



Post Office Box 299
Peru, Illinois 61354

December 3, 2020

Mayor Scott J. Harl,
Peru City Clerk, and
Aldermen of the City of Peru

RE: Petition of John Pohar & Sons, Inc.
Final Plat of The Pointe Subdivision

Gentlemen:

Pursuant to legal notice published in the News Tribune in the manner provided by law, the Planning/Zoning Commission of the City of Peru convened for a public hearing on Wednesday, December 2, 2020, at 5:00 p.m. in the City Municipal Building, 1901 Fourth Street, Peru, IL, to consider the Petition of John Pohar & Sons, Inc. (hereinafter "Petitioner") concerning property generally located east of Plank Road and west of North Peoria Street in the City of Peru, IL, legally described as follows:

Lot 3 of Ernat First Commercial Addition, City of Peru, LaSalle County, Illinois per Final Plat recorded December 3, 2019 as Document No. 2019-16525 in the Office of the LaSalle County Recorder.

PIN: 17-08-420-003 (hereinafter "Property")

Petitioner desires to resubdivide the Property and seeks approval of the Final Plat of The Pointe to the City of Peru, Illinois, consisting of eighteen residential lots. A copy of the Final Plat is attached hereto as "Exhibit A". Petitioner further requests the following waivers:

- (a) Waiver of all fees and impact fees including but not limited to, the plat review fee, the plan review fee, the construction inspection fee, water and sewer acreage fees, water and sewer front footage fees, and infrastructure construction inspection fees;
- (b) Waiver of the requirement under the Subdivision Ordinance that a Preliminary Plat be prepared and submitted for approval under Article III; and
- (c) Waiver of the requirement that a subdivision security be obtained from the subdivider pursuant to Article XII, Section 12.02 A of the Subdivision Ordinance.

The Property is zoned R-2 Single Family, Detached Dwelling District.

Planning/Zoning Commission Members Miller, Atkinson, Kalsto (remote via Zoom), Grabowski, Brady, and Moreno were present at the hearing. Member Lucas was absent. Due to COVID-19, this meeting was also streamed live on the internet.

Attorney Jonathan Brandt appeared on behalf of Petitioner and was duly sworn. Attorney Brandt testified that this is a proposed residential development with eighteen very affordable lots with an average sales price of approximately \$40,000.00. Pursuant to Petitioner's Development Agreement with the City, Petitioner is required to construct sidewalks, curb and gutter. The development is located north of the new round-about and south of the City's new police station under construction. There will be one point of access from 26th Street and will have a cul-de-sac. Attorney Brandt stated that Petitioner will work closely with the City pursuant to the Development Agreement and it will be a special development when completed.

In response to questioning from Member Brady, City Engineer Eric Carls confirmed that the proposed development will have a drainage pond to the south by the roundabout and landscape blocking on lots 1-5. In response to further questioning from Member Brady, Engineer Carls stated there is planned landscaping along the entire perimeter of the subdivision except lots about 26th Street. There will be landscaping near the drainage and public utility easement around lots 6 through 10. The City is further planning to add landscaping on the outside of the new recreation trail.

In response to questioning from Chairman Miller, Attorney Brandt stated the subdivision will not be gated. In response to questioning regarding fencing from Chairman Miller, Engineer Carls stated that the decision to add fencing will be left to the individual lot owners, but his department is working with Petitioner to develop covenants and restrictions for the subdivision pursuant to the Development Agreement with the City to ensure continuity and aesthetics. There will be no chain link fencing allowed, for example.

City Corporate Counsel Scott Schweickert then received a letter from Engineer Carls dated 11/30/2020, a copy of which is attached hereto as "Exhibit B" and entered it into the record. Engineer Carls recommended the P/Z Commission approve each of Petitioner's requests.

A call for public comment was made. There were no objectors online or in-person at the hearing.

The Planning/Zoning Commission found Petitioner's requests will not alter the essential character of the locality; will not be detrimental or injurious to other properties in the area; will not impair an adequate supply of light or air to adjacent properties, or increase the danger of fire, or endanger the public safety, or diminish or impair property values and will not increase street congestion and, therefore, recommends to the City Council that the Petition be granted.

Member Moreno moved, and Chairman Miller seconded, that the Petition as prayed for be favorably recommended to the City Council. The motion passed unanimously: 6 aye, 0 nay, and 1 Member absent.

Respectfully submitted,

CARY MILLER, Chairman of the
Planning/Zoning Commission

FINAL PLAT OF THE POINTE CITY OF PERU, LA SALLE COUNTY, ILLINOIS

BEING A PART OF THE WEST 1/2 OF THE S.E. 1/4 OF SECTION 8,
T. 33 N., R. 1 E. OF THE 3RD P.M.
10.873 ± ACRES

SURVEYOR'S CERTIFICATE

This is to certify that I, Michael S. Richeita, Professional Land Surveyor No. 035-003788, have surveyed and subdivided the following property:

Lot 3 of Ernst First Commercial Addition, City of Peru, LaSalle County, Illinois per Final Plat recorded December 3, 2019 as Document No. 2019-18325 in the Office of the LaSalle County Recorder.

I further certify that no part of this subdivision lies within a Special Flood Hazard Area as identified by the Federal Emergency Management Agency (FEMA) on their Flood Insurance Rate Map No. 17090C0400F effective date July 18, 2011.

Given under my hand and seal of Peru, Illinois, this 11th day of November, A.D. 2020


Michael S. Richeita
Professional Land Surveyor No. 035-003788



DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LASALLE) SS

We, Michael W. Perry, a Professional Engineer, duly licensed under the laws of the State of Illinois, and John Pohar & Sons, Inc., do hereby certify to the best of our knowledge and belief that The Pointe, City of Peru, Illinois, has been designed so that there is no change in the drainage of surface water by the construction of said subdivision or any part thereof, or that if such surface water drainage is changed, reasonable provision has been made for collection and diversion of such surface waters so that the adjoining land will not be damaged.

Dated this 11th day of November, A.D. 2020


Michael W. Perry
P.E. No. 028264008

John Pohar, Designated Representative
John Pohar & Sons, Inc.



OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LASALLE) SS

I, the undersigned, John Pohar, designated representative of John Pohar & Sons, Inc., Owner of the premises described in the Surveyor's Certificate herein, do hereby certify that I have caused said property above set forth to be surveyed and plotted by Michael S. Richeita, a Professional Land Surveyor, as shown on the above plat into lots and roadways as shown thereon, and that all deeds or other conveyances of said lots or any part thereof, hereafter made shall have reference to the above plat.

I further certify that I have named said plat "The Pointe, City of Peru, Illinois," and have named the roadways as designated thereon and do hereby join and consent to said plat being presented to the City Council of the City of Peru for adoption and having the same recorded as provided by law.

I further certify that all roadways shown thereon and therein contained are dedicated to the City and to the public use and I further release and waive all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois in and to said roadways shown on plat.

The City, for itself, its successors, assigns and permittees, reserves, creates and grants to the City the following perpetual rights and easements in, over, under, across, along, and upon those portions of the plat designated "Utility Easements" (hereinafter "Easement Tracts"):

- a. To construct, operate, repair, maintain, patrol, inspect, relocate, reconstruct and remove, from time to time, electric transmission, distribution and communication lines and systems, including, but not limited to, overhead cables, conduits, conductors, grounds, drains, necessary service pedestals, transformer cabinets, concrete transformer pads, transformer floor poles and conduits, associated overhead supply lines, and other equipment appurtenant thereto and, without limitation, such other installations as may be required or may be deemed necessary by the City for electrical system purposes;
- b. To construct, operate, repair, maintain, patrol, inspect, relocate, reconstruct and remove, from time to time, sanitary sewers, storm sewers and any and all manholes, tiles, pipes, connections, catch basins and, without limitation, such other installations as may be required or may be deemed necessary by the City for sanitary and/or storm sewer purposes; and
- c. To construct, operate, repair, maintain, patrol, inspect, relocate, reconstruct and remove, from time to time, water mains and lines, and any and all necessary valves, hydrants, pipes, connections, butterfly boxes and, without limitation, such other installations as may be required or may be deemed necessary by the City for water services purposes.

The aforesaid perpetual rights and easements are reserved, created and granted together with the right (i) to use adjacent roads, streets and alleys for such purposes and to use reasonable working space adjacent to said Easement Tracts during construction or maintenance of said utility systems; (ii) to control the growth of any vegetation, trees, shrubs, or saplings on the Easement Tracts; and (iii) to clear and remove, without any liability, any obstacles on the Easement Tracts which interfere or threaten to interfere with the safe and proper construction, operation, and maintenance of any said utility system on the Easement Tracts or which creates hazardous conditions, and to keep the Easement Tracts clear of such obstacles and obstructions. The City shall have the right to clear and remove any such obstacles, but not the obligation to do so.

Subsequent owners may make any use of the Easement Tracts, so long as such use does not interfere with the rights herein reserved or create a hazardous condition, except that the subsequent owners shall make no excavations on the Easement Tracts without the prior consent of the City and then only in such manner as will not disturb or interfere with the City's facilities located therein, nor shall the subsequent owners place buildings or structures on the Easement Tracts. Subsequent owners may pave entrances over the Easement Tracts. Notwithstanding to the contrary in this Easement, the City shall not interfere with any ingress or egress over or upon any roadways on the said Easement Tracts.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, A.D., _____

John Pohar, Designated Representative

NOTARY PUBLIC

STATE OF ILLINOIS)
COUNTY OF LASALLE) SS

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that John Pohar, personally known to me to be the designated representative of John Pohar & Sons, Inc., Owner, whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such, he signed and delivered the said instrument of writing as his free and voluntary act and deed, for the uses and purposes set forth.

Given under my hand and notarial seal this _____ day of _____, A.D., _____

Notary Public

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LASALLE) SS

I, John Pohar, designated representative of John Pohar & Sons, Inc., Owner of the property herein described in the Surveyor's Certificate, do hereby certify that "The Pointe, City of Peru, Illinois," to the best of my knowledge, is located within the boundaries of Peru Elementary School District #124, LaSalle-Peru Township High School #120, and Illinois Valley Community College School District #513 in LaSalle County, Illinois.

Dated this _____ day of _____, A.D., _____

John Pohar, Designated Representative

CITY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LASALLE) SS
CITY OF PERU)

Approved and accepted by the Council of the City of Peru, this _____ day of _____, A.D., _____ by Ordinance No. _____ on file with the City Clerk of Peru, Illinois, entitled "An Ordinance Approving the Plat of The Pointe, City of Peru, Illinois" as follows:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PERU, LASALLE COUNTY, ILLINOIS, A HOME RULE MUNICIPALITY, AS FOLLOWS:

Section 1: That the plat of The Pointe, City of Peru, Illinois, as made by Michael S. Richeita, Professional Land Surveyor, under and by direction of the Owner of the premises described and plotted herein, and the same is hereby approved and accepted.

Section 2: That this Ordinance shall be in full force and effect from and after its passage and approval thereof.

The above Ordinance was adopted at a meeting of the City Council of the City of Peru, Illinois, held on the _____ day of _____, A.D., _____ with _____ Aldermen voting "Aye" and _____ Aldermen voting "Nay" and the Mayor voting _____

David R. Bartley, City Clerk
City of Peru, Illinois

Approved by the Mayor of the City of Peru this _____ day of _____, A.D., _____

Scott J. Herl, Mayor
City of Peru, Illinois

Approved by the Planning/Zoning Commission of the City of Peru, Illinois, on the _____ day of _____, A.D., _____

Chairman

STATE OF ILLINOIS)
COUNTY OF LASALLE) SS
CITY OF PERU)

I, David R. Bartley, City Clerk of the City of Peru, Illinois, do hereby certify that there are no unpaid special assessments or special taxes levied against the tract of land or any part thereof in the plat on which this Certificate is attached.

Dated this _____ day of _____, A.D., _____

David R. Bartley, City Clerk
City of Peru, Illinois

COUNTY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF LASALLE) SS

I, Lori L. Borgartz, County Clerk of LaSalle County, Illinois, do hereby certify that I have examined the record of said County, that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the tract of land, or any part thereof, in the plat to which this is attached.

Given under my hand and official seal this _____ day of _____, A.D., _____

Lori L. Borgartz, County Clerk

TAX CODE NO. 17-05-420-003

PREPARED FOR: CITY OF PERU
CHAMLIN & ASSOCIATES 4132 PROGRESS BOULEVARD PERU, ILLINOIS 61354 815-223-3344

DRAWN BY: LAG	REVISIONS		
	LEVEL	BY	DATE
CHECKED BY: MSR			
DATE: 09/2020			

FINAL PLAT

CURRENT AS OF: 09/02/2020	
SCALE: NONE	SHEET 2
FILE NO.: 7733.01 Y-1	OF 2



PERU OTTAWA MORRIS
ILLINOIS



City of Peru



Eric Carls, P.E.
City Engineer

P.O. Box 299 • 1901 Fourth Street • Peru, IL 61354-0299
815-224-6020 • fax: 815-223-9381 www.peru.il.us ericcarls@peru.il.us



November 30th, 2020

City of Peru – Planning & Zoning Commission
Attn: P&Z Board Member
1901 4th St.
Peru, IL 61354

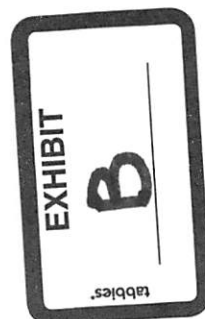
**SUBJECT: The Pointe Subdivision (John Pohar & Sons)
P&Z Hearing December 2nd, 2020**

Dear Planning & Zoning Board Member,

I have reviewed and am providing the following responses to the requests of John Pohar and Sons, Inc., developer of The Pointe Subdivision, for property located on Lot 3 of Ernat First Commercial Addition in the City of Peru, IL.

Petitioner Requests

- 1) Re-subdivide the property and seek approval of the final plat.
 - *There are no concerns related to the final plat as presented, including the lot and roadway layout and dimensions. I recommend the request be granted.*
- 2) Waiver of all fees and impact fees including by not limited to , the plat review fee, the plan review fee, the construction inspection fee, water and sewer acreage fees, water and sewer front footage fees, and infrastructure construction inspection fee.
 - *I am recommending the request be granted. The petitioner has worked with the City to develop affordable residential lots within the City of Peru; has entered into a development agreement with the City of Peru.*
- 3) Waiver of the requirement under the Subdivision Ordinance that a Preliminary Plat be prepared and submitted for approval under Article III.
 - *In this instance a preliminary plat is not needed for review; I recommend the request be granted.*
- 4) Waiver of the requirement that a subdivision security be obtained from the subdivider pursuant to Article XII, Section 12.02 A of the Subdivision Ordinance.
 - *I recommend this request be granted.*

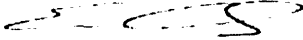


5) For such other relief as may be equitable and just.

- *I recommend no other relief be granted. Any such relief has been addressed as part of the executed development agreement between John Pohar and Sons, Inc. and the City of Peru, IL.*

I have reviewed the proposed site plans for the development and will provide final approval if the waiver is granted. If there are any questions or concerns please do not hesitate to call.

Sincerely,



Eric Carls, P.E.
Director of Engineering & Zoning

cc: Mayor & Council
City Attorney – Scott Schweickert
Ty Dobrich – Building Inspector