

**SYCAMORE CITY COUNCIL**  
**AGENDA**  
**March 5, 2007**

**City Council Committee Meetings**  
No Meetings Are Scheduled

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**Regular City Council Meeting**  
**7:00 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 for the Regular City Council Meeting of February 19, 2007.
  - B. Payment of the Bills for March 5, 2007.
7. **PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
  - A. Presentation by Drew Wells regarding the "Fill the Boot" Bean Bag Tournament at NIU's Convocation Center on April 21, 2007.
  - B. Presentation by Dr. Wayne Riesen, Superintendent of Sycamore Community Unit School District #427, regarding the Board of Education's proposal for a referendum to raise funds for the construction of school facilities.
8. **REPORTS OF OFFICERS**
9. **REPORTS OF STANDING COMMITTEES**

10. PUBLIC HEARINGS—None

11. ORDINANCES

**A. Ordinance No. 2006.62--An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of John Hall Homes to Amend the Original Annexation Agreement between the City of Sycamore and Freda R. Herst to Include a New Preliminary plat, Zoning Revisions and Certain Zoning Variances. Second Reading.**

On February 19 the City Council heard this matter on first reading. The preliminary plan and plat presented by John Hall Homes is a refinement of a plan that was presented to the Plan Commission on August 14, 2006, the City Council on October 16, 2006, and the Plan Commission on January 8 and February 12 of 2007. In addition, two special workshop sessions have been held to familiarize interested citizens and businesses with the unique features of the proposed development. The first special workshop was a “brown bag” lunch held on Tuesday, January 23 from noon until 1:30 p.m. in the lower level of the Sycamore Center for the benefit of Sycamore Chamber members. The second was held on Monday, February 26, at 7:00 p.m. at the request of Alderman Grace Adee to afford an opportunity for her Third Ward constituents to take another look.

The proposed plan would amend the “shell” plan presented with the September 2005 annexation. In addition, the Council’s attention is drawn to the proposal to re-zone the neighborhood commercial (“R-1”) and surrounding multiple family (“R-3”) zoning to “C-4” Mixed Use-Commercial.

**Background**

The 97.21-acre Freda R. Herst farm was annexed and zoned on September 19, 2005 by a Council vote of 8-1 (Bauer objecting). The farm is located at the northeast corner of Plank Road and Lindgren Road. In the fall of 2005, Freda Herst was not interested in developing her family farm. However, city officials engaged Ms. Herst and her attorney, Robert Krupp, in a series of discussions concerning the dedication of a realigned Lindgren Road to accommodate a planned elementary school in the nearby Sycamore Creek subdivision. In these discussions, the impact of a road realignment on any future development of the Herst property naturally arose. Over the course of this discussion, Ms. Herst and her counsel determined it was in the family’s best interest to petition the City to annex the farm property to the City of Sycamore and to provide for both the realignment of Lindgren Road and certain additional conditions (e.g. zoning) in an annexation agreement. Among the additional considerations was an understanding that any future development would be reviewed under the City’s planned unit development regulations as a special use, with all required public hearings pertaining to preliminary plats, final plats, rezonings, etc. This important provision prompted the workshop sessions in August 2006, October 2006, and January 2007 with John Hall Homes.

**The Proposed Preliminary Plan from John Hall Homes**

The attached preliminary plan and plat present the following key features:

- a) The realignment of Lindgren Road (see review comments below).

- b) Land Uses. To better represent the Comp Plan’s expectations for a mix of commercial and low-intensity commercial uses near the intersection of Lindgren Road and Plank Road, the “C-4” Mixed Use Commercial Business District was suggested by the City staff. This is a change from the original concept plan to conform to the UDO’s stricter guidelines for mixed use developments under the C-4 provisions. All of the proposed “C-1” and “R-3” zoning would be combined in the planned development format as a special use, “C-4” Mixed Use Commercial Business District. Such a zoning designation anticipates planned unit developments designed to accommodate compatible residential and commercial uses on larger tracts of land and to maximize opportunities for orderly economic development. Typical mixed use designs include a core of community facilities (e.g. not-for-profit agency offices, day care centers, etc.) small retail establishments (e.g. corner market, dry cleaner) and commercial office uses (e.g. dentists, attorneys, etc.) adjacent to, or surrounded by, a variety of housing types including single family attached homes such as townhouses or zero lot line units. In such zoning districts, public or open space to promote public gathering is encouraged, in contrast with utilitarian open space such as stormwater detention ponds or undevelopable areas such as floodplains or wetlands.
- c) Commercial and residential condominiums. In the proposed C-4 zoning area, two-story and three-story buildings will house commercial units on the ground floor with the option of residential or commercial condominiums on the second floor, depending upon market interest. The mixed commercial/residential buildings would have roof profiles to blend with the nearby residential buildings.
- d) Courtyard homes. These units are part of the C-4 zoning area and are adjacent to the commercial uses. As an alternative to townhouse construction, courtyard or “zero lot line” homes are built on smaller lots and feature courtyards between the units. This approach departs from the repetition in design and the close living quarters that typify even the most expensive townhouses in our community.
- e) The 4.5-acre townhouse area is left unplatted to await market interest. A future revision of the preliminary plan and plat would be required if and when there is sufficient market demand to warrant such housing, as depicted in the original concept plan of August 2006.
- f) Park space. Park District director David Peek sees the two dedicated parks in Sycamore Creek II, immediately east of the Herst farm, as adequate to the needs of residents in this area. One of the B&B parks, the three-acre Columbia Park, would be directly east of the Herst farm on Des Moines Street. A larger regional park in Sycamore Creek II—the 13.86 acre Washington Park—is just to the north and east of the smaller park. Sycamore Creek II can begin development in 2010. A photocopy of the adjacent portion of the Sycamore Creek development plan is attached to illustrate the proximity of the parks.

- g) Bike Paths. The Commission and City staff have been insistent upon bike path linkages since the 2000 Comp Plan process. In this instance, the regional pathway that is to be built on the south side of Lindgren Road would be linked at Schumaker Way (the main Lindgren Road entrance) to bring a dedicated pathway to the single-family zoning area.

**Variations**

1. Minimum Yard Setbacks. The neo-traditional look proposed by John Hall Homes introduces a number of features such as alleys and “old-town” frontage looks that conflict with the City’s conventional zoning setback requirements. The differences between the current code provisions and the developer’s proposals are highlighted in the following tables:

<b>Townhouses (“R-3”)</b>		
	UDO Requirement	Proposed
Front Yard	25’	25’
Corner Side Yard	25’	25’
Side Yard	7’	7’
Rear Yard	30’*	30’
<b>Zero Lot Line Houses (“R-3”)</b>		
	UDO Requirement	Proposed
Front Yard	25’	10’
Corner Side Yard	25’	10’
Side Yard	7’	0’/7’
Rear Yard	30’*	22’
<b>Single Family Detached (“R-1”)</b>		
Front Yard	25’	25’
Corner Side Yard	25’	20’**
Side Yard	10’	7’
Rear Yard	25’	25’

\*20 feet if garage is attached to rear of unit for alley access. Detached garages may be 3 feet from any side or rear lot line.

\*\*If the house has a side-loaded garage, the setback has to be 22 feet so a vehicle parked in the driveway does not encroach upon the sidewalk right-of-way.

2. Minimum Residential Lot Size. The zero lot line or courtyard houses would be unique in Sycamore. They are an alternative to rows of attached housing that have a repetitive look. Zero lot line houses align one building wall on a common lot line and set the opposite building wall off the adjacent lot line by at least the required seven feet in order to create a small courtyard between units. The walls built on the lot lines would have to be designed without windows for fire protection purposes. A depiction of these quaint houses is attached. If this approach is acceptable, a variance from the minimum lot size of 9,000 square feet would be required.

3. Second Floor Residential Condominiums. To permit the introduction of second floor condominiums in a “C-4” zoning district, a variation from the provisions of Table 5.3.1 of the UDO would have to be granted to allow such uses by right. Presently, second floor residential uses above ground floor commercial uses are only allowed in the “C-2” Central Business District.

4. Building Height. To permit a third floor residential loft in the “C-4” zoning area, the developer requests a variance from the building height limit of 35 feet to permit a height of 45 height. This would also accommodate the unique cupolas and roof lines illustrated in the developer’s three-dimensional renderings.

5. C-4 Uses. The developer proposes additional commercial uses that might qualify as “neighborhood” commercial uses in the “C-4” zoning area. From the staff perspective, the commercial uses in the table that follows approximate permitted uses identified in “C-1” or “C-4” districts. The developer asks that the Commission also consider the commercial uses identified in an attachment to this agenda item.

Type of Commercial Use	Permitted	Special Use
Veterinary Clinic		S
Financial service/counseling office	P	
Insurance agency office	P	
Bakery shop	P	
Delicatessen	P	
Package liquor store		S
Butcher shop	P	
Accountant office	P	
Attorney office	P	
ATM kiosk	P	
Barber shop	P	
Beauty parlor/hair salon	P	
Business office	P	
Dental clinic	P	
Medical clinic	P	
Commercial mailing service	P	
Day spa	P	
Physician’s office	P	
Engineering service office	P	
Dry cleaner	P	
Locksmith office	P	
Licensed massage therapy	P	
Management services	P	
Optician’s office	P	
Printing (xerographic) services	P	
Shoe repair shop	P	
Tailor shop	P	
Tanning salon	P	
Tax preparation services	P	
Health club		S
Recreation equipment showroom	P	
Art gallery	P	

Book store	P	
Camera/photographic sales & supplies	P	
Clothing store	P	
Gift shop	P	
Stationery/greeting card store	P	
Office Supply Store (2,500 sf or less)	P	
Bicycle shop/rentals	P	
Bed & Breakfast Inn	P	

6. The “40%” rule. In the descriptive language concerning “C-4” Mixed Use developments in Section 6.5.2 of the UDO, there is an expectation that the commercial uses “shall not be greater in area than forty (40) percent of the planned mixed use development.” With respect to the overall site plan, the designated neighborhood commercial area comprises 15% of the overall site (14.62 of the overall 97.21 acres). However, within the “C-4” zoning designation that includes the neighborhood commercial uses as well as the courtyard homes, townhouses, and about one-half of the open space, the commercial uses comprise about 58% of the land area. The developer requests a variance from the 40% rule, because the mix of building types and avenues proposed in the neighborhood commercial area requires slightly more land area to establish than “boxes” of a more conventional design.

**Phasing and Zoning**

In terms of the pace of any residential permits, the applicable regulatory framework is Ordinance 2003.65 (Ordinance 2005.60 was not approved until November of 2005). According to Ordinance 2003.65, building permits for residential construction may be issued annually as follows:

Number of Dwelling Units on the Preliminary Plan	Dwelling Units Permitted Per Year as a Percentage of the Total Lots on The Preliminary Plan	Time Limit Before New Building Permits Are Issued Following Annexation
0 to 50 dwelling units	No Limit	No Time Limit
51 to 100 dwelling units	No More than 35 per Year	One Year
101 to 200 dwelling units	25% or 40, whichever is lower	Two Years
201 to 300 dwelling units	20% or 50, whichever is lower	Three Years
301 to 400 dwelling units	18% or 60, whichever is lower	Four Years
401 to 500 dwelling units	15% or 70, whichever is lower	Five Years
Over 500 dwelling units	10% or 75, whichever is lower	Six Years

Ordinance 2003.65 permits the phasing or sequential development of tracts which have less than 100 acres in total area. In this instance, the developer hopes to develop commercial uses simultaneously with the various types of residential units, but the market for the commercial uses may not evolve at the same pace as the demand for the residential units. Accordingly, the developer proposes two phases. The C-4 zoning area constitutes one phase, and the R-1 zoning constitutes another phase. The permitting of the first single family home in the R-1 zoning could occur two years after the date of Council approval.

## **Review Comments**

Based on the Plan Commission's suggestions at the February Plan Commission hearing, the following revisions would be made to the preliminary plan to accommodate the technical concerns of the Commission and the City staff:

- Access to the C-4 properties from Lindgren Road shall be limited to full access at the National Street intersection, and a right-in only roughly between Plank Road and National Street, on both sides.
- The portion of Lindgren Road which will be vacated once the realigned Lindgren Road is constructed shall be shown as being incorporated into Lots 305, 306 and 307 with the same C-4 zoning since the approved annexation agreement provided that all of this vacated road would go to the Herst property.
- The alley at the rear of the courtyard homes will be a private alley.
- The green buffer area along Plank Road will also adjoin the C-4 Lots 300-305.
- The location of the proposed bikepath linking National Street with the regional path on the south side of Lindgren Road will be shown.
- Ten feet (10') of additional right-of-way should be shown along the north side of Lindgren Road adjoining Lot 300 for construction of a right turn lane. Also, an additional ten feet (10') of right-of-way will be shown at the radius at Plank Road.
- Setback lines for the C-4 lots will be shown on the plat.
- Street standards for residential collector streets and commercial streets shall conform to the requirements contained in the City's Unified Development Ordinance.
- Since the project is larger than 40 acres, the storm water storage shall be designed using an approved hydrograph method rather than the rational method.

## **Recommendation**

At the regular Plan Commission meeting of February 12, the Commission voted 7-2 (Henderson, Evans opposing) to support the proposed preliminary plan and plat and rezoning, plus the variation requests with the addition of the following commercial uses: day care, a convenience store (limited to 4800 s.f.); a specialty grocery (limited to 4800 s.f.); an electronic store (limited to 2400 s.f.); a floor covering store (limited to 2400 s.f.); a hardware store (limited to 4800 s.f.); a pet store, restaurants (with a special use requirement for outdoor dining); and drug stores by special use only. Because the developer's plan constitutes an amendment to the original plan accompanying the annexation agreement of September 2005, a two-thirds vote of the City Council is necessary to approve it.

The City staff request a favorable recommendation for the attached plan and plat, including the proposed variations, subject to the changes defined by the Plan Commission. The plan conforms with the City's Comprehensive Plan and Urban Design Guidelines. It also represents a substantial improvement over what might be acceptable based on the provisions of the 2005 annexation agreement in terms of density, the compatibility of residential and commercial uses, and traffic design.

**B. Ordinance No. 2006.66--An Ordinance Amending Title 3, “Business and License Regulations,” Chapter 7, “Electrical Contractors,” Section 3-7-2,” “Registration Required; Test,” to Insert a New Paragraph C in the City Code of the City of Sycamore, Illinois. First and Second Reading.**

Building Commissioner Lyle Doty proposes some clarifying language for the passages in the City Code that pertain to what electrical work local residents can perform without an electrical license. Essentially, local residents may install electrical wire where they reside, so long as it is a detached single-family structure. They may not install wire in rental properties or attached single family homes. In all cases, electrical permits would be required of any electrical work previously requiring a permit.

Mr. Doty will answer any questions the Council may have. City Council approval is recommended.

**C. Ordinance No. 2006.67—An Ordinance Awarding the Contract for Site Improvements for Fire Station No. 2 on Frantum Road in Sycamore to Elliott & Wood Excavating, Inc. First and Second Reading.**

On Friday, February 23, at 2:00 p.m. the City opened bids for the site work associated with the construction of the new Fire Station on Frantum Road. The plans and bid documents were prepared by the City Engineering department. All interested contracting firms were required to attend a pre-bid meeting on Tuesday, February 13, to be qualified to submit a bid.

Eight responsible bids were received (please see the attached bid summary). The lowest local responsible bid was submitted by Elliott & Wood Excavating of DeKalb, Illinois in the amount of \$295,410.00. The City Manager recommends the Council’s approval of a contract with Elliott & Wood in the amount of \$295,410.00.

**D. Ordinance No. 2006.68—An Ordinance Awarding the Contract for the Construction of Fire Station No. 2 on Frantum Road in the City of Sycamore to Swedberg & Associates, Inc. First and Second Reading.**

On Friday, February 23, the City also opened bids for the general contract for the construction of Fire Station #2. Eight responsible bids were received (please see the attached bid summary). The low bid was submitted by Stenstrom of Rockford, Illinois. However, according to the City’s local preference policy, a DeKalb County-based general contractor may elect to match the low bid in writing. Swedberg & Associates of Sycamore, Illinois has agreed to match the low bid of \$1,765,950.00.

City Council approval of a contract with Swedberg & Associates in the amount of \$1,765,950.00 is recommended. If the Council concurs, the total base cost of the new fire station, including the associated site work, will be \$2,061,360.00. The funding for this project has been identified as the General Fund reserve, and would be available when the project begins in April.

**E. Ordinance No. 2006.69—An Ordinance Approving an Employment Agreement Between the City of Sycamore and Bill Nicklas to Renew His Contract as City Manager in the City of Sycamore, Illinois. First and Second Reading.**

The City Manager's contract will expire on April 30, 2007. The Council has negotiated a new contract whose essential terms are as follows:

- a) The term of the contract will extend to April 30, 2011.
- b) The base salary for FY08 will be \$117,520.00, a 4% increase over the manager's FY07 base salary of \$113,000. Future annual salary adjustments will conform to the management pay plan as defined by the annual salary ordinance.
- c) The proposed base salary for FY08 is based on a management salary survey conducted in the fall of 2006 for all city management positions. A copy of that survey is attached.
- d) The City will provide the City Manager with a motor vehicle allowance for the use of his personal vehicle while performing his duties. The allowance will be \$500 per month.
- e) The City Manager will receive health insurance coverage and other benefits offered to all City employees as part of the City's benefit package.

City Manager Nicklas was hired in October 1998 and has served continuously since that time.

City Council action is recommended.

**12. RESOLUTIONS--None**

**13. CONSIDERATIONS**

**A. Consideration of an Administration Request for a Special City Council Meeting on Wednesday, March 21, 2007 at 7:00 p.m. to Consider the Proposed FY2007-2008 City Budget.**

As in previous years, the City Manager requests a special City Council meeting for Wednesday, March 21, to review each of the funds and programs incorporated in the proposed fiscal year budget. The format would be informal and would begin at 7:00 p.m. in the Council Chambers.

**14. OTHER NEW BUSINESS**

**15. APPOINTMENTS**

**16. ADJOURNMENT**