

**AGENDA**  
**CITY OF ST. CHARLES**  
**PLANNING & DEVELOPMENT COMMITTEE**  
**ALD. TODD BANCROFT – CHAIRMAN**  
**MONDAY, JULY 11, 2016 - 7:00 PM**  
**CITY COUNCIL CHAMBERS**  
**2 E. MAIN STREET**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. COMMUNITY & ECONOMIC DEVELOPMENT**

- a. Plan Commission recommendation to approve a Final Plat of Subdivision for Schulze Resubdivision, 1021 Howard St.
- b. Recommendation to approve a Minor Change to PUD Preliminary Plan – 2701 E. Main St. (Dunkin' Donuts).
- c. Historic Preservation Recommendation to approve historic landmark designation for 522 W. Main St., Darwin Millington Homestead.
- d. Consideration of a request to rename the portion of Equity Drive south of Legacy Boulevard.
- e. Corridor Improvement Commission Recommendation to approve a a Four Season Grant for 311 N. 2<sup>nd</sup> Street.

**4. ADDITIONAL BUSINESS**

**5. EXECUTIVE SESSION**

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

**6. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS.**

**7. ADJOURNMENT**

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Plan Commission recommendation to approve a Final Plat of Subdivision for Schulze Resubdivision, 1021 Howard St.			
	Presenter:		Ellen Johnson			
<i>Please check appropriate box:</i>						
	Government Operations				Government Services	
X	Planning & Development – 7/11/16				City Council	
	Public Hearing					
Estimated Cost:		N/A		Budgeted:	YES	NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
<p>The subject property, 1012 Howard St., is a 1.1 acre parcel containing a single-family home.</p> <p>Steven Schulze, property owner, is seeking approval of a Final Plat of Subdivision to divide the property into two lots. Lot 1 would encompass the existing house and garage and Lot 2 would be established as a buildable lot for a single-family home.</p> <p>Staff has a number of relatively minor comments listed in the staff report that will need to be addressed prior to City Council approval.</p> <p><b>Plan Commission Review</b>  The Plan Commission reviewed the application on 6/21/16 and voted 5-0 to recommend approval of the Final Plat of Subdivision upon resolution of outstanding staff comments.</p>						
<b>Attachments:</b> <i>(please list)</i>						
Plan Commission Resolution, Staff Report, Application for Final of Subdivision, Final Plat						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Plan Commission recommendation to approve a Final Plat of Subdivision for Schulze Resubdivision, 1021 Howard St., contingent upon resolution of staff comments prior to City Council action.						
For office use only:		Agenda Item Number: 3a				

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 8-2016**

**A Resolution Recommending Approval of a Final Plat of Subdivision for  
Schulze Resubdivision (1021 Howard St.)**

**Passed by Plan Commission on June 21, 2016**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to review Final Plats of Subdivision; and

WHEREAS, the Plan Commission has reviewed the Final Plat of Subdivision for Schulze Resubdivision (1021 Howard St.) received 6/9/2016; and

WHEREAS, the Plan Commission finds the Final Plat of Subdivision to be in conformance with the requirements of Title 16 of the City Code entitled, "Subdivisions and Land Improvement".

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to the City Council approval of the Final Plat of Subdivision for Schulze Resubdivision (1021 Howard St.) received 6/9/2016; contingent upon the resolution of all staff comments prior to City Council action.

Voice Vote:

Ayes: Wallace, Holderfield, Schuetz, Doyle, Pretz

Nays: None

Absent: Kessler, Frio, Spruth, Macklin-Purdy

Motion Carried 5-0

PASSED, this 21st day of June, 2016.

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Chairman  
St. Charles Plan Commission

Community & Economic Development  
Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



## Staff Report

**TO:** Chairman Todd Bancroft  
And the Members of the Planning and Development Committee

**FROM:** Ellen Johnson, Planner

**RE:** Schulze Resubdivision, 1021 Howard St. – Final Plat of Subdivision

**DATE:** July 5, 2016

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### I. APPLICATION INFORMATION:

**Project Name:** Schulze Resubdivision – 1021 Howard St.

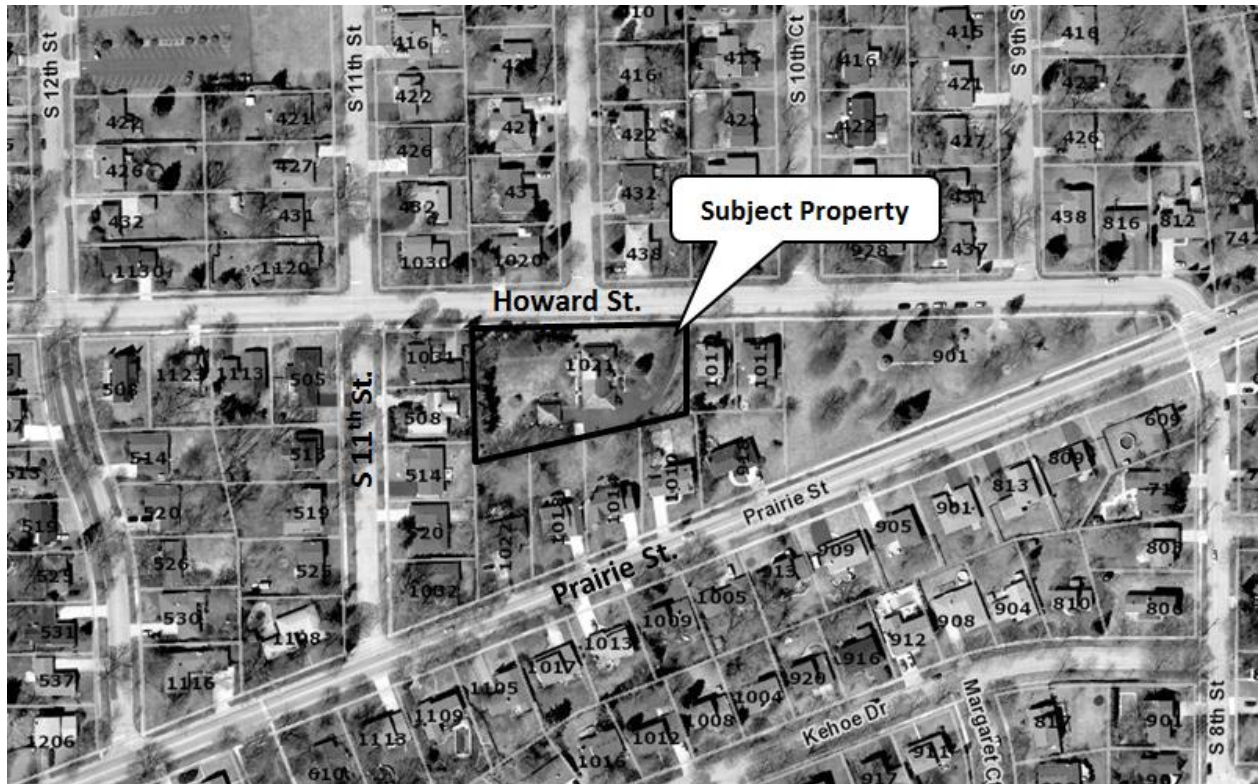
**Applicant:** Steven Schulze

**Purpose:** Final Plat of Subdivision approval

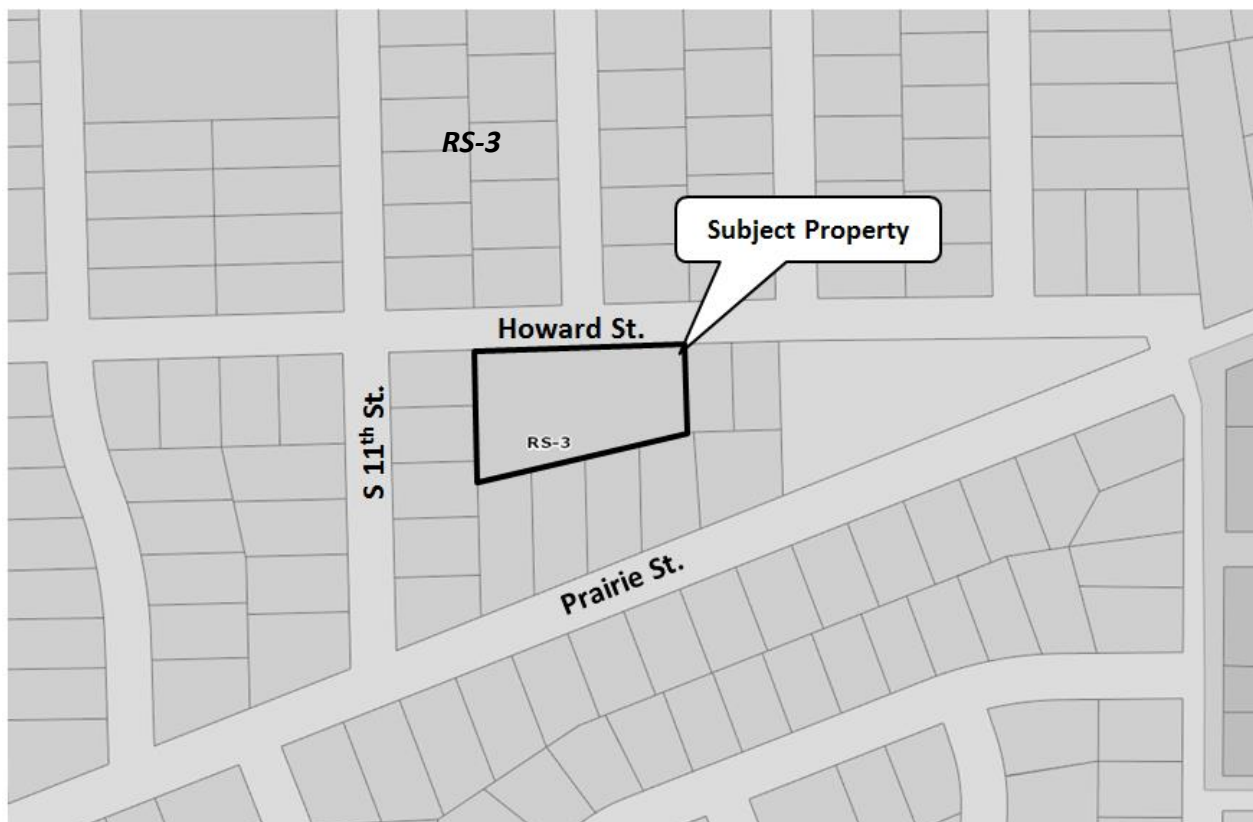
<b>General Information:</b>		
<b>Site Information</b>		
Location	1021 Howard St.	
Acres	1.1 acres	
Applications:	Final Plat of Subdivision (Minor Subdivision)	
Applicable City Code Sections	Title 16, Subdivisions and Land Improvement	
<b>Existing Conditions</b>		
Land Use	Single-Family Residential	
Zoning	RS-3 Suburban Single-Family Residential	
<b>Zoning Summary</b>		
North	RS-3 Suburban Single-Family Residential	Single-Family homes
East	RS-3 Suburban Single-Family Residential	Single-Family homes
South	RS-3 Suburban Single-Family Residential	Single-Family homes
West	RS-3 Suburban Single-Family Residential	Single-Family homes
<b>Comprehensive Plan Designation</b>		
Single Family Detached Residential		



## Aerial



## Zoning



## II. OVERVIEW

The subject property, 1021 Howard St., is a 1.1 acre parcel containing a single-family home. The property was first subdivided in 1985 as part of the Grunwald Division. The existing house was constructed later that year.

Steven Schulze, property owner, is seeking approval of a Final Plat of Subdivision to divide the property into two lots. Lot 1 would encompass the existing house and garage and Lot 2, west of Lot 1, would be established as a buildable lot for a single-family home, with access from Howard St.

## III. ANALYSIS

### A. ZONING REVIEW

The table below compares the bulk requirements of the RS-3 zoning district with the proposed lots. Both lots meet zoning requirements pertaining to lot size and yard setbacks. No building is being proposed on Lot 2 at this time; building height and coverage will be reviewed as part of the building permit process at a later date.

	<b>RS-3 District</b>	<b>Lot 1 (with existing house)</b>	<b>Lot 2 (new buildable lot)</b>
<b>Min. Lot Area</b>	8,400 sf	32,352 sf	15,035 sf
<b>Min. Lot Width</b>	60 ft.	217 ft.	83 ft.
<b>Max. Building Coverage</b>	30%	12%	N/A
<b>Max. Building Height</b>	35 ft. or 2 stories, whichever is less	1.5 stories	N/A
<b>Min. Front Yard</b>	30 ft.	32 ft. (Howard St.)	30 ft.
<b>Min. Side Yard</b>	Combined width of 16 ft., neither less than 6 ft.	103 ft. (east side) ~70 ft. (west side)	6 ft. (east side) 10 ft. (west side)
<b>Min. Rear Yard</b>	40 ft.	31 ft. (existing non- conformity)	40 ft.

### B. PLAT REVIEW

Staff has a number of relatively minor comments that will need to be addressed on the Final Plat prior to City Council action:

1. Dimensions of the north and south lot lines of Lot 1 are needed.
2. A 10 ft. wide public utility easement is needed along the common property line between Lots 1 and 2. The easement should be 5 ft. wide on each lot, for a total width of 10 ft.
3. The utility easement should be labeled *public* utility easement.
4. The public utility easement provisions should be worded exactly as provided in Appendix B of Title 16 (Subdivision Code).

5. The current zoning classification (RS-3) should be added as a note.
6. The language of each certificate should be exactly as provided in Appendix B of Title 16 (Subdivision Code).
7. Two Notary certificates are provided; one should be removed.
8. The Director of Public Works certificate should be changed to Director of Community Development.
9. The Special Flood Hazard Area certificate is needed, separate from the Surveyor's certificate.
10. Iron pipes should be added at the northeast and southeast corners of Lot 2.

#### **IV. PLAN COMMISSION RECOMMENDATION**

The Plan Commission reviewed the Final Plat of Subdivision and recommended approval on 6/21/16 by a vote of 5-0, subject to resolution of staff comments prior to City Council action.

#### **V. ATTACHMENTS**

- Application for Final Plat, received 6/9/16

# CITY OF ST. CHARLES

TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## MINOR SUBDIVISION – FINAL PLAT APPLICATION

### For City Use

Project Name: Schulze Resubdivision

Project Number: 2016 -PR- 005

Application Number: 2016 -AP- 015

RECEIVED  
Received Date  
St. Charles, IL

JUN 09 2016

CDD  
Planning Division

### Per City Code Section 16.04.04, a Minor Subdivision must meet the following criteria:

1) Compliance with subdivision design standards in the City Code; 2) No more than 4 lots; 3) No public utility extensions or new streets are required to serve the subdivision; 4) no stormwater detention is required to serve the subdivision; 5) all lots meet minimum zoning standards.

Complete this application and submit it with all required attachments to the Planning Division. When this application is complete and the plans are substantially in compliance with requirements, the Final Plat will be placed on a Plan Commission agenda for review.

The information you provide must be complete and accurate. If you have any questions, please call the Planning Division and we will be happy to assist you.

<b>1. Property Information:</b>	Location:	<u>1021 HOWARD ST. ST. CHARLES, IL. 60174</u>	
	Parcel Number (s):	<u>09-33-258-009</u>	
	Proposed Subdivision Name:	<u>SCHULZE RESUBDIVISION OF LOT 1 GRUNWALD DIV. CITY OF ST. CHARLES, KANE CO.</u>	
<b>2. Applicant Information:</b>	Name	<u>STEVEN J. SCHULZE</u>	Phone <u>(630) 300-8410</u>
	Address	<u>1021 HOWARD ST. ST. CHARLES, IL. 60174</u>	Fax
			Email <u>STEVENJ.SCHULZE@YAHOO.COM</u>
<b>3. Record Owner Information:</b>	Name	<u>(SAME)</u>	Phone
	Address		Fax
			Email

**Attachment Checklist:**

*If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

**❑ APPLICATION FEE:**

Application fee in accordance with Appendix A of the Subdivision Code. (\$300)

**❑ REIMBURSEMENT OF FEES AGREEMENT:**

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

**❑ REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

**❑ PROOF OF OWNERSHIP:**

Submit one of the following:

- a) A current title policy report; or
- b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

*NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.*

**❑ PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

**Copies of Plans:**

Ten (10) full size copies, Three (3) 11" by 17", and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

☐ **SUBDIVISION PLAT – DRAWING REQUIREMENTS/CHECKLIST:**

Complete the attached checklist and ensure that all required information is included on the plat.

☐ **WORKSHEETS (Residential Development only)**

- **PARK AND SCHOOL LAND/CASH WORKSHEETS:** For residential developments, Park and School land/cash worksheets in accordance with Title 16 of the St. Charles Municipal Code with population projections establishing anticipated population and student yields.
- **INCLUSIONARY HOUSING WORKSHEET**

☐ **COPIES OF THIRD PARTY PERMIT/APPROVALS**

- Kane County DOT and/or IDOT signature on Final Plat (if applicable)

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

  
\_\_\_\_\_  
Record Owner

6/7/2016  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant or Authorized Agent

\_\_\_\_\_  
Date

# PARK LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development Schulze Resub. of Lot 1  
 Date Submitted: 6/9/16  
 Prepared by: E. Johnson



\*Prepared based on hypothetical development of newly created lot; fees may need to be recalculated at time of building permit based on size of dwelling to be built.

<i>Type of Dwelling</i>	<i># Dwelling Units (DU)</i>	<i>Population Generation per Unit</i>	<i>Estimated Population</i>
<b>Detached Single Family</b>			
➤ 3 Bedroom	1	DU x 2.899	= 2.899
➤ 4 Bedroom		DU x 3.764	=
➤ 5 Bedroom		DU x 3.770	=
<b>Attached Single Family</b>			
➤ 1 Bedroom		DU x 1.193	=
➤ 2 Bedroom		DU x 1.990	=
➤ 3 Bedroom		DU x 2.392	=
➤ 4 Bedroom		DU x 3.145	=
<b>Apartments</b>			
➤ Efficiency		DU x 1.294	=
➤ 1 Bedroom		DU x 1.758	=
➤ 2 Bedroom		DU x 1.914	=
➤ 3 Bedroom		DU x 3.053	=

**Totals**                      1                      2.899  
                                     Total Dwelling Units                      Estimated Total Population

## Park Site Requirements

Estimated Total Population 2.899 x .010 Acres per capita = 0.02899 Acres

## Cash in lieu of requirements -

Total Site Acres 0.02899 x \$240,500 (Fair Market Value per Improved Land) = \$ 6,972.10

# SCHOOL LAND/CASH WORKSHEET

City of St. Charles, Illinois

Name of Development

Date Submitted:

Prepared by:

Schulze Resub. of Lot 1

6/9/16

E. Johnson



ST. CHARLES  
SINCE 1834

\*Prepared based on hypothetical development of newly created lot; fees may need to be recalculated at time of building permit based on size of dwelling to be built.

## Estimated Student Yield by Grades

Type of Dwelling	# of dwelling Units (DU)	Elementary (Grades K to 5)		Middle (Grades 6 to 8)		High (Grades 9 to 12)	
<b>Detached Single Family</b>							
➤ 3 Bedroom	1	DU x .369	= .369	DU x .173	= .173	DU x .184	= .184
➤ 4 Bedroom		DU x .530	=	DU x .298	=	DU x .360	=
➤ 5 Bedroom		DU x .345	=	DU x .248	=	DU x .300	=
<b>Attached Single Family</b>							
➤ 1 Bedroom		DU x .000	=	DU x .000	=	DU x .000	=
➤ 2 Bedroom		DU x .088	=	DU x .048	=	DU x .038	=
➤ 3 Bedroom		DU x .234	=	DU x .058	=	DU x .059	=
➤ 4 Bedroom		DU x .322	=	DU x .154	=	DU x .173	=
<b>Apartments</b>							
➤ Efficiency		DU x .000	=	DU x .000	=	DU x .000	=
➤ 1 Bedroom		DU x .002	=	DU x .001	=	DU x .001	=
➤ 2 Bedroom		DU x .086	=	DU x .042	=	DU x .046	=
➤ 3 Bedroom		DU x .234	=	DU x .123	=	DU x .118	=

Totals                      1 TDU                      .369 TE                      .173 TM                      .184 TH

## School Site Requirements

Type	# of students	Acres per student	Site Acres
Elementary (TE)	.369	x .025	= 0.009225
Middle (TM)	.173	x .0389	= 0.0067297
High (TH)	.184	x .072	= 0.013248

Total Site Acres                      0.0292027

## Cash in lieu of requirements -

0.0292027 (Total Site Acres)    x    \$240,500 (Fair Market Value per Improved Land)    =    \$ 7,023.25



# INCLUSIONARY HOUSING SUMMARY

Name of Development Schulze Resub. of Lot 1  
Date Submitted: 6/9/16  
Prepared by: E. Johnson



## Background:

St. Charles Municipal Code Title 19 “Inclusionary Housing”, requires developers of new residential developments to provide a proportionate share of affordable housing units within the development, or to pay a fee in-lieu of providing affordable housing units. Developers may also provide a mix of affordable housing units and fee in-lieu.

Affordable housing is defined as housing that has a sales price or rental amount that is within the means of a household with income at or below 80% Area Median Income (AMI) for for-sale units and at or below 60% AMI for rental units, adjusted for household size. See Title 19 for complete definitions.

The maximum price of affordable for-sale units and affordable rental units required by Title 19 shall be no greater than the affordable purchase price and affordable rent established annually by the Illinois Housing Development Authority (IHDA). Contact the Planning Division for the most recent affordable prices from IHDA.

## Submission Requirements:

Submit information describing how the residential development will comply with the requirements of Title 19, “Inclusionary Housing”. **Use this worksheet** to calculate the number of required affordable units to be incorporated within the residential development, or the required fee in-lieu payment.

If the development will include affordable units, submit the following additional information:

- The number of market-rate and affordable for-sale and rental units to be constructed, including type of dwelling, number of bedrooms per unit, proposed pricing, and construction schedule, including anticipated timing of issuance of building permits and occupancy certificates.
- Documentation and plans regarding locations of affordable units and market-rate units, and their exterior appearance, materials, and finishes.

## Affordable Unit Requirement Calculation

Unit Count Range	# of Units Proposed in Development		% of Affordable Units Required		# of Affordable Units Required
1 to 15 Units	1	X	5%	=	0.05
More than 15 Units		X	10%	=	

## Fee In-Lieu Payment Calculation

# of Affordable Units Required	# of Affordable Units Proposed to Pay the Fee-In-Lieu		Fee-In-Lieu Amount Per Unit		Total Fee-In-Lieu Amount
0.05	0.05	X	\$72,819.50	=	\$3,640.98



Graphic Scale  
0 15' 30' 60'  
1 inch = 30 feet

#### Legend

- Indicates concrete monument
- Indicates iron stake
- Meas. Indicates measured data
- (50') Indicates record data
- - - Indicates building setback line
- - - Indicates easement line
- └┐ Indicates 90° angle.

#### Surveyor's Notes

Grunwald Division recorded September 20, 1985 as Document Number 1739116.

This plat is not valid without the Surveyor's original signature and impressed seal.

Protective covenants shall be recorded separately from this instrument.

Common Address: 1021 Howard Street, St. Charles Illinois  
Parcel Identification Number: 09-33-250-009

State of Illinois) ss This is to certify that I, Carol Sweet-Johnson, an Illinois Professional Land  
County of Kane) Surveyor of Johnson-Western Surveying, L.L.C. (Illinois Professional Design Firm  
No. 194-005518), have surveyed, subdivided and plotted that part of Lot 1 of  
Grunwald's Addition in the City of St. Charles, Kane County, Illinois and containing now acres as  
shown on the plat herein drawn which is a correct representation of said survey and subdivision.  
I further certify that the foregoing described tract is located within the corporate limits of the  
City of St. Charles which has adopted an official comprehensive plan and is exercising the special  
powers authorized by the laws of the State of Illinois according to 65 ILCS 5/11-12-8, and that  
said tract appears to be located within a Zone X (areas determined to be outside 500-year  
floodplains) special flood hazard area as identified by the Federal Emergency Management Agency  
Flood Insurance Rate Map, Panel 262 of 410, Community-Parcel Number 17089C0262H dated  
August 3, 2008. All distances are given in feet and decimal parts thereof.

Dated at Geneva, Illinois, November 30, 2015.

Illinois Professional Land Surveyor No. 3342  
License Expiration Date: November 30, 2015

State of Illinois) ss This is to certify that \_\_\_\_\_ is the owner of  
County of Kane) the land described in the foregoing surveyor's certificate and has caused the same to  
be surveyed, subdivided and plotted as shown by the plat herein drawn, for the uses  
and purposes therein set forth as allowed and provided by statute, the subdivision to be known as \_\_\_\_\_  
and it hereby acknowledges and adopts the same under the style and title aforesaid. Said premises are  
located within Community Unit School District No. 303.

Dated at St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Owner Owner

State of Illinois) ss I, \_\_\_\_\_ a Notary Public in and for the County and  
County of Kane) State aforesaid hereby certify that \_\_\_\_\_ Secretary, who are  
personally known to me to be the same persons whose names are subscribed to in the foregoing  
owner's certificate, appeared before me this day in person and acknowledged the execution of the  
aforesaid plat and accompanying instrument as their free and voluntary act and the free and voluntary  
act of the corporation.

Given under my hand and Notarial Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public  
My Commission Expires \_\_\_\_\_

Ordered by & Prepared for:

Steve Schulze

# Schulze Resubdivision of Lot 1 Grunwald Division City of St. Charles, Kane County, Illinois

#### Lot Number Source Footage

1 32.322  
2 15.635

Note: Calculated square footage of lot is for  
informational purposes only and is not to be  
used for boundary reconstruction.

State of Illinois) ss Accepted and approved by \_\_\_\_\_, Mortgagee,  
County of Kane) Dated at \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_, 2015.

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Title: \_\_\_\_\_ Title: \_\_\_\_\_

State of Illinois) ss I, \_\_\_\_\_ a Notary Public in and for the County and State  
County of Kane) of \_\_\_\_\_ hereby certify that \_\_\_\_\_ and \_\_\_\_\_  
who are personally known to me to be the same persons whose names are  
subscribed to in the foregoing owner's certificate, appeared before me this day in person and  
acknowledged the execution of the aforesaid plat and accompanying instrument as their free and  
voluntary act and the free and voluntary act of the corporation.

Given under my hand and Notarial Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public  
My Commission Expires \_\_\_\_\_

State of Illinois) ss This is to certify that I, \_\_\_\_\_ County Clerk in and for the  
County of Kane) County and State aforesaid, find no redeemable tax sale, unpaid forfeiture  
taxes or unpaid current taxes against any of the real estate described in the  
foregoing surveyor's certificate.

Dated at St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

County Clerk

State of Illinois) ss I, \_\_\_\_\_ Collector of Special Assessments for the  
County of Kane) City of St. Charles, Illinois, do hereby certify that there are no delinquent or  
unpaid current or forfeited special assessments or any deferred installments  
thereof that have been apportioned against the tract of land included in the annexed plat.

Dated at St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Collector of Special Assessments

State of Illinois) ss Approved by the City of St. Charles Plan Commission at a meeting held  
County of Kane) the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Chairman Secretary

State of Illinois) ss Approved by the Director of Public Works for the City of St. Charles on  
County of Kane) this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Director of Public Works Secretary

State of Illinois) ss Approved and accepted by the Mayor and city council of the City of St.  
County of Kane) Charles at a meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2015.


By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Mayor City Clerk

State of Illinois) ss This instrument No. \_\_\_\_\_, was filed for record in the  
County of Kane) Recorder's Office of Kane County, Illinois, on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2015, at \_\_\_\_\_ o'clock \_\_\_\_\_ M, and was  
recorded in Plat Envelope No. \_\_\_\_\_.

County Recorder

Prepared by:  
Johnson - Western Surveying, L.L.C.  
A Measure Along the Road  
1 Chain = 66 Feet  
823 West State Street, Suite 207  
Geneva, Illinois 60134  
(830) 843-3188 (830) 715-5859 cell  
Copyright © 2015, Johnson-Western Surveying, L.L.C.

The Home: 2015-240 Subd Drawn by: HTZ  
Inventory Projects/2015-240 Job No: 2015-240

	AGENDA ITEM EXECUTIVE SUMMARY					
	Title:	Recommendation to approve a Minor Change to PUD Preliminary Plan – 2701 E. Main St. (Dunkin’ Donuts)				
	Presenter:	Ellen Johnson				
Please check appropriate box:						
	Government Operations			Government Services		
X	Planning & Development – (7/11/16)			City Council		
Estimated Cost:		N/A		Budgeted:	YES	NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
<p><b>Background:</b></p> <p>In May 2015, City Council approved a Minor Change to PUD Preliminary Plan (Ordinance No. 2015-Z-9) to permit changes to accommodate a drive-through Dunkin’ Donuts in the former Qdoba tenant space. In addition to changes to the building, the following changes to the site layout were approved:</p> <ul style="list-style-type: none"> <li>• Relocation of the western access point (from the private drive shared with the Toyota dealership to the west) to the south end of the site.</li> <li>• Addition of a drive-through lane along the west side of the building.</li> <li>• Addition of a landscape island between the drive-through lane and western parking stalls.</li> </ul> <p>At the request of the property owner to the west (St. Charles Toyota), a condition of approval was that all vehicles using the drive-through lane must exit to the left (eastward) towards Lakeside Drive and that curbing must be provided to direct traffic to exit eastward. In compliance with this condition, the site plan showed a curved landscape island to direct vehicles eastward as they exit the drive-through, along with one-way vehicle circulation along the south end of the site.</p> <p>The approved changes have not yet been made at the site. The project is currently under building permit review.</p> <p><b>Issue raised by Walgreens:</b></p> <p>Currently, traffic from the east, including Walgreens customers, have easement rights for access through the Dunkin’ Donuts lot out to the access drive on the Toyota property. Based on the approved circulation pattern, Walgreens customers wanting to exit to the west would have to travel counterclockwise around the north side of the Dunkin’ Donuts building; they could not travel west directly along the south end of the Dunkin’ Donuts lot to reach the private access drive.</p> <p><b>Current Proposal:</b></p> <p>The Minor Change currently being requested is in response to a request from Walgreens that their customers be able to exit to the west along the south end of the Dunkin’ Donuts lot, without having to travel around the Dunkin’ Donuts building. In order to accommodate this request, the following changes are proposed:</p> <ul style="list-style-type: none"> <li>• Reduce the length of the curved drive-through landscape island by 3’8” to allow two-way traffic along the south end of the lot.</li> <li>• Change the 4 angled parking spaces on the south end of the building to perpendicular spaces.</li> </ul> <p>Vehicles exiting the Dunkin’ Donuts drive-through will still be directed to exit eastward by signage and curbing.</p>						
<b>Attachments:</b> (please list)						
Application for Minor Change, Ordinance No. 2015-Z-9						
<b>Recommendation / Suggested Action</b> (briefly explain):						
Recommendation to approve Minor Change to PUD Preliminary Plan – 2702 E. Main St. (Dunkin’ Donuts)						
For office use only:		Agenda Item Number: 3b				

# CITY OF ST. CHARLES

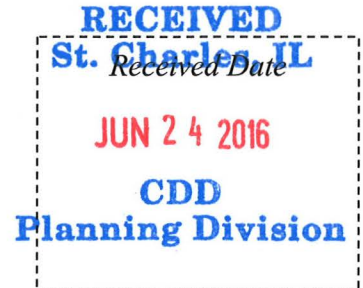
TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## MINOR CHANGE TO PUD APPLICATION



### For City Use

Project Name: 2701 E. Main St. - Dunkin Donuts  
Project Number: 2016 -PR- 007  
Application No. 2016 -AP- 021

### Instructions:

A Minor Change to PUD is one that modifies an approved PUD Preliminary Plan in a manner that complies with all standards of the Special Use for PUD Ordinance applicable to the property and meets the definition of a Minor Change as contained either in Section 17.04.430 of the Zoning Ordinance or the Special Use for PUD Ordinance.

To request approval of a Minor Change, complete this application and submit it with all required attachments to the Planning Division. When the application is complete, City staff will schedule a review by the Planning and Development Committee of the City Council. The Committee's recommendation will be forwarded to the City Council for final action.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

1. Property Information:	Location: 2701 E. MAIN STREET	
	Parcel Number (s): 3A (PUD) 0925301029000	
	PUD Name: STUART'S CROSSING PUD	
2. Applicant Information:	Name: JIM DUERR NORTHSHORE MGMT GROUP	Phone: 847-441-4277
	Address: 790 W. FRONTAGE RD. SUITE 412 NORTHFIELD, IL 60093	Fax:
		Email: JIM.DUERR@DDNMG.COM
3. Record Owner Information:	Name: CHAD MIDDENDORF CPD FEATHER ROCK LLC	Phone: 502 425 1524
	Address: 10531 TIMBERWOOD CIRCLE SWED LOUISVILLE, KY 40223	Fax:
		Email: CHAD@GREENROCKUSA.COM

**Information for proposed Minor Change:**

Name of PUD:

STUART'S CROSSING

PUD Ordinance Number:

1997-M-115

Ord. or Resolution(s) that approved the current plans:

2015-Z-9

**Identify Specific PUD Plans to be changed:**

- ☒ Site/Engineering Plan
- ☐ Landscape Plan
- ☐ Architectural Elevations
- ☐ Signs
- ☐ Other plans: \_\_\_\_\_

**Description of Proposed Changes:**

ADJUST DRIVE THRU ISLAND TO ALLOW FOR  
2 WAY TRAFFIC @ REAR PER WALGREEN'S REQUEST

**Attachment Checklist:**

*If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

☒ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance. (\$200)

☒ **REIMBURSEMENT OF FEES AGREEMENT:**

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

☒ **REIMBURSEMENT OF FEES INITIAL DEPOSIT:**

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000



☒ **PROOF OF OWNERSHIP and DISCLOSURE:**

- a) a current title policy report; or
- b) a deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

- ☐ **LEGAL DESCRIPTION:** For entire subject property, on 8 1/2 x 11 inch paper
- ☐ **PLAT OF SURVEY:**

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

- ☐ **COVER LETTER:** Letter describing the proposed minor change requested, why it is necessary, and how it is different from the currently approved plan.

☒ **PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

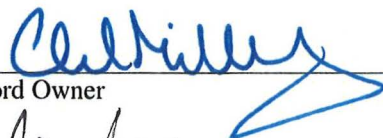
**Copies of Plans:**


Please contact the Planning Division to determine if full size copies of plans are needed. For simple applications, provide one full scale plan set, three (3) 11" x 17" copies (in color if applicable), and a PDF file on CD-ROM or emailed to the Project Manager.


**Plans shall include the following, depending on the scope of the proposed Minor Change:**

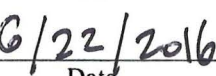
- Site Plan indicating location of proposed change.
- For changes to site/engineering plans, show existing/approved and proposed site/engineering plan changes.
- For changes to architectural elevations, show existing/approved and proposed building design, color and materials.
- For changes to landscaping, show approved and proposed plans, indicate species and quantities of plant material to replace existing/approved materials.
- Additional information may be necessary depending on the specific change proposed.



**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

  
\_\_\_\_\_  
Record Owner

  
\_\_\_\_\_  
Applicant or Authorized Agent

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date

**OWNERSHIP DISCLOSURE FORM  
LIMITED LIABILITY COMPANY (L.L.C.)**

STATE OF ILLINOIS     )  
                                      ) SS.  
KANE COUNTY            )

I, Chad Middendorf, being first duly sworn on oath depose and say that I am  
Manager of CPD Feather Rock LLC, an ~~Illinois~~ <sup>Indiana</sup> Limited Liability  
Company (L.L.C.), and that the following persons are all of the members of the said L.L.C.:

<u>Chad Middendorf</u>	_____
<u>LOREN GUZSK</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: Chad Middendorf, Manager

Subscribed and Sworn before me this 23<sup>rd</sup> day of  
June, 20 16.

Virginia Bolen  
\_\_\_\_\_  
Notary Public

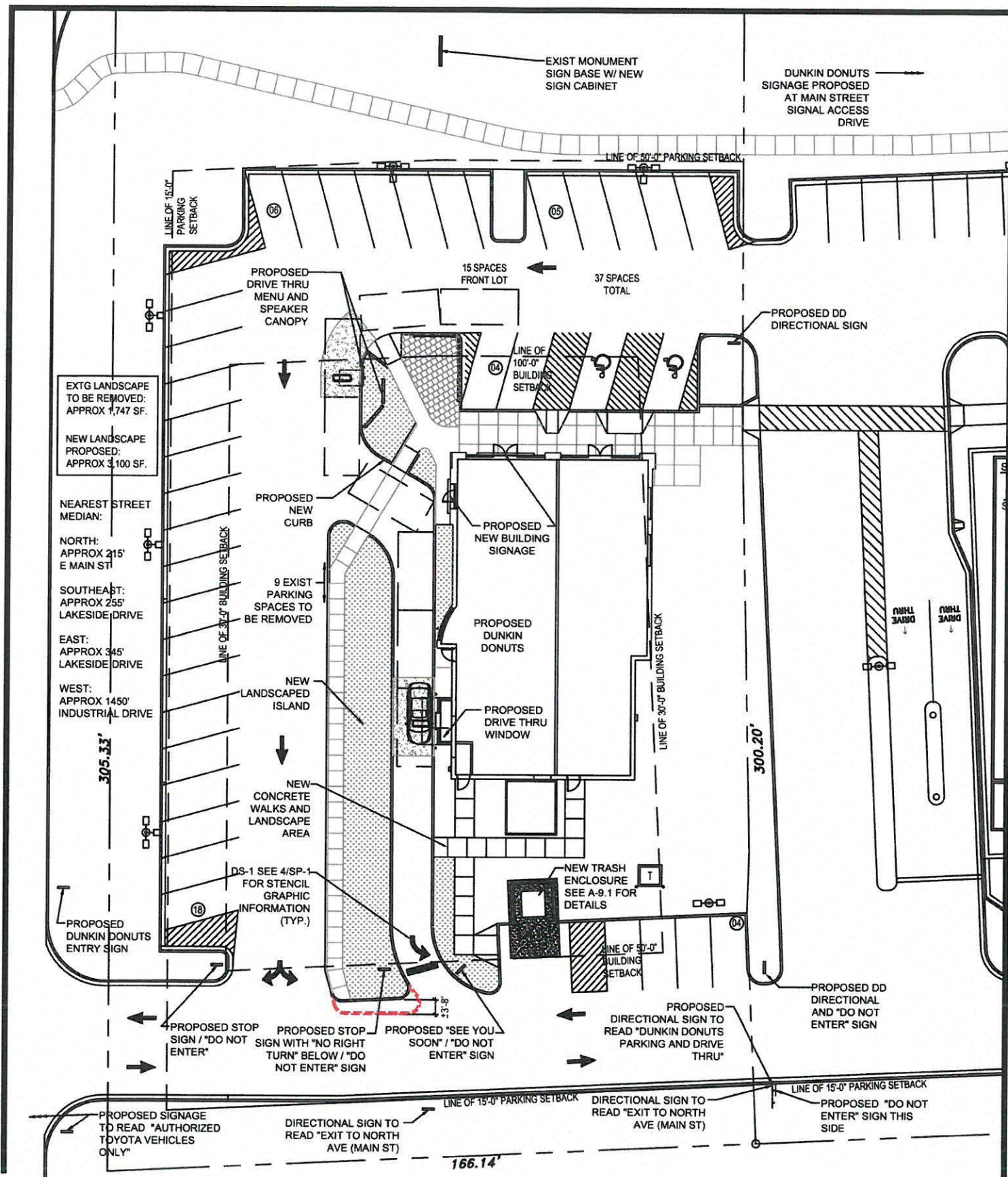


**EXHIBIT A**

**Legal Description**

**LOT 2 OF AMLI AT ST. CHARLES LOT 2 & 3 RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AT THE OFFICE OF KANE COUNTY, RECORDED OF DEED ON JULY 23, 2002 AS DOCUMENT 2002K090894, AND BEING A SUBDIVISION OF PART OF THE WEST ½ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.**





ARCHITECT:

**kolbrook design**

828 DAVIS STREET  
SUITE 300  
EVANSTON, IL 60201  
Ph 847.492.1992

PROJECT:

**Dunkin St. Charles - Qdoba**

2701 E Main St.  
St. Charles, IL 60174

PROPOSED SITE PLAN-2

SCALE: 1/32" = 1'-0"

Job No.

1425.009

Issue Date

05/19/2016

Project Area

2236 SQ. FT.

Refer to:	
Minutes	5-18-15
Page	

**City of St. Charles, Illinois**

**Ordinance No. 2015-Z-9**

**Motion to approve An Ordinance Granting Approval of  
a Minor Change to PUD Preliminary Plan and Drive-  
Through Facility Stacking Space Reduction for 2701 E.  
Main St. (Stuart's Crossing PUD – Dunkin Donuts)**

**Adopted by the  
City Council  
of the  
City of St. Charles  
May 18, 2015**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, May 23, 2015**

*Nancy Garrison*  
City Clerk



**(SEAL)**

710

**City of St. Charles, IL**  
**Ordinance No. 2015-Z-9**

**An Ordinance Granting Approval of a Minor Change to  
PUD Preliminary Plan and Drive-Through Facility Stacking Space Reduction  
for 2701 E. Main St. (Stuart's Crossing PUD – Dunkin Donuts)**

WHEREAS, a request for a Minor Change to the PUD Preliminary Plan approved by Resolution No. 2002-21 "A Resolution Approving the PUD Preliminary Plan for Boston Market (Stuart's Crossing- AMLI PUD)", and amended by Minor Change to PUD Preliminary Plan approvals under Resolution Nos. 2002-33, 2003-13, 2003-25, and 2005-29, and Ordinance No. 2009-Z-1, and a request for a Drive-Through Facility stacking space reduction was filed by Steve Kolber, Kolbrook Design ("Applicant") for 2701 E. Main Street, said realty being legally described in Exhibit "A" attached hereto and incorporated herein as the "Subject Property"; and,

WHEREAS, the Plan Commission recommended approval of said request for a Drive-Through Facility stacking space reduction, subject to certain conditions, on or about May 6, 2014; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of said requests for Minor Change to PUD and Drive-Through Facility stacking space reduction on or about April 13, 2015, subject to certain conditions; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee 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:

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 Minor Change to PUD Preliminary Plan, pursuant to St. Charles Zoning Ordinance Section 17.04.430 B, such that the following documents and illustrations are hereby approved, a reduced copy of which is attached hereto and incorporated herein as Exhibit "B", subject to compliance with such conditions, corrections, and modifications as may be required by the Director of Community and Economic Development and the Director of Public Works to comply with the requirements of the St. Charles Municipal Code:

- Site Plan, dated 5/13/2015
- Architectural Renderings, dated 1/14/2014

3. That passage of this Ordinance shall constitute approval of a Drive-Through Facility stacking space reduction, pursuant to St. Charles Zoning Ordinance Section 17.24.100.C, such

that the total number of stacking spaces required for the Drive-Through Facility for the Dunkin Donuts proposed to be located on the Subject Property is eight (8) spaces.

4. That the Subject Property may be developed and used only in accordance with all ordinances of the City now in effect or hereafter amended, and subject to the following conditions:

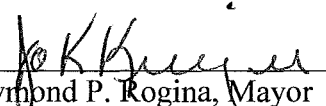
- a. Drainage along the private access driveway and adjacent swale located directly west of the Subject Property shall be evaluated and drainage issues shall be resolved to the satisfaction of the Director of Community & Economic Development and/or Director of Public Works. An engineering plan for the relocation of the shared cross access drive and related drainage improvements shall be submitted at the time of building permit for the construction of the Drive-Through Facility.
- b. All traffic utilizing the Drive-Through Facility shall exit left (or eastward) to Lakeside Drive. Curbing shall be provided to direct traffic to exit eastward, per the attached plan.
- c. Signage per the attached plan shall be provided to direct vehicles exiting the drive-through lane to utilize Lakeside Drive to access E. Main St.

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.

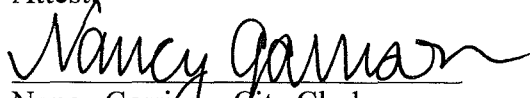
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of May 2015.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of May 2015.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of May 2015.

 Mayor Pro-tem  
Raymond P. Rogina, Mayor

Attest:

  
Nancy Garrison, City Clerk

Vote:

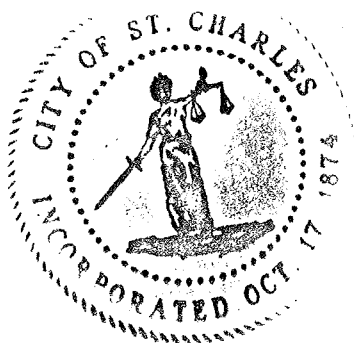
Ayes: 9

Nays: 0

Absent: 0

Abstain: 0

Date: \_\_\_\_\_



APPROVED AS TO FORM:

City Attorney

DATE: \_\_\_\_\_

**EXHIBIT "A"**

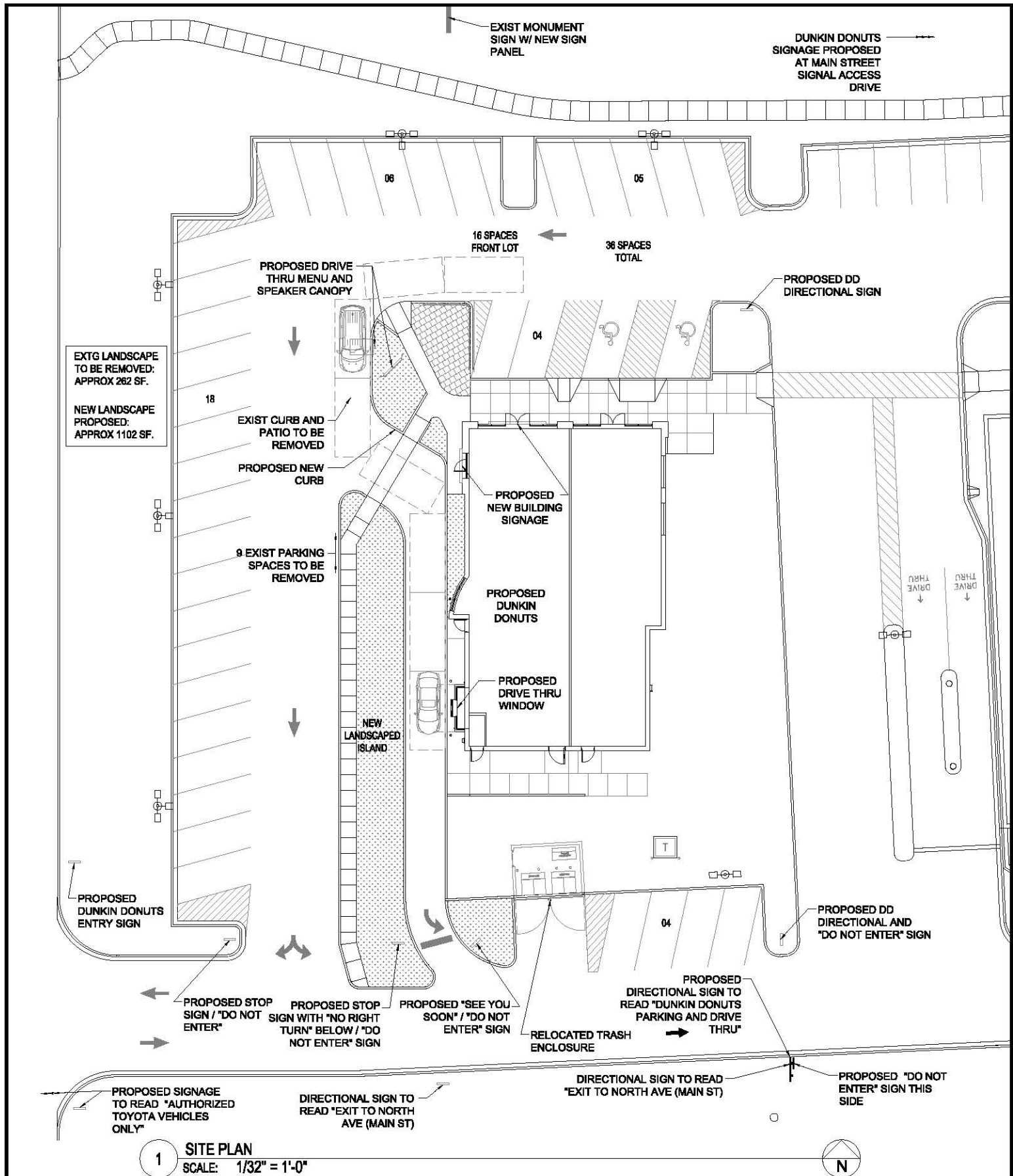
**LEGAL DESCRIPTION OF SUBJECT REALTY**

LOT 2 OF AMLI AT ST. CHARLES LOT 2 & 3 RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AT THE OFFICE OF THE KANE COUNTY RECORDER OF DEEDS ON JULY 23, 2002 AS DOCUMENT 2002K090894, AND BEING A SUBDIVISION OF PART OF THE WEST ½ OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

PIN #09-25-301-029

**EXHIBIT "B"**

**PLANS**



ARCHITECT:

**kolbrook design**

828 DAVIS STREET  
SUITE 300  
EVANSTON, IL 60201  
Ph 847.492.1992

PROJECT:

**Dunkin St. Charles - Qdoba**

2701 E Main St.  
St. Charles, IL 60174

PROPOSED SITE PLAN

Job No.

1425.009

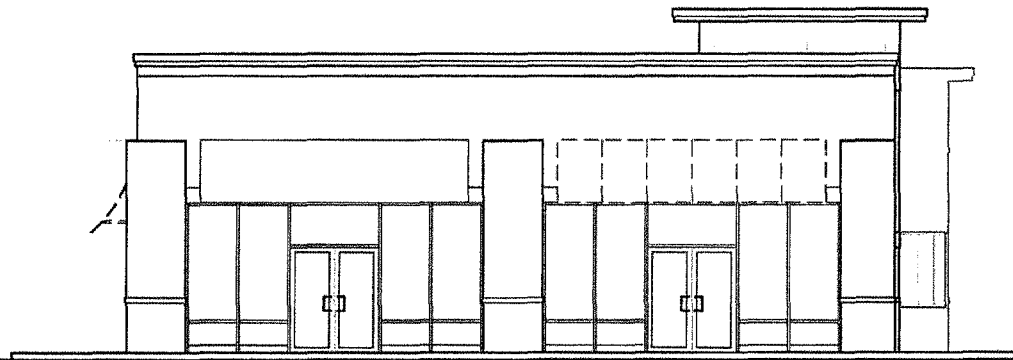
Issue Date

05/13/2015

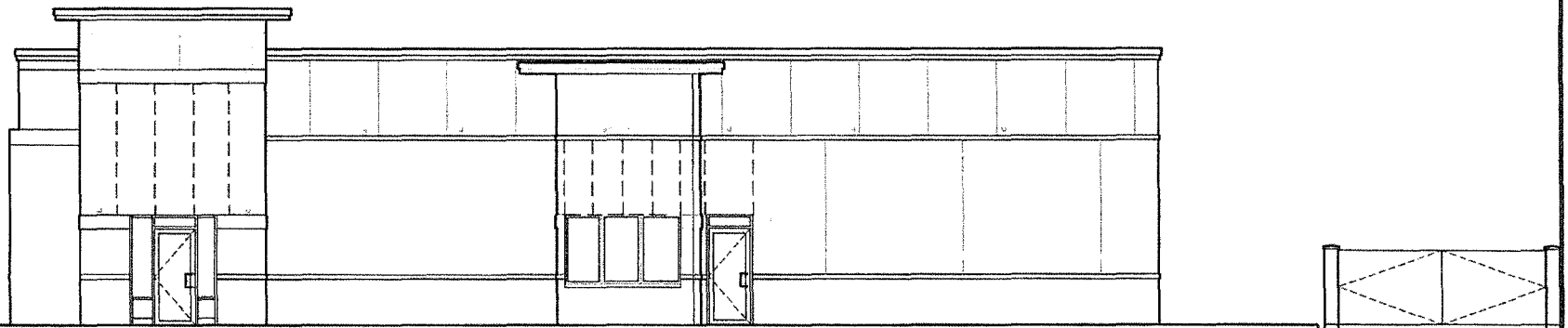
Project Area

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2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



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

ARCHITECT:

**kolbrook design**

828 DAVIS STREET  
SUITE 300  
EVANSTON, IL 60201  
PH 847 492 1992

PROJECT:

Dunkin Donuts - St. Charles  
2701 E Main Street  
St. Charles, IL 60174

EXISTING ELEVATIONS

Project Number

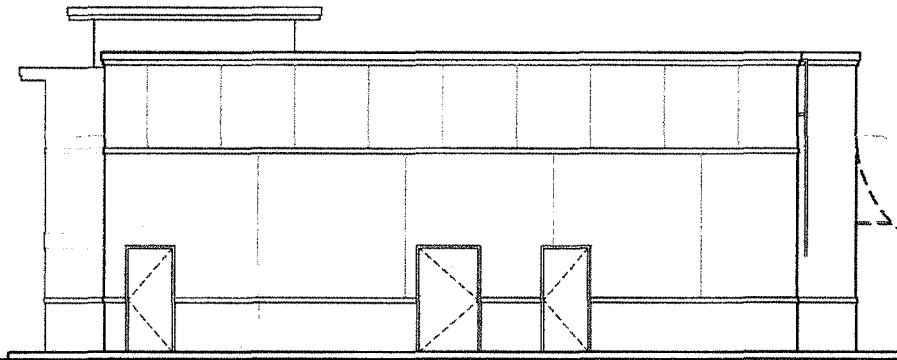
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Issue Date

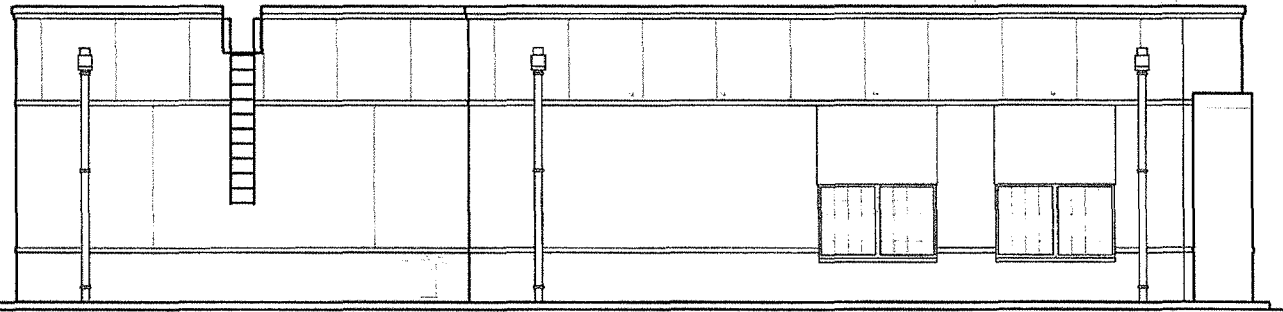
01/14/2014

Page Number

05



2 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



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

ARCHITECT:  
 **kolbrook design**  
 828 DAVIS STREET  
 SUITE 300  
 EVANSTON, IL 60201  
 PH: 847.492.1992

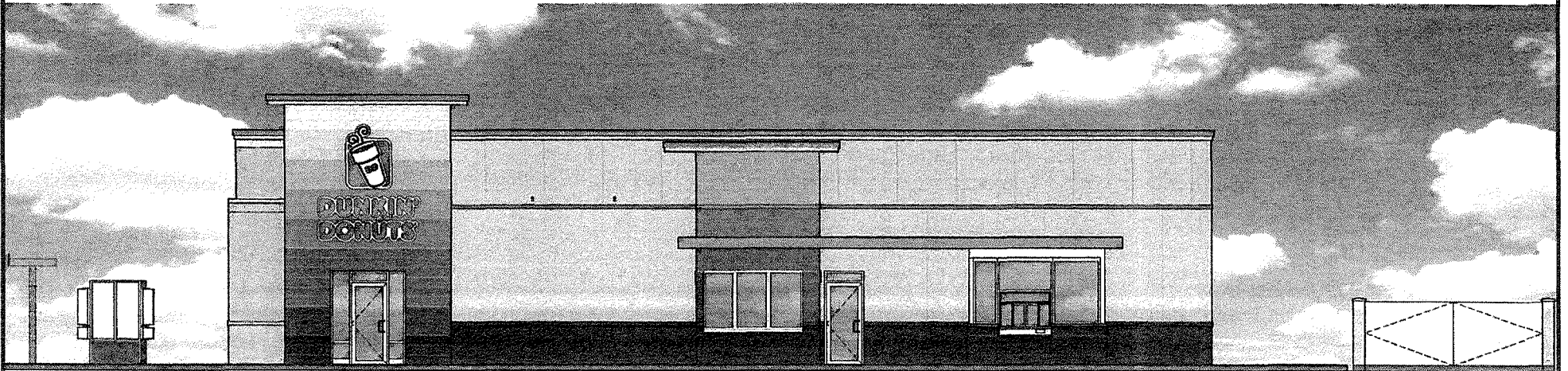
PROJECT:  
 Dunkin Donuts - St. Charles  
 2701 E Main Street  
 St. Charles, IL 60174

EXISTING ELEVATIONS

Project Number	1425.009
Issue Date	01/14/2014
Page Number	06



2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



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

ARCHITECT:

**kolbrook design**

828 DAVIS STREET  
SUITE 300  
EVANSTON, IL 60201  
PH 847.452.1392

PROJECT:

Dunkin' Donuts - St. Charles  
2701 E Main Street  
St. Charles, IL 60174

PROPOSED ELEVATIONS

Project Number

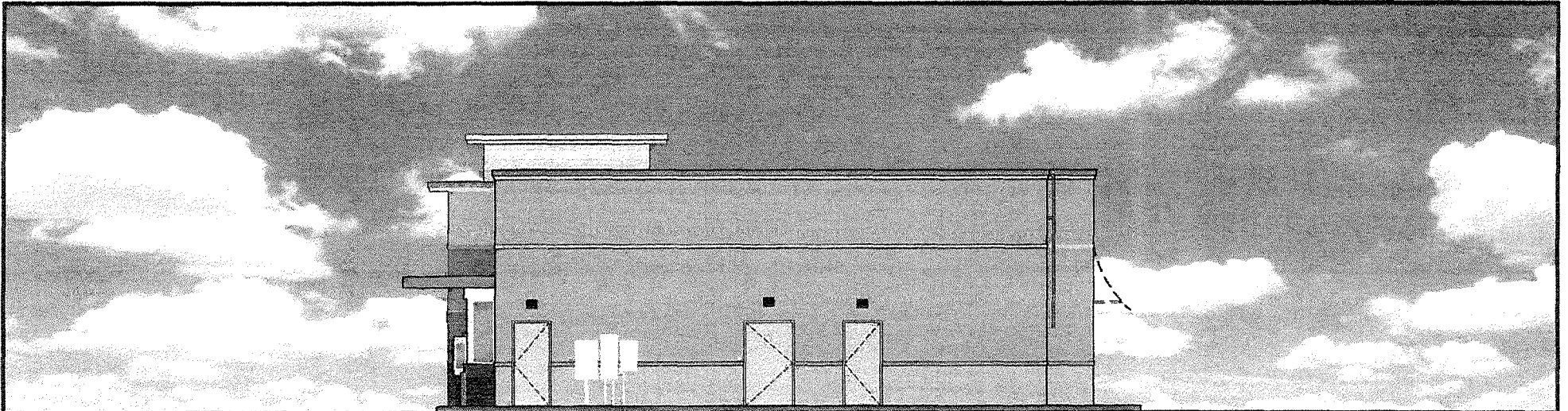
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Issue Date

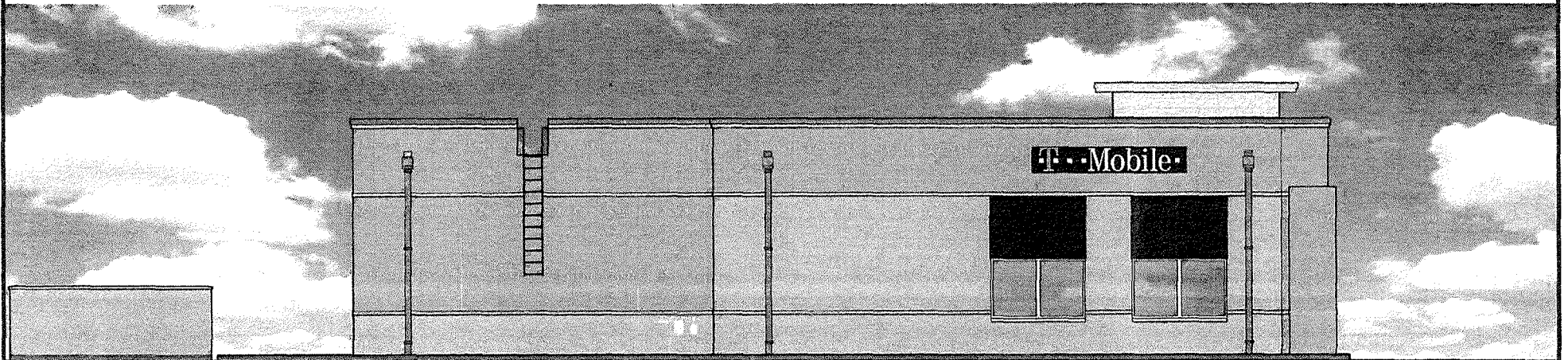
01/14/2014

Page Number

07



2 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



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

ARCHITECT:

**kolbrook design**

828 DAVIS STREET  
SUITE 300  
EVANSTON, IL 60201  
PH: 847.492.1992

PROJECT:

Dunkin Donuts - St. Charles  
2701 E Main Street  
St. Charles, IL 60174

PROPOSED ELEVATIONS

Project Number

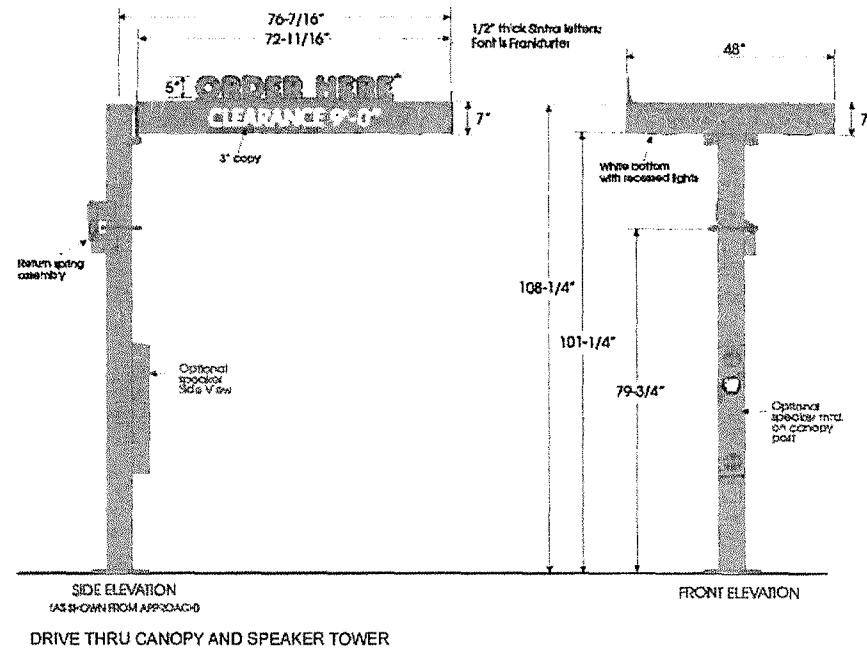
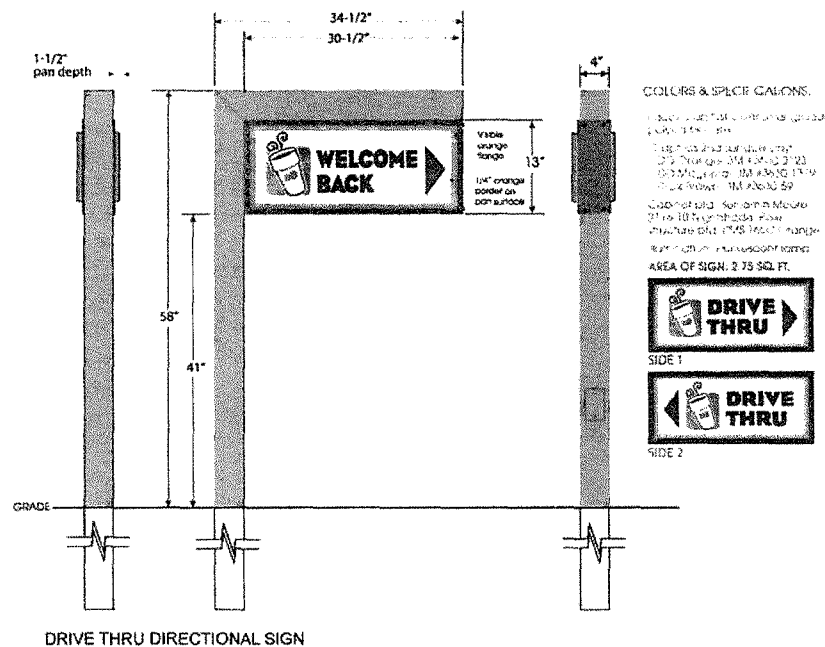
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Issue Date

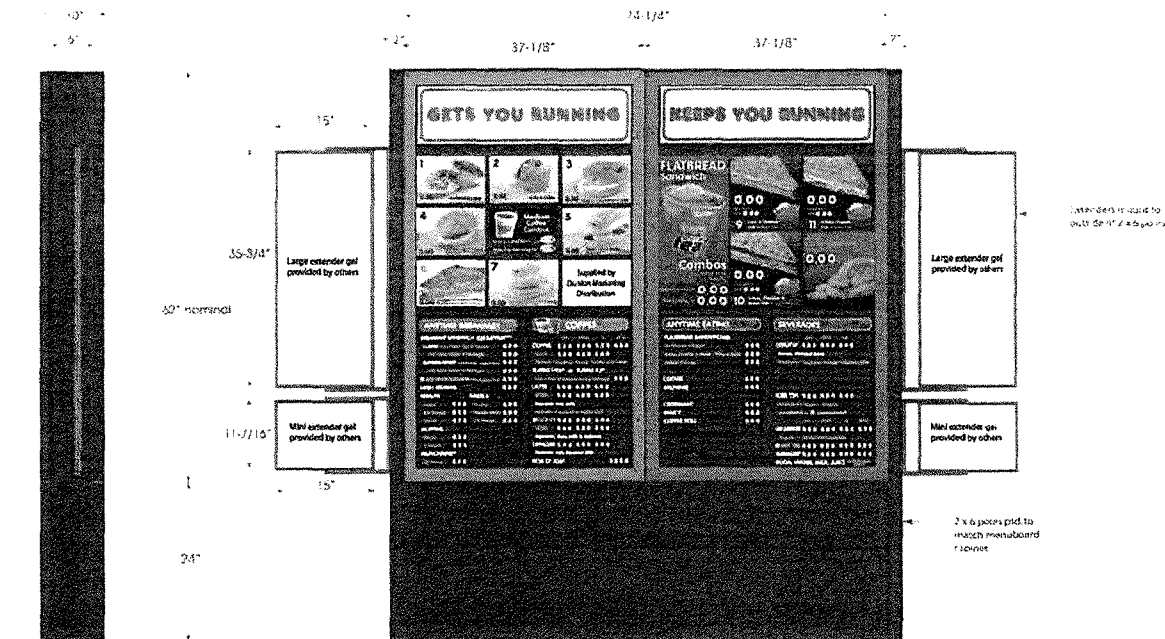
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Page Number

08







#### DRIVE THRU MENU BOARD

L: 112.25' AREA: 64.65 SF.  
 W: 10'  
 H: 86"

#### ARCHITECT:

**kolbrook design**

828 DAVIS STREET  
 SUITE 300  
 EVANSTON, IL 60201

PH: 847.432.1332

#### PROJECT:

Dunkin' Donuts - St. Charles  
 2701 E Main Street  
 St. Charles, IL 60174

#### DRIVE THRU MENU

#### Project Number

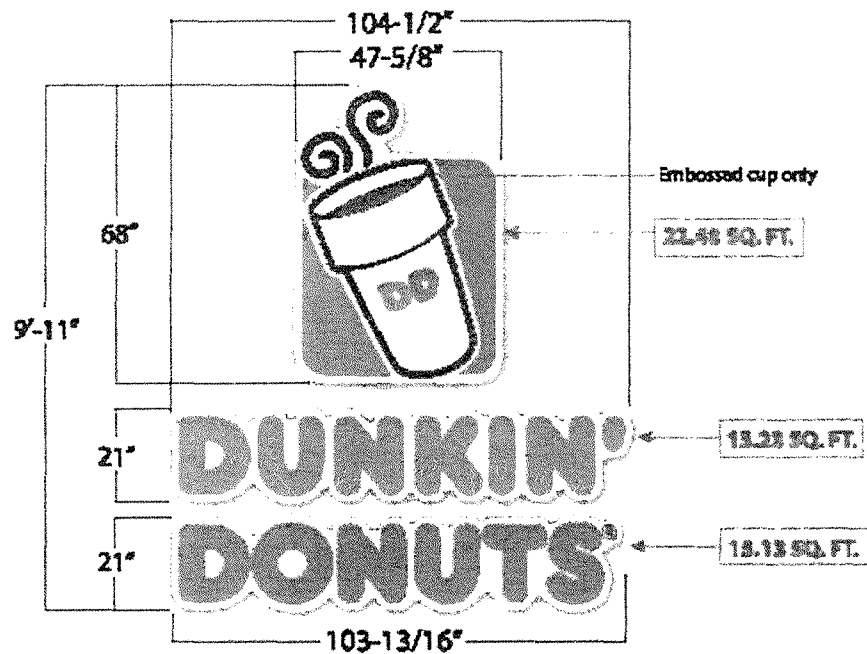
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#### Issue Date

01/14/2014

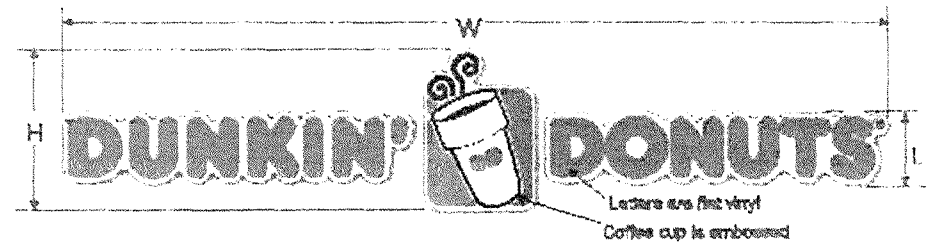
#### Page Number

10



DUNKIN DONUTS DD ICON CUP OVER LOGO 21" LETTERS

L: 21"  
W: 104.5"  
H: 119"  
Area: 41.24 SF.



DUNKIN DONUTS "IN-LINE" LOGO LED CLOUD SIGN 15" LETTER

L: 15"  
W: 174.5"  
H: 34"  
Area: 41.24 SF.

ARCHITECT:

**kolbrook design**

828 DAVIS STREET  
SUITE 300  
EVANSTON, IL 60201  
PH 847 492 1592

PROJECT:

Dunkin Donuts - St. Charles  
2701 E Main Street  
St. Charles, IL 60174

BUILDING SIGNAGE

Project Number

1425.009

Issue Date

01/14/2014

Page Number

11

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

# Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on May 18, 2015, the Corporate Authorities of such municipality passed and approved Ordinance No. 2015-Z-9, entitled

**"Motion to approve An Ordinance Granting Approval of a Minor Change to PUD Preliminary Plan and Drive-Through Facility Stacking Space Reduction for 2701 E. Main St. (Stuart's Crossing PUD – Dunkin Donuts),"**

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


The pamphlet form of Ordinance No. 2015-Z-9, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 23, 2015, 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 18th  
day of May, 2015.



*Nancy Garrison*  
Municipal Clerk



	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Historic Preservation Recommendation to approve historic landmark designation for 522 W. Main St., Darwin Millington Homestead			
	Presenter:		Russell Colby			
<i>Please check appropriate box:</i>						
	Government Operations				Government Services	
X	Planning & Development – (7/11/16)				City Council	
	Public Hearing					
Estimated Cost:		N/A		Budgeted:	YES	NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
<p>Dr. Steven Smunt has nominated the property at 522 W. Main St. for Landmark status, upon consent of the property owner, Eric Larson.</p> <p>In accordance with the Zoning Ordinance, the Historic Preservation Commission held a public hearing on the nomination on 6/15/16. The Commission recommended approval of the landmark nomination with a vote of 7-0, based on the criteria listed in the attached resolution.</p> <p>The house was constructed circa 1843 and is an example of the National style with Greek Revival influences. The house was built on part of a quarter section of land west of the original town obtained by Darwin Millington and annexed into the city as Millington's Addition to St. Charles. Darwin Millington and his father, Dr. Abel Millington, constructed the first water powered flour mill on the Fox River. Darwin donated the land on which the old St. Patrick's Church was constructed, as well as land for the West Town Park, now named Lincoln Park. Darwin also served as a trustee of St. Charles Academy, and was instrumental in bringing the St. Charles Branch Railroad to town in 1850.</p> <p>If the Landmark designation is approved by City Council, a Certificate of Appropriateness from the Historic Preservation Commission will be required prior to issuance of a permit for construction, alteration, repair, demolition, relocation, or other material change that affects the exterior architectural appearance of the structure.</p>						
<b>Attachments:</b> <i>(please list)</i>						
Historic Commission Resolution, Landmark Nomination						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Recommendation to approve historic landmark designation for 522 W. Main St., Darwin Millington Homestead						
<i>For office use only:</i>		Agenda Item Number: 3c				

## **City of St. Charles, Illinois**

### **Historic Preservation Commission Resolution No. 7-2016**

#### **A Resolution Recommending Approval for Landmark Designation (522 W. Main St. – Darwin Millington Homestead)**

WHEREAS, per Section 17.32.060 of the St. Charles Zoning Ordinance, it is the responsibility of the St. Charles Historic Preservation Commission to evaluate applications for Landmark Designation and to make recommendations to the City Council regarding them; and

WHEREAS, the Historic Preservation Commission has reviewed the application for designation of 522 W. Main Street and hereby finds that the Landmark nomination meets one or more of the criteria for Landmark Designation listed in Section 17.32.060.C of the St. Charles Zoning Ordinance based on the historical and architectural significance as described in the following findings:

- 1. That the property has character, interest or value which is part of the development, heritage or cultural character of the community, county or nation.**

The property lies within Millington's Addition to St. Charles. The Addition, surveyed and certified July 19, 1842, is an early annexation to the original town. The sale of lots within its boundaries allowed for normal population growth and, ultimately, tax revenues for local units of government.

- 2. That the Property is identified with a person who significantly contributed to the development of the community, county, state or nation.**

Beginning in 1838, Darwin Millington and his father, Dr. Abel Millington, constructed the first water powered flour mill along the Fox River. In 1840, the Illinois General Assembly enacted legislation authorizing "Ira Minard, Read Ferson, Bela T. Hunt, and Darwin Millington to construct, build, and continue a mill-dam across Fox River at the town of St. Charles".

In 1842, Darwin purchased from the U.S. Government a portion of a quarter section of land west of and adjacent to the original town. It was surveyed and subdivided into nine blocks. On July 19, 1842, the land was annexed as Millington's Addition to St. Charles.

On January 24, 1843, the Illinois General Assembly enacted legislation to incorporate the St. Charles Academy. Darwin Millington was named as one of eight trustees.

Darwin Millington donated land on the east side of 4<sup>th</sup> Street on which the Old St. Patrick's Church was built in 1851. Darwin also gave land to the town for the West Side Park, now named Lincoln Park.

Darwin was also instrumental in bringing the St. Charles Branch Railroad to St. Charles in 1850.

**3. That the Structure embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction or use of indigenous materials.**

In 1843, Darwin Millington acquired clear title to Lot 5, Block 4 from his brother, Cicero, for \$100. This is about the time that the brick, National Style house on Lot 5 was constructed or acquired. Red clay bricks were used in the wall construction, and were likely fabricated at the Penny Brickyard, which began operation circa 1840. The foundation is constructed of quarried limestone, hand laid with lime mortar, and is typical of the mid-19<sup>th</sup> Century. A classical columned veranda wraps the south and east elevations. A pedimented roof extension over the south entry stairs echoes the gable-front form. The brick north half of the first floor is possibly a structural addition. The second floor above is mostly framed and partially incorporated into the roof, and utilizes window dormers to gain head room and additional daylight. The windows are 1/1, double hung sash replacements.

The National Style is a folk house with several dominant forms. The Millington House is an example of the Gable-Front form, which echoes the pedimented façade of the Greek Revival style (1830-1850), but without the distinguishing elements and detailing (source: *A Field Guide to American Houses*).

**4. That the property has a unique location or physical characteristics that make it a familiar visual feature.**

Lot 5 is located on the west river bluff at the northeast corner of 6<sup>th</sup> and Main Streets. The structure faces south and offers an eastward view of the Fox River Valley. This location was called "Millington's Hill" by locals, and according to Pliny Durant, "the old brick house was in its day one of the most pretentious edifices St. Charles could boast".

**5. That the property is suitable for preservation or restoration.**

Eric Larson, the current property owner, has invested considerably to preserve the brick exterior elements, foundation, veranda, and roof. The sash replacements accurately

duplicate the look of the original windows. The replacement shutters on the south (front) elevation are a non-contributing element.

NOW THEREFORE, be it resolved by the St. Charles Historic Preservation Commission to recommend to the City Council that the property known as 522 W. Main Street as legally described in Exhibit "A", be designated as a Landmark, and that it be referred to as the "Darwin Millington Homestead", with a construction date of circa 1843.

Roll Call Vote:

Ayes: Bobowiec, Malay, Gibson, Withey, Norris, Pretz, Smunt

Nays:

Absent:

Abstain:

Motion Carried.

**PASSED**, this 15<sup>th</sup> day of June, 2016.

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Chairman

**Exhibit "A"**  
**Legal Description**

LOT 5 IN BLOCK 4 OF MILLINGTON'S ADDITION TO ST. CHARLES, EXCEPT THAT PART CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION IN DOCUMENT RECORDED FEBRUARY 15, 1995 AS DOCUMENT 95K008129, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

**CITY OF ST. CHARLES**  
TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT/PLANNING DIVISION

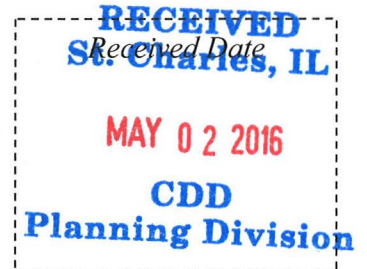
PHONE: (630) 377-4443 FAX: (630) 377-4062

**HISTORIC LANDMARK NOMINATION**

*Instructions:*

*To nominate a property for Historic Landmark Designation, complete this application and submit all required documentation to the Planning Division. Based on a review of the application by City staff and the Historic Preservation Commission, additional detailed information to support this application may be required.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*



<b>1. Property Information:</b>	Parcel Number(s): 09-27-359-009      Address: 522 W. Main Street, St. Charles, IL 60174	
	Property Name (Historic or common name of the property): Darwin Millington Homestead	
<b>2. Applicant:</b>	Name Dr. Steven W. Smunt	Phone 630-338-7320
	Address 403 S. 6th St., St. Charles, IL 60174	Fax
		Email stevesmunt@me.com
<b>3. Record Owner:</b>	Name Eric M. & Joyce J. Larson	Phone wk: 630-587-2800
	Address wk: 605 W. Main St., St. Charles, IL 60174	Fax
		Email
<b>4. Legal Description of Property:</b> The legal description should be obtained from the deed, mortgage, title insurance, or other recorded document (attach sheets if necessary).  MILLINGTON'S ADDITION LOT 5 BLK 4 (EX PT TAKEN FOR RD BY 95K008192)		

**I. Classification of Property (Check all that apply):**

a) Ownership:

☒ private  
☐ public-local  
☐ public-state

b) Category:

☒ building  
☐ district  
☐ site

c) Integrity:

☒ original site  
☐ moved: date \_\_\_\_\_  
☐ unaltered

d) Function or Use:

Historic/Current

☐ / ☐ agriculture  
☐ / ☒ commercial  
☐ / ☐ educational  
☐ / ☐ government  
☐ / ☐ entertainment

Historic/Current

☐ / ☐ industrial  
☐ / ☐ military  
☐ / ☐ museum  
☒ / ☐ private residence  
☐ / ☐ park

Historic/Current

☐ / ☐ religious  
☐ / ☐ scientific  
☐ / ☐ transportation  
☐ / ☐ other(specify

e) Architecture:

Early Republic

☐ Federal  
☐ Early Classical  
Revival

Mid-19<sup>th</sup> Century

☐ Greek Revival  
☐ Gothic Revival  
☐ Italian Villa  
☒ National

Late 19<sup>th</sup>/20<sup>th</sup> Century Revivals

☐ Beaux Arts  
☐ Colonial Revival  
☐ Classical Revival  
☐ Tudor Revival  
☐ Late Gothic Revival  
☐ Dutch Colonial Revival  
☐ English Cottage  
☐ Italian Renaissance  
☐ French Renaissance  
☐ Spanish/Mission

Regional Origin

☐ Vernacular (describe)

☐ Other (describe)

Late Victorian

☐ 2<sup>nd</sup> Gothic Revival  
☐ Italianate  
☐ Second Empire  
☐ Queen Ann  
☐ Stick/Eastlake  
☐ Shingle Style  
☐ Romanesque  
☐ Renaissance  
☐ Folk Victorian

Late 19<sup>th</sup> and Early 20<sup>th</sup> Century  
(American Movements)

☐ Princess Ann  
☐ Homestead

(Amer. Arts & Crafts Movement)

☐ Craftsman  
☐ Bungalow  
☐ Foursquare  
☐ Prairie School

Modern Movement

☐ Modern  
☐ Art Deco  
☐ International Style  
☐ Ranch

## II. Building Materials:

Please mark the appropriate boxes listing the materials that exist on the building.

	Foundation	Walls	Roof	Others
Wood				
Weatherboard, Clapboard		X		
Shingle				
Log				
Plywood				
Shake				
Stone				
Granite				
Sandstone				
Limestone	X			
Marble				
Slate				
Brick		X		
Metal				
Iron				
Copper				
Bronze				
Tin				
Steel				
Lead				
Nickel				
Cast Iron				
Stucco				
Terra Cotta				
Asphalt			X	
Asbestos				
Concrete				
Adobe				
Ceramic Tile				
Glass				
Cloth/Canvas				
Synthetics				
Fiberglass				
Vinyl				
Aluminum				
Rubber				
Plastic				
Drivit/EIFS				
Other				



### III. Significance of Property:

Please indicate source of documentation, if available. % Kane Co. Recorder, Research Dept.

a) Original Owner: Darwin Millington

b) Architect/ Builder: \_\_\_\_\_

c) Significant Person(s): Darwin Millington

d) Significant Dates (i.e., construction dates): circa 1843

e) Please indicate which of the following criteria apply to the property:(check all that apply.)

☒ Property has character, interest, or value which is part of the development, heritage, or cultural character of the community, county, or nation.

☐ Property is the site of a significant local, county, state, or national event.

☒ Property is identified with a person who significantly contributed to the development of the community, county, state, or nation.

☒ Structure embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.

☐ Property is identified with the work of a master builder, designer, architect, or landscape architect whose work has influenced the development of the area, the county, the state, or the nation.

☐ Structure embodies elements of design, detailing, materials, or craftsmanship that are of architectural significance.

☐ Structure embodies design elements that make it structurally or architecturally innovative.

☒ Property has a unique location or physical characteristics that make it a familiar visual feature.

☐ Structure is a particularly fine or unique example of a utilitarian structure with a high level of historical or architectural significance.

☒ Property is suitable for preservation or restoration.

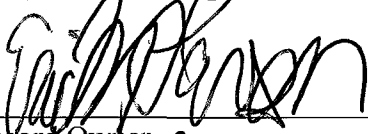
☐ Property is included on the \_\_\_ Illinois and/or \_\_\_ National Register of Historic Places.

☐ Property has yielded, or is likely to yield information important to prehistory, history, or other areas of archaeological significance.


#### IV. Attachments

1. Descriptive Statement: Attach a narrative statement describing the property and its historical architectural significance as indicated in Sections I, II, and III above. Describe structural changes, additions, and decorative modifications or material changes and dates of such work if known. State the reasons it should be designated as a Historic property.
2. Plat of Survey: Attach a plat of survey showing the boundaries and location of the property. This may be obtained from the County Recorder (630-232-5935) at the Government Center. You may also have one from your house closing.
3. Photographs: Attach photographs showing the important structures or features of the property and a photograph as viewed from the public way. Black and white or color prints. A minimum of one photograph of the structure as viewed from the public way is required.

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

  
\_\_\_\_\_  
Record Owner

5-11-16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Applicant or Authorized Agent.

April 29, 2016  
\_\_\_\_\_  
Date

## Darwin Millington Homestead, Significant Findings

1 of

**The Property has character, interest, or value which is part of the development, heritage, or cultural character of the community, county, or nation.**

The property lies within Millington's Addition to St. Charles. The Addition, surveyed and certified July 19, 1842, is an early annexation to the original town. The sale of lots within its boundaries allowed for normal population growth and, ultimately, tax revenues for local units of government.

**The Property is identified with a person who significantly contributed to the development of the community, county, state, or nation.**

Beginning in 1838, Darwin Millington and his father, Dr. Abel Millington, constructed the first water powered, flour mill along the Fox River. In 1840, the Illinois General Assembly enacted legislation authorizing "Ira Minard, Read Ferson, Bela T. Hunt, and Darwin Millington to construct, build, and continue a mill-dam across Fox River at the town of St. Charles."

In 1842, Darwin purchased from the US Government a portion of a quarter section of land west of and adjacent to the original town. It was surveyed and subdivided into 9 blocks. On July 19, 1842, the land was annexed as Millington's Addition to St. Charles.

On Jan. 24, 1843, the State General Assembly enacted legislation to incorporate the St. Charles Academy, and "the object of said institution shall be the promotion of the general interests of education." Darwin Millington was named amongst 8 as a trustee.

"Darwin Millington proved to be a generous citizen of St. Charles. He donated land on the east side of 4th Street on which the Old St. Patrick's Church was built in 1851. The younger Millington also gave land to the town for the West Side Park, now named Lincoln Park.

Darwin was also instrumental in bringing the St. Charles Branch Railroad to St. Charles in 1850."

## **Darwin Millington Homestead, Significant Findings**

2 of

**The Structure embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.**

In 1843, Darwin Millington acquired clear title to Lot 5, Block 4 from his brother, Cicero for \$100. This is about the time that the brick, National Style house on lot 5 is constructed or acquired. Red clay bricks were used in the wall construction, and were likely fabricated at the Penny Brickyard, which began operation circa 1840. The foundation is constructed of quarried limestone, hand laid with lime mortar, and is typical of the mid-19th century. A classical columned veranda wraps the south and east elevations. A pedimented roof extension over the south entry stairs echoes the Gable-Front form. The brick north half of the first floor is possibly a structural addition. Whereas the second floor above is mostly framed and partially incorporated into the roof, and utilizes window dormers to gain head room and additional daylight. The windows are 1/1, double hung, sash replacements.

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# MILLINGTON'S

Addition. To

St. Charles.



I do hereby certify that I have surveyed Millington's addition to the Town of Saint Charles in the County of Kane in the State of Illinois and that this map is a correct representation of the Street, Blocks and lots in said addition

John B. Prastin  
 Asst. for P. J. Wagner  
 County Surveyor for  
 Kane County Illinois

July 19th 1842

State of Illinois  
 Kane county J. Leonard Howard a Justice  
 of the Peace in and for the said county in the State  
 of Missouri, Do hereby certify that Darius Millington  
 is personally known, appeared before me this day  
 in person and acknowledged himself to be proprietor  
 of the addition to the Town of St. Charles as above  
 described and plotted and that the said addition  
 was laid off agreeable to the within plat. Given under  
 my hand and seal at my office in St. Charles in the  
 County aforesaid this First day of July A.D. 1842

Leonard Howard

Justice of the Peace

Filed August 15th 1842 at 9 o'clock A.M.

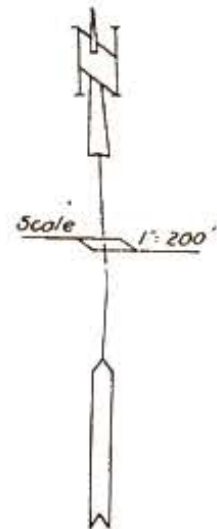
David D. Prastin

Surveyor



# MILLINGTON'S ADDITION TO ST. CHARLES

★ Darwin Millington Homestead: Block 4, Lot 5



Surveyed & Certified July 19, 1842 by John B. Preston  
FILED - AUGUST 15, 1842  
RECORD BOOK 2 PAGE 498

JOHN B PRESTON  
SURVEYOR

## Biography of Darwin Millington while residing in St. Charles, 1837 -1866.

Darwin Millington, born June 15, 1815, arrived from Ypsilanti, MI, in 1837 (1834 per Library doc) with his father, Dr. Abel and his brother, Cicero. In 1838, Dr. Abel Millington "bought a large parcel of land on the west side of town from Gideon Young for \$8,000 in gold, a huge sum in those days."

Dr. Abel "began construction of the first water powered, flour mill on the Fox River where the Hotel Baker now stands. Abel Millington's son, Darwin, joined his father in the business venture. Dr. Millington died prior to the completion of the mill, and in 1838, Darwin inherited the business." On Feb 1, 1840, the General Assembly enacted legislation authorizing "Ira Minard, Read Ferson, Bela T. Hunt, and Darwin Millington to construct, build, and continue a mill-dam across Fox River at the town of St.

Charles."

"Darwin sold the mill circa 1850 to R.J. Haines, and for many years it was known as the Haines Excelsior Flour Mill."

In 1842, Darwin purchased from the US Government a portion of a quarter section of land west of and adjacent to the original town. It was surveyed and subdivided into 9 blocks. On July 19, 1842, the land was annexed as Millington's Addition to St. Charles.

On Jan. 24, 1843, the State General Assembly enacted legislation to incorporate the St. Charles Academy, and "the object of said institution shall be the promotion of the general interests of education." Darwin Millington was named amongst 8 as a trustee.

On October 2, 1843, Cicero Millington now residing in Washtenaw Co., Michigan, sells Block 4 back to Darwin for \$100. This is about the time that the brick, National Style house on lot 5 is constructed or acquired. Lot 5 is located on the west river bluff at the NE corner of 6th and Main Streets. This location was called "Millington's Hill" by locals, and according to Pliny Durant, "the old brick house was in its day one of the most pretentious edifices St. Charles could boast."

Darwin was married to Miranda Boardman on October 23, 1838, and moved into the newly built house to raise their family of 5 children: Arthur, Darwin Jr., Ella, Emily, and Lucy Millington.

"Darwin Millington proved to be a generous citizen of St. Charles. He donated land on the east side of 4th Street on which the Old St. Patrick's Church was built in 1851. The younger Millington also gave land to the town for the West Side Park, now named Lincoln Park. Darwin was also instrumental in bringing the St. Charles Branch Railroad to St. Charles in 1850."

On Jan. 3, 1866, the estate is placed in Probate following Darwin Millington's death. The property is conveyed to Miranda Millington and her children.



# **Darwin Millington Homestead, circa 1843**

Title history for lot 5 of Block 4 of Millington's Addition to St. Charles.

April 24, 1820: Act of Congress "making further provisions for the sale of public lands..."

1837, Charleston (St. Charles) is incorporated and becomes a town.

1842, President John Tyler signs U.S. Patent granting Federal land to Luther Hatch, Francis Gormer(sp.?), and John Thompson, assignees, covering various quarter sections in Illinois.

May 16, 1842: portions of a quarter section of land are assigned to Darwin Millington after appropriate funds are deposited into the US Land Office. Specifically, Luther Hatch assigns 53.88 acres, Francis Gormer assigns 160 acres, and John Thompson assigns the remainder.

June 14, 1842: 186 acres are conveyed to Cicero Millington(POA), Darwin's brother

July 19, 1842: Millington's Addition to St. Charles is surveyed, certified, and annexed.

August 15, 1842: the surveyed addition is recorded with Kane County.

October 2, 1843: Cicero Millington (POA) of Washtenaw Co. Michigan sells Block 4 back to Darwin for \$100. This is about the time that the brick house on lot 5 is constructed.

Sept. 29, 1859: Block 4, including Lot 5, is placed into a Trust for Miranda Millington and her children against future contingencies. Block 4 is referenced as being the homestead. Henry Stevens is named the trustee.

Jan. 3, 1866: Block 4 is placed in Probate following Darwin Millington's death. The property is conveyed to Miranda Millington and her children, including Arthur Millington and Darwin Millington, Jr.

Nov. 16, 1895: Western ½ of Block 4,(Lots 1,2,5,6) conveyed to Ella Millington Egleston , Emily Millington Ryan, and Lucy Millington Marsden

June 1906: Emily Millington Ryan and the Egleston heirs of Ella Millington Egleston, now deceased, sell their portion of lot 5 to Lucy and James Marsden.

Aug 12, 1922: Lucy and James Marsden sell the property to Fredrick G. Bormann.

Nov 18, 1930: Fredrick G. Bormann sells to Oscar F. Bormann.

Jan 9, 1933: Oscar F. Bormann & his wife sell to Elsie M. Goreki.

March 31, 1945: Elsie M. Goreki sells to Elmer Borman.

March 31, 1945: Elmer Borman & wife sell to Elsie M. Goreki and her daughter, Eleanor Himmelfarb.

# The Moody-Millington Historic District History

The Moody-Millington Historic District

July 7, 2006

The Moody-Millington Historic District is a near west side residential area which encloses 17 parcels lying within two early additions to the original town of St. Charles. The earliest structure dates to the late 1860's. The district currently contains 5 Designated Landmarks and the remaining structures all contribute either architecturally or historically.

## History of Millington's Addition

Darwin Millington, born 6/15/1815, arrived from Ypsilanti, MI, in 1837 with his father, Dr. Abel and his brother, Cicero. They purchased west side properties in 1838. The family developed and operated the first water-powered flour mill on the west bank of the Fox River at the present-day site of the Hotel Baker. The mill was later sold to R.J. Haines, who expanded it's size and operation. Darwin donated the land the town used to create Lincoln Park, and donated the adjoining land for construction of St. Patrick's Catholic Church.

Millington's Addition was annexed to the municipality on July 19, 1842. It is bordered by State St. on the north to Indiana St. on the south, and by 5th St. on the east to 7th St. on the west.

Significant historic individuals who resided in or are associated with Millington's Addition are: Mayor J.K. Lewis, James Perkins (J.P.) Furnald, R.J. Haines

## History of Moody's Addition

Robert Moody emigrated from Scotland, was elected Justice of the Peace on August 15, 1840, and died in 1847.

Three tracts owned by Robert Moody were annexed to the municipality of St. Charles.

- 1) Moody's Addition, 1846: bordered by Indiana St. on the north to Bowman St. on the south, and by 3rd St. on the east to 8th St. on the west. Three subdivisions south of Prairie St. were later designated as Highland, Norway Maple, and Cregier's.
- 2) Assessor's Addition: bordered by Indiana St. on the north to Bowman St. on the south, and by IL Route 31 (2nd St.-Geneva Rd.) on the east to 3rd St. on the west.
- 3) Administrator's Addition (Robert Moody Estate Addition): bordered by Indiana St. on the north to south of the original Prairie St., and by IL Route 31 (2nd St.-Geneva Rd.) on the west to The Fox River on the east.

Significant historic individuals who resided in or are associated with Moody's Addition are: William Beith, Sheriff Nathan S. Carlisle, Charles A. Miller, William H. Wilcox, Emma Durant-Lane, Bryant and Jerusha Durant, Otto Frellsen, William and Lottie Lillibridge, Charles and Eva Beckstrom, Fritz G. and Maem Carlson

## Architectural History

The significant period of home construction is 1869 to 1925.

Dominant architectural styles are Queen Ann, Gothic Revival, Prairie, Craftsman, and National.

# **Bibliography for Darwin Millington Homestead Research, April 29, 2016**

Darwin Millington House, c1843, Title History:

- *Kane Co. Recorder, Research Dept., personal notes, photocopies*

Biography of Darwin Millington, 1837 -1866:

- *Kane Co. Recorder, Research Dept., personal notes, photocopies*
- *St. Charles Historic Buildings Website, % St. Charles Public Library,*
- *Laws of Illinois, p76, Feb.1,1840, An Act to authorize...dam across Fox river.*
- *Laws of Illinois, Jan 24,1843, An Act to incorporate the St. Charles Academy...*
- *Moody-Millington Historic District History*

Architecture, the National Style:

- *A Field Guide to American Houses, Virginia & Lee McAlester, 1984, p90*

Photographs:

- *Digital images taken by Dr. Steve Smunt using the iPhone camera*



**St. Charles Public Library**  
One South Sixth Ave., St. Charles, IL 60174 ☎ 630.584.0076

  
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## Millington House

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By Address](#)

[Map](#)

522 W. Main Street    ([View on map](#))



Image credit: St. Charles Public Library

### Comments

[Email](#) or Call 630-  
584-0076 x1

Dr. Abel Millington came to St. Charles, then called Charleston, from Ypsilanti, Michigan in 1834. Upon his arrival, he bought a large parcel of land on the west side of town from Gideon Young for \$8,000 in gold, a huge sum in those days. He immediately began construction of a flour mill on the Fox River where Hotel Baker now stands. Abel Millington's son, Darwin, joined his father in the business venture.

Darwin built this brick house 1837, and brought his wife, Miranda Boardman Millington, to live in the large residence after their marriage on October 23, 1838. The location of this house was called "Millington's Hill." Pliny Durant wrote in the St. Charles Chronicle in 1902 (later compiled

into **Passing in Review: Reminiscences of Men Who Have Lived in St. Charles**) that "the old brick house was in its day one of the most pretentious edifices St. Charles could boast."

Dr. Millington died prior to the completion of the mill, and in 1838 Darwin inherited the business. Darwin sold the mill in around 1850 to R.J. Haines and for many years it was known as the Haines Excelsior Flour Mill.

Darwin Millington proved to be a generous citizen of St. Charles. He donated land on the east side of 4th Street on which the Old St. Patrick's Church was built in 1851. The younger Millington also gave land to the town for the West Side Park, now named Lincoln Park. Darwin was also instrumental in bringing the St. Charles Branch Railroad to St. Charles in 1850.

The Millington house remained a private residence for most of its existence. Today, it houses the offices of several small businesses.

### **For additional photographs see:**

Biography Binder: Local History

### **See also:**

[Haines House](#)

[Hotel Baker](#)

[Old St. Patrick's Church](#)

### **Sources**

- Clauter, Hazel. [Our Community--St. Charles](#) . 1967.
- Clauter, Hazel. [Our Community--St. Charles, IL](#) : Units I–VI: Historical Information Compiled for Third Grade Teachers. 1990.
- Pearson, Ruth Ann. [Reflections of St. Charles](#) . Elgin: Brethern Press, 1976.

### **Comments**

You do not have permission to add comments.



654  
654

United States  
Do  
Darwin Millington  
Patent  
Luther Hatch

Presumption  
Certificate  
to 9575

The United States of America to whom these Presents shall come, Greeting  
Whereas Darwin Millington Assignee of Luther Hatch has deposited  
in the General Land Office of the United States, a certificate of the Register of the Land  
Office at Chicago, whereby it appears that full payment has been made by the said  
Luther Hatch according to the provisions of the act of Congress of the 24th of April 1850, entitled "Under-  
making further provisions for the sale of the Public Lands" for the West fraction of the South West  
quarter of section twenty seven, in Township forty North, of Range eight East, in the district  
of lands subject to sale at Chicago, Illinois, containing fifty three acres and eighty  
eight hundredths of more according to the official plat of a survey of the said lands, returned to  
the General Land Office by the surveyor general, which said tract has been purchased by the said  
Luther Hatch.

Now know ye, that the United States of America, in consideration of the promises and  
in conformity with the several acts of Congress in such case made and provided have given  
and granted and by these presents do give and grant unto the said Darwin Millington and to his  
heirs, the tract above described. To have and to hold the same, together with all the rights, privileges  
immunities & appurtenances of whatsoever nature, thereto belonging, unto the said Darwin Millington  
and to his heirs and assigns forever.

In Testimony Whereof I John Tyler, President of the United States of America  
have caused these letters to be made patent and the seal of the General Land Office to be hereunto  
affixed.

Given under my hand at the city of Washington the eighteenth day of July  
in the year of our Lord one thousand eight hundred & forty two and of the independ-  
ence of the United States the sixty seventh.

Recorded vol 15 Page 14  
J Williamson, Recorder  
of the General Land Office

Filed July 6th 1855 at 3 P.M.  
P.R. Knight Recorder

By the President John Tyler  
B R Tyler Secy

*[Signature]*

D. Millington  
Assignee of  
Luther Hatch

Sale of  
53.88 Acres

7-18-1842

President John Tyler

Bachus Birchard  
Do  
Wm J. Marlette  
Asst. Not

Know all men by these presents that I, Bachus Birchard of Pleasant Valley in the  
County of Scott & State of Iowa, in consideration of the sum of one dollar to me in hand  
paid. Wm J. Marlette the receipt of which is hereby acknowledged do grant, assign, transfer  
& set over to the said Wm J. Marlette all my right title and interest in the within Mortgage & the  
accompanying bond for his own use and benefit.

In Witness I have set my hand this twenty second day of June  
A.D. 1858 Bachus Birchard

In presence of P.W. Marlette

Filed July 14th 1858 at 11 1/2 A.M.

P.R. Knight Recorder

W J Marlette  
Do  
James Knott  
Asst. Not

For a valuable consideration, I hereby assign transfer, set over and quit claim  
unto James Knott and to his heirs & assigns forever all my right title claim and  
interest to the within Mortgage.

State of Illinois for  
Randall County

I, Geo M. Wollenbuck, Clerk of the Circuit Court in & for said County  
in the state aforesaid, do hereby certify that W. J. Marlette appeared  
before this day in person, and acknowledged that he signed  
the above assignment as his voluntary act and deed.

Witness my hand and the seal of said Court at Quincy in said County the 10th day of  
August 3rd July A.D. 1858 Geo M. Wollenbuck Clerk  
Filed July 14th 1858 at 11 1/2 A.M. P.R. Knight Recorder



think the said property described as aforesaid, or any part thereof, will be in danger of being sold, removed or wasted then the said promissory note shall become due and payable; and I shall be liable in such case for the said sum of money his representatives, agent or agents or any of them, together with or without process of law at said towns costs and charges any of the said Edward Green promising, or whosoever the said property described as aforesaid or any part thereof may be supposed to be & search for and take possession of, carry away & hold possession of, or keep in store the whole or any part of the goods, chattels & effects, and sell and dispose of the same in manner aforesaid.

In testimony whereof the said Edward Green has hereunto set his hand and seal this fifth day of July in the year eighteen hundred & fifty eight  
Signed sealed and delivered  
E. Green Seal

In Presence of  
State of Illinois  
Hennepin County

I, Alex. V. Sill Justice of the Peace in and for said county, do hereby certify that this Mortgage was duly acknowledged before me by the above named Edward Green this fifth day of July, A.D. eighteen hundred & fifty

eight

Filed July 6 1858 at 10 am.  
P. M. Wright Recorder

Alexander V. Sill Just

United States  
Do  
Darwin Millington  
Patent

Presumption  
Certificate  
No 9838

The United States of America to all to whom these presents shall come greeting;  
Whereas Darwin Millington assignee of Francis Bonner has deposited in the General Land Office of the United States, a certificate of the Register of the Land Office at Chicago whereby it appears that full payment has been made by the said Francis Bonner, according to the provisions of the act of Congress of the 24th of April, 1850, entitled "an act making further provision for the sale of public lands" for the North East quarter of section thirty three in Township forty North, of Range eight East, in the district of lands subject to sale at Chicago Illinois containing one hundred and sixty acres; according to the survey of said official plat of the survey of the said lands returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said Francis Bonner.

Now know ye that the United States of America, in consideration of the premises, and in conformity with the several acts of Congress, in such case made & provided, have given & granted & by these presents do give & grant unto the said Darwin Millington & to his heirs the said tract above described; do have and to hold the same, together with all the right privileges, immunities & appurtenances of whatsoever nature thereunto belonging, unto the said Darwin Millington and to his heirs & assigns forever

In testimony whereof I John Tyler President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand at the city of Washington, Tenth day of March in the year of our Lord one thousand eight hundred & forty three of the Independence of the United States the Sixty seventh

Recorded Vol 15 page 213  
J. Williamson, Recorder  
of the General Land Office

Filed July 6 1858 at 3 PM  
P. M. Wright Recorder

By the President John Tyler  
J. M. Tyler Secy

D. Millington  
assignee of  
Francis Gormer  
(SP3)

Sale of  
160 acres

President John  
Tyler  
Filed 7-6-1858

Same  
Do  
Same  
10456

Pres Emption  
Certificate  
No 9574

The United State of America to all to whom these presents shall come, greeting  
Whereas Darwin Millington Assignee of John Thompson has deposited in the General Land Office of the United States a certificate

Darwin Millington  
assignee of  
John Thompson



3-28-14

Barre Co Recorder. net

Subdiv. Coors - M - Millington Addn

(Books, Doc Books - Book 2, 498

Block 4 Lot 5

Darwin Millington Titles

Block 4 Sale

(POA) Cicero Millington to Darwin Millington of KC, I  
of Washtenaw Co, Mich Oct 2, 1843 \$100  
on recorded plat of Millington Addition to Town  
of St Charles

Block 4 : 9-29-1859 IN trust recorded 2-11-1860  
Darwin Millington to Henry Stevens, Trustee  
In trust for Miranda Millington & her  
children against future contingences

Western 1/2 B4 Millington's Addn Lot 1, 2, 5, 6  
Arthur Millington (Single, unmarried) & Darwin Millington  
& Kate, h.w. of City St Chas KC, I  
to (Millington) "Marsden"  
Ella Eggleston, Emily M Ryan & Lucy Marsden  
of Ill Quit Claim Nov 16 1895  
recorded Nov 20 1895

Sold undeveloped 1/3 part of L5 B4 to \$600  
Emily Millington Ryan & TE Ryan h/h  
to

Jas Marsden & Lucy Marsden

Deed 6-19-1906  
Recd 7-5-1906

Jas Marsden &  
Lucy Marsden  
sold to 7-5-06  
recorded.

June 18, 1906 Roswell W. Eggleston, unmrd; Leland Eggleston & Nettie h/w, & Darwin  
Eggleston unmrd (being the husband & sde heirs of the late  
Ella Millington Eggleston deceased formerly Ella Millington of St Chas.



p 2/4

Lot 5 Blk 4

James Marsden & Lucy h/w  
intrusted to

Delwitt Thatcher trustee

July 3 1906 Trust Deed

July 3 1906 record

\$1000.

James Marsden & Lucy h/w  
mortgage ~~sett~~ to (Lucy Millington Marsden)

Chas H. Barrett

June 30 1909

July 3 1909

\$1000 sale

Frank M Ryan, Tr

to (quit claim deed)

James Marsden

July 7 1911

July 10, 1911

James Marsden & Lucy

to

St Charles Bldg & Loan Co. "

Aug 22 1912

Aug 3 1912

\$2000

Charles H Barrett

Mortgage Satisfaction by

originally executed June 30 1909, Recorded July 3 '09

Aug 30 1912

Sept 3 1912

James Marsden & wife Lucy

to

Fredrick G Bormann

Aug 12 1922

Aug 16 1922

Frank M Ryan, Trustee

to

Lucy Millington Marsden

quit claim deed. Aug 24 1922

(probably for 1/3 Dec 2 1922  
undeveloped portion Lot 5.)



p 3/4

Doc # 255162 746 122 by Darwin Mulletton 5/26/25  
# 255163 746 129 by Roswell Eggleston 5/26/25

Appointments.

"Fredrick"  
Fredrick G Bormann wdw  
to

Nov 18 1920

Oscar F Bormann

Nov 18 1930

Oscar F Bormann & hw  
to

Jan 9 1933

Elsie M. Gorecki

Jan 12 1933

Elsie M. Gorecki widow  
to

WD.

March 31 1945

Elmer Borman

Elmer Borman & hw  
to

March 31 1945

Elsie M. Gorecki, & Eleanor Himmelark, mother & daughter



Probate Jan 3 1866 Jan 4 1866 Block 4

US GOVT LAND Patent Patent  
John Thompson -

May 16 1842

US GOVT to L Hatch May 16 1842  
to Darwin Mulletton quit claim June 14 1842  
(POA) to Cicero Mulletton ~~quit claim~~ 186 acres



Pg 14/4

per 1866 Probate -

Jan 13 1859 Reference

Block 4; see the Harestad.

Henry Steen as trustee.

Title by U.S. PATENTS.

~~Book 2~~

Book 2

p 498

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Mellgren's.

Addition

In force, Feb. 1, 1840. **AN ACT to authorize Ira Minard, Read Ferson, Bela T Hunt and Darwin Millington, to build a dam across Fox river.**

**Persons au-** **SEC. 1.** *Be it enacted by the People of the State of Illinois,*  
**thorized to** *represented in the General Assembly,* That Ira Minard, Read  
**build dam a-** Ferron, Bela T. Hunt and Darwin Millington, their heirs and  
**cross Fox ri-** assigns, be, and they are hereby, authorized to construct, build  
**ver** and continue a mill-dam across Fox river, at the town of St.  
**Proviso** Charles, in the county of Kane, between the land held by them  
 to the height of seven feet above low water mark: *Provided,*  
 Said grant shall not be construed so as to prevent the State  
 from improving said Fox river at that place, by dams, locks,  
 or any other way, at any time hereafter, for the purpose of  
 slack water navigation, or otherwise.

**Construction** **SEC. 2.** The said dam shall be constructed with a down  
**of dam** stream slope of two feet horizontal to one foot perpendicular  
 rise, well and sufficiently planked over, for the purpose of al-  
 lowing the safe passage of the descending trade of said river;  
 and during the continuance of the said dam, said slope shall  
 be kept in good repair. This act to take effect from and after  
 its passage.

**APPROVED, February 1, 1840.**

In force, Feb. 1, 1840. **AN ACT to change part of a State road from Naperville, in Du Page county, to Indian Creek, in McHenry county.**

**Com'rs to re-** **SEC. 1.** *Be it enacted by the People of the State of Illinois,*  
**locate road** *represented in the General Assembly,* That Stephen J. Scott,  
 Nathan Allen Jr., Ethan Grisworld, be, and they are hereby,  
 appointed commissioners to view and relocate a certain State  
 road from Naperville, heretofore in Cook county, now in Du  
 Page county, to Indian Creek, in McHenry county, from the  
 twenty-nine mile stake on the line of said road to Naperville.

**Map of road** **SEC. 2.** The said commissioners, as soon as they shall have  
 completed said work, shall make out a map of that part of  
 the said road so to be relocated, giving the course and dis-  
 tances to be lodged with the clerk of the county commis-  
 sioners' court for the county of DuPage, which shall be recorded  
 at length in the books of said court: *Provided, however,* That  
**Proviso** those persons interested in the relocating of the above road,  
 shall defray all the expenses thereof.

**Com'rs to be** **SEC. 3.** The said commissioners shall, before they proceed  
**sworn** to relocate said road, be sworn before some justice of the  
 peace faithfully to perform their duties; and so much of said  
 road as shall be changed, shall be vacated.

**APPROVED, February 1, 1840.**



AN ACT to incorporate the St. Charles Academy, in the county of Kane. In force,  
Jan. 24, 1843.

SEC. 1. *Be it enacted by the people of the State of Illinois represented in the General Assembly,* That Bela T. Hunt, William Rounselle, Leonard Howard, Lucius Foote, Darwin Millington, Thomas P. Whipple, Stevens Jones, Nathan H. Dearborne, and their successors, be, and they are hereby created a body politic and corporate, to be styled and known by the name of the "President and Trustees of the St. Charles Academy," and by that style and name to remain and have perpetual succession. The said academy shall be and remain at and in St. Charles, in the county of Kane, State of Illinois. The number of trustees shall not exceed twelve, one of whom shall be president of the board, to be chosen by the trustees. For the present, the above-named individuals shall constitute the board of trustees, who shall fill the remaining vacancies at their pleasure and discretion.

Name of corporation.

Location of academy

Number of trustees

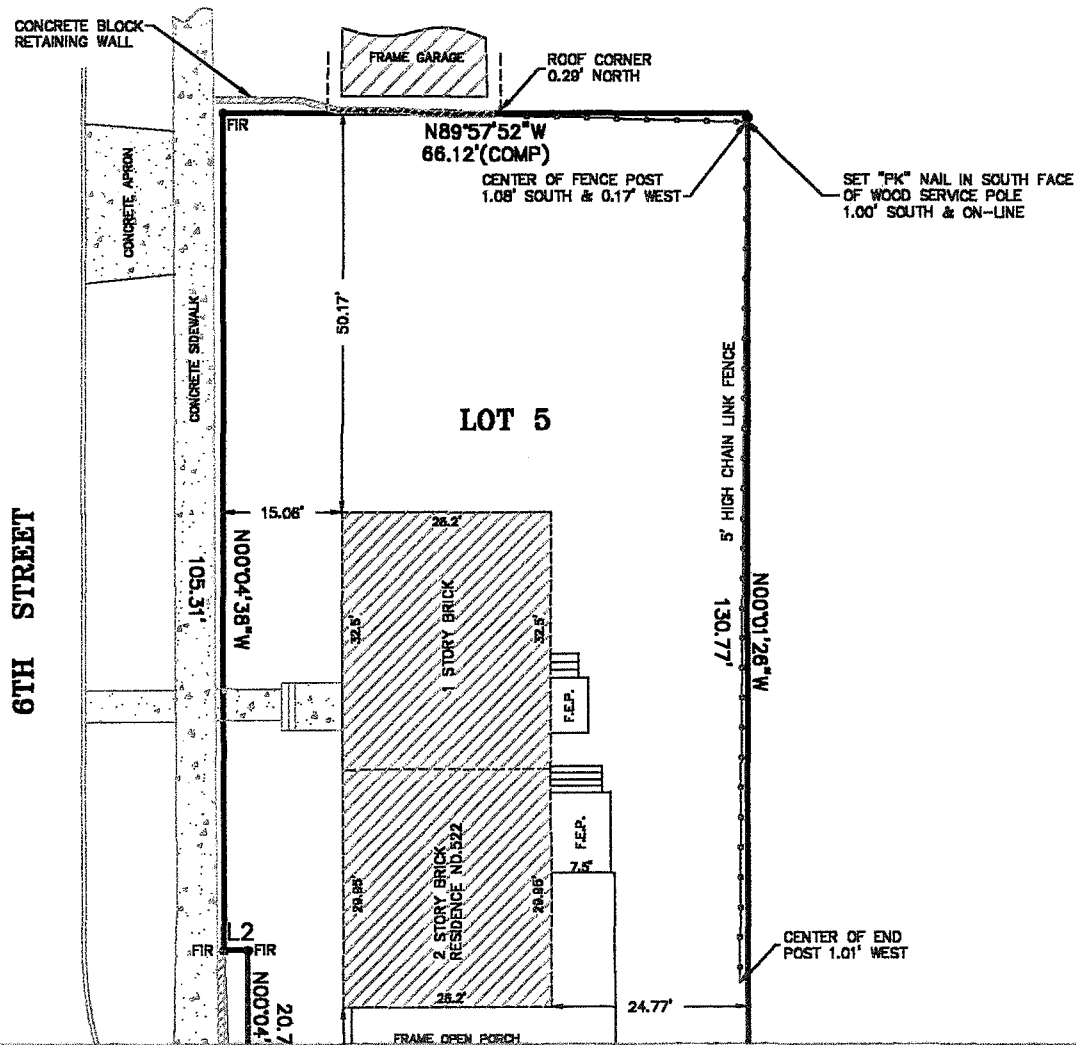
SEC. 2. The object of said institution shall be the promotion of the general interests of education.

Object of incorporation

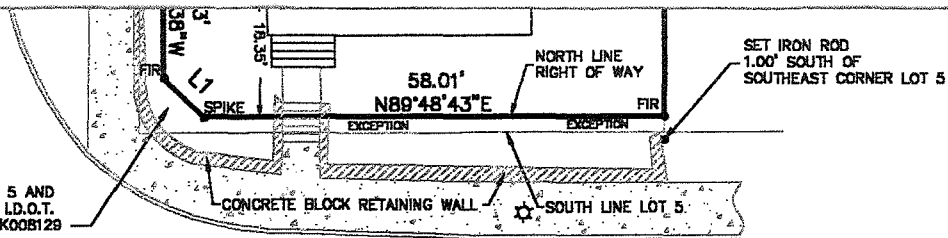
# PLAT OF SURVEY

LOT 5 IN BLOCK 4 OF MILLINGTON'S ADDITION TO ST. CHARLES, EXCEPT THAT PART CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION IN DOCUMENT RECORDED FEBRUARY 15, 1995 AS DOCUMENT 95K008129, IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

ASSUMED



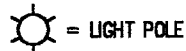
EXCEPTION TO LOT 5 AND  
CONVEYED TO THE I.D.Q.T.  
PER DOCUMENT 95K008129



(MAIN STREET) IL.RT.64

ABBREVIATIONS

I.D.Q.T.= ILLINOIS DEPARTMENT OF TRANSPORTATION  
FIR= FOUND IRON ROD  
F.E.P.=FRAME ENCLOSED PORCH  
150.00 (COMP)= COMPUTED DIMENSION  
150.00=MEASURED DIMENSION



THE BASIS OF BEARINGS SHOWN HEREON IS ASSUMED.  
AREA CONTAINED IN SURVEY=8558 SQUARE FEET

THE PORTION CONVEYED TO I.D.Q.T. SHOWN HEREON IS CONVEYED  
BY DEED #95K008129 AND DEPICTED IN A PLAT OF HIGHWAY  
RECORDED AS DOCUMENT 97K015582, RECORDED MARCH 12, 1997.

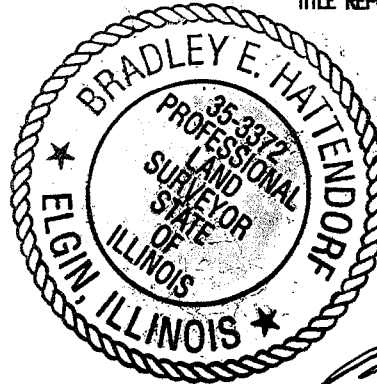
GENERAL NOTES:

- 1) COMPARE ALL POINTS PRIOR TO ANY CONSTRUCTION AND REPORT ANY DIFFERENCES TO SURVEYOR AT ONCE.
- 2) FOR BUILDING RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES, CONSULT YOUR LOCAL MUNICIPAL AUTHORITIES.
- 3) CALL J.U.L.L.E. @ 1-800-892-0123 FOR LOCATIONS OF UNDERGROUND UTILITIES, PRIOR TO ANY DIGGING OR CONSTRUCTION.
- 4) THIS SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SCALE: 1"=20'

LINE TABLE		
LINE	LENGTH	BEARING
L2	3.00	S89°08'43"E
L1	7.01	S45°27'13"E

TITLE REPORT 1410 000566546 KA WAS REVIEWED IN THE PREPARATION OF THIS SURVEY.



I, BRADLEY E. HATTENDORF, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THEREOF. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF, CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

DATED THIS 14<sup>TH</sup> DAY OF DECEMBER, 2007

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3372  
MY PROFESSIONAL LAND SURVEYORS LICENSE EXPIRES NOVEMBER 30, 2008.

SURVEY PERFORMED BY:  
BRADLEY E. HATTENDORF  
PROFESSIONAL LAND SURVEYOR

343 WABASH STREET  
ELGIN, ILLINOIS 60123  
TEL (847) 717-3149  
FAX.(847) 717-3159

SURVEY PREPARED AT THE REQUEST OF:  
RONALD G. KLEIN  
KLEIN, STODDARD, BUCK, WALLER & LEWIS, LLC  
ATTORNEYS AT LAW  
2045 ABERDEEN COURT, SUITE A  
SYCAMORE, ILLINOIS 60178

FIELD WORK COMPLETED:  
DECEMBER 12, 2007

DRAFTING COMPLETED:  
DECEMBER 14, 2007

DRAWN BY: BEH  
CHECKED BY: BEH





# ARCHITECTURAL SURVEY

## NEAR WEST HISTORIC DISTRICT

### ST. CHARLES, ILLINOIS

ST. CHARLES HISTORIC PRESERVATION COMMISSION

#### Primary Structure

ADDRESS 522 West Main Street

ROLL-IMAGE # 3432 - 34

CD-IMAGE # 4367 - 34



#### ARCHITECTURAL SIGNIFICANCE

- ☒ Significant
- ☐ Contributing
- ☐ Non-Contributing
- ☐ Potential for Individual National Register Designation

#### BUILDING CONDITION

- ☐ Excellent
- ☐ Good
- ☒ Fair
- ☐ Poor

#### ARCHITECTURAL INFORMATION

Architectural Style/Type: Greek Revival

Architectural Features: \_\_\_\_\_

Date of Construction: 1850

Source: Township Assessor's Office

Overall Plan Configuration: Simple w/ additions

Exterior Walls (Current): Brick

Exterior Walls (Original): Brick

Foundation: Stone

Roof Type/Material: Front gable/Asphalt shingle

Window Material/Type: Wood/Dbl. Hung. Some Alum dbl. hung at 2F

**ARCHITECTURAL FEATURES:** There are brick jack arches over the windows, which have stone sills. Full height classic columns support the wrap - around front porch and a small pediment emphasizes the entrance. The eaves are accented with a wide band of trim.

**ALTERATIONS:** A large addition to the rear of the house features frieze band windows and a simple gable roof like the original



# ARCHITECTURAL SURVEY

NEAR WEST HISTORIC DISTRICT  
ST. CHARLES, ILLINOIS

ST. CHARLES HISTORIC PRESERVATION COMMISSION

522 West Main Street - Continuation Sheet

## HISTORIC INFORMATION:

ARCHITECT:

Source

BUILDER:

Source

ASSOCIATED EVENTS, PEOPLE & DATES:

Darwin and Miranda a. Millington donated land to the Congregational Catholic Church and for the West Side Park.

Source

Wall Plaque

## REPRESENTATION IN EXISTING SURVEYS:


FEDERAL:

STATE:

COUNTY:

LOCAL:

Yes

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Consideration of a request to rename the portion of Equity Drive south of Legacy Boulevard.			
	Presenter:		Russell Colby			
Please check appropriate box:						
	Government Operations				Government Services	
X	Planning & Development (7/11/16)				City Council	
Estimated Cost:			Budgeted:	YES		NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
<p>A new building for AJR Filtration is currently under construction along the east side of Kirk Road, south of the Legacy Business Park.</p> <p>The primary access to the property is from Equity Drive (via Legacy Blvd. from Kirk Road). The property is addressed as 1200 Equity Drive.</p> <p>Representatives of AJR Filtration have requested that the portion of Equity Drive located south of Legacy Blvd. be renamed as "Rukel Way".</p> <p>The AJR property is the only address that would be affected by this change. No other properties are addressed off of Equity Drive along this short segment.</p> <p>Staff has reviewed the request and has no objections.</p> <p>AJR Filtration would be responsible for any City costs associated with the renaming of the street.</p>						
<b>Attachments:</b> <i>(please list)</i>						
Map, Letter requesting the name change						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Consideration of a request to rename a portion of Equity Drive in the Legacy Business Park.						
For office use only:		Agenda Item Number: 3d				



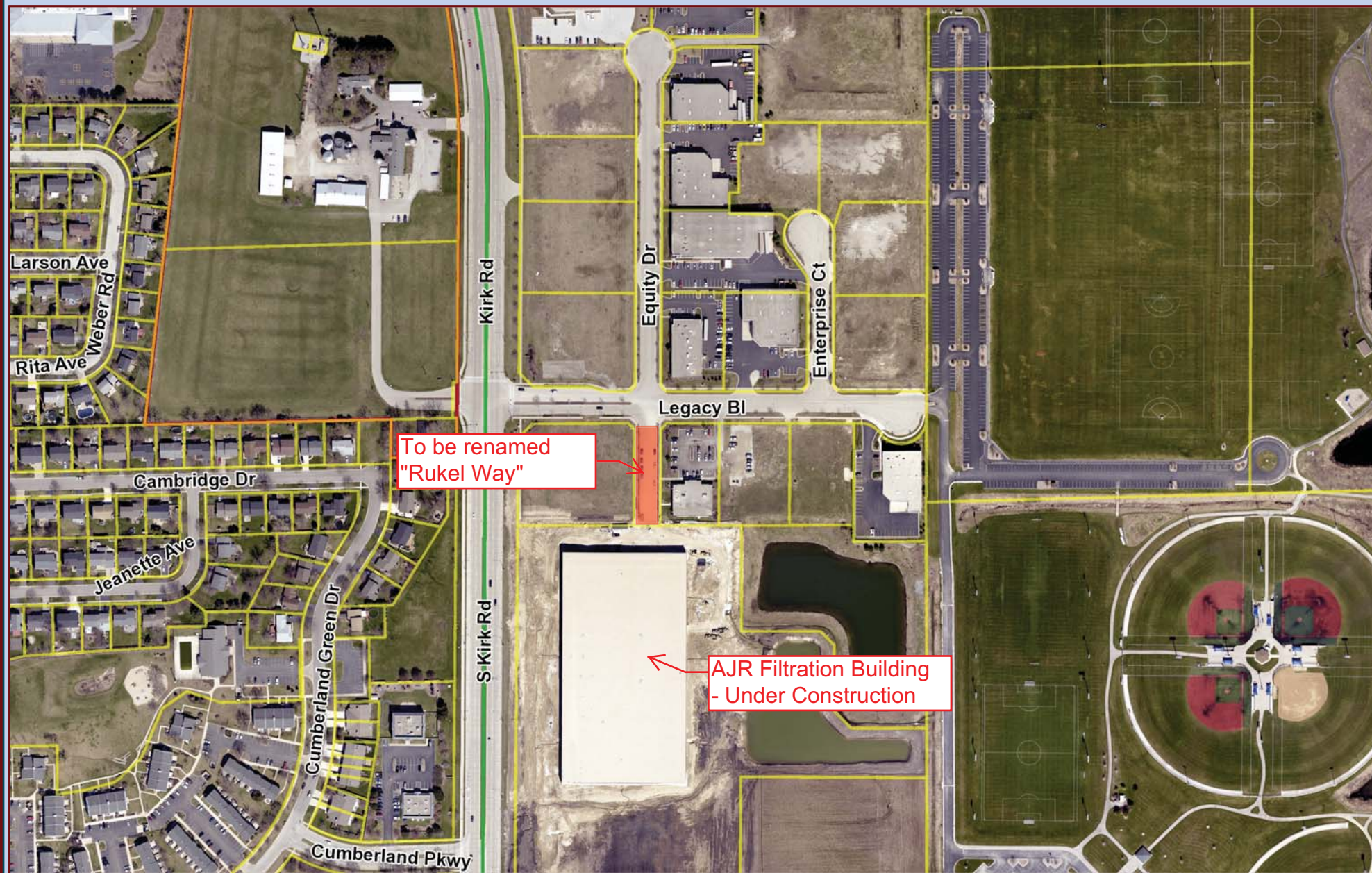


# City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984  
Phone: 630-377-4400 Fax: 630-377-4440 - [www.stcharlesil.gov](http://www.stcharlesil.gov)

## Precision GIS

RAYMOND ROGINA *Mayor*  
MARK KOENEN *City Administrator*



Data Source:  
City of St. Charles, Illinois  
Kane County, Illinois  
DuPage County, Illinois  
Projection: Transverse Mercator  
Coordinate System: Illinois State Plane East  
North American Datum 1983  
Printed on: July 1, 2016 11:58 AM



0 167 333 Feet

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Powered by Precision GIS



**From:** Nick Katsenios <NKatsenios@ajrfiltration.com>  
**Sent:** Wednesday, June 08, 2016 2:07 PM  
**To:** Colby, Russell  
**Cc:** angelo@ajrfiltration.com  
**Subject:** Street Name Change in St. Charles

Mr. Colby,

Thank you for taking some time out of your day earlier this week to speak with me about a possible street name change. As discussed, we are the ones building the large facility off of Kirk Road and we would like to request a Street name change for our new building address. See attached picture as reference. The proposed address for our new building is 1200 Equity Drive. Currently there is a couple hundred foot section of Equity Drive to the south of Legacy that dead ends at our property. Once the new construction is complete, this section of roadway will go right into our parking lot.

What we are requesting is that only the portion of Equity Drive that is south of Legacy be changed; and leave the section of roadway north of Legacy unchanged. The name we are proposing is "Rukel Way." From our conversation we understand that even if this name change is approved, we would be responsible for all costs associated with revising official documents / drawings to reflect the change. At your earliest convenience could you please confirm receipt of this request and advise if there is any additional actions we need to take to start the process, or if we just wait to hear back from you.

Again, thank you for your time on the phone and for your consideration of this request. Please let me know if there is any other information I should be providing at this time.

**Nick Katsenios, P.E.**  
**Vice President, Operations**



3654 Swenson Ave  
St. Charles, IL 60174  
Phone: 630.524.2592  
Fax: 630 377 8889  
Email: [NKatsenios@ajrfiltration.com](mailto:NKatsenios@ajrfiltration.com)

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>							
	Title:	Corridor Improvement Commission Recommendation to Approve a Corridor Improvement Grant for 311 N. 2nd Street						
	Presenter:	Matthew O'Rourke, Economic Development Division Manager						
<i>Please check appropriate box:</i>								
	Government Operations		Government Services					
X	Planning & Development (7/11/16)		City Council					
	Public Hearing							
Estimated Cost:	\$1,000.00	Budgeted:	YES	X	NO			
If NO, please explain how item will be funded:								
<b>Executive Summary:</b>								
<p>Terry Grove, owner of the property located 311 N. 2nd Street, has applied for a Four Season Corridor Improvement Grant for landscape improvements around their property. The applicant is proposing to install new plant and shrub landscape in the foundation landscaping beds in front of the tenant entries. The applicant will use the Four Season Grant to supplement existing evergreen shrubs with perennials that will add more color and interest to the building</p> <p>The Corridor Improvement Commission reviewed the design at their 6/8/2016 meeting and recommended approval of the grant proposal. The applicant has applied for Four Season Grant. This type of grant has a maximum request limit of \$1,000 and does not require matching funds.</p>								
<b>Attachments:</b> <i>(please list)</i>								
Draft Corridor Improvement Agreement. CIC Resolution 3-2016								
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>								
Recommendation to approve a Corridor Improvement Grant for 311 N. 2nd Street (Terry Grove).								
<i>For office use only:</i>		Agenda Item Number: 3e						

**City of St. Charles**  
**CORRIDOR IMPROVEMENT AGREEMENT**

311 N. 2nd Street  
Terry Grove (Multi-Tenant Building)

**THIS AGREEMENT**, entered into this 18<sup>th</sup> day of July, 2016, between the City of St. Charles, Illinois (hereinafter referred to as "CITY") and the following designated APPLICANT, to wit:

APPLICANT Name: **Terry Grove**

Address of Property to be Improved: **311 N. 2nd Street**

PIN Number(s): **09-27-353-008**

Property Owner's Name: **Terry Grove**

**WITNESSETH:**

**WHEREAS**, the CITY has established a **Corridor Improvement Program** to provide matching grants for landscaping and related improvements within the Randall Road, Main Street, Kirk Road, Lincoln Hwy, Special Service Tax District SSA-1B, and Specified Gateway corridors of the CITY; and

**WHEREAS**, Terry Grove, APPLICANT(S), desires to install landscaping and related improvements to the above-described property that are eligible for reimbursement under the Corridor Improvement Program; and

**WHEREAS**, said Corridor Improvement Program is administered by the CITY with the advice of the Corridor Improvement Commission and is funded from the general fund for the purposes of improving the aesthetics of the commercial corridors of the CITY and preventing blight and deterioration; and

**WHEREAS**, the above-described property for which the APPLICANT seeks a grant is located within the area eligible for participation in the Corridor Improvement Program.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements obtained herein, the CITY and the APPLICANT do hereby agree as follows: **SECTION 1:** The

APPLICANT understands and agrees that only the cost of eligible improvements located east of the right-of-way on parcels with the following PIN(s) 09-27-353-008 and landscape design fees associated with those improvements, shall be considered reimbursable as shown in Exhibit II and Exhibit III. The CITY will reimburse the APPLICANT up to 75% of the cost for landscape design services and up to 50% of the cost of labor, materials and equipment necessary to install landscaping and related improvements in accordance with the approved plans, specifications and cost estimates attached hereto as Exhibit "I" (the "Improvements"), but in no event more than the maximum amounts as defined below:

Landscape Improvements Cost: \$1,000.00	City's Share @ 50% up to a maximum of \$1,000.00
Total Project Cost: \$1,000.00	City's Share up to a maximum of \$1,000.00

Labor by the APPLICANT ("sweat equity") is not a reimbursable expense. All Improvements shall be installed in accordance with Exhibit I, subject to minor revisions as may be approved by a representative of the Corridor Improvement Commission due to availability of landscape plants, field conditions not known at the time of design, and similar circumstances beyond the APPLICANT's control.

**SECTION 2:** The Director of Community & Economic Development, or designee, shall inspect the Improvements installed pursuant to this Agreement. Such inspection shall not replace any required permit inspections by the CITY. All work that is not in conformance with the approved plans and specifications shall be remedied by the APPLICANT and deficient or improper work shall be replaced and made to comply with the approved plans and specifications and the terms of this Agreement.

**SECTION 3:** Upon completion of the Improvements and upon their final inspection and approval by the Director of Community & Economic Development, or designee, the APPLICANT shall submit to the CITY a properly executed and notarized contractor statement showing the full cost of the Improvements as well as each separate component amount due to the contractor and each and every subcontractor involved in furnishing labor, materials or equipment in the work. In



addition, the APPLICANT shall submit to the CITY proof of payment of the contract cost pursuant to the contractor's statement and final lien waivers from all contractors and subcontractors. The CITY shall, within thirty (30) days of receipt of the contractor's statement, proof of payment and lien waivers, the landscape architect's statement, and "before" and "after" pictures of the property, reimburse the APPLICANT for the 50% of the actual construction and materials cost or the maximum amount specified in this Agreement, whichever is less, and for 75% of the landscape designer's fee or the maximum amount specified in this Agreement, whichever is less.

At its sole discretion, CITY may reimburse APPLICANT in two payments. The first reimbursement may be made only

- 1) upon completion of Improvements representing 40% or more of the maximum reimbursement specified in Section 1 hereof and,
- 2) upon receipt by CITY of the landscape designer's invoices, contractor's statements, proof of payment and notarized final lien waivers for the completed Improvements and,
- 3) upon a determination by the Director of Community & Economic Development, or designee, that the remainder of the Improvements are expected to be delayed for thirty days or more following completion of the initial work due to weather, availability of materials, or other circumstances beyond the control of the APPLICANT. The second, final reimbursement payment shall be made by CITY only upon submittal of all necessary documents as described herein.

**SECTION 4:** All Improvements must be completed within 270 days after the approval of this Agreement by the City Council, unless otherwise authorized by the CITY. Extensions may be approved by the Director of Community Development, prior to the expiration of the said 270 days. Projects which have not received an extension and have not been completed within 270 days will not receive funding.

**SECTION 5:** If the APPLICANT or his contractor fails to complete the Improvements provided for herein in conformity with the approved plans and specifications and the terms of this Agreement, then upon written notice being given by the Director of Community & Economic Development to the APPLICANT, by certified mail to the address listed above, this Agreement shall terminate and the financial obligation on the part of the CITY shall cease and become null and void.

**SECTION 6:** Upon completion of the Improvements pursuant to this Agreement and for a period of five (5) years thereafter, the APPLICANT shall be responsible for properly maintaining such Improvements in finished form and without change or alteration thereto, as provided in this Agreement, and for the said period of five (5) years following completion of the construction thereof, the APPLICANT shall not enter into any Agreement or contract or take any other steps to alter, change or remove such Improvements, or the approved design thereof, nor shall APPLICANT undertake any other changes, by contract or otherwise, to the Improvements provided for in this Agreement unless such changes are first approved by the Corridor Improvement Commission. Such approval shall not be unreasonably withheld if the proposed changes do not substantially alter the original design concept of the Improvements as specified in the plans, design drawings and specifications approved pursuant to this Agreement.

If within the 5-year maintenance period plant materials are damaged by automobiles, wildlife, acts of nature, or stolen or any other cause, the APPLICANT shall install and pay for replacements.

OWNER agrees to provide regular maintenance of the property for a minimum of five years following completion of construction in a condition that is weed free, properly edged and mulched as specified in the original design, and maintained with the same type and quantity of plant material initially installed, unless a modification to the plan is approved by the Corridor Improvement Commission.

In the event of inadequate maintenance, the CITY shall give the owner reasonable notice of conditions to be corrected. In the event that substandard maintenance still exists after thirty (30) days, OWNER shall repay the CITY all grant funds received pursuant to this Agreement and pay all costs and fees, including attorney fees, of any legal action taken to enforce the maintenance of the Improvements.

**SECTION 7:** The APPLICANT covenants and agrees to indemnify and hold harmless the CITY and its officials, officers, employees and agents from and against, any and all losses, claims, damages, liabilities or expenses, of every conceivable kind, character and nature whatsoever arising out of, resulting from or in any way connected with directly or indirectly with the Corridor

Improvement(s) which are the subject of this Agreement, including but not limited to actions arising from the Prevailing Wage Act (820 ILCS 30/0.01 et seq.) The APPLICANT further covenants and agrees to pay for or reimburse the CITY and its officials, officers, employees and agents for any and all costs, reasonable attorneys' fees, liabilities or expenses incurred in connection with investigating, defending against or otherwise in connection with any such losses, claims, damages, liabilities, or causes of action. The CITY shall have the right to select legal counsel and to approve any settlement in connection with such losses, claims, damages, liabilities, or causes of action. The provisions of this section shall survive the completion of said Corridor improvement(s).

**SECTION 8:** Nothing herein is intended to limit, restrict or prohibit the APPLICANT from undertaking any other work in or about the subject premises, which is unrelated to the Improvements provided for in this Agreement.

**SECTION 9:** This Agreement shall be binding upon the CITY and upon the APPLICANT and its successors and assigns with respect to the property on which the Improvements are installed, for a period of five (5) years from and after the date of completion and approval of the Corridor improvement provided for herein. It shall be the responsibility of the APPLICANT to inform subsequent owners and lessees of the provisions of this Agreement.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on the date first appearing above.

**APPLICANT**

**PROPERTY OWNER**  
(if different from APPLICANT)

\_\_\_\_\_

\_\_\_\_\_

**CITY OF ST. CHARLES:** \_\_\_\_\_

**Mayor**

**ATTEST:** \_\_\_\_\_

**City Clerk**

Applicant contact information:

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Property Owner's information, if different than applicant:

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_



## Exhibit I

**The Corridor Improvement Grant Program will reimburse property owners for design consultant fees according to which of the three grant programs the property owner has applied for:**

### **Corridor & Downtown Grants**

Corridor Grants are chosen each year by the Corridor Improvement Commission and approved by the City Council. The grant recipient will pay for the first 25% of the design cost and the grant would pay up to a cap amount based upon linear footage of the property along the Corridor Roadway (Main, Kirk, Lincoln Highway, or Randall, SSA1B); as noted in the chart below:

<b>Grant Funding for Design of Corridor Grants</b>		
<b>Linear Footage of Property on a Corridor Roadway (Main, Kirk, Randall, SSA1B)</b>	<b>Owner Pays</b>	<b>Commission will Pay</b>
< 200 feet	First 25% of Total design Costs	Up to \$2,000
201 – 500 feet	First 25% of Total design Cost	Up to \$3,000
501 + feet	First 25% of Total design Cost	Up to \$4,000

### **Four Season Grants**

The Corridor Improvement Program does not pay for design services. These grants provide up to \$1,000 for soil, labor, plant materials and mulch.

## Exhibit II

### **Applying for the “Four Season Grant” from the City of St. Charles for Additional Landscaping Work at Charleston Center located at 311 North Second Street, St. Charles**

311BLDG/Four Seasons Grant.doc

**This attached landscape proposal is to be installed by Tito Mancera and Diane Parker. The pencil drawing represents what is currently planted at Charleston Center. We plan on keeping all of the bushes, roses, perennials and grasses plus our planter filled with annuals that are shown on this drawing.**

**Our plan is to move several of the Karl Foerster grasses so that they are more attractively arranged. Also in the plan is to add another Dwarf Korean Lilac to replace the one that has died plus adding throughout the open areas (*on plan marked 1, 2, 3 and 4*) some Summer Beauty Alliums, more Autumn Joy Sedums, colorful Sedge grasses, Creeping Phlox and variegated-colored Cone Flowers. We believe this will produce an attractive entrance to Charleston Center throughout the seasons and would greatly appreciate the City of St. Charles’ help in accomplishing this.**

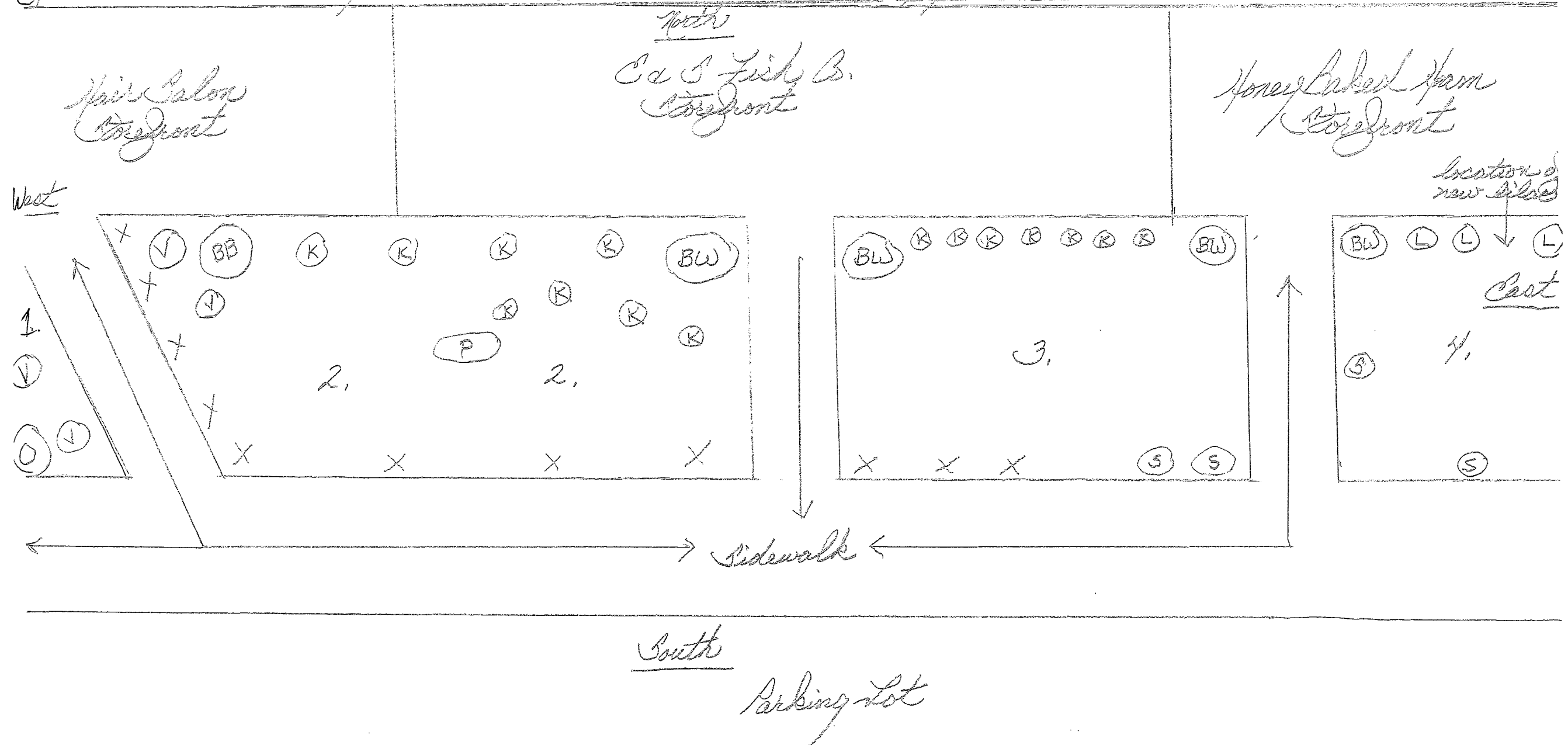
# **Tito Mancera Bid for Landscaping at Charleston Center dated 5/13/1**

311BLDG/Four Seasons Grant Landscaping Pricing 5.13.165.13.16.xls

	Each	Price
9 Summer Beauty Alliums	\$9	\$81
10 Autumn Joy Sedums	\$8	\$80
1 Dwarf Korean Lilac	\$35	\$35
7 Sedge Grasses	\$11	\$77
15 Variegated Coneflowers (Red, Pink, White & Sombrero)	\$9	\$135
12 Creeping Phlox	\$6	\$72
Move 3 Karl Forster Reed Grasses		\$30
Labor for above installation		\$250
<b>Grand Total</b>		<b>\$760</b>

Sedum  
Sedum

Exhibit III





**Exhibit IV**  
**Agreement to Engage in Maintenance for Five Years**

OWNER agrees to maintain the property in a condition substantially similar to the condition prevalent when final inspection is made by the City's Landscape Architect Consultant and approval is granted by the City's Community & Economic Development Director for a period of at least five (5) years. The property will remain weed free, properly edged and mulched, as specified in the original design, and maintained at a minimum with the same type and quantity of plan material initially installed unless a modification to the plan is brought to and agreed upon by the Commission.

In the event of substandard maintenance, the CITY shall give the owner reasonable notice of conditions to be corrected within thirty (30) days. In the event that substandard maintenance still exists, OWNER agrees to repay the CITY the monies initially allocated to the OWNER by the CITY and to pay all costs and fees, including attorney fees, of any legal action taken to enforce this maintenance agreement.

**City of St. Charles, Illinois**

**Corridor Improvement Commission Resolution No. 3-2016**

**A Resolution Recommending Approval of a Corridor Improvement Grant  
Application**

**(311 N. 2nd Street – Terry Grove)**

**WHEREAS**, it is the responsibility of the St. Charles Corridor Improvement Commission to review applications for the Corridor Improvement Grant Program; and

**WHEREAS**, the Corridor Improvement Commission has reviewed the following Corridor Improvement proposal for: 311 N. 2nd Street; and

**WHEREAS**, the Corridor Improvement Commission finds approval of said Corridor Improvement proposal to be in the best interest of the City of St. Charles and provided the applicant complies with the specific conditions listed in Exhibit "A" attached hereto:

**NOW THEREFORE**, be it resolved by the St. Charles Corridor Improvement Commission to recommend to the City Council approval of the Corridor Improvement application listed above with the conditions listed in Exhibit "A".

Roll Call Vote:

Ayes: English, Schuetz, Kane, Pietryla, Dechene, Hauser and Potts

Nays: None

Abstain: None

Absent:

Motion Carried.

**PASSED**, this 8th day of June, 2016.

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Chairman

**EXHIBIT A**

**REVIEW COMMENTS**

1. Follow plan as presented. Any changes must be reviewed and approved by the Corridor Improvement Commission