



Zoning Request Report
County of Kane

Kane County Development
719 Batavia Ave
Geneva, IL 60134
Phone: (630) 232-3492
Fax: (630) 232-3411

TO: Kane County Zoning Board Of Appeals
Kane County Development Committee
County Board Member District
Janice Hill Carl Scheodel Mark VanKerkhoff Monica Meyers
Petitioner

PETITION NUMBER 2016-4385 **Date** 06/29/2016

GENERAL INFORMATION

APPLICANT: AMI PROPERTIES INC,

386 E IRVING PARK RD
ROSELLE 60172

PURPOSE: REZONE THE PROPERTY TO ALLOW A VIDEO GAMING CAFE, INCLUDING SALE OF FOOD ITEMS AND ALCOHOLIC BEVERAGES

EXISTING ZONING: B-1 - BUSINESS;

REQUESTED ACTION: B-4 - BUSINESS;

SIZE: 0.46 ACRES

LOCATION: 6N559 ROUTE 25, SECTION 11, ST. CHARLES TOWNSHIP (09-11-276-011)

SURROUNDING	ZONING	USE
NORTH	F - FARMING;	RESIDENTIAL;
SOUTH	B-3 - BUSINESS;	COMMERCIAL;
EAST	F - FARMING;	RESIDENTIAL;
WEST	B-1 - BUSINESS;	COMMERCIAL;

EXISTING LAND USE: COMMERCIAL;

LAND USE PLAN DESIGNATION: COUNTRYSIDE ESTATE RESIDENTIAL

ZONING HISTORY: REZONED TO B-1 IN 1986 TO ALLOW FOR SALE OF PACKAGED LIQUOR. RIGHT OF WAY SETBACK VARIANCE APPROVED IN 1994 FOR SIGN.

APPLICABLE LAND USE REGULATION: ARTICLE X, SECTION 10.5 OF THE KANE COUNTY ZONING ORDINANCE

AMI Properties, Inc.
Rezoning from B-1 District Business to B-4 District Business

Special Information: The Petitioner has been in business at this property for 12 years. The property currently operates a convenience store and sells packed liquor which cannot be consumed on-site. The Petitioner is seeking to expand his business into an adjoining empty unit and construct a new video gaming arcade, which would include a menu of prepared meals as well as sale of alcoholic beverages to be consumed on-site. ** In a separate petition the Petitioner will be seeking variances from the Zoning Board of Appeals for required parking spaces, parking lot setback from right-of-way and landscaping requirements.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Commerce/Employment. This category reflects the need for non-residential land uses to be centers for commerce and to generate local employment opportunities. This business is among several well-established commercial properties located along the Route 25 corridor.

Staff recommended Finding of Facts:

1. The rezoning would the vacant portion of the building to be put into productive use again.
2. The property is currently zoned B-3 with a Special Use to allow the sale of packaged liquor. The current zoning was approved by the Kane County Board in 1986 with a right-of-way setback variance granted for a sign in 1994.
3. The property was redeveloped in 1995. The construction of the current building for the proposed uses included a convenience store with the sale of packaged liquor and a carry out food establishment. The size of the building and parking for those uses maximized the area of the site. The proposed intensification of the uses on the property requires the accompanying variations. The proposed rezoning and intensification of uses would be a self-imposed hardship and is not recommended by staff.

Attachments: Location Map
Township Map
Petitioner's finding of fact sheet and narrative

**PROPOSED FINDINGS OF FACT
MAP AMENDMENT / SPECIAL USE**

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?

The property in question is suitable for continued use for commercial purposes. The property consists of .46 acres, improved with a commercial building of 4,300 s.f. and a parking area of 6,130 s.f. The existing zoning classification is B-1, with a special use allowing for sale of alcohol liquors on the property in question.

The proposal is to amend the zoning classification to B-4 Business District. The new classification will allow for use of a portion of the existing building and property for a video gaming café.

This new use will fit in with the existing grocery store and liquor store; and with the adjacent uses. There is a district of B-3 to the south (and farther south, a district of B-4), together with a B-1 district across the roadway to the west. There is a landscaping business to the east and northwest.

2. What are the zoning classifications of properties in the general area of the property in question?

The surrounding area is zoned as follows:

North	F-Farming
East	F-Farming (occupied by Pedersen Landscaping Company)
South	B-3 Business (including the Custom Furniture store).
West	Across IL 25 is B-1 Business; and residential PUD.

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

The property in question fronts on IL 25, in an area formerly incorporated as the Village of Valley View and which is dedicated to commercial uses. The grocery store / liquor store fit in with the immediately surrounding uses. Adding a video gaming use (in the space formerly occupied by a pizza restaurant /carryout business in the building) will not alter this suitability for the area.

4. What is the trend of development, if any, in the general area of the property in question?

There is no recent trend of development in the area of the property in question.

The property is located in the area formerly incorporated as Valley View. There are a few commercial enterprises along IL 25 in this area. Land to the west is commercial along IL 25, and otherwise residential (to the southwest, west and northwest). Land immediately to the east is occupied by a landscaping business, and otherwise is undeveloped. Land farther to the east is in the Village of Wayne and developed with residential uses.

5. How does the projected use of the property relate to the Kane County 2040 Land Use Plan?

The parcel is located in an area designated as "Countryside Estate Residential." Despite the residential designation, the immediate area of the property in question is dedicated to commercial uses along IL 25. The area farther west is developed with residential uses; the area immediately to the east is still in F-Farming, and undeveloped, although occupied by a landscaping business. The area farther east is developed with residential uses in the Village of Wayne in DuPage County.

Areas identified as "Countryside Estate Residential" on the 2040 Land Use Map are described as follows:

"...generally those which are characterized by rolling, moraine hills separated by wetlands or small creeks and with large areas of woodlands and other native vegetation. These areas are often adjacent to existing low-density residential areas, may already have a limited degree of scattered, estate-type development, and sometimes include land used for equestrian activities or serve as a low density transition to important agricultural and green infrastructure resources.

The plan recommends establishing low-density criteria for future developments to preserve the character, wildlife base, and natural features of these areas. The density and lot size of each individual development should be determined by the physical characteristics previously stated, the trend and character of development in the surrounding area, soil suitability for septic systems, and significant open space and green infrastructure preservation. The gross density should not generally exceed an average of one dwelling unit per four acres of land."

AMI Properties
Petition for Map Amendment

A small area fronting along IL 25 in this vicinity is devoted to business uses. The parcel immediately to the west across IL 25 is designed for auto repair services. The property farther south is improved with a building formerly dedicated to furniture sales. The use in question is surrounded by a landscaping business on the east. The landscape business has a growing area to the northwest.

The existing uses have for some time served the convenience of the surrounding residential area, and the Owner hopes to continue to do so.

**STATEMENT IN SUPPORT OF APPLICATION
FOR
MAP AMENDMENT**

The Owner of the property at 6N559 Rt. 25 in St. Charles Township, Kane County is petitioning to add a new use, to wit: a video gaming café to the existing building and property.

The property is suitable for continued use for such commercial purposes. The property consists of .46 acres in total, and is improved with a commercial building of 4,300 s.f. and a parking area of 6,130 s.f. The building currently houses a convenience store selling groceries and alcoholic liquors, and a vacant space formerly occupied by a pizza restaurant/carryout business

The existing zoning classification is B-1 Business District, with a special use allowing for sale of alcohol liquors. The proposal is to amend the zoning classification to B-4 Business District. The sole purpose of changing the zoning classification is to allow for use of a portion of the existing building and property as a video gaming café. The video gaming space will offer a limited menu of food items and alcoholic beverages, consistent with Illinois law and County regulations.

This new use will fit in with the existing convenience store; and with the adjacent uses. There is a district of B-3 Business to the south (and farther south, a district of B-4 Business), together with a B-1 Business District across the roadway to the west. There is a landscaping business to the east and northwest of the property. .

The property in question fronts on IL 25, in an area formerly incorporated as the Village of Valley View and which is dedicated to commercial uses. The grocery/liquor store fits in with the immediately surrounding uses. Adding a video gaming use (in the space formerly occupied by a pizza restaurant /carryout business in the building) will not alter this suitability for the area.

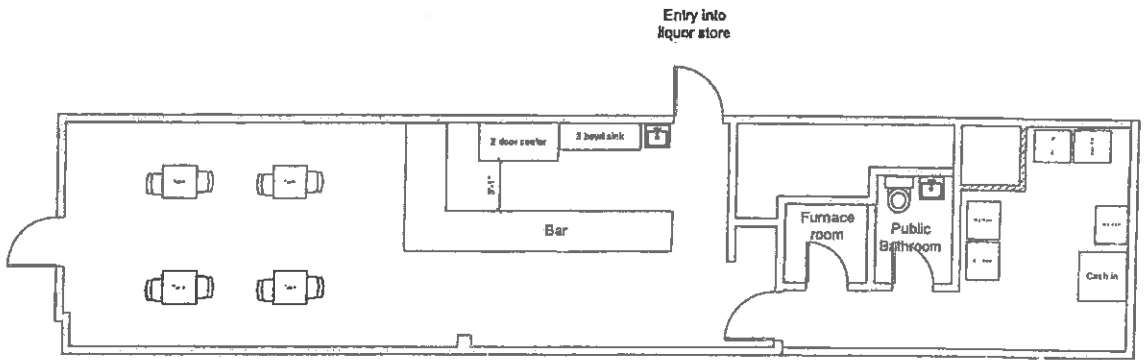
There has been no recent new development in the area of the property in question. The parcel is located in an area designated by Kane County as "Countryside Estate Residential." The property is located in the area formerly incorporated as Valley View, and is generally residential in character. However, there are a few commercial enterprises along IL 25 adjacent to the property in question. Land to the west is commercial along IL 25, and otherwise residential (to the southwest, west and northwest). Land immediately to the east is occupied by a landscaping business, and otherwise is undeveloped. Land farther to the east lies within the Village of Wayne and is developed with residential uses.


It is not likely that the property in question will be converted to residential uses. The existing commercial uses on the property have for some time served the convenience of the surrounding residential area, and the Owner hopes to continue to do so.

Respectfully submitted,

AMI Properties, Inc.

By: 



		Fox View Grocery & Liquor		
		DATE	PROJECT	REV
SCALE	3/16" = 1'-0"	1	1 OF 1	

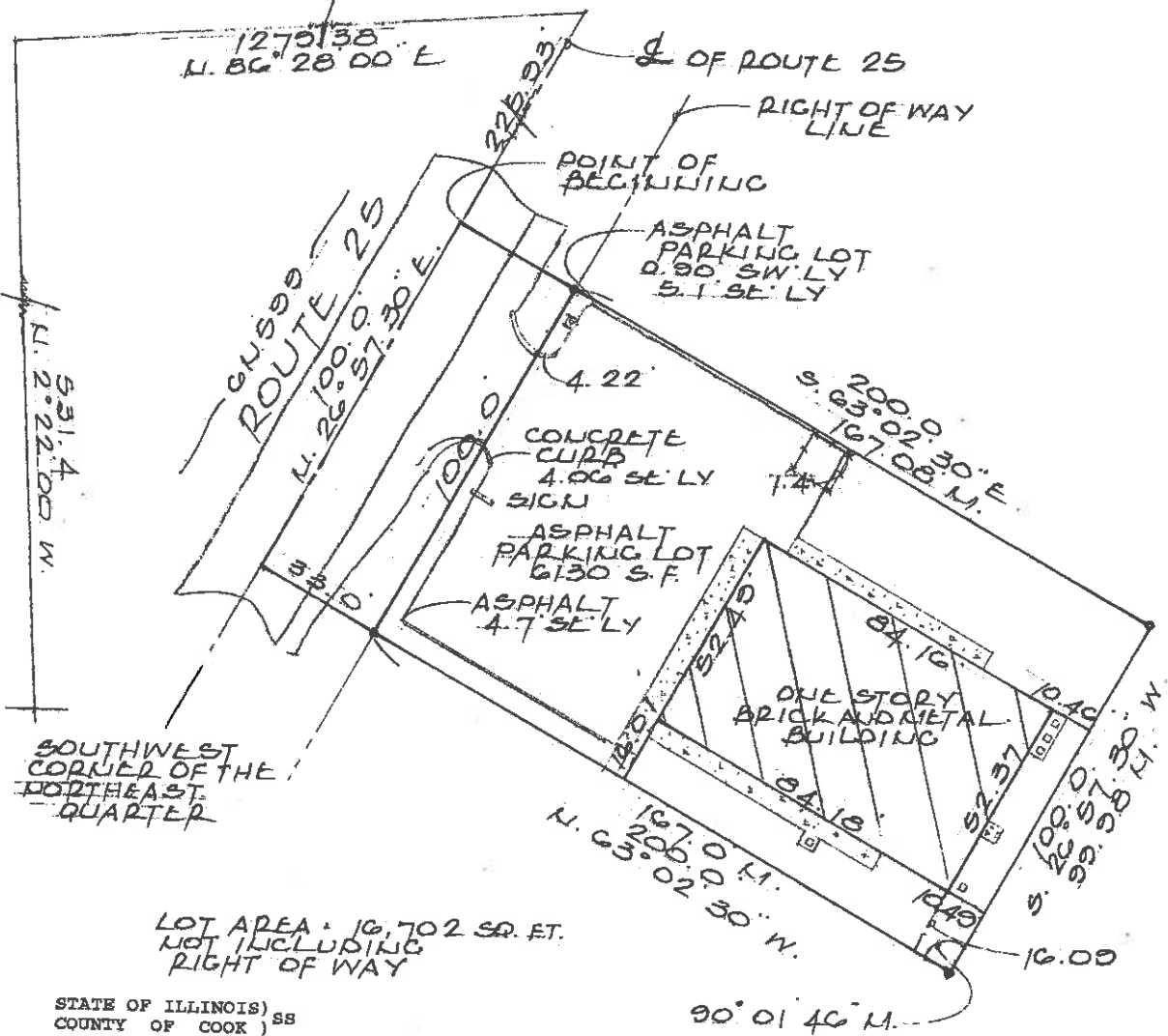
PLAT OF SURVEY



SCALE 1" = 30'

OF PROPERTY DESCRIBED AS:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE NORTH 2 DEGREES, 22 MINUTES, 0 SECONDS WEST ALONG THE WESTERLY LINE OF SAID NORTHEAST 1/4, 531.4 FEET; THENCE NORTH 86 DEGREES, 28 MINUTES, 0 SECONDS EAST 1279.38 FEET TO THE CENTER LINE OF ILLINOIS STATE HIGHWAY ROUTE NO. 25; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 900 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 63 DEGREES, 02 MINUTES, 30 SECONDS EAST AT RIGHT ANGLES TO SAID CENTER LINE 200.0 FEET; THENCE SOUTH 26 DEGREES, 57 MINUTES 30 SECONDS WEST PARALLEL WITH SAID CENTER LINE 100.0 FEET; THENCE NORTH 63 DEGREES 02 MINUTES, 30 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 200.0 FEET TO SAID CENTER LINE; THENCE NORTH 26 DEGREES, 57 MINUTES, 30 SECONDS EAST ALONG SAID CENTER LINE 100.0 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF ST. CHARLES, KANE COUNTY, ILLINOIS.



STATE OF ILLINOIS) SS
COUNTY OF COOK)

I, GERALD SOPHA, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A TRUE AND ACCURATE REPRESENTATION THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED: MARCH 19, 2016

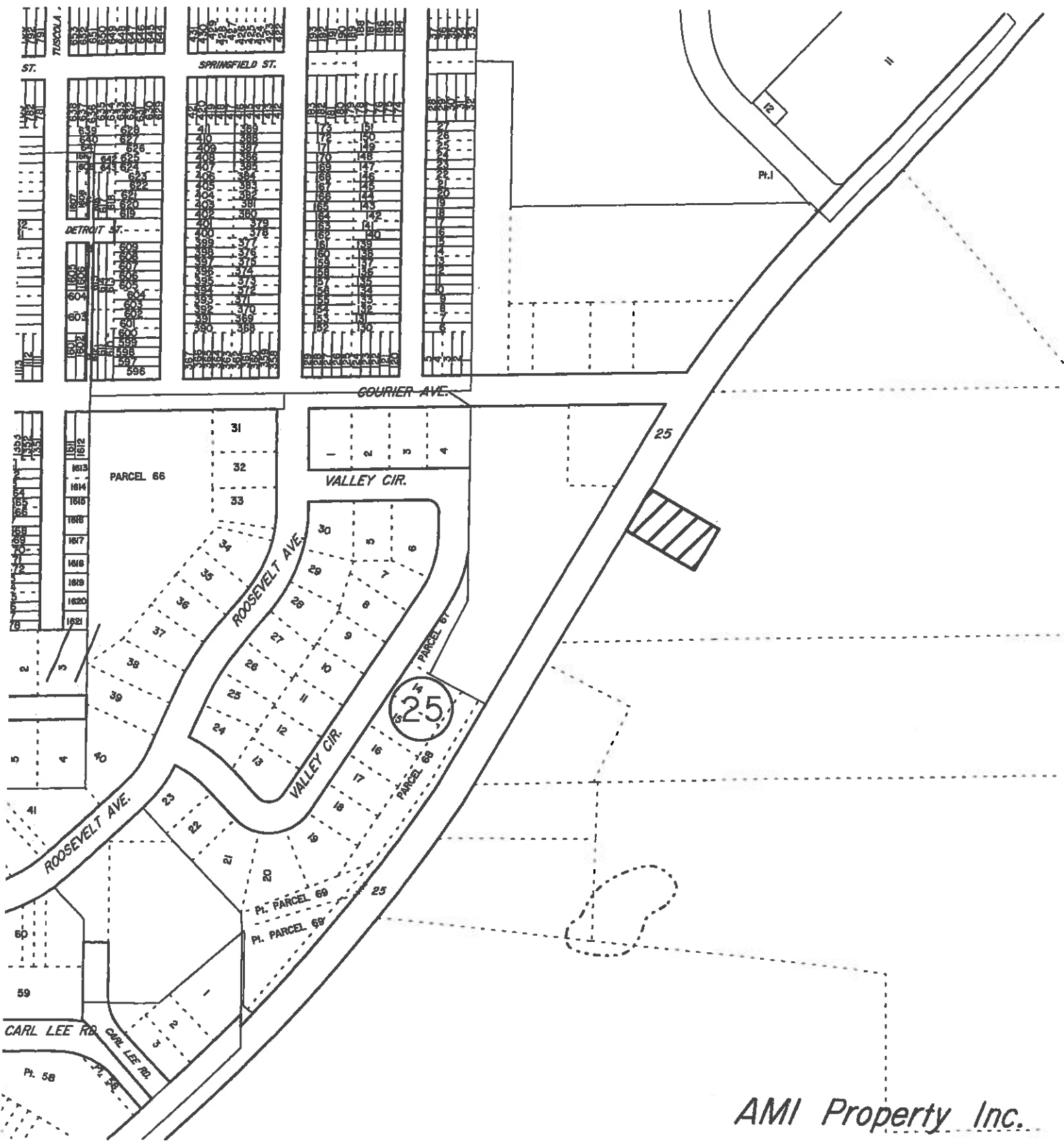
Gerald Sopha
GERALD SOPHA
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2473
LICENSE EXPIRES, NOVEMBER 30, 2016

PREPARED FOR: MARK SCHUSTER
PROPERTY ADDRESS: 6N599 RT. 25
ST. CHARLES, ILLINOIS



JERRY SOPHA
PROFESSIONAL LAND SURVEYOR
P.O. BOX 746
ELGIN, ILLINOIS 60121-0746
(847) 695-0960

● METAL STAKE SET. ○ METAL STAKE FOUND.
Any discrepancy in measurements should be promptly reported to the surveyor for explanation or correction. COMPARE THE DESCRIPTION ON THIS PLAT WITH DEED. REFER TO DEED FOR EASEMENTS AND BUILDING SETBACKS.



AMI Property Inc.

ST. CHARLES TWP.
T.40 N - R.8E

map 9

