

SYCAMORE CITY COUNCIL
AGENDA
July 2, 2007

CITY COUNCIL COMMITTEE MEETINGS
No Committee 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 June 18, 2007.
 - B. Payment of the Bills for July 2, 2007.
7. **PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
8. **REPORTS OF OFFICERS**
9. **REPORTS OF STANDING COMMITTEES**
10. **PUBLIC HEARINGS--None**
11. **ORDINANCES**

A. Ordinance No. 2007.10—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of IRED Sycamore, LLC., Inland Real Estate Investment Corporation, and Yvonne Wolfenberger for the Approval of an Annexation Agreement with the City of Sycamore, Illinois for Property Located on the North Side of Plank Road and East of Moose Range Road, and also South of Plank Road Both East and West of Moose Range Road, and the Subsequent Annexation and Rezoning to “R-1,” One Family Residence District, Planned Unit Development and to “C-1,” Neighborhood Business District, Planned Unit Development. Second Reading.

On June 18, the City Council considered this petition on first reading only. In view of the fact that at least three aldermen have given notice that they will not be able to attend the July 2 meeting, it is recommended that the second reading of this ordinance be tabled until the next regular Council meeting on July 16.

Background

A real estate development firm has filed a petition to annex and develop contiguous land within the City’s mile-and-a-half planning area for residential purposes. The last substantial residential annexation involved the Primm property at IL Rt. 23 and North Grove Road and occurred in January 2006. The property in question consists of 201.64 acres and is contiguous to the Sycamore Creek II development area. The principal petitioner, Inland Real Estate Investment Corporation, owns the property and wishes to annex the property primarily for the purpose of developing detached single-family homes.

This background report will assess the proposed annexation in detail, and in the context of existing city policy, updated housing projections, and abiding fiscal issues of interest to the City and other taxing bodies.

THE PRELIMINARY PLAN

The proposed development plan has the following features:

1. Land Uses. The table below depicts the various land uses by their relative area:

Land Use	Acres	Percentage of Gross Land Area
Single Family Lots	97.9	48.55%
Neighborhood Commercial	3.51	1.74%
Private Parks and Conservation Areas	47.4	23.51%
Public Park Land	5.79	2.87%
Public Road Right-of-Way--Internal	11.18	5.54%
Public Road Right-of-Way—External (Plank & Moose Range Roads)	35.86	17.78%
Total	201.64	100%

2. Residential Density. The gross density is 1.47 units per acre. The plan offers three lot sizes as follows:

Unit Type	No. of Units	Minimum Lot Area	% of Total Units	Acres	% of Total Acres
Single Family 80' x 125'	71	10,000 s.f.	23.91%	18.75	9.3%
Single Family 90' x 130'	194	11,700 s.f.	65.32%	62.50	31%
Single Family 100' x 180'	32	18,223 s.f.	10.77%	16.65	8.26%

3. Access. A number of features deserve note:
- a) The plan depicts a realignment of Plank Road at Moose Range Road. The annexation agreement calls for the dedication of the right-of-way at no cost to the County of DeKalb, and Inland is obligated to contribute \$250,000 toward the engineering and construction costs for the realignment (estimated to be about one-half of the overall cost) at such time as the County may request such funds.
 - b) Commercial lot. Access to and from the commercial lot is from a public way on the north side of the commercial lot, connecting to Moose Range to the east.
 - c) With the realignment of Plank and Moose Range Roads, the homes currently served by Plank and Moose Range Roads would be insulated from the traffic that currently passes their homes. If this subdivision was approved, these roadways would become minor residential streets and their surfaces would be maintained by the City rather than the County of DeKalb or Sycamore Township.
 - d) Access to Plank Road is limited to the intersection of the newly re-configured Moose Range Road and Plank Road, and one access point that is about one-half mile east of the intersection of Devine Way and Plank Road. B&B Development has agreed to adjust the east access point in Sycamore Creek III to align with the Inland access point east of Devine Way.
 - e) The southern section (south of Plank Road will) will connect with Sycamore Creek II as well as Plank Road.
4. Bikeways. The subregional bike path that will connect Heron Creek to Sycamore Creek to Sycamore Creek II will be connected to the Inland project area, and then along the south side of the re-configured Plank Road toward the 30-acre lake dedicated to the Park District for recreational purposes in Sycamore Creek III (see the attached illustrative plan of Sycamore Creek III).
5. Open space. The plan dedicates more than a quarter of the overall land area to open space, either in the form of conservation areas to be maintained by a homeowner's association, or public park land. The City requirement for open space in a low-density planned residential development is 10% (UDO, Article 4.3.4.B.11 "Planned Development: Residential").
6. Buffer areas. Several key buffer areas are proposed:

- A fifty-foot landscaped berm is proposed to separate the backyards of the homes in the Devine Way subdivision and the proposed subdivision.
- The land area east of the homes that presently abut Plank Road will be undeveloped and will provide a buffer between those homes and the realigned Plank Road.

THE ANNEXATION AGREEMENT

The principal terms of the annexation agreement are as follows:

1. The Name. The Owner is conscious of the Comp Plan's preference for a gateway image on the northeast side and is not interested in conjuring a trendy name that does not fit the City's self-image. Accordingly, it is open to local ideas for naming the proposed subdivision.
2. The Term. The agreement runs for twenty years (Section 20).
3. Performance Guarantees. The Owner shall provide an irrevocable letter of credit for the public improvements on the site (Section 13.1). If the City should ever revise its preference for this form of guarantee, other forms such as a cash deposit or subdivision bond are suggested (Section 13.1).
4. Fees. The Owner shall comply with the City's annexation and impact fees (Section 3.2; 6.1), School fees (Section 16.3) and Park fees (Section 16.2) as they may be amended from time to time. In addition, in the event that the transfer tax is held invalid or illegal, the developer will contribute \$3,000 per lot to the School District at the time of final platting of such lots, in addition to any impact fees (Section 16.1).
5. Developmental Exactions. The Owner shall comply with Ordinance 2005.60 with respect to the pace of development and permitting. The second sentence of this section modifies boiler plate language in other city annexation agreements. However, it would still allow a less restrictive pace in the event the Council allows, for instance, a two-lot subdivision to develop sooner than 2010, as occurred on Coltonville Road last year. Accordingly, the City recommends the deletion of the second sentence.
6. Water and Sewer Main Extensions. The Owner shall provide proper storm sewer, sanitary sewer and water main systems in accordance with the City's standards and at the developer's sole expense (Section 7).
7. Roadways. A considerable portion of the text (Section 9) is devoted to future roadway improvements. These may be summarized as follows:
 - Plank Road. Inland representatives and their engineering consultant have consulted with the County Engineer and City Engineer on a number of occasions to fashion a commitment to the realignment of Plank Road, which has been in the City and County comprehensive plans for many years. Inland proposes to dedicate a 100 foot right-of-way at no cost to the County of DeKalb and at the request of the County for such a realignment. In addition, based on a rough estimate of \$500,000 for the engineering and construction of this realignment, they have offered to contribute \$250,000 to the County when the County requests such funding (meaning the County could request it upon approval of the project and bank the money until ready to build the road).
 - Moose Range Road. The realignment of Plank Road also involves the realignment of Moose Range Road (please see the attached illustrative and

preliminary plans). This realignment would occur at the sole and entire expense of Inland. The width of the realigned Moose Range would be 35 feet measured back to back of curb, in a 66 foot right-of-way, per the City's design standards. The small commercial parcel (3.51 acres) would have access to the realigned Moose Range Road via a lane that would also serve the existing homes on the west side and any future developed parcels in proximity.

- Old Moose Range and Plank Roads. Once a realignment of Plank and Moose Range would occur, the existing roadways would become City streets and be maintained by the City. The former Plank Road is an asphalt section and the former Moose Range is a seal coat section. The homes that currently have access to Plank or Moose Range Roads in the vicinity of that intersection would have a quiet street for access once the realignments would occur. It should be noted that if the current Plank Road section is supplanted by the realigned roadway, it will need to be re-named.
 - Traffic Signals. The staff recommends a sharpening of the language in Sections 9.1 and 9.7 to identify the owner/developer's responsibility for the installation of traffic signals at the realigned intersection of Plank and Moose Range Roads, once warrants are established.
8. Variations. No variations from the City's codes and ordinances are requested. The proposed commercial parcel is not shown on the 2003 Future Land Use map but was preferred by the City staff as a constructive alternative to a denser townhouse or multi-family use that would fill this odd-shaped area at the realigned intersection of Plank and Moose Range Roads.

THE TRAFFIC STUDY

The attached traffic study performed by Kenig, Lindgren, O'Hara, Aboona, Inc. of Rosemont is very readable for the non-professional. The study concludes that the proposed development will generate 305 two-way vehicle trips during the weekday morning peak hour and 600 two-way vehicle trips during the weekday afternoon peak hour. Sixty percent (60%) of the traffic generated by the proposed development would travel south on Plank Road; 30% would travel northeast on Plank Road; and 10% would travel north on Moose Range Road. Once the realignment of Plank and Moose Range Roads would occur and development would occur north of this intersection, it is assumed that future traffic volumes would at some point satisfy traffic warrants for a traffic signal. The timing of such a signal would require such warrants and would have to be closely monitored.

PACE OF DEVELOPMENT

A spreadsheet depicting the number of allowable permits per year according to Ordinance 2005.60 is attached. It is of course impossible to predict with exactitude what the permit activity will be for the balance of this year and through 2008 and 2009. The attached timeline projects a more robust pace for 2007 than 2006, but the actual pace as of this writing is slower than predicted and may approximate 2006 by the end of the year. This would push more allowable housing starts into future years. A second spreadsheet is attached that shows the first Inland permits in 2012, for discussion purposes.

SUMMARY

The proposed annexation agreement and preliminary plan conform to the City's long-term planning objectives. They are consistent with the City's Comp Plan, Future Land Use Map (2003), and Northeast Sub-Area Plan. The project also promises additional amenities—the realignment of Plank and Moose Range Roads, bike path extensions, and conservation of undeveloped open space—that would enhance the quality of living for residents within the proposed subdivision.

The Plan Commission considered the Inland annexation agreement and annexation petition on June 11. The Commission voted 9-2 to recommend the Inland petition, plan and annexation agreement. The City Manager supports the Plan Commission recommendation. However, it is recommended that this matter be tabled until the next regular meeting of the City Council on July 16 for two reasons. First, three Council members have reported that they will be absent on July 2. Second, Dr. Emanuelson's community fiscal impact study will not be taken up by the Mayor's Ad Hoc Committee on Growth Management until July 5. The policy implications of this study's findings have not been discussed at length by the Council or the three other local taxing bodies considered in the fiscal study. Until those implications are better understood and a community consensus is reached, the annexation of further residential property is not appropriate.

B. Ordinance No. 2007.11—An Ordinance Annexing the 201.64-Acre Property Located on the North Side of Plank Road and East of Moose Range Road, and also South of Plank Road and Both East and West of Moose Range Road in the City of Sycamore, Illinois. Second Reading.

This ordinance separately considers the Inland annexation for recording purposes. Final action on this ordinance will be contingent upon action on Ordinance No. 2007.10.

C. Ordinance No. 2007.14—An Ordinance Amending Title 1, “Administration,” Chapter 6, “City Council,” Section 1-6-5, “Committees,” Subsection C,2 of the City Code of the City of Sycamore, Illinois. First and Second Reading.

At the last regular Council meeting of June 18, Alderman Bauer pointed out that a pending Illinois House bill would permit two members of a five-member Council committee to converse about committee business without violating open meetings provisions under state statute. This bill has not been enacted as yet. Presently, the no two members of the City Council's four-member committees can discuss committee business outside of a public meeting of such committees—a circumstance which may, at times, circumscribe constructive discussion. It is also true that the simple creation of a five-member committee would not resolve the dilemma. In five member committees, two persons constitute the majority of a quorum. However, Rep. Pritchard's bill (H.B. 1718) would alter this conventional parliamentary stricture and permit two members of a five member committee to converse freely about committee business.

The attached ordinance would add a fifth member to each of the Council's standing committees. Until HB 1718 is passed, it is recommended that this ordinance be received and filed on first reading only, to avoid any unnecessary re-structuring that might not achieve the goal in mind.

12. RESOLUTIONS--None

13. CONSIDERATIONS

A. Consideration of an Administration Request for a Meeting of the Water & Sewer Committee on July 16 at 6:15 P.M.

The Public Works department invites the Water & Sewer Committee and all interested aldermen to a demonstration of a mechanical de-watering machine known as a rotary press on July 16. The manufacturer, Prime, Inc., is one of a number of vendors that produce such presses, and will make one of its machines available for a demonstration on the evening of July 16. The City has not been notified by the IEPA that its revised facility plan is acceptable, but the state agency has now reportedly begun its review of the plan submitted in August of 2006. In that plan, mechanical means for de-watering the City's sludge were proposed. There are a variety of mechanical methods for de-watering sludge, including rotary presses, belt presses, etc. The Public Works department has already viewed a range of options and is considering a rotary press more seriously at this time.

The demonstration would be simply advisory; no Council action will be requested.

14. OTHER NEW BUSINESS

15. APPOINTMENTS

16. ADJOURNMENT