

City of St. Charles, Illinois

Ordinance No. 2003-Z-1

**An Ordinance Amending Title 17
of the St. Charles Municipal Code
Regarding Indoor Paintball Marking Facilities**

**Adopted by the
City Council
of the
City of St. Charles
February 3, 2003**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, February 7, 2003**



City Clerk

(SEAL)



DATE OF PUBLICATION 2/3/03
NEWSPAPER pamphlet Form

REFER TO:
MINUTES 2/3/03
PAGE _____

ORDINANCE NO. 2003-Z-1

PRESENTED AND PASSED BY THE
CITY COUNCIL ON February 3, 2003

AN ORDINANCE AMENDING TITLE 17
OF THE ST. CHARLES MUNICIPAL CODE
REGARDING INDOOR PAINTBALL MARKING FACILITIES

WHEREAS, a Petition has been filed to amend Chapters 17.36 M-1 Limited Manufacturing District, and 17.38 Off-Street Loading and Parking regarding Indoor Paintball Marking Facilities; and

WHEREAS, the Plan Commission of the City of St. Charles 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 the same;

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 Chapters 17.36 M-1 Limited Manufacturing District and 17.38 Off-Street Loading and Parking of Title 17, "Zoning" of the St. Charles Municipal Code be and are hereby amended as follows:

1. Insert the following provision as paragraph "T" in Section 17.36.020 entitled "Special Uses":
"T. Indoor Paintball Marking Facilities."
2. Insert the following provision at the end of Section 17.38.070 entitled "Required off-street parking spaces":

Indoor Paintball Marking Facility

One space per player based on the maximum occupancy, plus one space per employee on the shift.

Parking spaces for spectators shall be determined by City Council, upon a

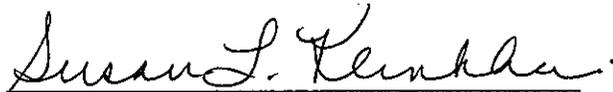
recommendation from the Plan
Commission.

SECTION 2. That after the adoption and approval hereof this 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, Illinois, this 3rd day of February, 2003.

PASSED by the City Council of the City of St. Charles, Illinois, this 3rd day of February, 2003.

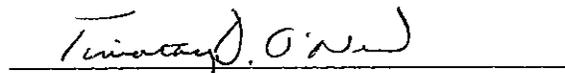
APPROVED by the Mayor of the City of St. Charles, Illinois, this 3rd day of February, 2003.


Susan L. Klinkhamer, Mayor

Attest:


City Clerk/Recording Secretary

Approved as to form:


City Attorney

Date: 2/3/03

Voice Vote:
Ayes: 9
Nays: 0
Absent: 1
Abstain: 0

State of Illinois)
)
) ss.
Counties of Kane and DuPage)

Certificate

I, KRISTIE A. NEPHEW, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on February 3, 2003, the Corporate Authorities of such municipality passed and approved Ordinance No. 2003-Z-1, entitled

"An Ordinance Amending Title 17
of the St. Charles Municipal Code
Regarding Indoor Paintball Marking Facilities,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2003-Z-1, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 7, 2003, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 3rd day of February, 2003.


Municipal Clerk

(SEAL)



State of Illinois)
)
) ss.
Counties of Kane and DuPage)

Certificate

I, KRISTIE A. NEPHEW, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

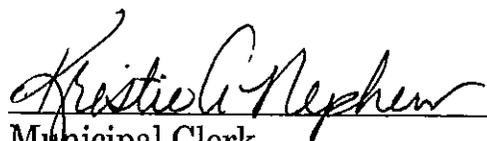
I further certify that on February 3, 2003, the Corporate Authorities of such municipality passed and approved Ordinance No. 2003-Z-2, entitled

"An Ordinance Approving a Special Use for an Indoor
Paintball Marking Facility (248 N. Randall Road),"

which provided by its terms that it should be published in pamphlet form.

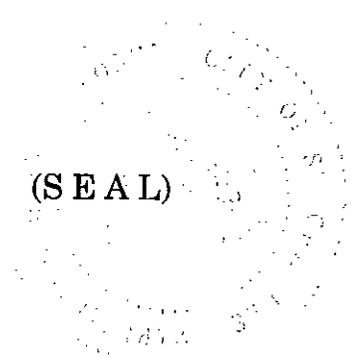
The pamphlet form of Ordinance No. 2003-Z-2, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 7, 2003, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 3rd day of February, 2003.



Municipal Clerk

(SEAL)



THAT PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF S. B. I. ROUTE 64 WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 28; THENCE NORTH 89 DEGREES 57 MINUTES 40 SECONDS WEST ALONG SAID NORTHERLY LINE OF S. B. I. ROUTE 64, A DISTANCE OF 1932.11 FEET; THENCE NORTH 0 DEGREES 02 MINUTES 20 SECONDS EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 816.52 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 02 MINUTES 20 SECONDS EAST ON THE EXTENSION OF THE LAST DESCRIBED COURSE, 85 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 40 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 10.0 FEET TO THE CENTER LINE OF A RAILROAD SPUR EASEMENT; THENCE NORTH 0 DEGREES 02 MINUTES 20 SECONDS EAST ALONG SAID CENTER LINE 209.23 FEET; THENCE NORTHERLY ALONG SAID CENTER LINE BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 478.34 FEET AND BEING TANGENT TO THE LAST DESCRIBED COURSE AT THE LAST DESCRIBED POINT AN ARC DISTANCE OF 91.32 FEET TO A POINT ON THE SOUTHERLY LINE OF A TRACT OF LAND CONVEYED TO ST. CHARLES LUMBER AND FUEL COMPANY

BY DEED RECORDED AS DOCUMENT 1043417, SAID POINT BEING 18.69 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTH 89 DEGREES 57 MINUTES 40 SECONDS WEST ALONG THE SOUTHERLY LINE OF PROPERTY CONVEYED BY SAID DOCUMENT 1043417, 638.85 FEET TO THE EASTERLY LINE OF COUNTY HIGHWAY NO. 34 (RANDALL ROAD); THENCE SOUTHERLY ALONG SAID EASTERLY LINE OF COUNTY HIGHWAY NO. 34 (RANDALL ROAD); SAID LINE BEING ON A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 49070.7 FEET, A DISTANCE OF 385.00 FEET MORE OR LESS TO A LINE DRAWN NORTH 89 DEGREES 57 MINUTES 40 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST 657.05 FEET TO THE POINT OF BEGINNING, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

EXHIBIT A

SECTION 2. That the Subject Realty may be developed and used only in accordance with all ordinances of the City now in effect or hereafter amended, and in accordance with the following conditions and restrictions:

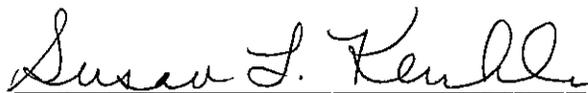
- The maximum occupancy of the paintball facility shall be limited to 30 players and 4 employees at any one time.

SECTION 3. That this Ordinance shall become effective from and after its passage and approval in accordance with law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 3rd day of February, 2003.

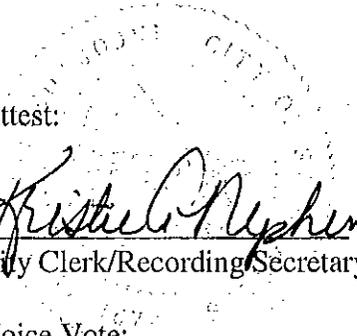
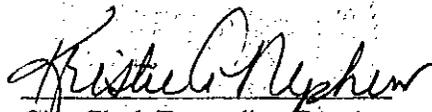
PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 3rd day of February, 2003.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 3rd day of February, 2003.



Susan L. Klinkhamer, Mayor

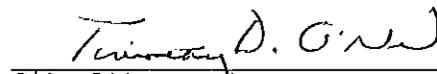
Attest:



City Clerk/Recording Secretary

Voice Vote:

Ayes: 9
Nays: 0
Absent: 1
Abstain: 0

Approved as to form:


City Attorney

Date: 2/3/03

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 proposed special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. In fact, the façade improvement will enhance the condition of the building.

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

The proposed special use is currently served by a full access drive to Randall Road. Anticipating the Kane County Department of Transportation's (KDOT) improvements to Randall Road in the future, the owner of the subject property has established a private cross access easement with the owner of the property to the south. This agreement will allow both property owners to have access to both properties from a single access point in case KDOT requires that a curb be closed on either property. All necessary municipal utilities are available to the site.

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.

Ingress and egress will not change on the site due to the special use. The property is currently served by a full access drive.

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 the recommendations of the Plan Commission.

The requested special use will conform to all applicable regulations of the District, subject to approval of the requested general amendments to include paintball facilities as a special use in the M-1 District and to add new parking requirements for paintball facilities.

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 a Special Use for an Indoor Paintball Marking Facility in the M-1 Limited Manufacturing District be and is hereby granted for the Subject Realty, subject to the requirements and restrictions provided herein.

DATE OF PUBLICATION: 2/7/03
NEWSPAPER Amphlet Form

REFER TO:
MINUTES 2/3/03
PAGE _____

ORDINANCE NO. 2003-7-2

PRESENTED AND PASSED BY THE
CITY COUNCIL ON February 3, 2003

AN ORDINANCE APPROVING A SPECIAL USE FOR AN
INDOOR PAINTBALL MARKING FACILITY
(248 N. RANDALL ROAD)

WHEREAS, a petition for a special use for an Indoor Paintball Marking Facility in the M-1 Limited Manufacturing District for the real estate described in Exhibit A: (hereinafter referred to as ""SUBJECT REALTY") has been filed by Randall Road Partners, L.L.C. (hereinafter referred to as "APPLICANT"); 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 recommendations of the Plan Commission and has considered same;

WHEREAS, the City Council of the City of St. Charles hereby makes the following findings of fact:

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.

Both the paintball facility and self storage will be indoor activities. The paintball facility will not be detrimental to the public health, safety and welfare of the community.

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

The building is undergoing a façade renovation that will add to property values in the immediate vicinity. As such, the special use will not diminish or impair property values within the neighborhood, nor will it be injurious to the use and enjoyment of the property in the immediate vicinity.

City of St. Charles, Illinois

Ordinance No. 2003-Z-2

**An Ordinance Approving a Special Use
for an Indoor Paintball Marking Facility
(248 N. Randall Road)**

**Adopted by the
City Council
of the
City of St. Charles
February 3, 2003**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, February 7, 2003**



City Clerk

