



**PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY**

<b>Project Title/ Address:</b>	Boulder Heights Subdivision (802 S. 5 <sup>th</sup> Ave.)
<b>City Staff:</b>	Russell Colby, Planning Division Manager

**Please check appropriate box (x)**

<b>PUBLIC HEARING</b>		<b>MEETING 3/12/13</b>	<b>X</b>
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**APPLICATIONS UNDER CONSIDERATION:**

Final Plat of Subdivision (Minor Subdivision)

**ATTACHMENTS AND SUPPORTING DOCUMENTS:**

Applications and Attachments	Plat of Survey
Staff Memo Reported dated 3/1/13	Final Plat

**EXECUTIVE SUMMARY:**

The subject property is a portion of a lot in the 1848 Minard, Ferson and Hunt’s Second Addition to St. Charles Subdivision. The property is located at 802 S. 5<sup>th</sup> Avenue and was previously improved with a single family house. The house was torn down in 2007.

Southampton Builders proposes to subdivide the existing lot into two lots. This subdivision qualifies as a “Minor Subdivision” under the Subdivision Ordinance, and therefore no Preliminary Subdivision Plan or Engineering Plan is required.

Review comments are provided in the Staff Report.

**RECOMMENDATION / SUGGESTED ACTION** *(briefly explain):*

Staff recommends approval of the Final Plat of Subdivision, contingent upon resolution of all staff comments prior to City Council action.

Community Development  
 Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



ST. CHARLES  
 SINCE 1834

**STAFF REPORT**

**TO:** Chairman Todd Wallace  
 And the Members of the Plan Commission

**FROM:** Russell Colby  
 Planning Division Manager

**RE:** Boulder Heights Subdivision

**DATE:** March 1, 2013

**I. APPLICATION INFORMATION:**

**Project Name:** Boulder Heights Subdivision  
**Applicant:** Southampton Builders  
**Purpose:** Subdivided single lot into two lots

<b>General Information:</b>		
<b>Site Information</b>		
Location	802 S. 5 <sup>th</sup> Ave./Rt. 25	
Acres	0.23 (10,000 sq. ft.)	
Applications:	Final Plat of Subdivision (Minor Subdivision)	
Applicable City Code Sections	Title 16, Subdivisions and Land Improvement	
	Title 17, Chapter 17.12 - Residential Districts	
<b>Existing Conditions</b>		
Land Use	Vacant (formerly Single Family Residential)	
Zoning	RT-3 Traditional Single Family Residential	
<b>Zoning Summary</b>		
North	RT-3 Traditional Single Family	Single Family Home
East	RT-3 Traditional Single Family	Single Family Home
South	RT-3 Traditional Single Family	Single Family Home
West	RT-3 Traditional Single Family	Single Family Home
<b>Comprehensive Plan Designation</b>		
Medium Residential		

**Aerial Photo**



## II. OVERVIEW

### A. PROPERTY HISTORY

The subject property is a portion of a lot in the 1848 Minard, Ferson and Hunt’s Second Addition to St. Charles Subdivision. The original lot was a 200 x 200 ft. square; the subject property is the southwest quarter of one lot. The property was previously improved with a single family house. The house was torn down in 2007 and the site is vacant.

### B. PROPOSAL

Southampton Builders proposes to subdivide the existing lot into two lots. This subdivision qualifies as a “Minor Subdivision” under the Subdivision Ordinance, and therefore no Preliminary Subdivision Plan or Engineering Plan is required.

## III. ANALYSIS

### A. ZONING AND SUBDIVISION DESIGN REVIEW

	<b>RT-3 Minimum Zoning Standards</b>	<b>Proposal</b>
<b>Minimum Lot Area</b>	5,000 SQ FT	Lots are shown slightly below 5,000 sq. ft., this should be corrected to show 5,000 sq. ft.
<b>Minimum Lot Width</b>	50 ft.	Lots are shown slightly below 50 ft., this should be corrected to show 50 ft.
<b>Minimum Front Yard</b>	20 ft.	20 ft.
<b>Minimum Rear Yard</b>	50 ft.	To follow RT-3 standard
<b>Minimum Interior Side Yard</b>	10 ft.	To follow RT-3 standard

### B. TRAFFIC AND ACCESS

Access onto IL Rt. 25 is subject to the review and approval of the Illinois Department of Transportation. IDOT will be a signatory on the Final Plat of Subdivision.

Sidewalks exist along Rt. 25 in front of the property.

### C. ENGINEERING REVIEW

No engineering plan is required for a Minor Subdivision. The property can be served by existing water main and sanitary sewer located in 5<sup>th</sup> Avenue. No stormwater detention is required.

**D. FINAL PLAT OF SUBDIVISION**

Staff has noted the following that needs to be revised on the Subdivision Plat:

- The public utility and drainage easement needs to extend along the front lot lines. City Code typically requires 10 ft. easements, but given the small size of the proposed lots, 5 ft. is adequate.
- The plat needs to include a calculation of all easement areas being granted.
- Subdivision monuments needs to comply with City Code Standards in Section 16.06.050(C)(5)
- The lot dimensions need to be adjusted to 5,000 sq. ft. per lot and 50 ft. of width to meet minimum zoning requirements.
- “Adams Street” needs to be corrected to “Adams Avenue.”

The Final Plat is under review by other City departments and there may be additional comments.

**E. INCLUSIONARY HOUSING**

This development is subject to Zoning Ordinance Chapter 17.18, “Inclusionary Housing.” Per Section 17.18.040 Affordable Units Required, the proposed development is required to provide affordable units as follows:

% of Units Required as Inclusionary	5%
Total Number of New Units proposed	1
Sliding Scale Adjustment	50%
Number of Inclusionary Units Required	0.025

Since the number of units proposed is under 10 dwelling units, the applicant has the option to pay a fee-in-lieu to satisfy the entire inclusionary housing requirement. The total amount of required fee-in-lieu is as follows:

Number of Inclusionary Units Required	0.025
Per Unit Fee-In-Lieu Amount	\$104,500
Total Fee-in-Lieu Amount under current Ordinance	\$2612.50

The fee-in-lieu will be required to be paid at the time of permit for the second house to be constructed. (No fee is required for the first house, since this replaces a previous house that was not considered “affordable” prior to its demolition in 2007.)

**F. SCHOOL AND PARK FEE-IN-LIEU CONTRIBUTIONS**

The applicant is required to provide both the School and Park Districts with a cash contribution in lieu of physical land per the standards established Subdivision Code Chapter 16.10 “Dedications”.

Contributions based on one, two-bedroom detached house:

- Park District - \$4,850.89

- School District - \$1,613.08

These cash-in-lieu amounts are required to be paid before the building permit is issued for the second house. (No fee is required for the first house, since this replaces a previous house.)

These amounts are subject to change depending on changes to the fee calculation and the ultimate number of bedrooms in the second house.

#### **IV. RECOMMENDATION**

Staff recommends approval of the Final Plat of Subdivision, contingent upon resolution of all staff comments prior to City Council action.

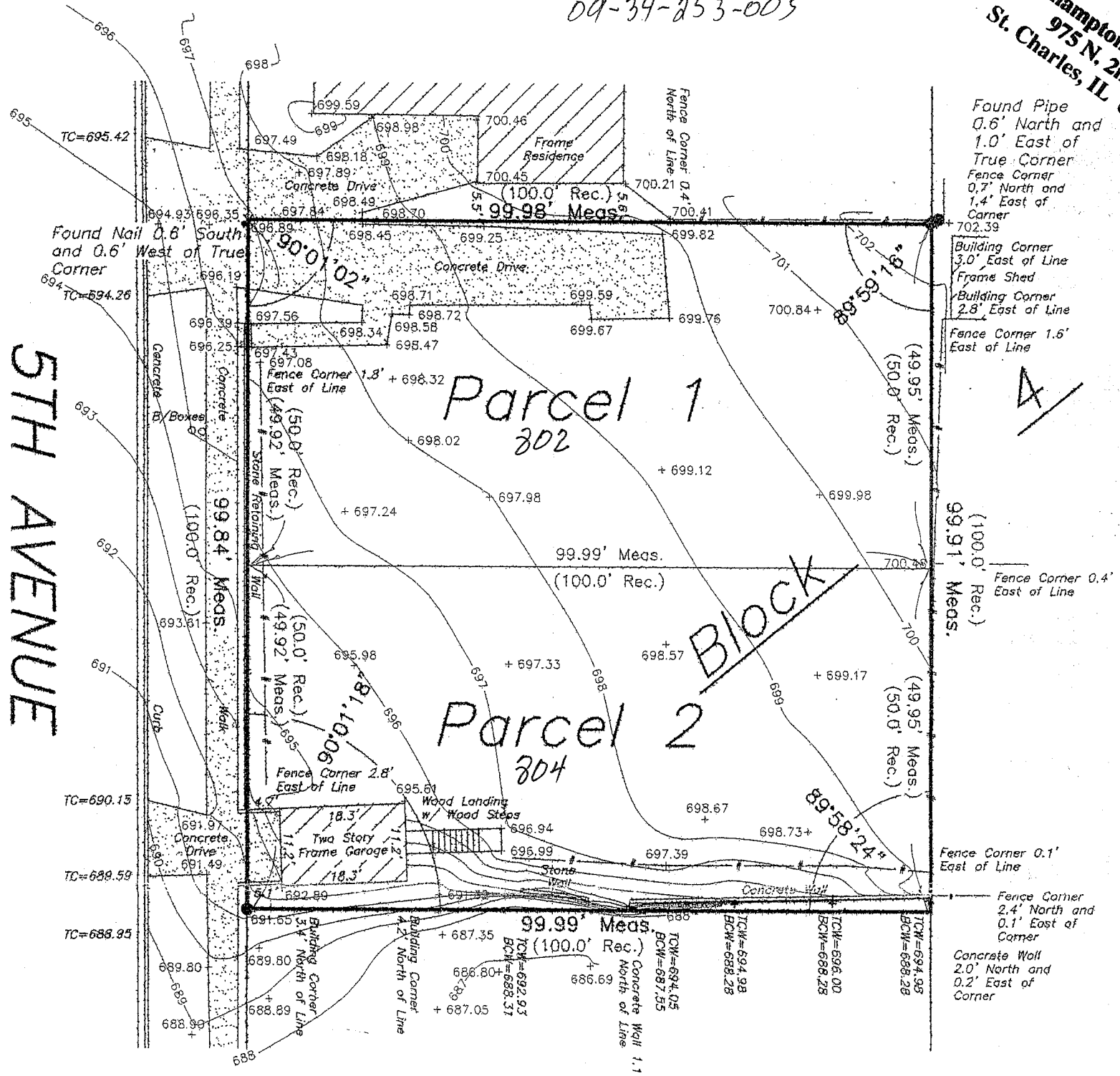
# PLAT OF TOPOGRAPHY OF PART OF BLOCK 4 OF MINARD, FERSON, AND HUNT'S SECOND ADDITION TO ST. CHARLES CITY OF ST. CHARLES KANE COUNTY ILLINOIS

Southampton Builders  
975 N. 2nd  
St. Charles, IL 60174

09-34-253-005

Utility Pole of BM#1

5TH AVENUE  
(also known as Illinois State Route 25)



SCALE  
1"=20'

**LEGAL DESCRIPTION OF PARCEL ONE:**

The North 50 feet of the Southwest Quarter of Block 4 of Minard, Ferson, and Hunt's (Second) Addition to St. Charles, in the City of St. Charles, Kane County, Illinois.

**LEGAL DESCRIPTION OF PARCEL TWO:**

The South 50 feet of the Southwest Quarter of Block 4 of Minard, Ferson, and Hunt's (Second) Addition to St. Charles, in the City of St. Charles, Kane County, Illinois.

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- x Indicates "Cross" in Concrete
- — — — — Indicates Line of Fence
- + 697.33 Indicates Spot Elevation
- 697 — — — — — Indicates Contour Elevation

BENCHMARKS — — (NGVD1929)

BM#1 - Top of Curb beneath Utility Pole across Street from Northwest Corner of property. Elevation = 695.28

State of Illinois }  
County of Kendall } SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have mapped the topography of and located the visible improvements upon the attached described tract as shown by the plat hereon drawn.

Dated December 14, 2012 at Yorkville, Illinois

*Phillip D. Young*  
Phillip D. Young  
Illinois Professional Land Surveyor No. 2678 (Expires 11/30/14)



JOB NO. 12118  
JOB NAME SOUTHAMPTON  
DWG FILE 12118

**Phillip D. Young and Associates, Inc.**  
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street  
Yorkville, Illinois 60560  
Telephone (630)553-1580

Final Plat of  
**BOULDER HEIGHTS**  
 CITY OF ST. CHARLES KANE COUNTY ILLINOIS  
 Being Part of the Northeast Quarter of Section 34, T40N-R8E, 3rd PM

ADAMS STREET

SCALE  
1"=20'



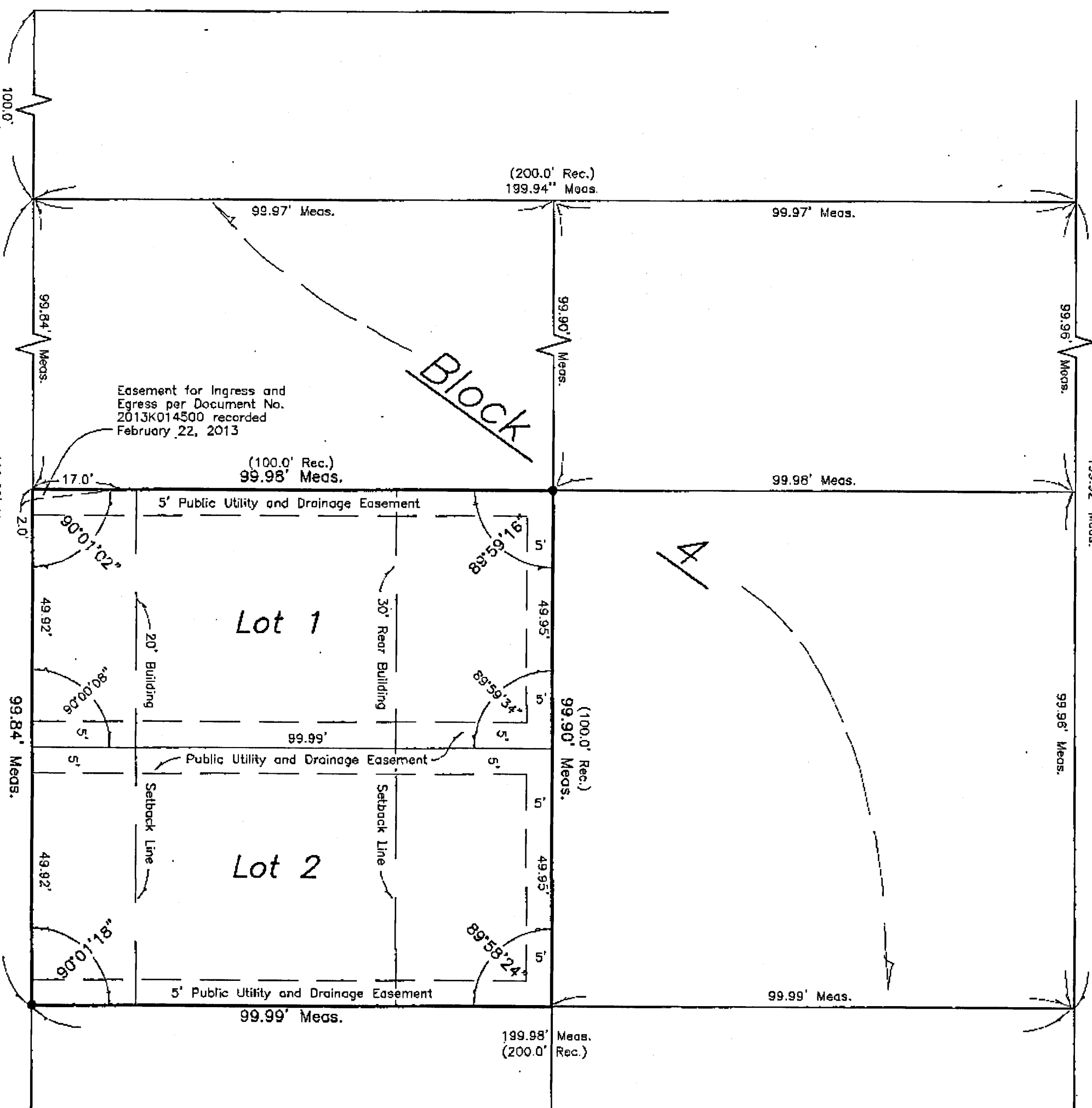
• Indicates Concrete Monument Set  
 3/4"x 24" Iron Pipe set at all other Lot Corners, Angle Points and Points of Curvature.

P.I.N. 09-34-253-005

LOT AREAS	
Lot 1	4993 sq.ft.
Lot 2	4993 sq.ft.
<b>Total</b>	<b>9986 sq.ft. = 0.2292 acres</b>

(also known as Illinois State Route 25)  
**5th AVENUE**

**6th AVENUE**



**SURVEYOR'S CERTIFICATE**  
 State of Illinois } SS  
 County of Kendall }

This is to certify that I, Phillip D. Young, Illinois Professional Land Surveyor No. 035-002678 and an officer of Phillip D. Young and Associates, Inc., at the request of the owner of the land described hereon, have surveyed, subdivided and plotted the land shown hereon to be hereinafter known as "Boulder Heights, City of St. Charles, Kane County, Illinois", being a Subdivision of Part of the Northeast Quarter of Section 34, Township 40 North, Range 8 East of the Third Principal Meridian, more particularly described as follows:

The Southwest Quarter of Block 4 of Minard, Ferson, and Hunt's (Second) Addition to St. Charles, in the City of St. Charles, Kane County, Illinois, recorded in Record Book 16 at Page 254 on November 7, 1848.

I also certify that the Plat hereon drawn is a correct representation thereof, and that all distances shown are in feet and decimal parts thereof.

This is also to certify that the property, as described, lies within the corporate limits of the City of St. Charles, Kane County, Illinois.

This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated FEBRUARY 28, 2013 at Yorkville, Illinois

Phillip D. Young  
 Illinois Professional Land Surveyor No. 2678 (Expires 11/30/14)



**OWNER'S AND SCHOOL CERTIFICATE**  
 State of Illinois } SS  
 County of Kane }

This is to certify that SOUTHAMPTON BUILDERS, LLC is the owner of the land described in the annexed plat, and that it has caused the same to be surveyed and subdivided as indicated hereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title of "Boulder Heights, City of St. Charles, Kane County, Illinois". Also this is to certify that the property being subdivided, aforesaid, and to the best of the owner's knowledge and belief, and said subdivision lies entirely within the limits of St. Charles Community Unit School District 303.

Dated at \_\_\_\_\_, Illinois this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Gregory Nutt, Manager of SOUTHAMPTON BUILDERS, LLC

Manager's Address

**NOTARY'S CERTIFICATE**  
 State of Illinois } SS  
 County of Kane }

I, \_\_\_\_\_, a Notary Public in and for the County and State aforesaid, do hereby certify that Gregory Nutt, Manager of SOUTHAMPTON BUILDERS, LLC, who is personally known to me to be the same person whose name is subscribed in the foregoing Owner's Certificate, appeared before me this day in person and acknowledged that he signed and delivered the annexed plat as his own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, Illinois.

Notary Public  
 My commission expires \_\_\_\_\_

**COUNTY CLERK CERTIFICATE**  
 State of Illinois } SS  
 County of Kane }

I, \_\_\_\_\_, County Clerk of Kane County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat. I further certify that I have received all statutory fees in connection with the annexed plat.

Given under my hand and seal at \_\_\_\_\_, Illinois, this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

County Clerk

**CERTIFICATE AS TO SPECIAL ASSESSMENTS**  
 State of Illinois } SS  
 County of Kane }

I do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have not been apportioned against the tract of land included in the plat.

Dated at \_\_\_\_\_, Illinois, this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Collector of Special Assessments

**COUNTY ENGINEER'S CERTIFICATE**  
 State of Illinois } SS  
 County of Kane }

This plat has been approved by the Kane County Engineer with respect to roadway access to \_\_\_\_\_ pursuant to ILCS Chapter 765 Paragraph 205/2.

Dated at \_\_\_\_\_, Illinois, this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

County Engineer

**ILLINOIS DEPARTMENT OF TRANSPORTATION**  
 State of Illinois } SS  
 City of St. Charles }

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to Section 2 of "An Act to Revise the Law in Relation to Plats," as amended. A plan that meets the requirements contained in the Department's "Policy on Permits for Access Driveways to State Highways" will be required by the Department.

Dated this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

By: \_\_\_\_\_

**PLAN COMMISSION CERTIFICATE**  
 State of Illinois } SS  
 County of Kane }

Approved this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

City of St. Charles Plan Commission

Chairperson

**DIRECTOR OF COMMUNITY DEVELOPMENT (or Designee) CERTIFICATE**  
 State of Illinois } SS  
 County of Kane }

I, \_\_\_\_\_, do hereby certify that the required improvements have been installed, or the required guarantee bond has been posted for the completion of all required land improvements.

Dated at \_\_\_\_\_, Illinois, this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Director of Community Development

**CITY COUNCIL CERTIFICATE**  
 State of Illinois } SS  
 County of Kane }

Approved and accepted this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

City Council of City of St. Charles, Illinois

Mayor

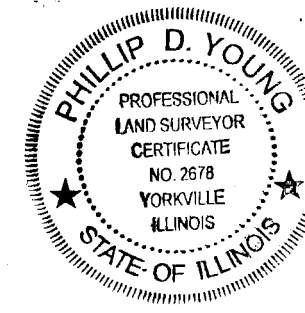
Attest: \_\_\_\_\_

City Clerk

**SPECIAL FLOOD HAZARD AREA CERTIFICATE**  
 State of Illinois } SS  
 County of Kendall }

This is to certify that the parcel included in this record of deed are not located in the Special Flood Hazard area identified for the City of St. Charles, Illinois, by the Federal Emergency Management Agency on Flood Insurance Rate Map Panel No. 17089C0266H with an effective date of August 3, 2003.

Phillip D. Young  
 Illinois Professional Land Surveyor No. 2678 (Expires 11/30/14)



**PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS:**

A permanent non-exclusive easement is hereby granted to the City of St. Charles and to all public utility companies of any kind operating under franchise granting them, easement rights from said City of St. Charles, including but not limited to, Ameritech and Nicor and to their successors and assigns (herein collectively referred to as "Grantees"), in, upon, across, over, under, and through the areas shown by dashed lines and labeled "Public Utility and Drainage Easement" on the plat of subdivision hereon drawn for the purpose of installing, constructing, inspecting, operating, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining above ground and underground electrical systems, cable television, communication, gas, telephone or other utility lines or appurtenances, sanitary and storm sewers, drainage ways, storm water detention and retention, water mains and any and all manholes, hydrants, pipes, connections, catch basins, buffalo boxes and without limitation, such other installations as may be required to furnish public utility service to adjacent areas together with the right of access across the real estate platted herein for the necessary personnel and equipment to make any or all of the above work. The permanent non-exclusive easement is hereby reserved for and granted to the City of St. Charles and the respective successors and assigns for maintaining the uninterrupted and unimpeded conveyance, flow and runoff of surface storm water across and upon the areas designated on this plat as drainage easement. The right is hereby granted to said Grantees to cut down, trim, or remove any trees, shrubs, or other plants that interfere with the drainage ways and operation of or access to said utility installations without limitation, in, on, upon or across, under, or through said easements.

No permanent buildings, trees, gardens, shrubs, or berming shall be placed on or in said easements, but the easement areas may be used for paving, fences, sidewalks and other purposes that do not interfere with the aforesaid uses and rights. Where an easement is used for storm or sanitary sewers, other utility installations shall be subject to the prior approval of said City of St. Charles so as not to interfere with the gravity flow in said sewer or sewers. Utility installations, other than those managed by the City of St. Charles, shall be subject to the approval of the City of St. Charles, as to design and location, and all other installations are subject to the ordinances of the City of St. Charles.

Following any work to be performed by the Grantees in the exercise of its easement rights granted herein, the Grantees shall have no obligation with respect to surface restoration including, but not limited to, the restoration, repair, or replacement of any landscaping provided, however, the Grantees shall be obligated following any such work, to backfill and mound so as to retain suitable drainage, remove debris, and leave the area in generally clean and workmanlike condition.

Please return the recorded Mylar to:  
 City of St. Charles  
 2 East Main Street  
 St. Charles, Illinois 60174

JOB NO.	12118
JOB NAME	SOUTHAMPTON
DWG FILE	12118B
REVISION DATE	

**Phillip D. Young and Associates, Inc.**  
 LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

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