



ST. CHARLES  
SINCE 1834

### AGENDA ITEM EXECUTIVE SUMMARY

Title: Presentation of a Request from Lundeen's Liquors to Offer Drive-Thru Window Service at 1315 W Main Street

Presenter: Mayor Rogina

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input checked="" type="checkbox"/>	Liquor Control Commission

Estimated Cost:		Budgeted:	YES	<input checked="" type="checkbox"/>	NO	
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If NO, please explain how item will be funded:

**Executive Summary:**

David Lundeen will be presenting a proposal for the new store location at 1315 W Main Street.

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

City Code 5.08 Alcoholic Beverages, page 5.08-24 item Q  
Lundeen's Liquors Relocation Proposal  
Site Maps

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

Presentation of a request from Lundeen's Liquors to offer drive-thru window service at 1315 W Main Street.

<i>For office use only:</i>	<i>Agenda Item Number: 4</i>
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## ALCOHOLIC BEVERAGES

food store, drug store mass merchandiser, clubs, hotels and motels may remain open for business during such hours, but no alcoholic liquor may be sold or consumed during such hours. The licensee and any of its employees and no other persons shall be allowed to remain on or about the licensed premises to clean up or perform maintenance on the premises.

2. All premises in which alcoholic liquors are sold at retail for consumption on the premises and which are located below ground level shall have visible access to the interior for purposes of police inspection and the after hours safety of the occupants. Such visible access may be through an exterior door with a window measuring not less than eight inches by eight inches.
3. It is unlawful for any person to consume any alcoholic liquor on any premises licensed under the provisions of this chapter during the hours when the sale of such alcoholic liquor is prohibited by this chapter, including, but not limited to the licensee, its officers, agents and employees.

(Ord. 2010-M-29 § 1; Ord. 2004-M-12 § 1 ; Ord. 2000-M-104 § 1; Ord. 1995-M-53 § 5 & 6; Ord. 1995-M-22 § 1; Ord. 1988-M-73 § 1; Ord. 1988-M-72 § 1; Ord. 1987-M-34 § 2; Ord. 1986-M-32 § 1; Ord. 1985-M-32 § 2; Ord. 1984-M-69 § 1; Ord. 1984-M-36 § 3; Ord. 1984-M-37 § 4; Ord. 1982-M-49 § 1; Ord. 1976-M-42 (part); Ord. 1976-M-14 § 2; Ord. 1976-M-5 (part): prior code § 24.033 & 24.034.)

P. Employment of Underage Persons.

1. It shall be unlawful for any licensee, or any officer, associate, member, representative, agent or employee of such licensee, to engage, employ or permit any person under the age of twenty-one (21) years to attend bar and/or to draw, pour or mix any alcoholic liquor in any licensed premises; provided, that the provisions of this subsection shall not be construed to prevent the employment of persons who are at least sixteen (16) years of age as waiters or waitresses for the purpose of serving food and alcoholic liquor on the licensed premises.
2. It shall be unlawful for any licensee, or any officer, associate, member, representative, agent or employee of such licensee, to engage, employ or permit any person under twenty-one (21) years of age to sell any alcoholic liquor in any licensed premises.

(Ord. 2010-M-29 § 1; Ord. 2004-M-43 § 1; Ord. 2004-M-12 § 1.)

Q. Licenses – Curb/Drive-Through Service.

No license issued under this chapter authorizes the sale, gift or delivery of alcoholic liquor utilizing curbside service, drive-through window, or any other similar methodology. All such sales, gifts or deliveries are prohibited.

R. Harboring Intoxicated Persons.

No licensee under the provisions of this chapter, either individually or through agents or employees, shall harbor or permit any intoxicated person or persons to loiter on the premises, or to permit any conduct, which shall tend to disturb the peace and quiet of the neighborhood.

(Ord. 2010-M-29 § 1; Ord. 2004-M-12 § 1; Ord. 1976-M-5 (part): prior code § 24.036.)

S. Prohibited Sales.

1. No licensee nor any officer, associate, member, representative, agent or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under the age of twenty-one (21) years, or to any intoxicated person or to any person known by him or her to be under legal disability or in need of mental treatment.
2. For the purpose of preventing the violation of this section, any licensee, or his agent or employee, shall refuse to sell, deliver or serve alcoholic liquor to any person who is unable to produce adequate written evidence of identity and of the fact that he or

*Thank you for participating in the City's pre-application meeting. Pre-application meetings are **not** intended to be a comprehensive review of your proposal. At this early stage we try to help you identify some major issues related to the project, based on limited information. We also provide general guidance as to contacts and application procedures. We will conduct a more comprehensive review after you submit applications and detailed plans, at which time other issues may arise that, have to be addressed before the project is approved (or permits are issued as the case may be).*

**7/18/2013 Pre-App:  
1315 W. Main Street  
(Lundeen Liquors Relocation and Proposed Special Use for a Drive-Through)**

Please forward comments/corrections to: Matthew O'Rourke, 630-762-6924  
morourke@stcharlesil.gov

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**Participants**

City of St. Charles

Matthew O'Rourke, Planning Division

Tom Bruhl, Electric Division

Bob Vann, Building & Code Enforcement Division

Chris Tiedt, Development Engineering Division

Asst. Fire Chief, Kevin Christensen, Fire Department

Lt. Brian Byrne, Fire Department

**Applicant**

David and Julie Lundeen, Lundeen Liquors

**Applicant Presentation**

Ms. Lundeen explained that they have owned the property since the mid 1980's and would like to relocate their existing store in the Valley Shopping Center to this site. They also explained that they would like to add a drive-through lane with a pick-up window to the property. Ms. Lundeen stated that their store located in Sycamore, IL has a drive-through window. Ms. Lundeen stated that they are planning to use the existing footprint of the building.

Ms. Lundeen also stated that there is a known environmental issue with the lot in that a gas station formerly operated on this site and when the gas tanks were removed there was a leak. She stated that the site has now been cleaned and that they are waiting on the NFR (No Further Remediation).

Ms. Lundeen stated that there is no problem moving their liquor license from the existing location to this property and that they are seeking approval from the City Council for the drive-through. Ms. Lundeen stated that she has spoken with the Mayor and Police Chief and that she has spoken with 3 aldermen and believes she has their support. Mr. O'Rourke asked if she meant support for the liquor license. Ms. Lundeen stated that she was referring to the drive-through approval and that the liquor license is not an issue because it's the same license. Mr. O'Rourke stated that due to the change in scope by adding the drive-through, he understood that the applicant will need to get the change in liquor license approved by the Liquor Commission.

Mr. O'Rourke stated that he wanted the applicants to be aware that this would need to get approved.

Mr. O'Rourke explained that the purpose of the meeting is to provide information, identify any major issues, and provide guidance on zoning and application procedures. All discussion is confidential and is not binding. No formal approval is associated with this process.

## **Community Development Department**

### **Planning Division**

Mr. O'Rourke stated that the Drive-Through Facility is considered a Special Use by the St. Charles Zoning Ordinance and that this would need approval from the City Council. He also stated that City Council approval would be at the end of the process and that the Special Use requires a public hearing in front of the Plan Commission.

Mr. O'Rourke stated that the drive-through required 5 stacking spaces. He also stated that staff will need to verify that there are enough off-street parking spaces on the property due to the change in use to Retail Sales.

Mr. O'Rourke asked if the applicant is planning any exterior modifications to the building. Mr. Lundeen stated that they are only adding the new pick-up window for the drive-through. Ms. Lundeen stated that there is a window in this location and that will be removed to become the pick-up window.

Mr. O'Rourke asked if there are plans to repave the parking lot. Mr. Lundeen stated that they would like to do that next year, but right now they only have funds secured for the drive-through addition and adding the coolers to the building. O'Rourke stated that he wanted them to be aware that if they ever reconstruct the parking lot they would have to meet the current standards of the Zoning Ordinance. In particular, 10% of the interior of the parking lot is required to be greenspace. Mr. O'Rourke stated that the City requires building foundation landscaping and for this proposal it would be required where there are modifications to the building where the drive-through lane and pick-up window are proposed.

Mr. O'Rourke stated that the next step in the process for the drive-through would be to submit an Application for a Special Use. Once this application is submitted, staff will review the site plans and take the project through the public process.

Later in the meeting, Mr. O'Rourke stated that after hearing Mr. Tiedt's comments, it came to his attention that the property is less than 1-acre in size. He stated that in the BL –Local Business Zoning District that a drive-through is required to be on a property of 1-acre or larger. Therefore, the Special Use for the Drive-Through Facility would not meet the standards of the Zoning Ordinance.

### **Building and Code Enforcement Division**

Mr. Vann stated that when the applicant speaks to their electrician they should get a detailed description of their electrical needs.

## **Development Engineering Division**

Mr. Tiedt said that since the property is under 1-acre that they would not have to meet the Kane County Stormwater Ordinance. Mr. Tiedt also stated that they will need to review grading plans to see how the water would drain off of the property.

Mr. Tiedt read some comments prepared by Mr. Bernahl of the Public Work Engineering Division. Mr. Bernahl wanted to inform the applicant of the known environmental issues at the site and that there has been some recent activity in regards to this issue with EPA attorneys.

Mr. Tiedt suggested that the applicant consider connecting this property with the alley to the southeast of the property.

Mr. Tiedt asked if they planned on utilizing the same water and sewer services. Mr. Lundeen said they did intend to use the same services. Mr. Tiedt stated that they will need to locate these services and that the City's GIS services shows that one of the services may be located where the drive-through is proposed. Ms. Lundeen asked how they could find out the exact location of the service. Mr. Tiedt stated that they could try to estimate based off the location of manholes, but that the City does not locate private services. He also stated that plumbers can trace the services.

## **Public Works Department**

### **Electric Division**

Mr. Bruhl stated that the existing electric service may not be satisfactory and that he believes it is only a 200 amp service which is closer to a residential service. He stated that if they need a full 208 service that a new service will need to be run which is about a \$10,000 project. Mr. Bruhl stated that as soon as the applicant finds an electrician to have them call him to figure out the details.

Mr. Bruhl also stated that the current overhead service is over the location of the proposed drive-through. Mr. Bruhl stated that the service may not be high enough for the drive-through and will need to be raised or relocated. The relocation will also require a new service.

### **Fire Department**

Lt. Byrne stated that the building does have a fire alarm system but is not sprinkled. He stated that a change in the use category of the business would require that a sprinkler system be installed. He stated that the current use and the proposed use are close enough that he does not believe that the sprinkler system would be required.

### **Additional Business**

Ms. Lundeen asked how long a process like this would typically take. Mr. O'Rourke stated that the typical length for this type of proposal would be 60 to 90 days. Mr. O'Rourke reiterated that as of right now they would not be able to submit the Special Use for the Drive-Through Facility since it does not meet the Zoning Ordinance.

Mr. O'Rourke stated that the only avenue he can foresee is to petition the City to amend the Zoning Ordinance to modify or remove the minimum 1-acre requirement. He cautioned that this would mean changing the Zoning Ordinance for all properties zoned BL and that this would be a lot more for the City Council to consider.

Ms. Lundeen asked if they could move forward with moving the store to this location and consider the drive-through later. Mr. O'Rourke stated that the liquor store is considered a Retail Sales use which is permitted in the BL Local Business, so the store itself would only need to get a building permit for any internal changes. Mr. Vann added that once they get their information for the changes to the electric etc. that they can submit for a building permit.

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Distribution:            All participants            City Administrator  
                                 Mayor and City Council       Plan Commission Chair

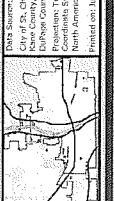


# City of St. Charles, Illinois

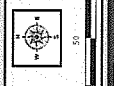
Two East Main Street St. Charles, IL 60174-1081  
Phone: 630-377-1100 Fax: 630-377-4110 www.ci.stcharles.il.us

# 1315 W. Main St.

RAYMOND ROGINA Mayor  
BRIAN TOWNSEND City Administrator



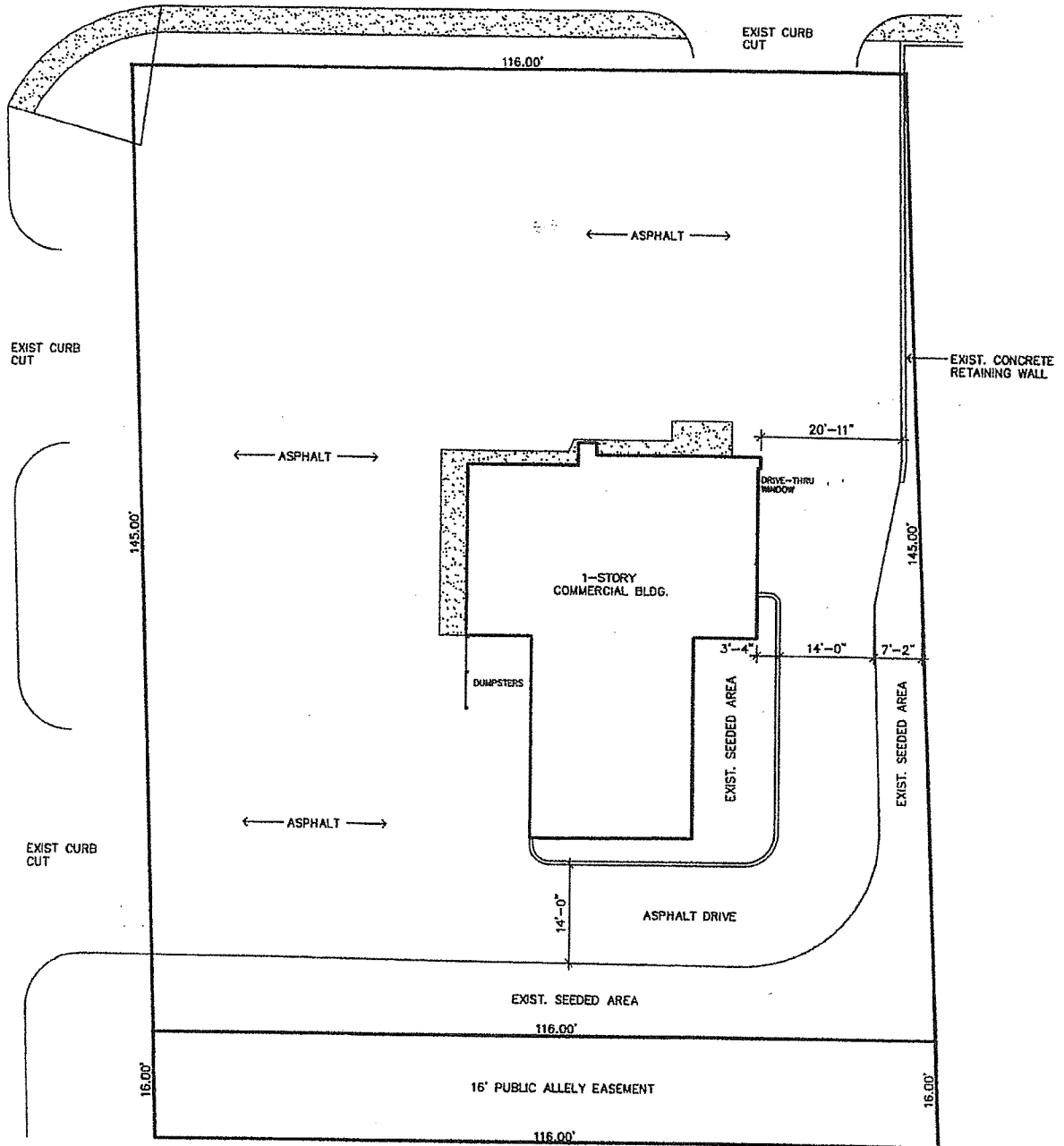
GIS Source:  
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Kane County, Illinois  
Geographic Information System  
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WEST MAIN STREET

S. 14TH STREET



SITE PLAN  
SCALE: 1/16" = 1'-0"



**LUNDEEN'S LIQUORS**  
1315 West Main Street

Tim O'Malley, Architects  
St. Charles, IL 60174  
Ph: 630-762-1062