

DATE: December 13, 2023
TO: Joliet Plan Commission
FROM: Planning Staff
SUBJECT: V-7-23: Vacation of a 30-Foot-Wide Public Utility Easement Located at the Southeast Corner of McDonough Street and SE Frontage Road

GENERAL INFORMATION:

APPLICANT: Tallgrass Estates, LLC
STATUS OF APPLICANT: Owner / Developer
REQUESTED ACTION: Vacation of public utility easement
PURPOSE: To allow development of additional buildings within Timber Pointe Unit 2 Subdivision
EXISTING ZONING: R-4 (Multi-Family Residential)
LOCATION: Lot 3 of Timber Pointe Subdivision;
PIN 05-06-15-302-010-0000
EASEMENT SIZE: 30' x 636.5'
EXISTING LAND USE: Undeveloped
SURROUNDING LAND USE & ZONING:

NORTH: Timber Oaks Subdivision; R-4 (Multi-Family Residential)
SOUTH: Agricultural / Undeveloped; County A-1 (Agricultural)
EAST: Undeveloped; County A-1 (Agricultural)
WEST: Residential; County R-3 (Single-Family Residence)

SITE HISTORY: The recording plat of Timber Pointe Subdivision was approved in March 2021. The approved Planned Unit Development consisted of 120 rental townhouse units and a common area on Lot 2, a storm water management pond on Lot 1, and an undeveloped 3.5-acres on Lot 3. The subdivision is currently under construction.

In February 2023, the developer submitted petitions for Timber Pointe Unit 2, which proposes two additional 16-unit buildings on the original Lot 3. The preliminary and final PUD for Unit 2 was reviewed by the Plan Commission at their March 16, 2023 meeting.

The preliminary PUD was approved by City Council at their April 18, 2023 meeting. The final PUD and recording plat for Timber Pointe Unit 2 have not yet been reviewed by the City Council.

SPECIAL INFORMATION: The petitioner, Tallgrass Estates LLC, is requesting to vacate a 30-foot-wide public utility easement that lies on the west side of Lot 3 of Timber Pointe Subdivision. The developer is in the process of finalizing the plans for Unit 2 of Timber Pointe Subdivision, which proposes two additional buildings and accessory garages on Lot 3. The petitioner would like to vacate the easement so that the garages can be built in part of the easement area. The easement was originally created to allow future utility access to the unincorporated property to the south, if it were ever to develop. At the time of the approval of the original Timber Pointe Subdivision, Lot 3 was left as open space for possible future development after plans to create a Park District dog park were rejected.

The proposed site layout of Unit 2 changes the configuration of the utilities and easements needed on Lot 3. With the vacation of this 30-foot public utility easement, new easements will need to be reserved elsewhere as required by the Public Utilities and Public Works Departments. The engineering plans for the final PUD are currently being reviewed by Public Utilities and Public Works. All issues with these plans must be resolved before the vacation request can move forward for Council review. The vacation petition and recording plat would need to be reviewed concurrently so that any new easements would be created at the same time that this existing easement is vacated.

The Public Utilities and Public Works Departments are not opposed to this request as long as the developer reserves new easements where needed for existing and proposed utilities. A small portion of the existing storm sewers at the northwest corner and along the south line of Lot 3 are in the 30-foot easement and will require new easements to be reserved. Nicor has responded that they are not opposed to the vacation request. ComEd is currently reviewing the request; however the petitioner states that there are no ComEd utilities in the easement. No other notified utility companies have submitted a response regarding this request as of the writing of this staff report.

ANALYSIS: Approval of this public utility easement vacation request will allow the development of Timber Pointe Unit 2 to occur on the original Lot 3 of Timber Pointe Subdivision.

CASE NO. _____
DATE FILED: _____

CITY PLAN COMMISSION
JOLIET, ILLINOIS
PETITION TO VACATE

PETITIONER'S NAME: Tallgrass Estates, LLC (Edward Mattox)
HOME ADDRESS: 1230 W Jefferson Street
CITY, STATE, ZIP: Shorewood, IL 60404
HOME PHONE: _____
CELL # 815-693-8888 **E-MAIL:** emattox@kiplinggrp.com
BUSINESS ADDRESS: 1230 W. Jefferson Street
CITY, STATE, ZIP: Shorewood, IL 60404
BUSINESS PHONE: 815-927-5101

LEGAL DESCRIPTION OF PROPERTY: see attached

COMMON ADDRESS: N/A
PERMANENT INDEX NO. (Tax No.): 05-06-15-302-010-0000
ROW/EASEMENT SIZE: Width 30 Depth 636.5 Area +/- 0.43839
PROPOSED USE AFTER
VACATION: residential development _____ mi
USES OF SURROUNDING PROPERTIES: North: R-5 residential
South: A-1 Will County
East: A-1 Will County
West: R-5 Residential

Attached a listing of all adjacent or opposite land owners within 300 feet of property.

REASON FOR REQUEST: Remove easement for residential development

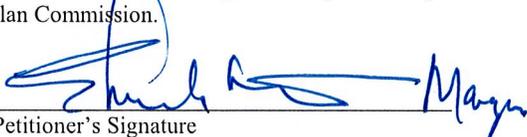
Is the Property owned by the City of Joliet? YES _____ NO

What portion of the right-of-way do you wish to own as a result of the vacation _____
All of the easement area

I understand that I will be required to pay for an appraisal of the property requested to be vacated, and that I will be required to purchase it at fair market value established by that appraisal.

STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, Edward Mattox, depose and say that the foregoing statements are true and correct to the best of my knowledge and belief, I further state that I agree to be present in person or by representation when this petition is heard by the Plan Commission.


Petitioner's Signature

Subscribed and sworn to before me
this 13 day of NOVEMBER, 20 23


Notary Public _____ My Commission Expires: _____



CITY OF JOLIET OWNERSHIP DISCLOSURE FORM

The City of Joliet requires that applicants for zoning relief, subdivision approval, building permits and business licenses disclose the identity of all persons having an ownership interest in the business and the real property associated with the application. A copy of this form must be completed and submitted with other application materials. Failure to properly complete and submit this form may result in the denial of the application.

I. INFORMATION ABOUT THE APPLICATION

This form is submitted as part of an application for the following (check all that apply):

- Rezoning, Special Use Permit, Variation, or Other Zoning Relief (Complete Sections II and III)
- Preliminary Plat, Final Plat, or Record Plat of Subdivision (Complete Sections II and III)
- Building Permit (Complete Sections II and III)
- Business License (Complete All Sections)

II. INFORMATION ABOUT THE PROPERTY

The address and PIN(s) of the real property associated with this application are:

PIN(s): 05-06-15-302-010-0000

III. PROPERTY OWNERSHIP

Select the type of owner of the real property associated with this application and fill in the appropriate contact information below:

- Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- Land Trust:** State the names, addresses, and phone #'s of the trustee(s) and all beneficiaries
- Partnership:** State the names, addresses, and phone #'s of all partners
- Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization or the right to direct the affairs of the organization

Tallgrass Estates, LLC, 1230 W. Jefferson St, Shorewood, IL 60404

Edward Mattox, 21341 Timber Creek Court, Shorewood, IL 60404 -- 50%

James Russell, 1380 Nagel, Batavia, IL 60510 -- 50%

815-725-0678

E-MAIL: ~~emattox6@aol.com~~ ^{emattox@kiplinggrp.com} FAX: (815) 725-7684

IV. BUSINESS OWNERSHIP

If the owner of the business is different than the owner of the real property associated with the application, then the following information must be provided:

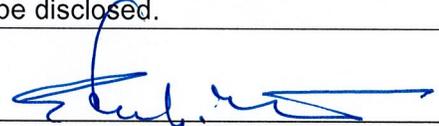
Select the type of business owner associated with this application and fill in the contact information below:

- Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- Partnership:** State the names, addresses, and phone #'s of all partners
- Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization

E-MAIL: _____ FAX: _____

NOTE:

If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property associated with an application is owned by a land trust, and the beneficiary of the land trust is a limited liability company, then the members of the limited liability company must be disclosed. If one of the members of the limited liability company is a partnership, then the identity of the partners must be disclosed. If one of the partners is a corporation, then all persons owning 3% or more of the issued stock must be disclosed.

SIGNED:  _____

DATE: 11/13/23 _____

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:

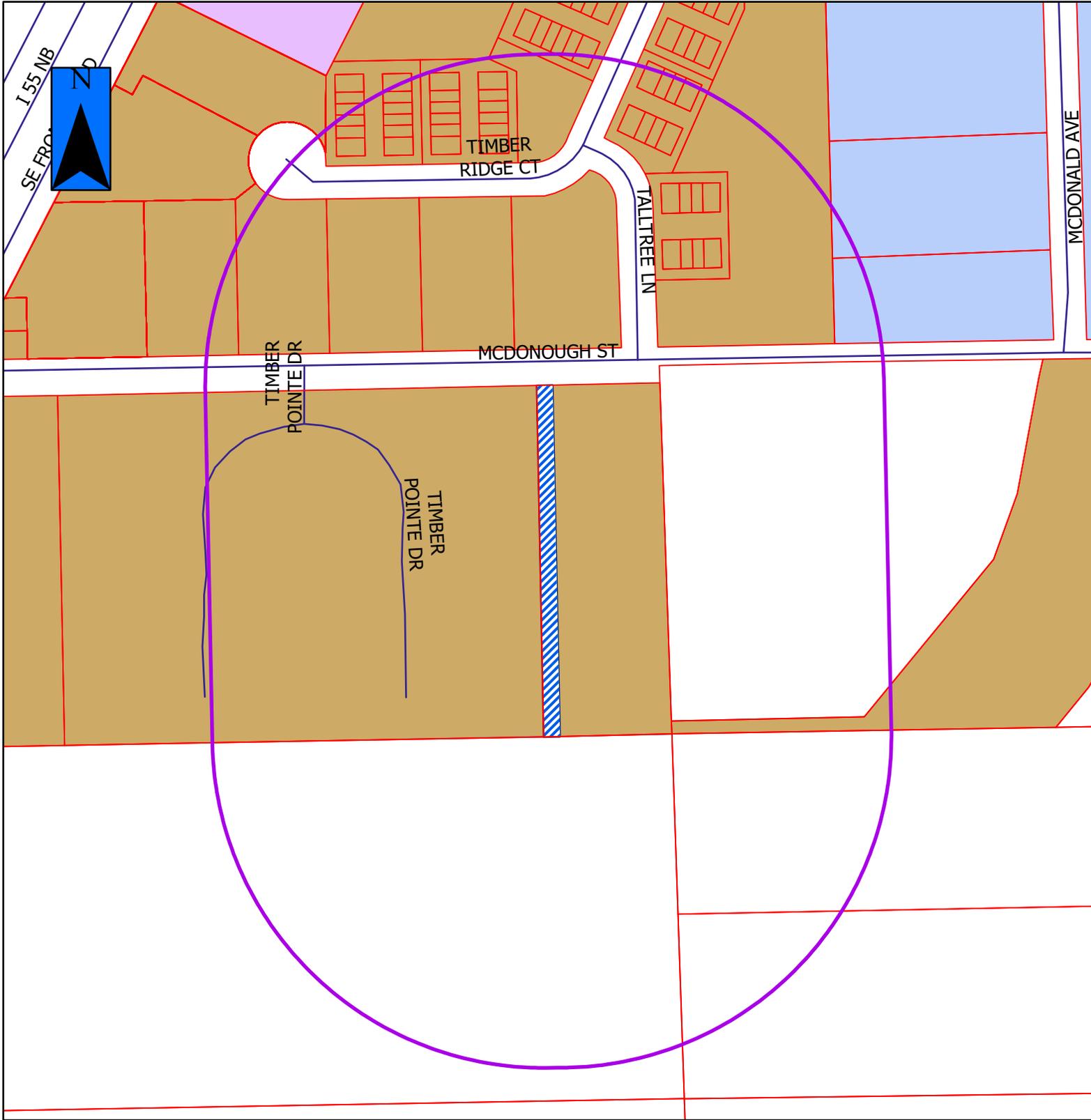
PRINT

Figure 1: Lot 3 of Timber Pointe Subdivision, view south from McDonough Street (June 2023)



Figure 2: Entrance to Timber Pointe Subdivision, view south from McDonough Street (June 2023)

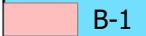


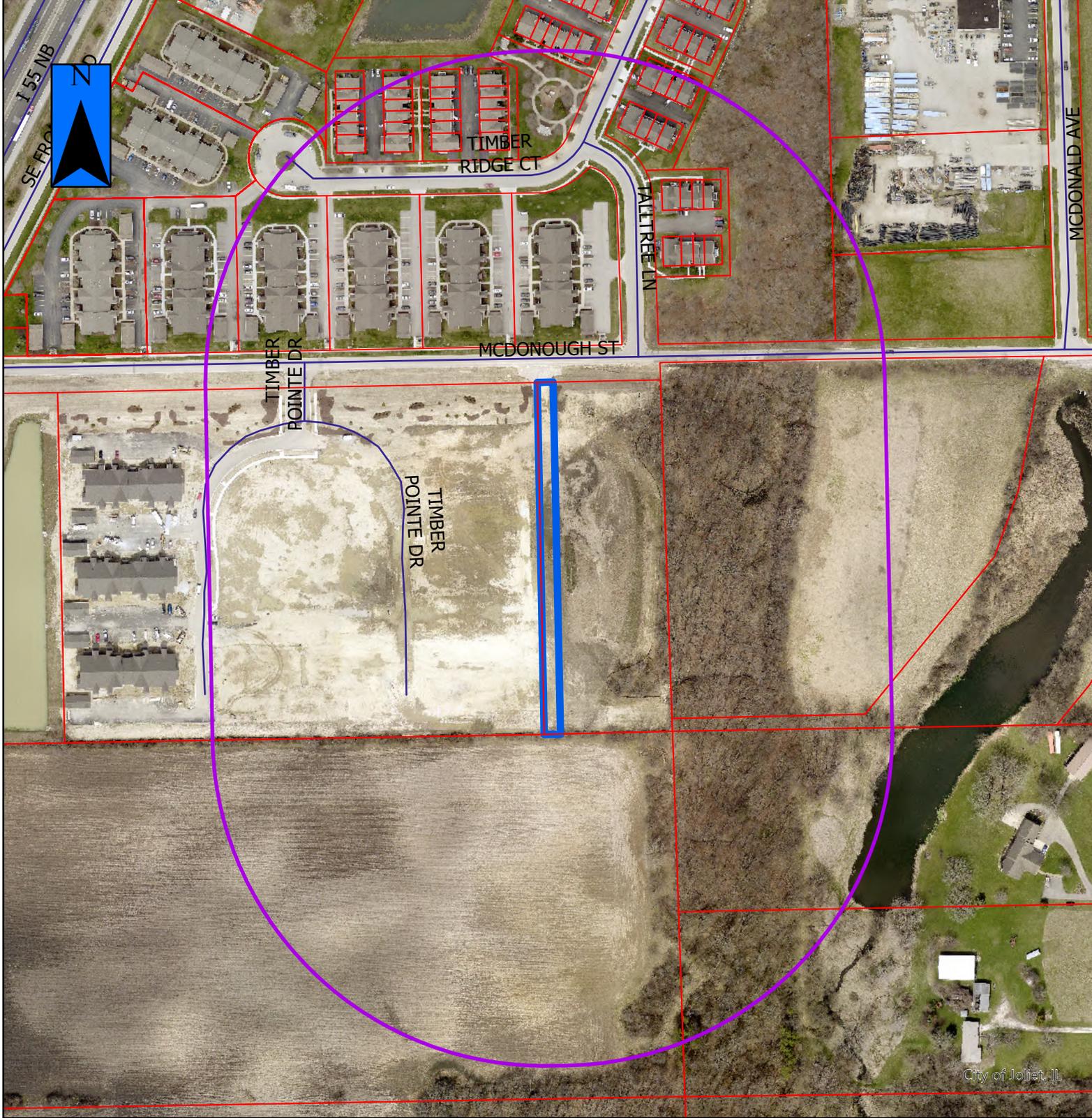


V-7-23



 = Property in Question
 = 600' Public Notification Boundary

Legend					
	B-1		I-TA		R-2
	B-2		I-TB		R-2A
	B-3		I-TC		R-3
	I-1		R-1		R-4
	I-2		R-1A		R-5
	I-T		R-1B		R-B



City of Joliet, IL

V-7-23a



= Property in Question / Propiedad en cuestión
 = 600' Public Notification Boundary /
 Límite de notificación pública de 600 ft (180 m)