

AGENDA
CITY OF ST. CHARLES PUBLIC
HEARING MEETING
RAYMOND ROGINA, MAYOR
JO KRIEGER, MAYOR PRO TEM
MONDAY, AUGUST 15, 2016 – 6:45 P.M.
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

- 1. Call to Order**

- 2. Roll Call**

- 3. Proposed Enlargement of Special Service Area No. 7**
 - A. Presentation of “Notice of Public Hearing”
 - B. Public Comment

- 4. Adjournment**



AGENDA ITEM EXECUTIVE SUMMARY

Title:	Public Hearing for Proposed Ordinance Enlarging Special Service Area 7 (510 S. Tyler Rd.)
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Presenter:	Chris Bong, P.E.
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Please check appropriate box:

<input type="checkbox"/> Government Operations	<input type="checkbox"/> Government Services
<input type="checkbox"/> Planning & Development	<input type="checkbox"/> City Council

Estimated Cost:	NA	Budgeted:	YES	NO	
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If NO, please explain how item will be funded:

Executive Summary:

Ryder Truck Rental Inc. (Ryder) has applied for a building permit to construct a truck maintenance facility on the property at 510 S. Tyler Road. The property was formerly a lumber yard and a few years ago this site was contemplated as a golf entertainment facility.

The site is comprised of 2 parcels under one common owner. The south parcel is included in Special Service Area 7 (SSA 7) and the north parcel is outside of SSA 7.

The main function of SSA 7 is to fund the maintenance of the City owned regional detention pond directly adjacent to the Ryder site. Properties within SSA 7 may utilize the regional detention pond to satisfy stormwater requirements.

During the civil engineering design process, the applicant inquired as to the feasibility of enlarging SSA 7 to include their entire parcel. This would allow Ryder to utilize the regional detention pond for their entire site, eliminating the need for on-site stormwater detention. Staff decided to consider this proposal under the stipulation that the applicant's engineer could prove that the overall stormwater flows from the regional pond would be reduced, resulting in an overall downstream stormwater improvement. The applicant proposed to accomplish this by performing grading modifications to the top of the detention pond berm, resulting in an increase in the capacity of the pond.

After careful review of the applicants engineering plans and stormwater model by Staff and WBK Engineering, Staff confirmed that stormwater flows from the site will indeed be reduced by a significant amount, ranging from a 5% reduction during a 2-year storm and a 27% reduction during a 100-year storm. This results in a significant downstream stormwater benefit while at the same time allowing the proposed Ryder facility to utilize the regional detention pond.

State statute requires the City Council pass an ordinance proposing the enlargement of the SSA and set a date for public hearing, which may be held no sooner than 60 days following passage of the ordinances. That hearing is being held August 15, 2016. Following this public hearing, the City Council can pass an ordinance formally enlarging the SSA no sooner than 60 days following the close of the

public hearing. The earliest this could occur is the City Council meeting on October 17, 2016.		
Attachments: <i>(please list)</i>		
An Ordinance Proposing the Enlargement of Special Service Area Number 7 in the City of St. Charles, Kane and DuPage Counties, Illinois, and Providing for a Public Hearing and Other Procedures in Connection Therewith (510 S. Tyler Rd.)		
Recommendation / Suggested Action <i>(briefly explain):</i>		
Conduct and close the public hearing.		
<i>For office use only:</i>	<i>Agenda Item Number:</i> 3A	

City of St. Charles, Illinois
Ordinance No. 2016-M- _____

**An Ordinance Proposing the Enlargement of Special Service Area No. 7 in the
City of St. Charles, Kane and DuPage Counties, Illinois, and Providing for a
Public Hearing and Other Procedures in Connection Therewith
(510 S. Tyler Rd.)**

BE IT ORDAINED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

Section 1: Authority to Establish and Enlarge Special Service Area. Special Service Areas are established pursuant to Article VII, Section 6 of the Constitution of the State of Illinois, in force July 1, 1971, which provides:

"(1) The General Assembly may not deny or limit the power of home rule units** *
(2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services."

and are established pursuant to provisions of the "Special Service Area Tax Law", as amended (35 ILCS 200/27 *et seq.* (the "Act")). The boundaries of a special service area may be enlarged pursuant to the procedures set forth in Section 200/27-50 of the Act.

Section 2: Findings. This City Council finds:

A. That the City Council previously established a Special Service Area No. 7 by Ordinance No. 1990-M-1, as amended by Ordinances No. 1990-M-20.

B. It is in the public interest that the Special Service Area No. 7 which has been previously created be considered for enlargement to contain the area hereinafter described for the purposes set forth herein.

C. That said area as enlarged is compact and contiguous and constitutes a commercial area in the City of St. Charles.

D. That the area proposed to be added to the special service area represents less than 5% of the assessed valuation of the current area as determined by the Clerk of the County of Kane (the current area having a current assessed value of \$22,786,694 and the area to be added having a current assessed value of \$431,711).

E. That the area as enlarged, including the property being added, is generally zoned for manufacturing and all of said area including the property being added will benefit specially from the municipal services to be provided in the nature of the maintenance of retention/ detention ponds by mowing, removal of debris and flotsam, maintenance of elevations and contours, removal of siltation and correction of erosion. The proposed municipal services are unique and in addition to the municipal services provided to the City of St. Charles as a whole, and it is,

therefore, in the best interest of the City of St. Charles that the levy of special taxes against said area including the property being added for the services to be provided be considered.

Section 3: Public Hearing -Tax Rate. That a public hearing shall be held on the 15th day of August, 2016, at 6:45p.m., in the City Council Chambers, 2 East Main Street, St. Charles, Illinois, to consider enlarging Special Service Area No. 7 of the City of St. Charles by adding the territory described in the notice set forth in Section 4 hereof. At the hearing there will also be considered a levy of an annual tax of not to exceed an annual rate of 0.1% (or \$.10 per \$100.00) of the assessed value, as equalized, of the taxable real property in the territory to be added to the territory of Special Service Area No. 7, said tax to be in addition to all other taxes provided by law.

Section 4: Notice of Hearing. Notice of the hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in one or more newspapers of general circulation in the City of St. Charles. In addition, notice by mailing shall be given by depositing said notice in the United States Mail addressed to the person or persons whose names the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the territory proposed to be added to the territory of Special Service Area No. 7. Said notice shall be mailed not less than ten (10) days prior to the time set for public hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person or persons last listed on the tax rolls prior to that year as the owner(s) of said property. The notice shall be substantially in the following form:

Ordinance No.2016-M-

Section 5: Map. A map of the proposed territory to be added as well as the current Special Service Area No. 7 is appended hereto and is on file in the Office of the City Clerk and available for public inspection.

Section 6. That this Ordinance shall become effective from passage, approval and publication in pamphlet form as provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ___ day of _____ 2016.

PASSED by the City Council of the City of St. Charles, Illinois, this — day of _____ 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ___ day of _____ 2016.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

Current SSA 7 Boundaries

(SSA #7 - CMD MIDWEST, INC., UNIT I)

THAT PART OF THE SOUTH HALF OF SECTION 26, AND PART OF THE NORTH HALF OF SECTION 35 AND PART OF THE NORTHWEST QUARTER OF SECTION 36, ALL IN TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE EASTERLY LINE OF TYLER ROAD, AS SAID ROAD WAS ESTABLISHED BY PLAT RECORDED IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON JUNE 29, 1984, AS DOCUMENT NO. 1085674, AT THE INTERSECTION OF SAID EASTERLY LINE WITH THE SOUTHERLY LINE OF A TRACT OF LAND DESCRIBED IN RECORD BOOK 1956 AT PAGE 485 AS DOCUMENT NO. 887485 IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, AND RUNNING

THENCE SOUTHEASTWARDLY ALONG SAID EASTERLY LINE OF TYLER ROAD, BEING HERE THE ARC OF A CIRCLE, CONVEX TO THE WEST AND HAVING A RADIUS OF 1001.00 FEET, A DISTANCE OF 186.34 FEET (DEED = 185.90 FEET);

THENCE SOUTH 28 DEGREES 11 MINUTES 40 SECONDS EAST (ASSUMED) CONTINUING ALONG SAID EASTERLY LINE, BEING HERE A STRAIGHT LINE TANGENT TO THE LAST DESCRIBED ARC OF A CIRCLE, A DISTANCE 200.0 FEET;

THENCE SOUTHEASTWARDLY ALONG AN ARC OF A CIRCLE, CONVEX TO THE EAST, TANGENT TO LAST DESCRIBED STRAIGHT LINE, AND HAVING A RADIUS OF 1081.00 FEET, A DISTANCE OF 498.87 FEET;

THENCE SOUTH 01 DEGREES 45 MINUTES 12 SECONDS EAST CONTINUING ALONG THE AFORESAID EASTERLY LINE, BEING HERE A STRAIGHT LINE, TANGENT TO LAST DESCRIBED ARC OF A CIRCLE, A DISTANCE OF 86.46 FEET;

THENCE NORTH 88 DEGREES 14 MINUTES 48 SECONDS EAST A DISTANCE OF 15.00 FEET;

THENCE SOUTH 01 DEGREES 45 MINUTES 12 SECONDS EAST A DISTANCE OF 20.00 FEET;

THENCE SOUTH 88 DEGREES 14 MINUTES 48 SECONDS WEST A DISTANCE OF 15.00 FEET;

THENCE SOUTH 01 DEGREES 45 MINUTES 12 SECONDS EAST A DISTANCE OF 93.54 FEET;

THENCE SOUTHEASTWARDLY ALONG AN ARC OF A CIRCLE, CONVEX TO THE WEST, TANGENT TO LAST DESCRIBED STRAIGHT LINE AND HAVING A RADIUS OF 1001.00 FEET, A DISTANCE OF 252.87 FEET (DEED = 253.06) TO AN INTERSECTION WITH THE SOUTH LINE OF THE PROPERTY CONVEYED BY DEED RECORDED JANUARY 11, 1983 AS DOCUMENT NO. 1626769, SAID SOUTH LINE BEARING NORTH 72 DEGREES 47 MINUTES EAST FROM THE INTERSECTION OF SAID LINE WITH THE ORIGINAL CENTERLINE OF TYLER ROAD, AT A POINT 359.61 FEET NORTH 29 DEGREES 00 MINUTES WEST OF THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO CARRIE JERUSHA PARQUETTE AS DESCRIBED IN RECORD BOOK 482 AT PAGE 532 AS DOCUMENT NO. 87937 IN THE RECORDER'S OFFICE OF KANE COUNTY;

THENCE NORTH 72 DEGREES 47 MINUTES EAST ALONG SAID LAST DESCRIBED LINE, A DISTANCE OF 481.77 FEET TO A POINT 559.80 FEET NORTHEASTERLY OF THE AFORESAID POINT OF INTERSECTION AT THE ORIGINAL CENTERLINE OF TYLER ROAD.

THENCE SOUTH 29 DEGREES 00 MINUTES EAST PARALLEL WITH SAID ORIGINAL CENTERLINE, A DISTANCE OF 263.95 FEET;

THENCE SOUTH 00 DEGREES 30 MINUTES WEST, A DISTANCE OF 253.60 FEET TO THE NORTH LINE OF SAID PARQUETTE TRACT;

THENCE SOUTH 89 DEGREES 30 MINUTES EAST ALONG SAID NORTH LINE, A DISTANCE OF 1362.70 FEET TO THE WEST LINE OF A TRACT OF LAND DESCRIBED IN RECORD BOOK 2221 AT PAGE 627 AS DOCUMENT NO. 1019086 IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS.

THENCE SOUTH 00 DEGREES 13 MINUTES EAST ALONG SAID WEST LINE A DISTANCE OF 532.15 FEET TO THE NORTHERLY LINE OF TYLER ROAD, AS SAID ROAD WAS ESTABLISHED BY THE AFOREMENTIONED

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PLAT RECORDED IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON JUNE 29, 1984 AS DOCUMENT NO. 1085674;

THENCE SOUTH 89 DEGREES 37 MINUTES 41 SECONDS EAST ALONG SAID NORTHERLY LINE, 1582.96 FEET TO AN INTERSECTION OF NORTH LINE OF SAID TYLER ROAD WITH THE WEST RIGHT OF WAY LINE OF COUNTY HIGHWAY 77 (KIRK ROAD):

THENCE NORTHERLY ALONG SAID WEST LINE, 139.50 FEET;

THENCE CONTINUING NORTHERLY ALONG SAID WESTERLY LINE BEING AN ARC OF A CIRCLE CONVEX TO THE WEST AND HAVING A RADIUS OF 2342.01 FEET, 797.08 FEET;

THENCE NORTH 7 DEGREES 56 MINUTES 39 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, 613.87 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF COUNTY HIGHWAY 77 AFORESAID AND THE SOUTH LINE OF A 100 FOOT RIGHT OF WAY OF THE CHICAGO & NORTHWESTERN TRANSPORTATION COMPANY;

THENCE NORTH 83 DEGREES 40 MINUTES 41 SECONDS WEST ALONG SAID SOUTH LINE, 560.85 FEET;

THENCE WESTWARDLY ALONG SAID SOUTHERLY LINE, BEING HERE AN ARC OF A CIRCLE, CONVEX TO THE SOUTH AND HAVING A RADIUS OF 3869.83 FEET, A DISTANCE OF 888.54 FEET TO A POINT;

THENCE NORTH 70 DEGREES 30 MINUTES 36 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 2097.64 FEET TO THE NORTHEASTERLY CORNER OF A TRACT OF LAND DESCRIBED IN RECORD BOOK 1956 AT PAGE 485 AS DOCUMENT NO. 887485 IN THE RECORDER'S OFFICE OF KANE, COUNTY, ILLINOIS.

THENCE SOUTH 08 DEGREES 43 MINUTES 24 SECONDS WEST ALONG THE EASTERLY LINE OF SAID TRACT, A DISTANCE OF 349.22 FEET TO THE SOUTHEASTERLY CORNER OF SAID TRACT, AND

THENCE NORTH 81 DEGREES 16 MINUTES 36 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID TRACT, A DISTANCE OF 459.15 FEET TO THE POINT OF BEGINNING, IN THE TOWN OF ST. CHARLES, KANE COUNTY, ILLINOIS.

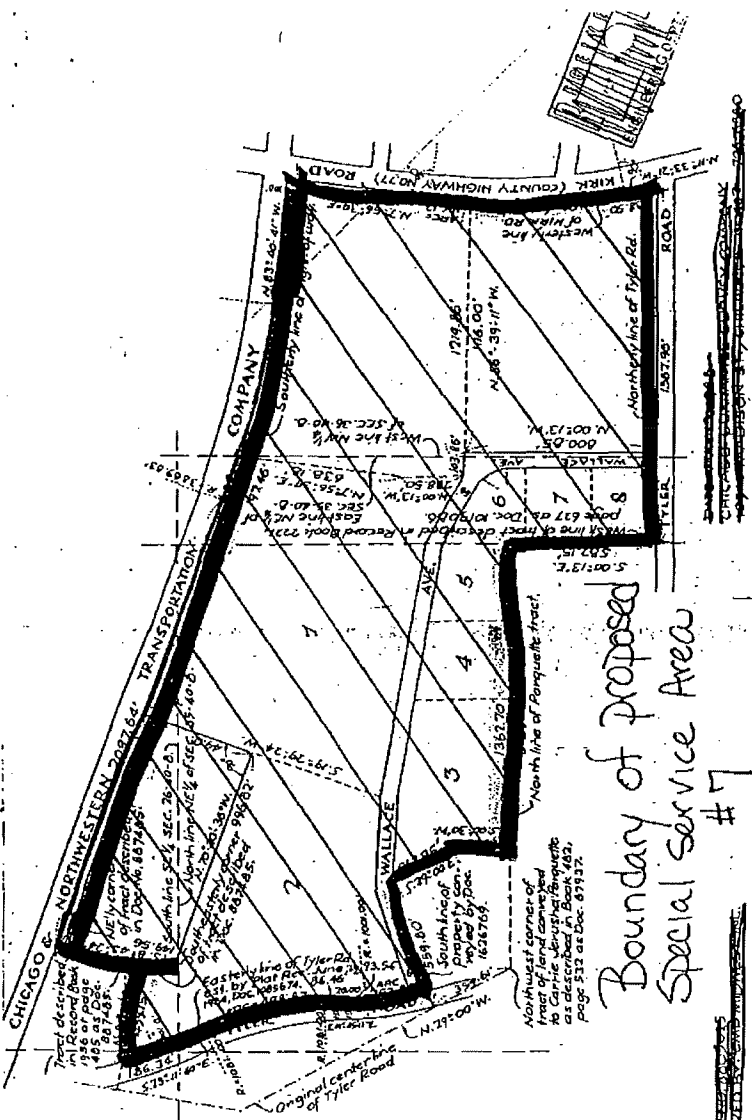
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UNIVERSITY MICROFILMS INTERNATIONAL, 300 N. Zeeb Road, Chicago, Illinois 60612

90K02780



Boundary of proposed
Special Service Area
#7

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RECORD LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF THE SOUTH 1/2 OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 26; THENCE SOUTH 89 DEGREES, 13 MINUTES, 48 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 215.11 FEET TO THE CENTER LINE OF TYLER ROAD; THENCE NORTH 8 DEGREES, 43 MINUTES, 0 SECONDS EAST ALONG SAID CENTER LINE 277.66 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 81 DEGREES, 17 MINUTES, 0 SECONDS EAST 563 FEET; THENCE NORTH 8 DEGREES, 43 MINUTES, 0 SECONDS EAST 349.22 FEET TO THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY (FORMERLY THE CHICAGO AND GREAT WESTERN RAILROAD COMPANY); THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE CENTER LINE OF SAID TYLER ROAD, THENCE SOUTHWESTERLY ALONG SAID CENTER LINE TO THE POINT OF BEGINNING (EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 26; THENCE ON AN ASSUMED BEARING OF SOUTH 88 DEGREES, 44 MINUTES, 02 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 214.98 FEET TO THE EXISTING CENTER LINE OF TYLER ROAD; THENCE NORTH 0 DEGREES, 14 MINUTES, 18 SECONDS EAST ALONG SAID CENTER LINE 277.27 FEET TO A POINT IN THE SOUTH LINE OF GRANTOR'S PROPERTY FOR THE POINT OF BEGINNING; THENCE SOUTH 81 DEGREES, 45 MINUTES, 05 SECONDS EAST ALONG THE SOUTH LINE OF GRANTOR'S PROPERTY 104.07 FEET TO A POINT ON A 1001.00 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 71 DEGREES, 58 MINUTES, 16 SECONDS EAST FROM SAID POINT; THENCE NORTHERLY ALONG SAID CURVE 229.46 FEET SUBTENDING A CENTRAL ANGLE OF 13 DEGREES, 08 MINUTES, 02 SECONDS; THENCE NORTH 4 DEGREES, 53 MINUTES, 42 SECONDS WEST ON A TANGENT 252.88 FEET TO A POINT IN THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY (FORMERLY THE CHICAGO AND GREAT WESTERN RAILROAD COMPANY) BEING A 2939.48 FOOT RADIUS CURVE THE CENTER OF CIRCLE OF SAID CURVE BEARS SOUTH 17 DEGREES, 45 MINUTES, 52 SECONDS WEST FROM SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVED RIGHT OF WAY LINE 36.80 FEET SUBTENDING A CENTRAL ANGLE OF 0 DEGREES, 43 MINUTES, 02 SECONDS TO THE EXISTING CENTER LINE OF TYLER ROAD; THENCE SOUTH 4 DEGREES, 53 MINUTES, 42 SECONDS EAST ALONG SAID CENTER LINE 294.41 FEET; THENCE SOUTH 8 DEGREES, 14 MINUTES, 18 SECONDS WEST ALONG THE CENTER LINE AFORESAID 180.95 FEET TO THE POINT OF BEGINNING), IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

P.I.N. 09-26-452.006

SSA 7 Enlargement

