



## Legislation Details (With Text)

**File #:** 21-0290      **Version:** 2      **Name:** Morning Star Community Church / 8S101 Barnes Road / County Case / Final Plat  
**Type:** Resolution      **Status:** Passed  
**File created:** 4/21/2021      **In control:** City Council  
**On agenda:** 5/11/2021      **Final action:** 5/11/2021

**Title:** A Resolution authorizing the issuance of a certificate of approval for a plat of subdivision for certain territory located within the unincorporated area of Kane County and within one and one half miles from the corporate limits of the City. .

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit "A" Plat of Subdivision - 2021-04-20 - 2021.110, 2. Qualifying Statement - 2021-04-20 - 2021.110, 3. Property Research Sheet - 2021-04-23 - 2021.110

Date	Ver.	Action By	Action	Result
5/11/2021	2	City Council	approved on the Consent Agenda	
5/4/2021	2	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
4/28/2021	2	Building, Zoning, and Economic Development Committee	recommended for approval	Pass

**TO:** Mayor Richard C. Irvin

**FROM:** Steve Broadwell, Planner

**DATE:** April 23, 2021

### SUBJECT:

A Resolution Granting Consent of an Unincorporated Kane County Plat of Subdivision within One and a half Miles of the City of Aurora (Morning Star Community Church - 21-0290 / SG25/1-21.110-C/Fsd - SB - Ward 5)

### PURPOSE:

The Petitioner, Morningstar Community Church, is requesting that the City of Aurora grant consent of a Plat of Subdivision for the property located at 3003 Prairie Street, which is within one and a half miles of incorporated Aurora, as required by the Illinois Municipal Code, Sec. 65 ILCS 5/11-12-12.

### BACKGROUND:

The Subject Property is currently located in Unincorporated Kane County. The Subject Property is approximately thirteen (13) acres and is located at the southeast corner of Prairie Street and Barnes Road. The Subject Property contains the Morningstar Community Church and an accessory, detached dwelling. The church building is approximately twenty-two thousand, three hundred (22,300) square feet and the detached dwelling is approximately one thousand, nine hundred (1,900) square feet. The Subject Property is contiguous to incorporated Aurora on the west side of Barnes Road. Additional information on the legislative history of the property can be found in the attached

## Property Research Sheet.

The Petitioner is requesting that the City Council grant consent of a Plat of Subdivision as the Subject Property is less than one and a half miles from incorporated Aurora, which requires the City of Aurora to provide a certificate of approval. The Petitioner has already completed the necessary review and approval processes with Kane County's offices that would allow them to make this request for consent with the City of Aurora. As indicated in the Qualifying Statement that has been provided by the Petitioner, Morningstar Community Church is subdividing the Subject Property into two parcels: one parcel will be approximately 10.4 acres that will include the church, and 1.9 acres that will include the detached dwelling.

### **DISCUSSION:**

Staff has reviewed the Plat of Subdivision petition and have sent comments back to the Petitioner based on those submittals. The Petitioner has made the requested revisions to these documents and they now meet the applicable codes and ordinances.

The Petitioner has stated that the church's intentions is to subdivide the detached dwelling so that it can be sold. Church services will continue following the sale of the dwelling. There are no additional development review processes required by the City of Aurora at this time.

### **POLICIES AND GUIDELINES:**

The Staff's Evaluation and Recommendation are based on the following Physical Development Policies:

- 14.1 (1): To foster future growth in the City that does not contribute to deterioration in either existing developments or a reduction in the City's ability to provide adequate services.
- 14.1 (4): To encourage quality site design throughout the City of Aurora.
- 22.1 (5): To recognize the unique characteristics of individual neighborhoods and promote their positive attributes.

### **RECOMMENDATIONS:**

Staff would recommend APPROVAL of the resolution granting consent of an Unincorporated Kane County Plat of Subdivision, within one and a half miles of the City of Aurora.

### **ATTACHMENTS:**

Exhibit "A" Plat of Subdivision  
Qualifying Statement  
Property Research Sheet

cc:

Alderman Michael B. Saville, Chairperson  
Alderman Sherman Jenkins, Vice Chairperson  
Alderman Carl Franco, Member  
Alderman Robert J. O'Connor, Member  
Alderman Juany Garza, Member



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution authorizing the issuance of a certificate of approval for a plat of subdivision for certain territory located within the unincorporated area of Kane County and within one and one half miles from the corporate limits of the City. .

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, by petition dated April 21, 2021, the Morningstar Community Church, filed with the City of Aurora a petition Requesting Consent of an Unincorporated Kane County Plat of Subdivision within One and a half Miles of the City of Aurora, for the Property Located at 3003 Prairie Street and related required documents as attached hereto as Exhibit "A"; and

WHEREAS, on April 28, the Building, Zoning and Economic Development Committee of the Aurora City Council reviewed said Plat of Subdivision and the before mentioned recommendations and recommended APPROVAL of said petition; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, finds as facts all of the preamble recitals of this Resolution and hereby grants APPROVAL of said Final Plat; and

BE IT FURTHER RESOLVED that the City Council of the City of Aurora hereby adopts the Final Plat and related required documents as attached hereto as Exhibit "A" Final Plat along with any easement dedications or vacations deemed necessary by the City Engineer; and further

BE IT RESOLVED, that a certificate for the approval of said final plat shall be and hereby be issued on behalf of the corporate authorities of the City; and further

BE IT RESOLVED, that the clerk of the City shall be and hereby is empowered and directed to certify said certificate as evidence of the petitioner's compliance with Sec. 11-12-12(a) of the Illinois Municipal Code.