

**SYCAMORE CITY COUNCIL**  
**AGENDA**  
**July 21, 2008**

**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 July 7, 2008.
  - B.** Payment of the Bills for July 21, 2008.
  - C.** Plan Commission Minutes for the Regular Meeting of May 12, 2008.
  - D.** Budget Report as of July 11, 2008.
- 7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
- 8. REPORTS OF OFFICERS**
- 9. REPORTS OF STANDING COMMITTEES**
- 10. PUBLIC HEARINGS**
  - A. Public Hearing on the Proposed 2008 Comprehensive Plan.**  
The background for this topic can be found under Ordinance No. 2008.19, below.

**B. Public Hearing on the Proposed Annexation of the Walters and Cambier Farms, Located at the Northeast Corner of Brickville Road and Peace Road.**

The background for this topic can be found under Ordinance No. 2008.22, below.

**11. ORDINANCES**

**A. Ordinance No. 2008.17—An Ordinance Authorizing the City Manager to Execute an Intergovernmental Agreement Between the City of Sycamore and the Sycamore C.U.S.D. #427 Regarding the School Resource Officer Position. First and Second Reading.**

The City administration and the School District administration have recently prepared an intergovernmental agreement that would pave the way for the assignment of a police officer in the Sycamore school system on days when school is in session. The attached agreement was reviewed and approved by the Sycamore Board of Education in a special meeting on July 9, 2008. The key features of the agreement are as follows:

- The agreement becomes effective on August 1, 2008;
- The duties of the SRO will include, but not be limited to, investigation of violations of the law, classroom presentations, protection of students, school personnel and school property, participation in the development and administration of school security policies and practices, training for school staff and security personnel and such other duties as may be assigned by the Chief of Police or his designee from time to time. However, from time to time, the Superintendent may request from the Chief of Police or his designee certain modifications to the duties and responsibilities of the SRO as needed by School District 427. The Chief of Police or his designee shall make every effort to accommodate the Superintendent's requests.
- the SRO may be in any of the schools of School District 427, but shall be primarily located in the High School. School assignments on any given day will be determined by security concerns, as relayed by School District 427 personnel, and the calls for service in any school facility. The SRO may also be requested to attend after school activities outside of normal school hours. Such requests may be made by the Superintendent or designee. The Chief of Police or his designee shall have the sole discretion to accommodate the Superintendent's requests.
- While on duty at the High School, the assigned officer shall be supervised by the City's Police Investigations Division sergeant and functional supervision shall lie with the high school principal.
- When school is not in session in School District 427, the officer shall be assigned to such police activities as the Sycamore Police Department deems appropriate.
- School District 427 shall reimburse the City for a percentage of the financial obligation for the SRO's salary and benefits, including overtime pay arising from School District 427 activities, as may be increased from time to time by the City. The officer shall have at least five years experience as a police officer. The funding shall be as follows:
  - a. From August 1, 2008 through April 30, 2009, School District 427 shall pay a fixed dollar amount not to exceed \$40,000.00.

- b. In Year Two of this Agreement (May 1, 2009 through April 30, 2010), School District 427 shall pay \$44,000.
- c. In Year Three of this Agreement (May 1, 2010 through April 30, 2011), School District 427 shall pay \$58,000.

The provisions of this Agreement are contingent upon adequate funding for such SRO being budgeted and appropriated by School District 427. In the event that such an appropriation does not occur, the SRO shall be removed from School District 427 and this Agreement shall be null and void.

- To the fullest extent permitted by law, School District 427 and the City of Sycamore agree to mutually protect, indemnify, defend and hold harmless each other and their elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits, losses, which may arise as a result of the actions of either party under this Agreement, said indemnification shall include all expenses which are necessarily incurred by either party unless such claims, demands, suits, losses, or expenses arise from the sole negligence, or intentional misconduct by either party. In such event, any costs shall be borne by the responsible party.

City Council approval is recommended.

**B. Ordinance No. 2008.18—An Ordinance Amending the City Code of the City of Sycamore, Illinois, Title 3, “Business and License Regulations,” Chapter 2, “Liquor Control,” Section 3-2-1, “Definitions,” to Revise the Minimum Occupancy for a Restaurant Serving Alcoholic Beverages from Fifty (50) Persons to Twenty (20) Persons. First and Second Reading.**

At the last regular City Council meeting of July 7, the Council heard a request from the new owners of the Palette American Bistro to revise the minimum occupancy requirements for a restaurant liquor license. The Council was inclined to support a new minimum occupancy of 20 persons, as opposed to the present minimum of 50 persons, to accommodate this request. The attached ordinance would effect this change in the City Code.

City Council approval is recommended.

**C. Ordinance No. 2008.19—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Proposed 2008 Comprehensive Plan. First and Second Reading.**

On August 13, 2007 the City Manager asked the Sycamore Plan Commission to consider a Comprehensive Plan Update. The Commission agreed, and since that time has held six workshop sessions on possible revisions to the Plan. In addition, public open houses were held in October 2007 to listen and gather opinion, and to spur meaningful dialogue on the City’s land use planning since 2003.

**Background**

Since the present Comp Plan was adopted in June 2003, the Commission has recommended and the City Council has approved only a few Plan modifications and new regulatory

measures to better implement the Plan's objectives. The key City actions regarding the Plan over the past five years are as follows:

1. November 2003. The Commission recommended an amendment to the City's zoning code to impose a new regulatory framework on the pace of residential construction. This framework tightened the limitation on the number of permits that could be issued per year from each development (a limitation originally imposed in February 2003) and imposed a time lag following annexation before any new building permits could be issued. This regulation was approved by the Council on November 17, 2003 (Ordinance No. 2003.65). The linking of a limitation on the number of annual permits with a constraint on the timing of the first permits was a first in Illinois.
2. April 2005. The Commission recommended the Council's adoption of a new Unified Development Ordinance ("UDO"), which was adopted by the Council on April 18, 2005. The initial in-depth consideration of this compilation of all City zoning, development, and subdivision ordinances began in April 2004 and continued over six additional Commission meetings in 2004 and 2005. The UDO replaced the City's zoning code.
3. December 2005. The Commission recommended the revision of the UDO provisions regarding the pacing of new housing permits to conform to Ordinance No. 2005.60, approved by the City Council in November 2005. The proposed revisions were as follows:
  - the elimination of the "bank" of permits that Ordinance 2003.65 allowed the developer to carry over from one development year to the next.
  - the establishment of a threshold of January 1, 2010 for the first permits for any future subdivision approvals.
  - a commitment to review any future annexation agreements with the expectation that the timing and number of permits would conform to the fiscal standard of an average of 250 dwelling units per year.
  - a reduction in the allowable number of permits that can be issued per year, at each threshold in the regulatory schedule.
  - the removal of some confusion pertaining to the subdivision of larger tracts.
4. March 2006. The Commission recommended a new Airport Road Sub-Area Plan to provide more definition to the community's vision for the development of approximately 675 acres extending north, south, east, and west of the intersection of Airport Road and East State Street. The plan was approved by the City Council on April 3, 2006.
5. March 2007. The Commission voted to amend its by-laws to conform to UDO provisions, recent legislative enactments, and case law (the by-laws were last revised in October 1997).

Only a few minor departures from the Plan's land use map were approved in the past four years. The amendments are as follows:

- a) May 2004. The Commission recommended and the Council approved (June 7, 2004) the 17-acre Gracious Living Homes project south of Bethany Road and west of Somonauk Street. The 2003 Land Use Map anticipated commercial uses along the Bethany Road frontage, but did not contemplate the attached housing south of this commercial frontage. The Commission and Council ultimately approved a mixed-use development that offered both a commercial frontage consistent with the land use plan and an adjacent townhouse layout to the south that might be served by the eventual commercial uses.

- b) September 2005. The Commission recommended and the Council approved (September 19, 2005) a commercial parcel on the Herst Farm where Lindgren Road and Plank Road will be re-aligned. The 2003 Future Land Use Map shows a small commercial node on the Kocher farm across the street, but that portion of the farm has not been annexed and the North Grove Crossing development plan would not accommodate commercial traffic as well as the re-configured intersection on the east side of Plank Road.

In the course of its deliberations since the 2003 Comp Plan was approved, the Plan Commission sought guidance from the City Council on two occasions: in September 2003 and in July 2004. On both occasions, the Commission and Council sought to find common ground regarding further residential development. The special meeting in July 2004 inspired the Council's commitment to an independent study of the fiscal impact of residential, commercial, and industrial development on the Sycamore community. The resulting study, completed in March 2005, in turn prompted Mayor Mundy to organize an ad hoc Committee on Growth Management in May 2005 that sponsored a number of fiscal measures (including the transfer tax) to address development impacts on local taxing bodies. The recent independent fiscal study performed by Dr. Emanuelson and presented to the Mayor's ad hoc committee provided an update to the 2005 study, particularly with respect to the methodology for determining projected population impacts on local taxing bodies.

#### **The Proposed 2008 Comp Plan's Vision for Future Development**

The Council and Plan Commission have been dutiful stewards of the 2003 Comp Plan and have only sought refinements to the Comp Plan that would assist the Council in managing local economic development. When one compares the 2003 Land Use Map and the 2008 Zoning Map (see attached), one can see that the community has been following its plan for future development.

In the summer of 2008, does this plan still represent the community's vision? After nine months of discussion and a detailed review of chapter drafts by the Plan Commission, there are some differences between the proposed 2008 Future Land Use Map and the 2003 Future Land Use Map. The key differences for the Council to consider are as follows:

- **The neighborhood residential areas in the unincorporated portion of the 2008 Land Use Map have been substantially reduced in area, particularly on the northeast side.** Approximately 3,000 acres of "neighborhood residential" were shown on the 2003 Future Land Use map, of which about 2500 were in the northeast quadrant served by the 27-inch interceptor sewer installed by B&B Development as part of their obligation under the Heron Creek annexation agreement in 1999. Of the 2500 acres in the northeast quadrant, sewer line capacity remained for about 1900 acres that were not part of preliminary plans between 1999 and 2003 (e.g. the Heron Creek, Sycamore Creek, DeKalb Clinic and Ward properties). When the interceptor sewer was sized, it was assumed that such acreage would primarily be developed for low-density residential uses with a gross density of less than 2 units per acre, on average. Actual densities have averaged around 1.75 units per acre, so some modest additional capacity has become available. Nevertheless, because of the prohibitive cost of extending another interceptor sewer to land areas north of Peace Road, the

capacity limitations of the 27-inch sewer line have required a first-come, first-served approach to the allocation of sewer service in the northeast quadrant.

Although larger market forces and the appeal of the Sycamore community were more important in explaining the strong interest in residential development from the third quarter of 2002 until the second quarter of 2006, the capacity limitations played a part as well. From June 2003 until the present, the following annexations occurred north and east of the intersection of Peace, Plank & IL Route 23:

✓ North Grove Crossing	96.28 acres
✓ Sycamore Creek II	365.54 acres
✓ Sycamore Creek III	
Mapes	114.09 acres
Lindgren	41.09 acres
Wolfenberger	282.98 acres
✓ Whitwell Farm	261 acres
✓ Primm Farm	99 acres
✓ Herst Farm	97.21 acres
Total: 1,357.19 acres	

A number of unincorporated properties could still be served by the 27-inch interceptor sewer. These areas include the Inland property (201.64 acres), the Clausen farm on Lindgren Road (40 acres), the Walters and Cambier Farms near the intersection of Brickville and Peace Roads (95 acres), small parcels on either side of the future extension of Frantum Road to North Grove Road (a total of 84 acres), and the Roby Farm and other small parcels near the intersection of North Grove Road and IL Rt. 23 (150 acres). The total of these un-annexed areas is approximately 570 acres.

About 600 acres set aside for low-density residential development on the 2003 Future Land Use Map north of North Grove Road and west of IL Rt. 23 will not be served because of the limitations of sewer line capacity in the northeast quadrant and have been dropped from the future residential development area in the 2008 Future Land Use Map.

- **The land areas on the north and south sides of the Mt. Hunger Road corridor, east of Hopkins Lane, are not slated for annexation and are depicted as areas for agricultural use only.** This area already features row crop and livestock production and forms a “soft” edge to the City’s corporate limits.
- **The un-annexed land area slated for future commercial and industrial development on the 2008 Map (1,254 acres) is roughly equivalent to the gross acreage that was slated for industrial and commercial development on the 2003 Map (1,568 acres), despite the ambitious annexation of commercial and industrial areas in the period from 2003 to 2008.** A total of 347 commercially zoned acres and 134 acres with some type of industrial zoning were annexed in this five-year period. Although the existing road networks, floodplains, gravity sewer limitations, and the concentration of logical industrial or commercial space in the

central and southern core of the community constrain the spread of future industrial and commercial sites, the proposed 2008 Future Land Use Map restores much of the gross acreage taken into the corporate limits by annexation over the past five years. It is also important to note that many of the acres annexed in the period 2003 to 2008 have not yet developed for commercial and industrial purposes, and represent a large part of the community's potential for commerce and goods production in the years to come.

The following table compares the relative importance of proposed land uses in the 2008, 2003, and 2000 Plans:

Land Use	2000 Plan	%	2003 Plan	%	2008 Plan	%
Neighborhood Residential	4,117	48.20%	3,006	24.17%	690	3.00%
Rural Residential	0	0.00%	2,145	17.24%	377	1.64%
Commercial	504	5.90%	489	3.93%	237	1.03%
Industrial	468	5.48%	290	2.33%	335	1.45%
Office/Research	551	6.45%	670	5.39%	438	1.90%
Mixed Use	199	2.33%	119	0.96%	244	1.06%
Schools	40	0.47%	245	1.97%	0	0.00%
Parks	375	4.39%	375	3.01%	336	1.46%
Green Buffer	0	0.00%	519	4.17%	2227	9.67%
Agricultural	2,287	26.78%	4,581	36.83%	18,152	78.80%
<b>Total</b>	<b>8,541</b>	<b>100.00%</b>	<b>12,439</b>	<b>100.00%</b>	<b>23,036</b>	<b>100.00%</b>

\*Excludes Floodplain

The following table shows the change in existing land uses between 2003 and 2008:

Land Use	2003 Area in Acres	Percent	2008 Area in Acres	Percent
R-1, One Family Residential	1,340	31%	2065	33.1%
R-2, Two Family Residential	246	6%	219	3.5%
R-3, Multiple Family Residential	297	7%	425	6.8%
<i>Total Residential</i>	<i>1,883</i>	<i>43.6%</i>	<i>2709</i>	<i>43.4%</i>
C-1, Neighborhood Business	20	0.5%	22	0.4%
C-2, Central Business	114	3%	113	1.8%
C-3, Highway Business	353	8%	669	10.7%
C-4, Mixed Use	0	0.0%	30	0.5%
<i>Total Commercial</i>	<i>487</i>	<i>11.3%</i>	<i>834</i>	<i>13.4%</i>
M-1, Light Manufacturing	221	5%	252	4.0%
M-2, Heavy Manufacturing	231	6.5%	292	4.7%
ORI, Office, Research, and Light Manufacturing	0	0.0%	43	0.7%
<i>Total Industrial</i>	<i>452</i>	<i>10.5%</i>	<i>587</i>	<i>9.4%</i>
Agricultural/Vacant	142	3.3%	22	0.4%
Schools/Institutional	164	4%	350	4.6%
Parks & Open Space	487	11.2%	814	13.1%
Misc. (ROW, Floodplain)	700	16%	919	14.7%
<i>Total Other</i>	<i>1,493</i>	<i>34.6%</i>	<i>2105</i>	<i>33.8%</i>
<b>Total:</b>	<b>4,315 Acres</b>	<b>100%</b>	<b>6,235 Acres</b>	<b>100%</b>

## **The Plan Document**

As with most conventional comprehensive plans, the proposed 2008 Comp Plan consists of three components: an inventory and analysis of the community, a formulation of goals and objectives, and a land use plan. The inventory and analysis (Chapter 2) establishes the community's needs, constraints, and opportunities. The goals and objectives (Chapter 3) represent the community's vision in general value statements and provide tangible steps to realize that vision. The land use plan (Chapter 4) defines the desired character of land uses with reference to these goals and objectives. The geographic area addressed by this comprehensive plan includes all of the Sycamore corporate limits plus the land within a mile and a half radius around the corporate limits. The final and fifth chapter constitutes a revised draft of the Urban Design Guidelines that had been an exhibit to the 2003 Plan.

There are also a number of exhibits to the proposed 2008 Comp Plan, as noted below:

- ❖ Exhibit A is the "Existing Land Use Map" which reflects City zoning on incorporated parcels as of July 1, 2008.
- ❖ Exhibit B is the "Future Land Use Map."
- ❖ Exhibit C is the "Airport Road Sub-Area Plan."
- ❖ Exhibit D is the "Transportation Plan."

The 2003 Plan featured exhibits for the Southeast Sub-Area Plan (generally the land areas within the Reston Ponds and Parkside Estates subdivisions) and the Northeast Sub-Area Plan (generally the land areas within the Sycamore Creek II, Sycamore Creek III, Whitwell Farm, and Herst Farm projects). Since the geography described in these documents has been either annexed and platted, or annexed and brought under development, according to the guidelines of the sub-area plans, the land areas are now generally speaking "existing conditions" and substantially represented on the "Existing Land Use Map."

Two position statements have been submitted by local organizations in support of the proposed Plan. The supporting statements from the Sycamore Chamber and the DeKalb County Building & Development Association are attached for the Council's review.

The Plan Commission considered the proposed 2008 Comp Plan in a public hearing on July 14. By a unanimous vote of 11-0 (Bemis absent), the Commission recommended the Council's approval of the 2008 Comprehensive Plan. City Council approval of the Plan Commission recommendation is requested.

### **D. Ordinance No. 2008.20—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Final Plat for the Primm Prairie Commercial Subdivision. First and Second Reading.**

The attached final plat shows nine lots with eight lots dedicated for highway business uses, and one lot set aside for detention purposes. The 19.29-acre area is located north of the intersection of Peace Plank and IL Rt. 23, on the west side of IL Rt. 23, and was annexed on January 16, 2006 with "C-3" Highway Business District zoning. Northgate Drive is the principal entrance to the commercial site.

On July 14 the Plan Commission considered this final plat and recommended its approval by a vote of 11-0. City Council approval of the Plan Commission recommendation is requested.

**E. Ordinance No. 2008.21—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Petition of Angelo Tsiagalís to Rezone a Portion of the Property at 112 Kingsway Drive from “C-2” Central Business District to “R-3” Multiple Family Residence District. First and Second Reading.**

Mr. Angelo Tsiagalís first proposed the rezoning of a portion of his property in a Plan Commission workshop on February 11, 2008. Mr. Tsiagalís is the owner of the Parkway Restaurant and the Wade Land Unit 1 subdivision, which is located at the northeast corner of East State Street and Kingsway Drive. The subdivision includes five lots (see the attached exhibit). Lot 13 and Lot 14 contain the restaurant and main parking area, respectively, and a portion of Lot 12 contains expanded parking. At the north end, Lots 10 and 11 are presently undeveloped but zoned “R-3” Multiple Family Residence District in conformance with the zoning on the west side of Kingsway Drive.

Mr. Tsiagalís wants to rezone that portion of Lot 12 which has not been developed for parking and merge it with Lots 10 and 11 to create a larger space for multiple family development. He would eventually like to build about seven apartment units on a re-subdivided parcel.

If the Council approves the re-zoning, Mr. Tsiagalís would need to return to the Commission and Council at a later date for a hearing regarding a detailed development plan. The attached concept includes suggestions offered by the Commission on February 11 concerning the number of residential units, their proximity to the flood plain, off-street parking, landscaping, on-site detention, etc. However, it is not offered as a formal submittal and is only included to give the Council some assurance that a development plan can be created to make a rezoning meaningful and compatible.

The Plan Commission considered this rezoning request at its last regular meeting on July 14. By a vote of 11-0, the Commission recommended the approval of the rezoning request, with the caution that any future development plan would receive a very close scrutiny in terms of density, flood protection, off-street parking, etc. City Council approval of the Plan Commission recommendation is requested.

**F. Ordinance No. 2008.22—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Petition of Brickville and Peace Road Development, LLC for the Approval of an Annexation Agreement and Concept Plan for Property Located at the Northeast Corner of Peace Road and Brickville Road and the Subsequent Annexation of Said Property and the Rezoning to “R-1” One Family Residence District, Planned Unit Development, and to “R-3” Multiple Family Residence District, Planned Unit Development with a Special Use Permit for an Assisted Living Facility in the City of Sycamore, Illinois. First Reading.**

John Pappas, d.b.a. Brickville and Peace Road Development, LLC, has petitioned for consideration of an annexation agreement, concept plan, and annexation for the 94.95-acre property comprising the Walters Family Farm and the Cambier Family Farm at the northeast

corner of Peace Road and Brickville Road. The Plan Commission considered several concept plans for the property on February 11, 2008 and April 14, 2008 prior to their consideration of the attached plan in a public hearing on July 14.

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

**The Conceptual Development Plan**

The proposed conceptual 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 (“R-1”)	56.559	59.57%
Assisted Living (“R-3”)	2.874	3.03%
Private Parks and Conservation Areas	13.099	13.80%
Public Park Land	3.014	3.17%
Public Road Right-of-Way--Internal	15.133	15.94%
Public Road Right-of-Way—External (Plank & Moose Range Roads)	4.271	4.50%
Total	94.95	100%

2. Residential Density. The property features 108 single family detached lots for a gross density of 1.14 units per acre.
3. Access. A number of features deserve note:
  - There are essentially two access points. The chief access point is at the re-aligned Brickville Road and the other connects the proposed subdivision with the Stonegate development and Frantum Road to the east.
  - To minimize the impact of new traffic on Brickville Road as it winds toward Peace Road, Mr. Pappas has collaborated with the Sycamore Township Road Supervisor, Tom Reynolds, to develop a dramatic re-routing of Brickville Road (see the attached concept plan). The developer would build a new roadway of 2,050 feet at the developer’s sole expense (estimated to be about \$400,000) that would course more directly toward Motel Road. After its construction, the new roadway would become a City street. The Township would continue to maintain the former Brickville Road (to be re-named), which would experience a remarkable decline in usage.
4. Bikepaths. The attached concept plan shows a dashed brown line along the south side of Stonegate Drive connecting to a bike path along the east side of Brickville Road that connects to Motel Road on the west end of the property and Peace Road to the east.
5. Open space. The plan dedicates 17% 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:
  - The rear yards of the homes on the north side of the present Brickville Road are buffered from traffic on the re-aligned Brickville Road by either natural or detention areas.
  - The west, north and east sides of the development will abut mature tree stands. The inability to serve the adjacent land areas in terms of future sanitary sewer line capacity will sustain their presence.

In the event that the land area described in the Concept Plan is annexed by the City, the developer will be obligated to seek the approval of a preliminary plat and plan for the development of the entire Subject Property before any final plats may be considered (see Section 6.1 of the annexation agreement). The preliminary plat and plan shall be developed in accordance with the applicable requirements contained in Articles 4.3, 4.4 and 4.5 of the UDO. At that future time when a preliminary plat and plan are submitted, the City shall approve the preliminary plat and plan provided it is substantially in accordance with the approved Concept Plan and conforms to all standards and requirements of the City.

#### THE ANNEXATION AGREEMENT

The principal terms of the annexation agreement are as follows:

1. The Name. “Vellagio Estates.”
2. The Term. The agreement runs for twenty years (Section 26).
3. Performance Guarantees. The Owner may provide an irrevocable letter of credit or bond security for the public improvements on the site (Section 5.3).
4. Fees. The Owner shall comply with the City’s annexation and impact fees (Section 5), School fees (Section 18.2) and Park fees (Section 18.3) 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 18.2). Finally, In the event the City enacts an ordinance which creates a transportation impact fee for addressing the fiscal impact of development on the City’s transportation system, the amount of such impact fee as amended from time to time shall be payable at the time a building permit is issued for each single family residential lot (Section 18.4).
5. Developmental Exactions. The Owner will comply with Ordinance 2005.60 with respect to the pace of development and permitting (Section 7.2). In terms of the date at which the first permit might be drawn, the City’s Ordinance 2005.60 dictates that it be January 1, 2010. In view of the time that has elapsed since that ordinance was implemented, Mr. Pappas suggests that the Council extend that timeline to January 1, 2012 (Section 19.2).
6. Water Main, Storm Sewer 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 12).
7. Variations. No variations from the City’s codes and ordinances are requested.

## THE TRAFFIC STUDY

Wendler Engineering performed a traffic study for this project. The traffic study shows the total ADT from the developed site as 1,260 vehicles with an estimated 70% to the entrance from Brickville Road and 30% to Stonegate Drive. It was assumed that the morning and afternoon traffic volumes would be the same. Of the 880 vehicles to and from the Brickville Road entrance it is estimated that 800 vehicles would go to and from Peace Road and the remaining 80 vehicles to Brickville Road to and from the north.

## SUMMARY

The proposed annexation agreement and concept plan conform to the City's long-term land-use preferences in the 2003 Plan and the proposed 2008 Plan. The project also promises additional amenities—the realignment of Brickville Road, bike path extensions, and the conservation of undeveloped open space—that would enhance the quality of living for residents within the proposed subdivision.

In terms of fiscal impact, the developer has agreed to the following measures over and above what City codes require:

- ✓ No single family house permits until January 1, 2012;
- ✓ Obligation of permitted builders or owners to pay a transportation fee, if the City approves such a fee system in the future;
- ✓ In the event that the City 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.

The Plan Commission considered the annexation agreement, concept plan, and annexation at their regular meeting on July 14. By a unanimous vote of 11-0, the Commission recommended the Council's approval. As is customary, the proposed annexation is proposed for a first reading only on July 21, with action at the August 4 Council meeting at the earliest. The Council's ultimate approval of the plan and annexation as recommended by the Plan Commission is requested.

### **G. Ordinance No. 2008.23—An Ordinance Annexing a 94.95-Acre Parcel Located at the Northeast Corner of the Intersection of Brickville Road and Peace Road in the City of Sycamore, Illinois. First Reading.**

This ordinance separately considers the Pappas annexation for recording purposes. Final action on this ordinance will be contingent upon action on Ordinance 2008.22.

## **12. RESOLUTIONS--None**

## **13. CONSIDERATIONS**

### **A. Consideration of a Status Report on Negotiations with the Park District and Sycamore Historical Society and Museum Regarding the Future Use of the Engh Farm.**

At the regular City Council meeting of June 2, the Council postponed further discussion about options for the long-term use of the Engh Farm until July 21. This report summarizes

discussions held since that time by the City Manager with representatives of the Sycamore Park District and the Sycamore Historical Society and Museum. The principal spokespersons for these groups were Park District executive director David Peek and Sycamore Historical Society director Michelle Donahoe.

At the June 2 Council meeting, the Council was eager to learn more specific information from both parties about their redevelopment plans, and the resources that each could contribute to achieve such goals. The City Manager was directed to gather specific information on both points and to report his findings.

The principal focus remains the interest of the Sycamore Historical Society in relocating to the large and small farm houses and residential garage. As reported at the June 2 meeting, the Society's selection by the Illinois Humanities Council to host "Journey Stories," a Smithsonian Institution exhibit from May 30, 2009 to July 15, 2009, makes the relocation of the Society to a larger facility a must. The honor and prestige of this selection is enhanced by the training and resources that host organizations receive from the Smithsonian, and by the notoriety that host organizations receive from other historical societies and tour groups. The hosting of a nationally-renowned exhibit will also presumably invite day-trippers and tourists who will patronize local businesses.

In the past six weeks, the Society's board and executive director have met often to sharpen their remodeling budget and are preparing to launch a \$100,000 fundraising campaign. The budget for the relocation of the Society to the Engh farm is much-influenced by a code review performed by the City's Building Commissioner, Lyle Doty, in February (see the attachment). It is possible that some of the labor for dry wall repairs, painting, and minor trim repairs will be donated by the Kishwaukee Education Consortium. However, even if such assistance can be offered by KEC, the out-of-pocket remodeling and site costs that the Board has estimated will exceed their present resources by about **\$21,500** (see the attached list of unfunded expenses).

For its part, the Sycamore Park District is not presently in a fiscal position to offer grant monies to assist the Society in its relocation. The City Manager and Park District executive director have reviewed the District's current capital budget at length and it appears that the District will be hard-pressed to support its 2008 capital plan even if no supplemental grants are awarded for the Engh Farm re-development.

In sum, it appears that the Society will need community support in the form of private donations and/or public grant support to meet the minimum threshold for occupancy of the Engh Farm site. In the early months of a public fundraising campaign, the Society might meet its immediate capital needs. However, private philanthropy has fallen off locally and elsewhere, and time is of the essence if the Society is to be up and running for the spring, 2009 traveling exhibit. The City of Sycamore might close the short-term funding gap of \$21,500 with a special one-time grant from the Sales Tax Distributive Fund (Fund 22), which is intended to provide capital resources on an annual basis for the betterment of the community. If the Council is inclined to support this option, the grant could be made from the Fund reserve, and an adjustment could be made in the Fund budget this fall after the

audit results prompt a more thoroughgoing revision to the official City budget to reflect actual spending in FY08.

The City Manager recommends a one-time grant of \$21,500 for the Society within the context of a two-year lease that also outlines respective responsibilities for maintenance, utilities, insurance, etc. On the premise that the City must remain the public steward of the Engh farmstead for at least several more years, it is appropriate to place the grant and the ongoing relationship of the City and the Society in the context of a lease agreement. If directed, the City Manager can prepare a lease draft for the next regular Council meeting.

City Council direction is requested.

**B. Consideration of an Administration Request for a Closed Session to Discuss Land Acquisition and Collective Bargaining.**

- 14. OTHER NEW BUSINESS**
- 15. APPOINTMENTS**
- 16. ADJOURNMENT**