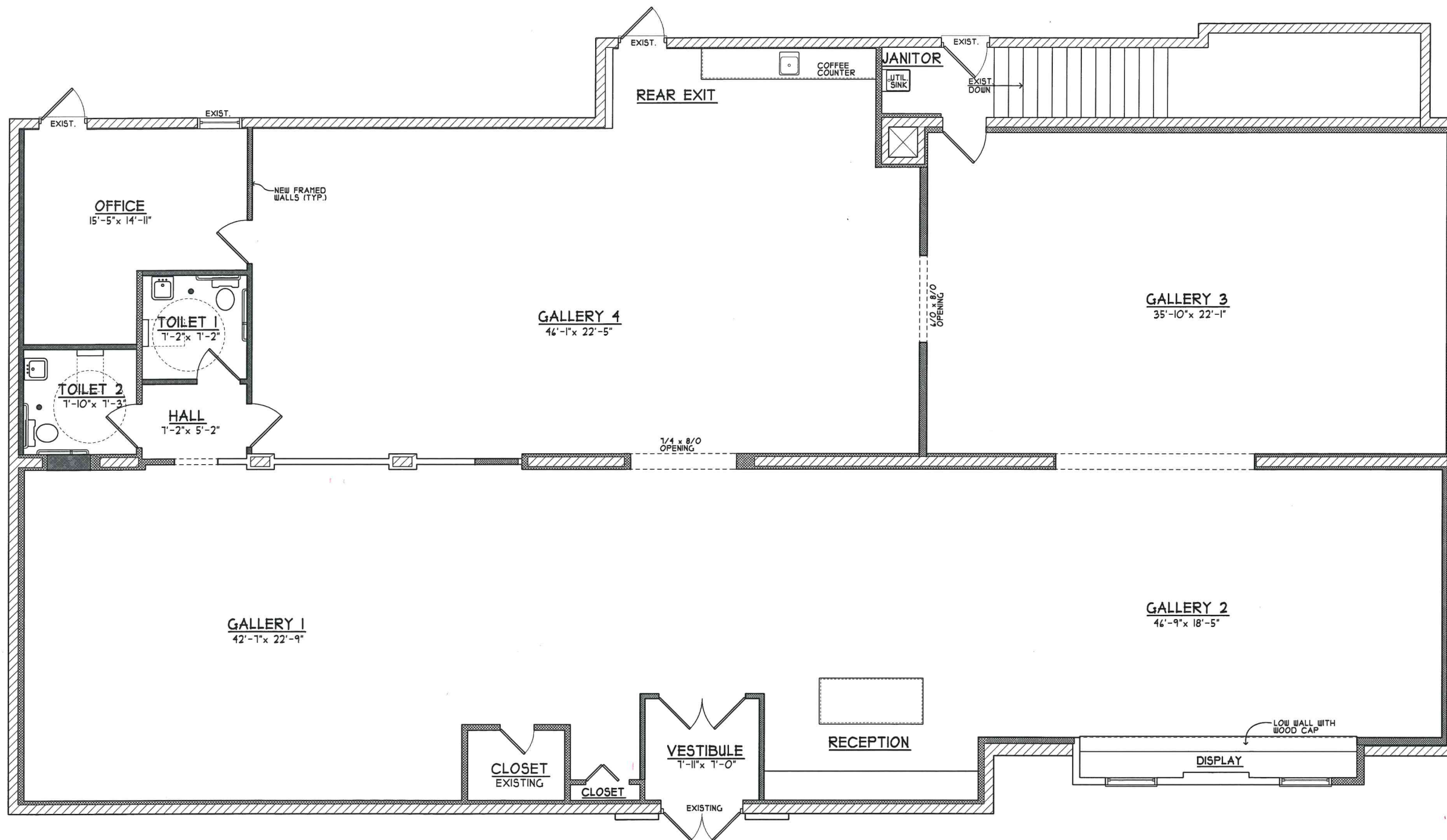
Ordered by & Prepared for:
Dolores Morrison

Field Bk/Page No: electronic	S-T-R:
File Name: 674064_ALTA	Drawn by: C S-J
Directory: Projects/2018-028	Job No.: 674064

Prepared by:
Johnson - Western Surveying, dba
ASM Consultants, Inc.
A Measure Above the Rest
1 Chain = 66 Feet
16 E. Wilson Street, Suite 1
Batavia, IL 60510
(630) 845-3166



Vicinity Map: not to scale



FLOOR PLAN

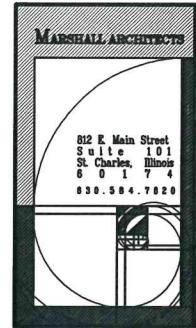
SCALE: 1/8" = 1'-0"



BUILDING CRITERIA

BUILDING FOOTPRINT:	±5,053 S.F.
FIRST FLOOR AREA:	±4,872 S.F.
FIRST FLOOR NET AREA:	±4,690 S.F.
FIRST FLOOR NET GALLERY AREA:	±4,090 S.F.
NOT INCLUDING: OFFICE, TOILET ROOMS, JANITOR, HALL, AND CLOSETS	

FEB. 1, 2024 - DESIGN DEVELOPMENT



PROPOSED RENOVATION AT:
1317 EAST MAIN
 ST. CHARLES, ILLINOIS 60114
 ANDY KOCZWARA

PLOTTED: 2/1/2024

Revisions:

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Commission: 2984

Issue Date: _____

Drawn By: CDZ

FIRST FLOOR

Sheet:

of: .