

TO: Plan Commission

FROM: Drew Rackow AICP, Planner

DATE: June 30, 2022

RE: Preliminary/Final Plat of Subdivision for 950 West Wilson Subdivision, 950 West Wilson Street, JKLM Land Development, LLC, Applicant

Background: At the September 1, 2021 Plan Commission meeting, the Commission reviewed and [approved a Design Review](#) for the Wazio Orthodontics office building at 950 West Wilson Street. A building permit application is under review for the project. During the permit review the applicant indicated they need to subdivide the property prior to receiving a permit. The property owner has applied for subdivision to divide the property into two lots, as contemplated during the Design Review. The subdivision creates a future development site west of the Orthodontics office lot. Most of the property has never been platted. A portion was platted with Weirich's Industrial Park Unit No. 1.

Summary of Information & Staff Analysis: The overall site is nearly an acre (0.98 acres) in size. Proposed Lot 1 would accommodate the Wazio Orthodontics office and is approximately 0.47 acres. Lot 2 is 0.51 acres. The plat designates a 24-foot wide (12 feet on each lot) ingress and egress easement for shared access between the two parcels. Engineering staff has requested that the language for this easement be revised to be consistent with language used for other recent plat approvals. Staff has added a condition of approval to reflect this request. New 10-foot Public Utility and Drainage easements would be added along each of the property lines. Staff notes that the western 12-foot "notch" along Lot 2 already is under a utility and drainage easement created under the original platting. Staff recommends the plat be revised to identify this existing easement and its recording number.

The subdivision plat depicts building setback lines. These should be removed so that the property is subject solely to the underlying zoning district setback requirements. A staff recommendation to this effect is included. Staff also recommends a sign easement be provided for the future monument sign. This will allow, and also require, the two properties to share one sign for the properties. The lots individually would otherwise be too narrow under the Zoning Code for their own monument signs.

Staff believes that the proposed plat, with revisions/additions described above, appropriately addresses the contemplated development of this property. The plat provides shared access and creates necessary easements for development. Recommended conditions for approval would facilitate the appropriate subdivision of the property.

Staff Recommendation: Staff recommends the Plan Commission recommend to the City Council approval of a Preliminary and Final Plat of the Randall Mill Subdivision, subject to the following conditions for staff review and approval:

1. Addition and modification of easements, including, but not limited to the following:
 - a. Addition of notation identifying the existing easement and recording number associated with it along the portions of property in the existing Weirich subdivision.

- b. Revision of Ingress/egress easement provisions to use language used in recent approvals, subject to Staff Review.
 - c. Addition of a monument sign easement on lot 1 to benefit lot 2.
2. Removal of building lines from the Plat of Subdivision

Attachment: 950 West Wilson Subdivision

Cc: Mayor and City Council
Applicant
Department Heads

BOUNDARY SURVEY

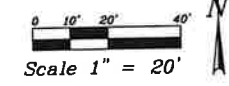
PIN 12-21-251-161

THAT PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 1, UNIT NO. 1 WEIRICH'S SUBDIVISION, AS PER DOCUMENT NO. 759552, RECORDS OF SAID COUNTY; THENCE SOUTHERLY 7.0 FEET, ALONG THE WESTERLY LINE OF SAID LOT TO THE NORTHEAST CORNER OF WEIRICH'S INDUSTRIAL PARK UNIT THREE, AS PER DOCUMENT NO. 1928352, RECORDS OF SAID COUNTY; THENCE WESTERLY 153.94 FEET ALONG THE NORTHERLY LINE OF SAID UNIT THREE, ALSO BEING THE SOUTHERLY LINE OF WILSON STREET, TO THE NORTHWEST CORNER OF SAID UNIT THREE FOR THE POINT OF BEGINNING; THENCE SOUTHERLY 253.74 FEET ALONG THE WESTERLY LINE OF SAID UNIT THREE TO THE NORTHERLY LINE OF WEIRICH'S INDUSTRIAL PARK UNIT TWO, AS PER DOCUMENT NO. 1853433, RECORDS OF SAID COUNTY; THENCE WESTERLY 309.81 FEET ALONG SAID NORTHERLY LINE TO THE NORTHWEST CORNER OF SAID UNIT TWO; THENCE NORTHERLY 132.66 FEET TO THE SOUTHEAST CORNER OF WEIRICH'S INDUSTRIAL PARK UNIT ONE, AS PER DOCUMENT NO. 1655137, RECORDS OF SAID COUNTY; THENCE NORTHERLY 120.79 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

ALSO THE EASTERLY 12.0 FEET OF LOT 1 IN WEIRICH'S INDUSTRIAL PARK UNIT ONE, AS PER DOCUMENT NO. 1655137, RECORDS OF SAID COUNTY; ALL IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

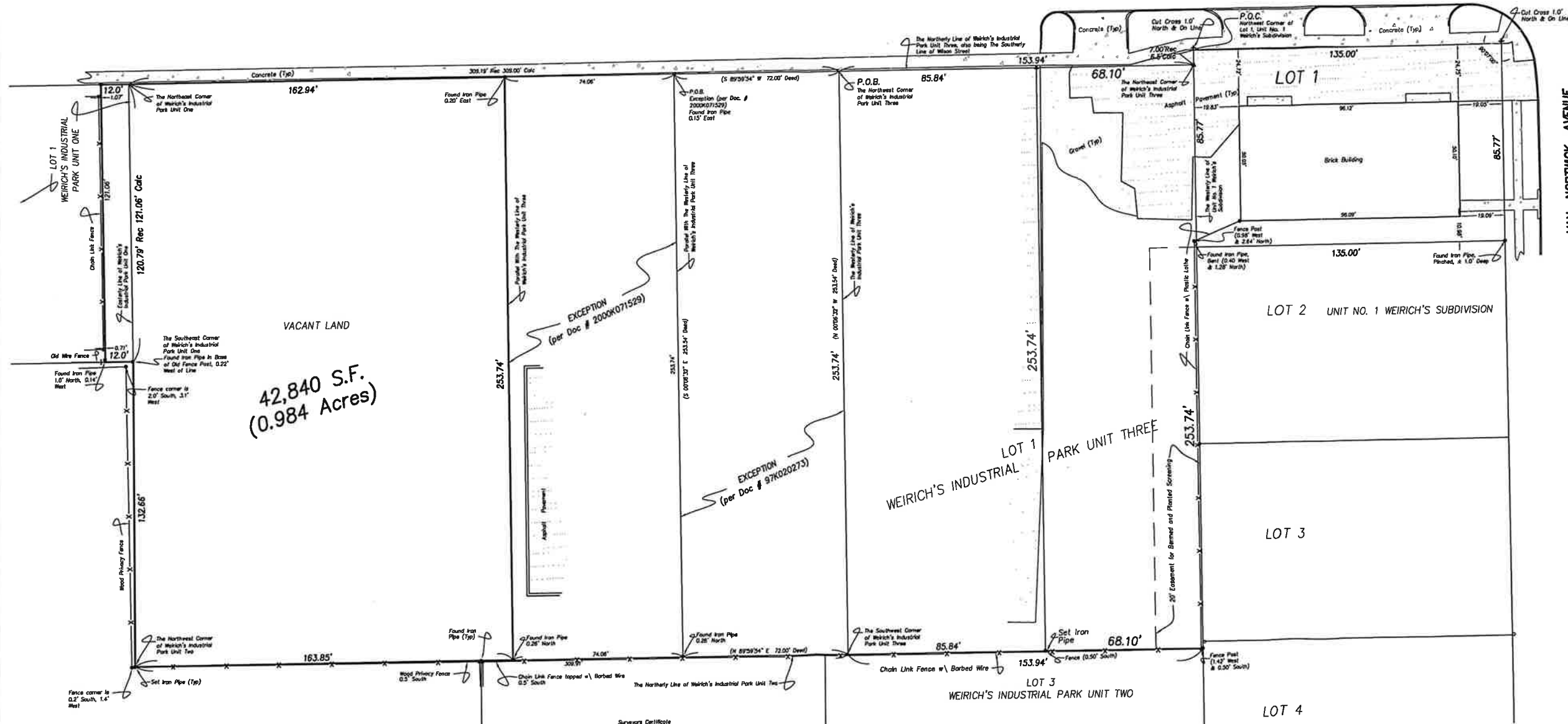
EXCEPTING THEREFROM, THAT PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF WEIRICH'S INDUSTRIAL PARK UNIT THREE, CITY OF BATAVIA, KANE COUNTY, ILLINOIS; THENCE NORTH 89°59'54" EAST ALONG SAID NORTHERLY LINE 72.00 FEET TO THE SOUTHERLY LINE OF WILSON STREET 72.00 FEET; THENCE SOUTH 00°06'33" EAST PARALLEL WITH THE WESTERLY LINE OF SAID UNIT THREE 253.54 FEET TO THE NORTHERLY LINE OF WEIRICH'S INDUSTRIAL PARK UNIT TWO, IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS (PER DOCUMENT NO. 97K0202753).

ALSO EXCEPTING THEREFROM, THAT PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF WEIRICH'S INDUSTRIAL PARK UNIT THREE PER DOCUMENT 1933027 AS RECORDED SEPTEMBER 21, 1988; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF WILSON STREET AND THE NORTHERLY LINE OF SAID UNIT THREE EXTENDED WESTERLY, 72.00 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING WESTERLY ALONG A PROLONGATION OF THE LAST DESCRIBED COURSE, 74.06 FEET; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID UNIT THREE, 253.74 FEET TO THE NORTHERLY LINE OF WEIRICH'S INDUSTRIAL PARK UNIT TWO PER DOCUMENT 1853433 AND RECORDED JULY 10, 1985; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID UNIT TWO, 74.06 FEET TO A POINT 72 FEET WESTERLY OF THE SOUTHWEST CORNER OF SAID UNIT THREE; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID UNIT THREE, 253.74 FEET TO THE POINT OF BEGINNING, IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS (PER DOCUMENT NO. 2000K071529).



WILSON

STREET



Surveyor's Certificate

State of Illinois)
County of Kane)

I, James M. McFarland, an Illinois Professional Land Surveyor, do hereby certify that the Plot shown herein is a correct representation of a survey performed on and under my direction, to the best of my knowledge and belief. The professional service conforms to the current Illinois minimum standards for a boundary survey.

All dimensions shown in feet and decimal parts thereof.
Given under my hand and seal on this 25th day of August, 2008.

Illinois Professional Land Surveyor No. 35-3247



JACOB & HEFNER ASSOCIATES, P.C.
2100 Campbell Drive
Bloomington, Illinois 61710
(815)730-8080 FAX (815)730-8089

Field work updated: August 25, 2008.

Survey No.:	C 7 3 4
Ordered By:	Yousai, Yousai & Bina, Ltd.
Description:	BOUNDARY SURVEY
Date Prepared:	August 25, 2008
Scale:	1" = 20'

950 WEST WILSON SUBDIVISION

A SUBDIVISION OF THAT PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN BATAVIA TOWNSHIP, KANE COUNTY, ILLINOIS.

AREA TABLE (MORE OR LESS)	
Lot 1 =	20,664.97 Square Feet
Lot 2 =	22,093.14 Square Feet
TOTAL AREA OF SUBDIVISION	
42,758.11 SQ. FT. OR 0.981 ACRES	

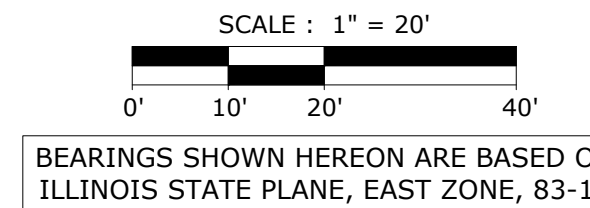
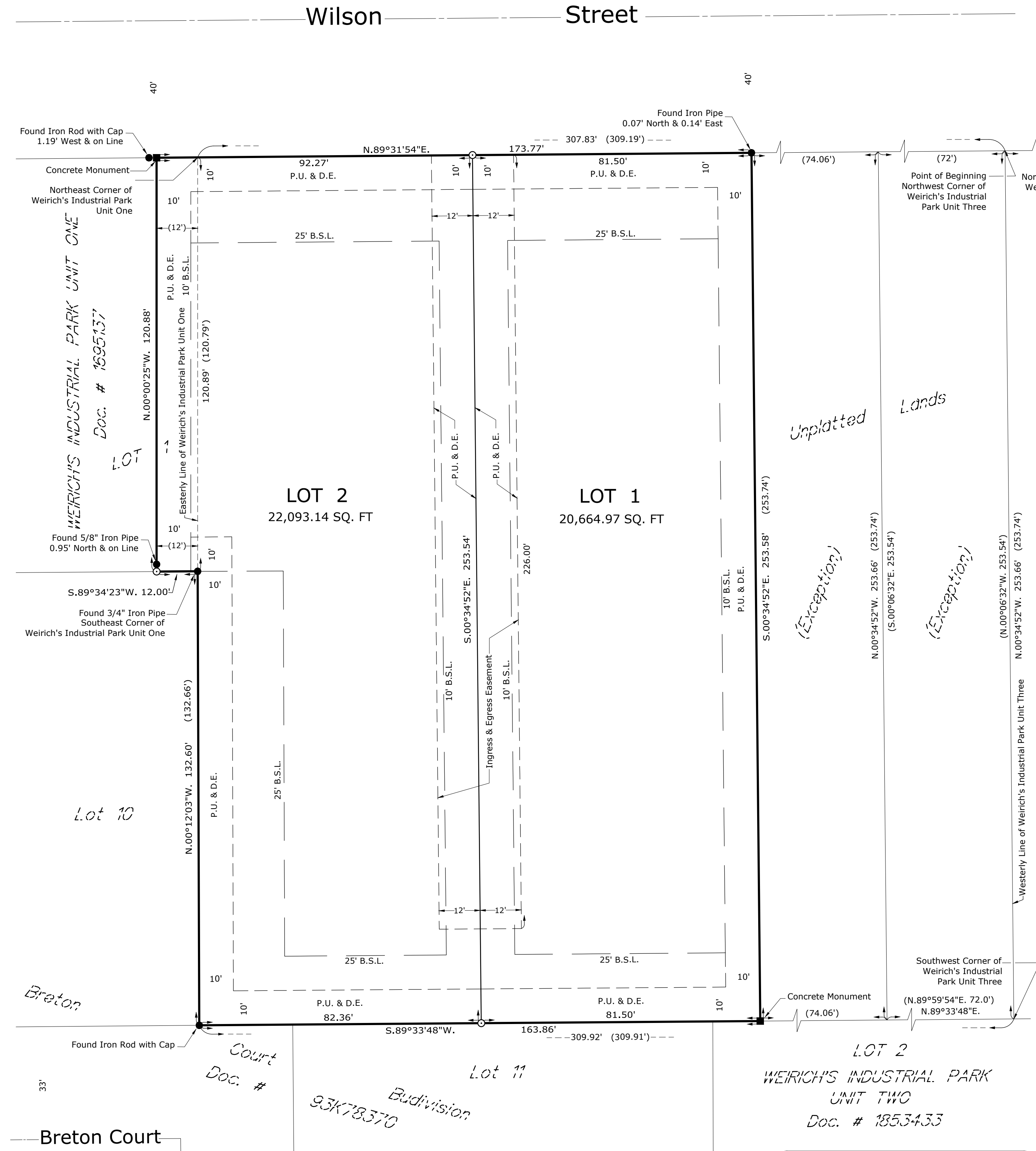
PARCEL INDEX NUMBER	
12-21-251-161	
950 W. WILSON STREET BATAVIA, ILLINOIS 60510	

THIS PLAT WAS SUBMITTED TO THE COUNTY RECORDER FOR THE PURPOSES OF RECORDING BY:

(PRINT NAME)

(ADDRESS)

(CITY/TOWN) (STATE) (ZIP CODE)



OWNER'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF KANE

JKLM LAND DEVELOPMENT LLC & _____ ARE THE OWNERS OF PORTIONS OF THE PROPERTY DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE, AND THEY HAVE IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN, THE UNDERSIGNED, OWNER OF THE PROPERTY DESCRIBED AS PLAT OF BAKI SUBDIVISION AND LEGALLY DESCRIBED ON THE PLAT OF THE SAME NAME LIES WITHIN THE BOUNDARIES OF BATAVIA SCHOOL DISTRICT 101. DATED THIS _____ DAY OF _____, A.D., 20____.

ADDRESS: 950 W WILSON STREET, BATAVIA, ILLINOIS 60510

OWNER: _____ DATE: _____
OWNER: _____ DATE: _____
OWNER: _____ DATE: _____

NOTARY PUBLIC

STATE OF ILLINOIS } SS
COUNTY OF KANE

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ AND _____ WHO, ARE PERSONALLY KNOWN TO ME TO BE THE SAME WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY DID SIGN AND DELIVER THIS INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH. GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____, A.D., 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

CITY COUNCIL

STATE OF ILLINOIS } SS
COUNTY OF KANE

MAYOR AND CITY COUNCIL OF THE CITY OF BATAVIA, ILLINOIS, HEREBY CERTIFY THAT THE SAID COUNCIL HAS DULY APPROVED THIS PLAT OF _____ ATTACHED HERETO BY RESOLUTION NO. _____ DULY AUTHENTICATED AND PASSED THIS _____ DAY OF _____, A.D., 20____.

MAJOR: _____

CITY CLERK

PLAN COMMISSION

STATE OF ILLINOIS } SS
COUNTY OF KANE

I, _____, CHAIRMAN OF THE PLAN COMMISSION OF THE CITY OF BATAVIA, ILLINOIS, HEREBY CERTIFY THAT THE SAID COMMISSION HAS DULY APPROVED THIS PLAT OF _____ ATTACHED HERETO ON THIS _____ DAY OF _____, A.D., 20____.

CHAIRMAN:

INGRESS AND EGRESS EASEMENT PROVISIONS:

EACH OWNER, AS GRANTOR, HEREBY GRANTS TO THE OTHER OWNERS, THEIR RESPECTIVE TENANTS, CONTRACTORS, EMPLOYEES, AGENTS, LICENSEES AND INVITEES, AND SUBTENANTS, CONTRACTORS, EMPLOYEES, AGENTS, LICENSEES, AND INVITEES OF SUCH TENANTS, FOR THE BENEFIT OF EACH LOT BELONGING TO THE OTHER OWNERS, AS GRANTEEES, A NONEXCLUSIVE EASEMENT FOR INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC UPON, OVER, ACROSS AND THROUGH THE INGRESS AND EGRESS EASEMENT AREA WITHIN GRANTOR'S LOT.

PUBLIC UTILITY AND DRAINAGE EASEMENT (P.U.D.E.) PROVISIONS:

A PERPETUAL EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF BATAVIA, AN ILLINOIS MUNICIPAL CORPORATION, AND THOSE PUBLIC UTILITY AND OTHER COMPANIES OPERATING UNDER FRANCHISE AGREEMENTS GRANTING THEM RIGHTS FROM THE CITY OF BATAVIA, INCLUDING BUT NOT LIMITED TO, COMMONWEALTH EDISON COMPANY, AT & T, NICOR GAS COMPANY, AND COMCAST CABLE COMMUNICATION, INC., TOGETHER WITH THEIR RESPECTIVE SUCCESSORS AND ASSIGNS (THE "GRANTEES"), FOR THE INSTALLATION, MODIFICATION, CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, ALTERATION, ENLARGEMENT, OPERATION, INSPECTION, REPAIR, MAINTENANCE, RELOCATION, RENEWAL AND REMOVAL OF FACILITIES, IMPROVEMENTS AND APPURTENANCES TO SERVE THESE AND OTHER LANDS WITH VARIOUS PUBLIC UTILITIES, TRANSMISSION AND DISTRIBUTION SYSTEMS, INCLUDING WITHOUT LIMITATION, FROM TIME TO TIME, ELECTRICITY, SOUNDS AND SIGNALS, CABLE TELEVISION, COMMUNICATION, TELEPHONE, GAS PIPELINES, WATER PIPELINES, STORM AND SANITARY SEWERS, STORM WATER DETENTION AND RETENTION FACILITIES, AND STORM WATER DRAINAGE, TOGETHER WITH ANY AND ALL NECESSARY LINES, CABLES, MAINS, MANHOLES, HYDRANTS, CATCH BASINS, CONNECTIONS, PIPES, APPLICANCES, AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY, IN, ACROSS, ALONG, OVER, UNDER, AND UPON THE AREAS HEREOF IDENTIFIED AS "PUBLIC UTILITY AND DRAINAGE EASEMENT" (P.U.D.E.), TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON; AND TOGETHER WITH THE RIGHT TO ENTER UPON THE PROPERTY WITH SUCH PERSONNEL AND EQUIPMENT AS MAY BE DEEMED NECESSARY FOR ALL SUCH USES AND PURPOSES.

NO OBSTRUCTION OR STRUCTURE SHALL BE ERRECTED OR LOCATED, NOR SHALL ANY TREES BE PLANTED, OVER SAID EASEMENT AREAS, NOR SHALL ANY OTHER ACTIVITIES BE UNDERTAKEN THAT UNREASONABLY INTERFERE WITH THE GRANTEEES' INTENDED USE THEREOF, BUT THE SAME MAY BE USED FOR LANDSCAPING, FENCING, PARKING OR OTHER PURPOSES IF SUCH USE DOES NOT THEN OR LATER INTERFERE WITH THE AFORESAID PURPOSES.

THE RIGHT IS ALSO HEREBY GRANTED TO THE CITY OF BATAVIA TO REMOVE ANY FENCES, BUILDINGS OR STRUCTURES AND TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS, BUSHES, ROOTS OR OTHER PLANTINGS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH FACILITIES IN, ON, UPON, ACROSS, UNDER OR THROUGH SAID PUBLIC UTILITY AND DRAINAGE EASEMENT.

THE CITY OF BATAVIA SHALL NOT BE RESPONSIBLE FOR THE REPLACEMENT OR REPAIR OF ANY SUCH FENCES, BUILDINGS, STRUCTURES, TREES, TURF, GARDENS, SHRUBS, LANDSCAPING, OR OTHER IMPROVEMENTS REMOVED DURING THE EXERCISE OF THE HEREIN GIVEN RIGHTS. REPLACEMENT AND/OR REPAIR OF SAID ITEMS SHALL BE THE RESPONSIBILITY OF THE THEN PROPERTY OWNER.

FOLLOWING ANY WORK TO BE PERFORMED BY THE CITY OF BATAVIA IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID CITY SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, FENCES, SHEDS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID CITY SHALL BE OBLIGATED, FOLLOWING SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

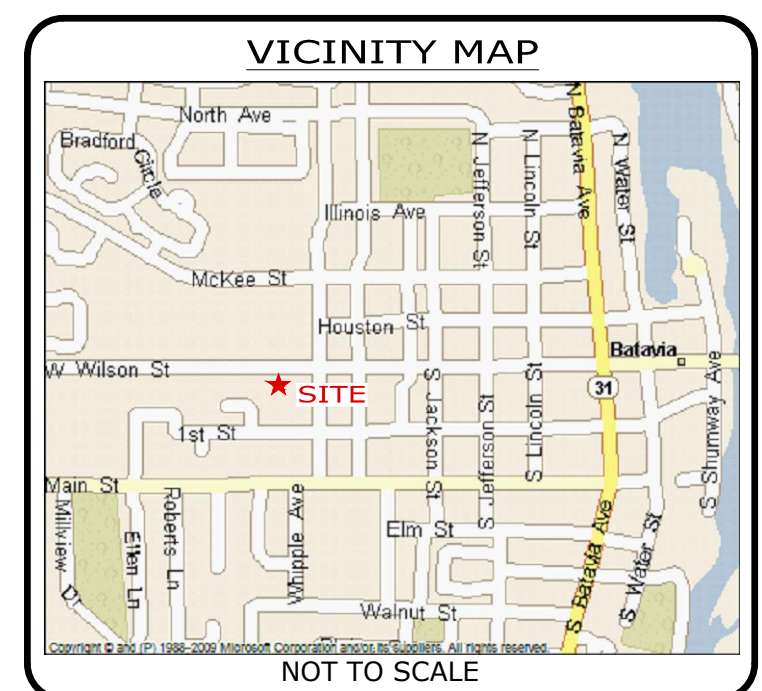
THE CITY HAS NO OBLIGATION TO REPAIR ANY IMPROVEMENTS THAT WERE COMPLETED WITHOUT OBTAINING THE NECESSARY PERMITS PRIOR TO INSTALLATION.

THE OCCUPATION AND USE OF THE PERPETUAL EASEMENT HEREIN GRANTED AND RESERVED FOR THE GRANTEEES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RE-CROSSING OF SAID EASEMENTS BY THE GRANTEEES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE, OR DISTURB ANY TRANSMISSION AND/OR DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RE-CROSSED.

WHERE THE EASEMENT AREAS ARE ALSO USED FOR ELECTRIC, TELEPHONE, CABLE TV, GAS DISTRIBUTION SYSTEMS OR THEIR APPURTENANCES, SUCH OTHER UTILITY INSTALLATIONS SHALL NOT INTERFERE WITH THE MAINTENANCE OF GRAVITY OR SUBSURFACE FLOW AND STABILIZATION OF VEGETATIVE GROUND COVER ON THE ABOVE-MENTIONED DRAINAGE FACILITIES, OR CAUSE ANY CHANGE IN GRADE, OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS OF THE PROPERTY.

LEGEND

- Subdivision Boundary Line
- Lot Line
- Center Line
- Existing Lot Line
- (XXX.XX') Record / Deed
- Concrete Monument
- Found Iron Stake as Indicated
- Set 3/4" Iron Pipe at Corner
- Public Utility & Drainage Easements Hereby Granted unless noted otherwise
- P.U. & D.E. Public Utility & Drainage Easement
- Building Setback Line Hereby Granted
- B.S.L. Building Setback Line



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PREPARED BY:

ASMI
ASM Consultants, Inc.
16 E Wilson Street, Batavia IL 60510
(630) 879-0200
advanced@advct.com
DBE Certified Since 2011
Professional Design Firm #184-006014 expires 4/30/2023

PRELIMINARY

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3342
LICENSE EXPIRES NOVEMBER 30, 2022

DESIGN FIRM LICENSE NO. 184-006014
LICENSE EXPIRES APRIL 30, 2023

SUBMITTED BY AND RETURN TO:
City of Batavia
100 Island Avenue
Batavia, IL 60510

Sheet 1 of 1
ASM JOB NO. 679175SUB