

SYCAMORE CITY COUNCIL

AGENDA

May 19, 2003

City Council Committee Meetings

7:15 P.M. The City Clerk has requested brief meetings of the Finance, Ordinance, Sewer & Water, and Streets and Walks Committees before the regular meeting to approve minutes from earlier Committee meetings in FY03.

Regular City Council Meeting

7:30 P.M.

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF AGENDA**
- 5. AUDIENCE TO VISITORS**
- 6. CONSENT AGENDA**
 - A. Approval of the Minutes of the Regular City Council Meeting of May 5, 2003;
 - B. Payment of the Bills for May 19, 2003;
 - C. Plan Commission Minutes for the meeting of April 28, 2003.
- 7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
 - A. Proclamation Declaring the Week of May 18-24, 2003 as Emergency Services Week in the City of Sycamore.
 - B. Proclamation Declaring the Week of May 18-24 as Save A Life Week in the City of Sycamore.
 - C. Presentation of the Fire and Police Commission's Annual Report for FY03.
- 8. REPORTS OF OFFICERS**
- 9. REPORTS OF STANDING COMMITTEES**
- 10. PUBLIC HEARINGS**
 - A. Public Hearing on the Revised Comprehensive Plan and Land Use Map.**

On Monday, May 12, the Plan Commission held a public hearing on the proposed Comprehensive Plan and Land Use Map, prior to unanimously approving the documents. This public hearing provides the public an additional opportunity to comment on the Plan and map exhibits before the Council is asked to take action under Ordinance No. 2003.03.

Copies of the Plan and Land Use Map have been open to public view in the City Clerk's office.

B. Public Hearing on an Annexation Request from Sycamore Township.

Please see Ordinance No. 2003.09 for details concerning this annexation request.

C. Public Hearing on an Annexation Request from John Clare, LTD.

Please see Ordinance No. 2003.12 for details concerning this annexation request.

11. ORDINANCES

A. Ordinance No. 2003.03—An Ordinance Adopting a Revised Comprehensive Plan and Land Use Map. First and Second Reading.

At the regular Plan Commission of March 11, 2002, the City Administrator recommended, and the Plan Commission concurred in, the suggestion to hire a professional planner to assist the City in developing a sub-regional plan for the northeast quadrant of the City's planning area. On March 20, 2002, the City Council's Finance Committee concurred with the City administration's recommendation to set aside about \$25,000 (Fund 6; Line Item #8331) for a consulting contract to help the City revise its Comprehensive Plan, to develop a subarea plan for the northeast quadrant of the City, and to provide a share of the cost of the drafting of a unified development ordinance through the DeKalb County Regional Planning Commission. In the spring of 2002, the Regional Planning Commission solicited proposals from a wide range of planning consultants to assist the County's 14 municipalities in arriving at a unified development ordinance that could be used as a model by all. As a result of that search, Land Vision, Inc. of St. Charles was selected. Given the thoroughness of the search and the fact that Land Vision was going to be working on some mapping within the Sycamore planning area, the City Council concurred with the City Administrator's recommendation to hire the same firm to assist with the City's subregional plan and any revisions that might be desired in the Comprehensive Plan documents.

About a year later, the Council is presented with planning documents that represent a more thorough revision of the City's planning vision than anticipated in May, 2002. A considerable amount of public effort and comment helped to create these documents. With the gracious assistance of the Sycamore School District, open houses were held at each of the City's four elementary schools in July of 2002. In the fall of 2002, the City Administrator revised the first two chapters of the Comprehensive Plan dealing with current demographics, market facts, and development activity since the present Comp Plan was adopted in May of 2000. A very focused discussion about possible land uses by the Plan Commission began in earnest after the charrette of January 11, 2003. At the regular Commission meetings of January 13, February 10, March 10 and April 14, and

at special Plan Commission meetings on January 27, February 24, and April 28, the Commission held lively discussions about possible land uses as well as ultimate growth limits.

At the last regular Commission meeting of May 12, the Commission unanimously recommended the Comp Plan text and Land Use Map that are before the Council. The key features of these documents are as follow:

1. A new residential classification to note existing rural residential uses within the planning area.
2. A distribution of future commercial activity at the intersection of arterial roadways and at neighborhood intersections to conveniently serve present and future residents. This includes large nodes of proposed commercial zoning on the west side of Peace Road between DeKalb Avenue and Illinois Route 64; along the frontage at the northeast corner of Illinois Route 64 and Peace Road; on the west side of Illinois Route 23 north of the intersection with Peace Road and Plank Road; and at the eastgate of Sycamore along the Illinois Route 64 corridor.
3. A designation of industrial sites to sustain a diversified tax and employment base. Along with the prime space available in the Sycamore Prairie Business Park, the Plan designates most of the Bethany Road corridor east of Illinois Route 23; much of the Peterson farm just west of the present Crosby Avenue; and about 82 acres of land in the Thanks America subdivision that lies north of the former Agco plant and west of Peace Road.
4. Mixed use designations to provide flexibility in planning mixed residential and commercial developments with an emphasis on one or the other type of land use.
5. An Office/Research/Light Industrial designation to guide the development of office and research facilities and encourage higher levels of design, extensive site amenities, and open space for such uses.
6. New bicycle and pedestrian trails to link existing and future development to recreational areas and open space.
7. Proposed corridors for the extension of Airport Road, Motel Road, North Grove Road, and Crosby Avenue.
8. Targeted sites for future school and park facilities.
9. "Gateway" corridors generally conforming with the City's main entrances to highlight rights-of-way meriting special protection and beautification as adjacent land is developed.
10. Large areas of agriculturally-zoned land on the edge of the City's primary development area to underscore the importance of farmland preservation in DeKalb County's land use plan, and the preference for growth extending outward from the City's core rather than leapfrogging to remote sites.
11. A "green belt" about 500 feet in width, moving along Whipple Road from Brickville Road on the west to Hickory Circle on the east, then curling southward toward Lindgren Road. This cordon would define the City's ultimate corporate limits to the north and the northeast.
12. A strong recommendation for the Council to implement a regulatory framework that would moderate the pace of new housing starts in any given year (the Commission voted 9-3 to support this recommendation on May 12).

Land Vision has taken the Comp Plan text prepared by the City administration and improved the format and appearance with local photographs, background colors, and more lively tables, and has also prepared a Land Use Map, Transportation Map, and Existing Land Use Map to round out the map exhibits.

Two features of the Plan deserve further elaboration:

1. Table 22. As in the 2000 Plan, the chapter that puts the preferences of the Land Use Map into words—Chapter 4—contains a table that graphically portrays the relative proportions of land allocated to residential, commercial, industrial, agricultural and other uses. This chart is reproduced below:

Table 22. Existing and Proposed Land Uses

Land Use	City Limits 2003	%	Mile-and-a-Half Planning Area 2000	%	Mile-and-a-Half Planning Area 2003	%
Neighborhood Residential	2,811	65	4,117	48	3,006	24
Rural Residential	0	0	0	0	2,145	17
Commercial	525	12	504	6	489	4
Industrial	453	11	468	6	290	2
Office/Research	0	0	551	6.5	670	6
Mixed Use	0	0	199	2	119	1
Schools	149	4	40	.5	245	2
Parks/Buffer Areas	275	6	375	4	894	7
Agricultural	75	2	2,287	27	4,581	37
TOTAL	4,288*	100	8,541*	100	12,439*	100

*Excludes floodplain.

In this Plan, the total planning area, including the existing City limits and the mile-and-a-half planning area, comprises 16,727 acres or 26.14 square miles. The 2000 Plan numbers were 20,175 acres and 31.52 square miles, respectively.

The “rural residential” designation was not in the 2000 Plan and comprises an area that will likely remain, for the most part, within the County jurisdiction. About one-half of the area consists of estate lots that were allowed to develop with wells and septic systems within the County jurisdiction before the County Plan discouraged such development. If we remove the “rural residential” designation for illustrative purposes, the potential municipal tax base is more obvious:

Land Use	City Limits 2003	%	Mile-and-a-Half Planning Area 2000	%	Mile-and-a-Half Planning Area 2003	%
Neighborhood Residential	2,811	74	4,117	71	3,006	66
Commercial	525	14	504	9	489	11
Industrial	453	12	468	8	290	6
Office/Research	0	0	551	9	670	15
Mixed Use	0	0	199	3	119	2
Municipal Tax Base	3789	100	5,839	100	4,574	100

The proposed land use designations in the prime contiguous growth areas provide a better balance of residential, commercial, and industrial uses than those in the 2000 Plan.

2. The Regulatory Framework. At the April 14, April 28, and May 12 Plan Commission meetings, the City Manager reviewed a regulatory plan to manage growth in the City's planning area. This tool would not apply to land already annexed, or planned developments already approved. It was reasoned that a volume of residential occupancies substantially above the historic pace established in 2002 would overwhelm the City government's ability to provide essential municipal services to both established and developing areas of Sycamore. This was also likely to be the case with services provided by other taxing bodies.

How was this judgment reached? Speaking only for the City's fiscal requirements, the answer lies both in the City's recent taxing policy and in market dynamics.

In terms of policy, Sycamore City Councils became committed to lowering the City property tax rate in the mid-1990's when the City's composite tax rate—consisting of the rates of all taxing bodies—reached an uncompetitive height of almost \$9.50 per \$100 EAV, or about \$1.00 more per \$100 EAV than the composite rate in DeKalb. The relatively high rate was more the result of the taxing decisions of other taxing bodies, since the City's share was seldom more than 12-13% of the overall rate. Nevertheless, the City has historically had a wider range of revenue sources than other taxing bodies, and it was understood that the City was in a better fiscal position to resist more substantial annual increases. There are two ways to reduce the rate: hope for substantial annual increases in the valuation of the community's property or minimize the annual levy. The City has benefited from annual EAV increases of 7-8%, but has also resisted levying taxes at or above the level of inflation. The City's tax rate has been reduced from \$1.65 per \$100 EAV in 1986 to .98 per EAV in 2002. If the City does not claim at least an inflationary share of the property tax extension, it is not going to realize one of the advantages claimed by developers of residential property.

Second, the City's taxing policy has led to a greater reliance on annual sales tax revenues to pay for essential services. Sales and use taxes now constitute 43% of the annual general operating budget; in 1998 they constituted 30%. However, notwithstanding the City's encouraging land use policies and sales tax rebates, the rate of commercial growth in the corporate limits has been very slow because of the more competitive real estate locations and incentives offered by DeKalb, in conjunction with DeKalb County. New industrial growth has been modest, and does not generate substantial new revenue annually. The sum of the City's fiscal picture in the near term is this: very modest annual growth in operating revenue; increasing demands for a wider geographic allocation of essential services; and rising expectations for new services that cannot be funded by present revenues. In this context, we find the City faced with unparalleled interest in residential development, particularly in the northeast quadrant.

If the City can't—or won't—gather the property tax dollars that could be levied on new housing to offset City costs, and if other general revenue sources are rising slowly (assuming no new taxes), then fiscal prudence dictates a firmer hold on costs. The City has resisted new hires otherwise justified by widely accepted standards. Minimum shift strength in the Fire and Police departments has not changed since the 1970s, and staffing in the Water Department and Treatment Plant have likewise been unchanged for decades. Until something can be done about these urgent dilemmas, there can be no commitment to a planner, an economic development officer, an assistant engineer, or administrative support to meet the new growth. From a fiscal standpoint, the only responsible approach is to pace the growth of development at modest levels that can be incrementally “digested” by the City’s operating employees.

A regulatory schedule governing the pace of annual permitting by development has been recommended to help achieve such modest annual growth. This schedule will ultimately be written into the Zoning Code, as that body of codes is re-worked to conform to the changes in the Comprehensive Plan. As an interim measure, a City ordinance has been recommended by a Commission vote of 9-3 to implement the schedule shown below.

The Plan Commission has unanimously recommended the proposed Plan and maps after nearly a year of public discussion. City Council approval on both readings is recommended.

B. Ordinance No. 2003.04—An Ordinance Amending Chapter 13, “Administration,” Section 13.02 “Zoning Certificates and Building Permits,” of the Amended Zoning Ordinance of 2001 of the City of Sycamore, Illinois to Add a New Paragraph 5 That Establishes a Schedule for the Allowable Number of Annual Permits Per Each New Planned Unit Development. First and Second Reading.

As noted above, the Plan Commission has forwarded a recommendation to the Council in favor of further regulatory control of the pace of new residential construction in Sycamore. This proposal is not meant to stop growth or even slow growth. It is a “circuit breaker” in effect. It would restrict the volume of permits at a point significantly above the historically high number of housing starts experienced in 2002.

To put it differently, the regulation would provide “insurance” against the prospect of one or several developments overwhelming the ability of the City and other taxing bodies to provide essential services at a price—i.e. the composite tax rate—that local residents are willing to pay.

The proposed regulatory framework is codified in the attached ordinance and is described in the table and narrative below:

Annual Permit Pace by Development

Number of Dwelling Units on the Preliminary Plan	Dwelling Units Permitted Per Year As A Percentage of the Total Lots on the Preliminary Plan*
0 to 50 dwelling units	No Limit
51 to 100 dwelling units	No More Than 35 Per Year
101-200 dwelling units	25% or 40, whichever is greater
201-300 dwelling units	20% or 50, whichever is greater
301 to 400 dwelling units	18% or 60, whichever is greater
401-500 dwelling units	15% or 70, whichever is greater
Over 500 dwelling units	10% or 75, whichever is greater

*excludes unoccupied model homes

Development Bank:

For a year or more following most annexations of undeveloped land, a developer is focused on the preparation of final engineering plans, the approval of those plans by the City Engineer, the bidding of the infrastructure work, the rough grading, and finally the preparation of a final plat for the first phase of development. During this period, lots are not sold but the clock is ticking, so to speak. Communities that impose a limit on annual housing starts typically provide the option of “banking” the number of units that are not permitted, but were allowed, in any given year up to a maximum number of units that could be permitted in a year. For instance, if a developer is allotted 40 lots per year, but only 20 permits are issued due to a number of factors such as the market conditions, an extended period for preliminary development work, etc., then an additional 20 permits--or 60 in all--would be allowed in the following year, which begins on January 1. This would continue year after year so long as the “bank” did not exceed the annual allowance.

In the first year, the developer would only get credit for a pro rata share of the allowance. For instance, if a development area was annexed in late November, the developer would get credit for 1/12th of the allowance for Year One.

This regulation would not be retroactive to previously approved developments.

On May 6, the City Manager met with the board of the DeKalb County Building & Development Association to elaborate on the proposed regulation. As a result of that discussion, the Board sent a representative to the Plan Commission meeting of May 12 to announce that the Association had moved to a “neutral” stance on the regulation.

The Plan Commission forwarded this matter to the Council by a vote of 9-3. City Council approval of the Plan Commission recommendation is requested. The ordinance would serve as an interim growth control tool until the Zoning Code is entirely revised later this calendar year, and similar provisions are incorporated in the Zoning Code text.

C. Ordinance No. 2003.05—An Ordinance Approving a Lease Between the City of Sycamore and Land Vision, Inc. and Christopher Burke Engineering West, Ltd. Regarding Suite 302 of the Sycamore Center. First and Second Reading.

On April 7, the City Council approved the first lease for the new Sycamore Center. The attached ordinance would approve the second lease. Suite 302 of the new Sycamore Center comprises about 1,250 square feet of the third floor and stretches along the south side of the building. Two professional firms based in St. Charles are interested in renting the space to assist them in their expanding business in the Sycamore area. The firms—Land Vision, Inc. and Christopher Burke Engineering West, Ltd.—are represented by Chuck Hanlon and John Wills, respectively. They have agreed to the following lease terms:

- ◆ A three-year term, with the option to renew for two additional terms of one year each.
- ◆ A monthly rent of \$1,250.00, which is roughly equivalent to about \$12 per square foot. The base monthly rent would be increased to \$1,312 in the fourth year (+5%) and by the cost-of-living, or no more than 5%, in the fifth year.
- ◆ The tenant would pay for a pro rata share of all electrical and natural gas utilities based on the ratio of the leased premises to the total leased premises for all other commercial tenants.
- ◆ The City shall pay for all water, sewer, and trash removal costs.
- ◆ The tenants shall pay a pro rata share of the real estate taxes based on the ratio of their space to the total leased premises for all other commercial tenants.

City Council approval is recommended.

D. Ordinance No. 2003.06—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Jeff Jacobsen to Rezone the Property at 413 East Exchange Street from “R-1” One Family Residence District to “R-2” Two Family Residence District. First and Second Reading.

Jeff Jacobsen, a local appraiser, recently purchased the property at 413 East Exchange Street, across the street from Brown’s Country Market, as an investment. The property is currently zoned “R-1” One Family Residence District, but the principal structure has been in use as a duplex for generations. In zoning terms, this makes the property “legal, non-conforming.” Although this designation allows the present users to legally reside in the structure, if the building were damaged by more than 60% of its replacement value, it could not be reconstructed as a duplex. This conventional zoning rule makes sense if one wants a legal tool to change a property’s use at the point of sale. In this case, the property owners are in a dilemma in terms of re-financing or in the event they want to re-build after a catastrophic loss. In a housing market wherein home sales are brisk and demand is high, lenders and underwriters are loath to approve loans for properties that are “non-conforming”.

The petitioner has requested a rezoning of the property to “R-2” Two Family Residence District. The applicable zoning provisions are found in Chapter 4 of the Zoning Code, “General Provisions.” This chapter addresses existing neighborhoods that were platted

before zoning codes were adopted. The lot size (11,907 square feet) satisfies the minimum lot area of 7,000 square feet in older neighborhoods. In addition, the lot conforms to the setback requirements and frontage provisions (the existing 75 feet exceeds the allowable 45 feet for older neighborhoods). In short, with the exception of the land use designation, the lot is in conformance with the City's zoning provisions according to Zoning Officer Lyle Doty.

The Plan Commission reviewed the petitioner's request on May 12 and recommended its approval by a vote of 12-0. City Council approval of the Plan Commission recommendation is requested.

E. Ordinance No. 2003.07—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of the National Bank & Trust Company to Vacate the Alley South of the Main Bank Building, Between Somonauk Street and South Maple Street, in the City of Sycamore, Illinois. First and Second Reading.

The National Bank & Trust Company has petitioned the City for the vacation of a 15-foot wide public alley on the south side of the main bank building. The alley runs from Somonauk Street to South Maple Street. For many years, the alley has served as a walkway rather than a route for motor vehicles. It does not conform to the minimum fire lane width of 18 feet, and as a practical matter would not be used for emergency vehicle access because of its narrow width and the regular competition of pedestrians appearing from several directions.

To the east of the bank property, the alley abuts two other parcels on the north side. On the south side, the Bank owns all of the adjacent property. Upon vacation, the alley area is evenly split between adjacent propertyowners. The City Engineer has approached the other propertyowners and has not received any objection to the bank's request.

The City will need to impose two conditions on the vacation. First, the City must be granted a permanent easement for access to the underground utilities that run beneath the 15-foot alley. The National Bank has plans to demolish two smaller structures between the alley and its drive-through area, but does not intend to erect or plant any obstacles in the alley area that would impede the City from repairing its underground infrastructure. Second, the City will need an access easement to assure the adjacent propertyowners of the ability to get to and from garbage dumpsters that are located in the rear of their buildings. Both easements should be referenced on the plat before it is recorded.

The Plan Commission reviewed the petitioner's request on May 12 and unanimously recommended its approval (12-0) with the additional condition that two handicap spaces would be added in the re-configured parking area near the new walkways. City Council approval of the Plan Commission recommendation, with the aforementioned easements and handicap spaces, is requested.

F. Ordinance No. 2003.08—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Dahlco, LLC for an Amendment to the Annexation Agreement Dated March 27, 1996 and for the Annexation and Rezoning of the Property Along the West Side of Hopkins Lane, South of Mt. Hunger Road. First and Second Reading.

At the March 10 meeting of the Plan Commission, the petitioner requested an amendment to the Townsend Woods annexation agreement revising the preliminary plan to allow the annexation of a 3.71-acre strip running along the west side of Hopkins Lane. The proposed preliminary plan revision depicted eleven single-family lots with driveway access to Hopkins Lane.

Neighboring propertyowners who reside on the east side of the rural Township roadway objected to the plan because of the dramatic increase in housing density at their doorstep, the monolithic array of front-loaded garages, and the promise of many more vehicle trips in and out of Hopkins Lane each day. The Commission asked the City Attorney to render an opinion as to whether the newly annexed land would be automatically zoned “R-1” One Family Residence upon annexation. If not, the Commission would be in a position to negotiate over the most restrictive zoning.

Action on the petition was continued until the April 14 meeting. At that time it was reported that the City’s most restrictive zoning was “A-1,” Agricultural District, according to the revised Zoning Code of 2001. A rezoning was thus likely to be required before any residential uses could be introduced on the 3.71-acre strip to the west of Hopkins Lane. In anticipation of this ruling, the City staff, the petitioner and his attorney, and residents of the homes on the east side of Hopkins Lane opened a dialogue in the interest of arriving at a plan that satisfied all parties. The plat before the Council represents such a compromise. It depicts a re-designed residential development area to the west of Hopkins Lane that allows no access to Hopkins Lane. Further, it calls for an elevated berm with a screening hedge of fir trees that will have a minimum height of 4 feet at the time of planting, and the trees will be staggered in two rows at 10-foot centers. Another feature of the plan is the permanent rural character of the Hopkins Lane right-of-way. The roadway will be re-built by Sycamore Township but will retain the ditch system for the conveyance of storm water, rather than a curb and gutter system. The proposed Land Use Map of 2003 suggests that the Hopkins Lane right-of-way should be a permanent “edge” between the corporate limits and the unincorporated County jurisdiction. This plan would tangibly support such a vision.

The Plan Commission reviewed the proposed amendment to the annexation agreement on May 12 and unanimously recommended its approval. City Council approval of the Plan Commission recommendation is requested.

G. Ordinance No. 2003.09--An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Sycamore Township and the Sycamore Township Road District for an Annexation Agreement, Annexation, and Rezoning of the Township Property on Brickville Road With

a Zoning of “M-1” Light Manufacturing in the City of Sycamore, Illinois. First and Second Reading.

Sycamore Township officials have petitioned the City for the annexation of their property at 545 Brickville Road. The Township offices and maintenance facilities comprise about 1.3 acres in an area that is predominantly zoned for industrial purposes. The proposed zoning is “M-1” Light Manufacturing.

An annexation agreement concerning the proposed annexation is attached. Since the property is already connected to the City’s water and sewer systems, some of the usual language concerning utilities is not included. The public uses that are part of the Township’s statutory functions are enumerated since the Zoning Code does not detail such uses in the M-1 provisions.

Since the property is currently surrounded by the City’s corporate boundaries, the annexation of this site will contribute to the orderly planning of the area, while increasing the City-wide EAV. The Plan Commission unanimously recommended this annexation and the agreement by a vote of 12-0 on May 12. City Council approval of the Plan Commission recommendation is requested.

H. Ordinance No. 2003.10—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Request of Sycamore Township and the Sycamore Township Road District for Approval of the Annexation of Township property on Brickville Road in the City of Sycamore, Illinois. First and Second Reading.

This ordinance is required for recording purposes and effects the annexation described above. City Council approval is recommended.

I. Ordinance No. 2003.11--An Ordinance Concerning the Recommendation of the Plan Commission With Regard to a Plat of Conveyance of City Property Known as Sycamore Lake to the Sycamore Park District in the City of Sycamore, Illinois. First and Second Reading.

Local recreational fishermen have long known about the sizeable fish in a stream-fed pond that is at the end of North Cross Street, east of the City’s waste water treatment facility. As the attached aerial view shows, the pond, informally known as “Sycamore Lake,” is also adjacent to the northwest tip of the Sycamore Industrial Park (formerly the Anaconda Wire Company). Until recently, the pond was posted because of higher than acceptable readings of various metals, but the IEPA has recently concluded that periodic samples reveal a natural cleansing that would allow fishing again.

The Sycamore Park District and the City of Sycamore have discussed the possibility of converting the spot to more active recreation for a number of years. With the lifting of restrictions on fishing (the official metals readings are similar to those of Lake Shabbona), planning can proceed. The property is currently owned by the City. The proposal is to transfer the property to the Park District that would in turn invest in improvements that would make fishing, jogging, walking and other relaxing activities more agreeable. Such improvements would include a bike path and walking path

around the pond, a cleaning of the banks of scrub vegetation and branches, and some docks. The City would retain access easements on the west side of the property to assure access to the “hill” that contains City construction equipment and materials. Access through the main City gate leading to the treatment facility would also have to be assured.

The Plan Commission reviewed the attached plat of conveyance on May 12. The plat shows five different access easements and the legal descriptions of the easements are attached. The Commission voted 12-0 to recommend the conveyance, with the condition that the Park District prohibit boat motors in excess of 5 hp. City Council approval of the Plan Commission recommendation is requested.

J. Ordinance No. 2003.12—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of John Clare, LTD for an Annexation Agreement, Annexation and Rezoning of the Property Known as the Kocher Farm. First and Second Reading.

In May of 2002, Dave Johnson and Shari Neeley of the development firm John Clare LTD met with the City staff to discuss their intention to develop the Kocher Farm for residential purposes. The farm is located on Plank Road, east of Illinois Route 23. At that time, Mr. Johnson and his partner were informed of the City’s intent to update its Comprehensive Plan and to develop a sub area plan for the northeast quadrant of the City. They were also informed that the planning process might take six months to reach resolution, and that clear direction on any further development in the northeast quadrant could not be given until the Plan Commission and Council had carefully reviewed the possibilities. Mr. Johnson and Ms. Neeley were satisfied that the process would be deliberate and would give them the direction they needed as well. Since the initial meeting, Mr. Johnson has attended every regular Plan Commission meeting, a number of open houses, and a few special meetings. In October of 2002, he discussed a concept plan for the development of the Kocher Farm with the Plan Commission and derived some direction with respect to land use, the extension of public roads, access to the property, and stormwater retention. At the October 2002 meeting, the staff and the Commission felt obliged to ask him to wait for further formal direction before submitting a petition for annexation. Mr. Johnson acceded to this wish, although no formal moratorium had been established by the City Council.

In late winter, as the Plan Commission approached consensus on a provisional Land Use Plan and began detailed work on a northeast regional plan, Mr. Johnson and his partner felt they had sufficient direction with respect to land use, an internal road network, retention, and Plank Road access to proceed with further engineering and legal work that must precede a petition for annexation. The result of their effort came before the Commission on May 12.

The balance of this report will review the annexation agreement and development plan submitted by Mr. Johnson in behalf of his firm.

The Preliminary Plan.

The North Grove Crossing plan comprises about 96.275 acres and features the following:

- a) Land Uses. About 85.45 acres of “R-1” One Family Residence zoning and 10.83 acres of “R-3” Multiple Residence zoning with a special use permit for townhouse development. The 5 acres of commercial zoning anticipated in the proposed Land Use Plan for the vicinity of Peace Road and Lindgren Road would develop on the adjacent property retained by the Kocher family, which is not part of the development plan.
- b) Density. The overall density will be 2.8 dwelling units per gross acre. Forty-one (41) large single family home sites would be developed with a minimum lot size of 12,000 square feet and an average lot size of 15,242 square feet; and 122 single-family home sites would be developed with a minimum lot size of 10,000 square feet and an average lot size of 11,453 square feet. In addition, 106 townhomes would be developed.
- c) Average Pricing. Townhomes: \$165,000; Single Family homes: \$250,000 (comparable to Heron Creek).
- d) Open Space. The open space would be equivalent to 40.8% of the gross land area, inclusive of 6.35 acres of park space, 5.15 acres of detention, and 27.80 acres of right-of-way (excluding Plank Road).
- e) Public Park Space. The plan depicts a 6.35-acre park that greets the visitor upon entry at Peace Road. This park blends into an adjacent retention area to suggest a larger recreational area.
- f) Commercial Area. Future commercial zoning will arise when the Kocher homestead is annexed. The plat will need to be revised to show access from two points: one logical point of access is through Lot 4; the other would be through the townhome area and would require the removal of a unit from Building 8 and a unit from Building 9.
- g) Bike paths. A bike path originates in the entry park. It spreads west along Northgate Drive and southward to Alden Drive.

The Annexation Agreement.

The proposed annexation agreement has the following main features:

- a) A twenty-year term.
- b) The developer is responsible for the extension of North Grove Road and Lowell Drive to Plank Road, subject to approvals from the DeKalb County Highway Department regarding intersection design, turn lanes and signalization. The developer may recapture 50% of the cost of the widening and turn lane improvements associated with such intersections since they will serve other developments in the immediate area.
- c) The developer shall build the portion of Lowell Drive adjacent to the subject property, but will be entitled to recapture some of the cost of the construction and interest (40%) from any future developer of land to the west.
- d) The developer shall donate \$200,000 to the Sycamore School District for construction projects and the proposed field house within 30 days of the approval of the initial final plat.

- e) The developer shall make the obligatory land or cash donation to the Park District.
- f) The bike paths shown on Exhibit “B” (the preliminary plan) shall be built to a width of 10 feet. The text of paragraph 35 should be revised to clearly identify the material to be used.
- g) The City shall review the design standards for the R-3 zoning area prior to final plat approval.
- h) The developer shall be allowed to pay an annexation fee of \$1,000 per acre if the entire acreage is paid by December 31, 2003.

The Traffic Plan.

A traffic study was conducted by CES, Inc. and is analyzed by John Brady in an attached memorandum. The CES study projects 2,180 vehicles per day. For reference, the Sycamore Creek plan will generate about 3,535 vehicles per day and the Wiseman-Hughes project was projected to generate 3,700 per day. About one-third of the traffic will be dispersed to Rt. 23 when North Grove Road and Northgate Drive are connected.

The Fiscal Impact Study.

The attached fiscal impact study shows an annual deficit for the School system, which is adequately offset in the opinion of the Board by the upfront donation of \$200,000. This voluntary contribution by the developer amounts to about \$1,300 per student over and above the School impact fee (the Sycamore Creek contribution was about \$1,600 per student). A positive fiscal trend is projected for the City until full build-out, when permit fees and impact fees stop. After that point, with only modest adjustments in property tax revenue owing to rising assessed valuations and relatively level sales tax income, the development moves to a net deficit position with respect to the City’s fiscal impact. This study supports the assumptions noted in the analysis on page 6, above.

Park District Review and Annexation.

The Park Board will take up Mr. Johnson’s petition on May 20. Mr. Johnson has appeared twice before the Board since the fall of 2002, and his concept plan has been favorably received, although a formal vote has not been taken.

Proposed Variations.

1. In view of his willingness to suspend steps to annex last fall, Mr. Johnson has requested the same relief from the higher annexation fees afforded Sycamore Creek and other developments recently annexed to the City. He agrees to pay all of the fees at once, before the end of the calendar year, provided he can do so at the reduced rate of \$1,000 per acre.
2. Mr. Johnson also asks for a minor allowance with respect to the proposed regulatory controls regarding allowable permits per year. Again, in light of his patience in waiting for a northeast plan to unfold, he asks that the clock start at the first of this calendar year, which would allow additional single family units (about 20) to be permitted in 2004—the first year he is likely to be ready to apply for permits.

Recommendation.

If the City Council does not act favorably on the proposed Comp Plan, Land Use maps, and regulatory control, no action should be taken. If the Council does act favorably on such documents, the City Manager requests the Council's approval of the Plan Commission recommendation (12-0) to approve the annexation agreement, annexation, and preliminary plan subject to the following conditions:

- a) Compliance with the City Engineer's requirements for water main and sewer main extensions along Plank Road.
- b) A limited variation in the annexation agreement to require compliance with the proposed regulatory controls, with the size of the development bank tied to a full year in 2003, rather than a partial year beginning on the date of Council approval.
- c) A limited variation to allow the petitioner to pay all of the annexation fees upfront at the rate of \$1,000 per acre rather than \$3,000 per acre, paid at the time of the approval of each final plat. This variation is supportable in terms of the unlegislated delays in the City's processing of this annexation request, and also for financial reasons. As the appended "alert" from the Illinois Municipal League notes, although the state legislature is not presently considering any bills to reduce the local government share of state income tax, the income tax fund's statutory triggers will require proceeds from the local government distributive fund to be used to cover the backlog of income tax refunds. The effect will be the same as a legislative seizure of dedicated local funds. In the case of Sycamore, the result will be a shortfall of about \$81,000. If Mr. Johnson is permitted to pay the \$1,000 per acre annexation fee in full by December 31, 2003, this shortfall will be covered. No other revenue sources are apparent at this early stage in the fiscal year. If Mr. Johnson is required to pay the \$3,000 per acre, he will pay as final plats are approved, and the first final plat will likely not be approved until this time next year. In the longer term, the active interest of developers in the Sycamore planning area will assure us of a steady process of annexation at the higher fee level for many years.
- d) A better delineation of the bike path system on the preliminary plan, suggesting possible connections in the direction of some regional pathway.
- e) A revision of the preliminary plan to depict the two access points to the future commercial zoning area.

K. Ordinance No. 2003.13—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of John Clare, LTD for Approval of the Annexation of the Property Known as the Kocher Farm in the City of Sycamore, Illinois. First and Second Reading.

This ordinance is required for recording purposes and effects the annexation described above. City Council approval is recommended.

L. Ordinance No. 2003.15—An Ordinance Approving a Grant of \$1,000 to the DeKalb County Community Foundation for Services to Citizens of the City of Sycamore, Illinois. First and Second Reading.

For the last ten years, the City Council budget (701-8399) has funded a \$1,000 allocation to the DeKalb County Community Foundation to help defray organizational expenses. This grant and others from local taxing bodies and private contributors helps

offset the operational liabilities of the foundation and in turn optimizes the funds available for helping county agencies and new initiatives in the general welfare. Among the Sycamore agencies or groups that have been served in recent years are Opportunity House, CASA, Sycamore Child Care, VAC, Discover Sycamore, the Sycamore Chamber, the Sycamore Historical Society, the Midwest Museum, and the Sycamore Firefighters Preservation Company.

City Council approval is recommended.

M. Ordinance No. 2003.16—An Ordinance Amending Title 1, “Administration,” Chapter 11, “Miscellaneous Provisions,” of the City Code of the City of Sycamore, Illinois to Add Interfund Loans. First and Second Reading.

As the Council knows, the City has established 26 budget funds to carefully account for its spending. Practically speaking, the City does not have 26 separate bank accounts to hold the assets (i.e. cash and investments) for these funds. Instead, the City commingles some deposits (not budget funds!) to maximize interest gains, where this is prudent and meets generally accepted accounting principles. Some monies—e.g. pension funds, motor fuel tax funds—are never commingled. In addition, not all budget funds start the year with all of the budgeted monies so the commingling allows each budget fund to operate relatively freely, provided the City Treasurer and Finance office regularly share information about spending needs and budgeted allowances.

Occasionally, negative cash balances occur when checks for certain City funds are written within the common checking account on behalf of budget funds that temporarily have low cash balances available to them, or that do not have enough liquid investments to clear the temporary deficit. So that such negative cash balances are not considered “unauthorized” interfund loans, the attached ordinance automatically authorizes a “loan” from a fund with a positive balance to a fund with a negative balance, to be cleared as new assets accrue. This ordinance has been reviewed and approved by the City’s auditing firm.

City Council approval is recommended.

N. Ordinance No. 2003.17—An Ordinance Amending Title 6, “Motor Vehicles and Traffic,” Chapter 4, “Traffic Schedules,” Section 6-4-1, “Stop Intersections,” to Add a Stop Sign on Devonshire Drive North at Foxpointe Drive. First and Second Reading.

At the regular Council meeting of May 5, a citizen request for a stop sign on Devonshire Drive North, at the intersection with Foxpointe Drive, was introduced. The staff had already reviewed the request and was satisfied that it met prudent traffic safety parameters. Accordingly, the Council directed the City Manager to bring back an ordinance authorizing the installation of such a traffic control sign. The attached ordinance meets that expectation.

City Council approval is recommended.

12. RESOLUTIONS

A. Resolution No. 438—Requesting Permission of the Illinois Department of Transportation to Close Illinois Route 64 from Sacramento Street to Main Street from 7:00 A.M. Until 5:00 P.M. on July 27, 2003 to Allow for the “Turning Back Time” Car Show in Sycamore, Illinois.

As in 2002, the organizers of the annual “Turning Back Time” Car Show have requested the closing of Illinois Route 64 from Main Street to Sacramento Street from 6:00 a.m. to 5:00 p.m. This would be the 4th annual car show, principally organized by Chuck Criswell of Chuck’s Auto. As in 2002, this year’s show will feature vendor locations in the City lot at Sacramento and State Streets; the American Family Insurance lot at 116 West State Street, on North California Street from State Street to the North Alley, and in the 100 block of Somonauk Street.

The detour route is as follows:

- ◆ West Bound: Use Main to Exchange to Sacramento and back to State Street;
- ◆ East Bound: Use Sacramento to Exchange to Main Street and back to State Street.

Lt. Cary Singer has been the City liaison with the organizing committee and is satisfied that the plan provides a safe detour route and an orderly arrangement of vendor locations.

City Council approval is recommended.

13. CONSIDERATIONS

A. Consideration of an Invitation to Attend the Annual Memorial Day Remembrance at the Sycamore Veteran’s Home at 10:00 A.M. on Monday, May 26, 2003.

The City Council and City department heads are invited to attend the annual Memorial Day remembrance service at the Sycamore Veteran’s Home on Monday, May 26, at 10:00.

B. Consideration of a Police Department Report on Taxi Cab License Fees.

At the last regular Council meeting of May 5, a local licensed taxi operator appealed to the City Council to reduce the annual renewal fee for taxi licenses. Police Chief Don Thomas and City Clerk Candy Smith have reviewed the current fees and recommend the following:

1. For new applicants, retain the \$150 per cab license fee;
2. For renewals, reduce the annual per cab renewal fee to \$50.00 from \$150.00;
3. Charge the City’s out-of-pocket cost for background checks. The present charge is \$38.00.

City Council direction is requested.

C. Consideration of an Administration Report on Proposals for a Used Replacement Vehicle for the Building and Zoning Department.

Building Commissioner Lyle Doty recently requested proposals for a budgeted replacement vehicle for the Building Department. The vehicle would replace the 1994 Chevy Blazer that is in use by the electrical inspector and was previously used by Lyle Doty. Proposals will be solicited up to Friday, May 16 at 5:00 p.m. Lyle Doty will report the results of the search for proposals at the Council meeting of May 19.

14. APPOINTMENTS

15. ADJOURNMENT