

TO: The Sycamore Plan Commission

FROM: Bill Nicklas
City Manager

DATE: December 3, 2003

RE: December 8, 2003 Plan Commission Meeting

The Plan Commission has five action items and two workshop items on its regular agenda.

I. Action Items

A. Consideration of a Petition From DeKalb Clinic Chartered for an Amendment to the Annexation Agreement Between the City of Sycamore and DeKalb Clinic Chartered, Dated October 20, 1999.

On March 15, 1999, when the DeKalb Clinic and the Roush family petitioned the City Council for the annexation of approximately 20 acres of land at the northeast corner of Plank Road and IL. Rt. 23, the annexation agreement included a provision for a north-south road running along the eastern boundary of the property. According to that agreement, the Clinic was entitled to a reimbursement for 60 percent of the cost of the roadway improvements and the fair market value of the land beneath. The smaller relative cost borne by the Clinic was owing to the fact that the roadway was to be built entirely on the Clinic's property, which would result in less land available for development on the west side of the common boundary with the Kocher farm.

Since the approval of the North Grove Crossing P.U.D. on June 16, 2003, John Clare Ltd. and the DeKalb Clinic Chartered have been working on an understanding that would permit the developer to proceed with road improvements without requiring an untimely contribution of capital from the Clinic, which has no present plans for the development of the east third of its Plank Road property. The attached revision to the original DeKalb Clinic agreement, along with the minor revisions to the text of the John Clare annexation agreement, described in item "B," below, together set out the terms of that understanding. The specific provisions are as follows:

- a) The DeKalb Clinic will donate the land for the right-of-way for that portion of Luther Lowell Drive that runs north and south along the east boundary of the Clinic property;
- b) The developer, John Clare, or its successors and assigns, will pay for the entire cost of the construction of that portion of Luther Lowell Drive that is contiguous with the Clinic property;
- c) The DeKalb Clinic will pay for the lesser of \$30,000 or 40 percent (40%) of the cost of the intersection improvements at Luther Lowell Drive and Plank Road, including a turn lane and widening of Plank Road;
- d) The DeKalb Clinic will pay up to 50 percent (50%) for any future traffic signals at the intersection of Plank Road and Luther Lowell Drive, once warrants are established.

This understanding between private parties needs to be memorialized in order to insure that public bodies will not be financially accountable for public improvements that will be necessary at an undefined future date, and which are typically the responsibility of private development firms.

A favorable Plan Commission recommendation is requested.

B. Consideration of a Petition from John Clare for an Amendment to the Annexation Agreement Between the City of Sycamore and John Clare, LTD. and the Kocher Trusts #102 and #102, Dated May 19, 2003.

As noted above, the proposed amendments to the John Clare agreement (see attached) are principally focused on the reciprocal responsibilities of the DeKalb Clinic and John Clare Ltd. regarding the construction of the Luther Lowell Drive extension to Plank Road. In addition, the preliminary plat is revised to reflect the following changes:

- a) A reconfiguration of the relationship between house lots 1 through 8 and the commercially-zoned Kocher farmstead. On the original plan, the house lots backed up to the commercial zoning and the roadway ran between the houses and the park. In the revised plan, the lots are separated from the commercial zoning by the roadway, and the house lots now back up to the park. The staff believe this revision will reduce potential conflicts between the commercial and residential zoning districts and afford a safer access to the interior park from the adjacent house lots.
- b) A separate preliminary plat is created to give more definition to the R-3-zoned townhouse area. Now that more extensive engineering has been completed, typical layouts have been refined. There are 110 townhouses on 15.64 acres for a gross density of 7.03 units per acre. The original plan showed 106 townhouses on 10.83 acres, or a gross density of 9.79 units per acre. The two interior road, Buckboard Lane and Overland Road, will be privately owned and maintained.

- c) The overall gross density of the combined townhouse and single-family development areas is 2.84 units per gross acre (164 single family detached; 110 townhouses on an acreage of 96.275 acres), slightly less than the original gross density of 2.98 units per gross acre.

A favorable Plan Commission recommendation is requested.

C. Consideration of a Petition From Rondo and Barbara Ziegler for an Annexation Agreement Between the City of Sycamore and the Zieglers, Concerning the Property at 1115 East State Street with an “M-1” Light Manufacturing District Zoning Classification.

Rondo and Barbara Ziegler presently conduct a business known as “Rondo Truck and Trailer Sales” at 344 N. Main Street. Their business has rapidly expanded in recent months and they are hoping to move to 1115 East State Street, owned by the Sheahan family and formerly the site of the Walker-Schork International dealership. The Sheahan site consists of approximately 8.8 acres and would afford ample room for an office, a sales and storage yard, and room for future expansion.

The Sheahan property is currently within the jurisdiction of DeKalb County, but is contiguous to the Sycamore corporate limits. The Zieglers, with the consent of the Sheahan family, have petitioned for annexation and, at the request of the City staff, have submitted an annexation agreement laying out the terms of the proposed annexation.

The attached draft of the annexation agreement has the following terms:

- a) As with the recent annexation of the property of Swedberg & Associates, the agreement calls for the connection of any present and future structures to the City’s water and sewer systems. In this instance, such connections must be made within three (3) years of the annexation.
- b) The concurrent annexation to the Sycamore Park District;
- c) An “M-1” Light Manufacturing zoning classification;
- d) The new owner can maintain the gravel driveways and parking areas unless or until there is an alteration in their area, then all existing and expanded drives and parking areas must be paved.
- e) The payment of a land annexation fee of \$1,000 per acre, if paid prior to December 31, 2003. The discounted fee is owing to the firm’s agreeable relocation from a City property where its commercial activities necessarily rubbed against adjacent residential uses, increasingly to the dissatisfaction of the adjoining residents.
- f) A waiver of the water and sewer connection fees, again as an incentive to relocate the business to a more compatible site.

The City Manager requests a favorable Plan Commission recommendation of this annexation petition.

D. Consideration of a Petition from Mike Weckerly of Morning Star Media for a Special Use Permit to Install Professional Offices at 240 Edward Street in Sycamore.

Mike Weckerly is interested in moving his small marketing firm to 240 Edward Street, once the home of the Masonic Temple in Sycamore. The Temple still owns the building. The property is currently zoned “R-2” Two Family Residence District and Mr. Weckerly has petitioned for a special use permit to allow the introduction of his firm. Under the “R-1” and “R-2” zoning provisions, professional offices may be permitted as special uses after a public hearing to allow for a more careful assessment of their impact on the surrounding neighborhood. Special use permits expire with the permitted use.

For many years, the Masonic Temple operated on the site with a special use permit. In the opinion of Lyle Doty, Zoning Officer, the proposed use would not introduce traffic, noise or other potential irritants on a scale greater than that of the Temple when it used the building, and in fact the proposed use would likely be much less obtrusive.

A favorable Plan Commission recommendation is requested.

E. Consideration of a Petition from Hickory Terrace, L.L.C., Bruce Leonard, Timothy Clark and Laura Clark for Annexation of the Property at the Southeast Corner of Peace Road and Freed Road, a Zoning Classification of “R-1” One Family Residence District and “R-3” Multiple Family Residence District, and a Special Use Permit for a Planned Unit Development.

Dave and Brad Sanderson presented a concept plan for the residential development of the Clark property at the October 13 Plan Commission meeting. The Commission made a number of suggestions during their review, including but not limited to the following:

- a) the provision of a “hammerhead” or other form of turnaround at Lots 18 and 19, until the main public roadway is joined to another to the north.
- b) The widening of Freed Road at the subdivision entrance to afford safer turning movements;
- c) A clearer delineation of the berm to be installed along Peace Road.

With the Commission’s direction in mind, the Sandersons have completed a preliminary plan and an annexation agreement and are petitioning the Commission for formal annexation. The details of the plan and the agreement are summarized below:

A. The Preliminary Plan and Plat.

- ◆ A gross density of 2.38 units per gross acre (72 units; 30.22 gross acres).
- ◆ A widened sidewalk/bikepath along the Peace Road frontage. The Commission should note that the developer and the Park District may propose an alternative path for linking the subdivision to established subdivisions and

recreational space. Since no development is going to occur in the floodplain to the south, the alternative may be to build a widened bikepath/sidewalk from the entrance on Freed Road eastward and toward the Windfield Meadows and Maple Terrace subdivisions.

- ◆ Interior bikepaths to connect the townhouse area with the public sidewalk on both sides of the public street that serves the detached single family lots.
- ◆ Detention facilities at the southwest corner of the site that are near the floodplain boundaries.
- ◆ A pool and clubhouse serving the development only.
- ◆ A 50-foot wide landscaped entry feature on the east side of the main entrance.
- ◆ A future road connection to Susan Street, as it may be extended from the Windfield Meadows development to the northeast.
- ◆ 47 detached single-family homes on lots averaging 14,366 square feet in area. The starting price of the detached units will be around \$250,000. A fiscal impact study portraying the possible financial impact of the development of these homes on the School District and City is attached.
- ◆ 25 attached townhouses with 2 bedrooms and a price range of \$190,000 to \$230,000 per unit. The wide range is due to “extras” from which individual buyers will be able to choose.

Along with the plan, the petitioners have submitted a traffic impact study (attached). The study concludes that there would be an average total of 600 daily trips (a trip may be into or out of the subdivision). This creates a “minor” impact in engineering terms, which is defined as less than 1,000 trips per day.

B. The Annexation Agreement.

The annexation agreement has the following features:

- a twenty year term.
- the requirement of a concurrent Park District annexation.
- the looping of water mains including the extension of a 10” water main along the north side of Freed Road to Peace Road and then southward along the east side of Peace Road to the south line of the property. Recapture of a pro-rated portion of the construction cost of this water main extension is possible if the main extension is used by other developers.
- The reconstruction of Freed Road to a width of 35 feet measured from the back to the back of the curbing, with a turn lane for eastbound traffic on Freed Road at the entrance to the property.
- The requirement that model homes must be served by city utilities and paved temporary parking.
- School and Park District donations according to ordinances then in effect.
- The developers would be limited to a maximum of 35 permits of any type per year, and could not receive their first building permit until one year after the recording of the annexation documents, as per the regulations passed on November 17, 2003.
- A homeowners association is required to maintain common areas and the pool area.

Finally, the developer approached the School administration to inquire about a “voluntary” donation. The District’s official response is noted in the attached letter from Bob Hammon to Brad and Dave Sanderson. The District has asked for a voluntary contribution of \$5,000 per dwelling, beyond the impact fee requirement. By way of reference, the Sycamore Creek “donation” was \$1,500 per lot, and the recent John Clare contribution amounted to \$744 per lot (\$200,000 divided by 269 lots), beyond the impact fee requirement. Such contributions cannot be compelled without becoming impact fees. The court-tested and case-supported formula (i.e. the Naperville model) for the derivation of impact fees is based on such factors as the value of a developed parcel of land, the acreage required for a particular type of school; and enrollment maximums. Within this context, the fair impact fee for a four-bedroom home using variables provided by the School administration is about \$4,757 according to the following math:

K-5	.513/550	x	15	x	\$110,000=\$1,539
6-8	.314/750	x	30	x	\$110,000=\$1,382
9-12	.313/1,500	x	80	x	\$110,000=\$1,836
					<u>\$4,757</u>

Any “voluntary” contribution above this amount would solely be a matter of negotiation between the developer and the District and would not be binding on the Commission or the Council.

The proposed annexation agreement and preliminary plan appear to meet the earlier suggestions of the Commission. A favorable Plan Commission recommendation is requested.

II. Workshop Items

A. A Second Consideration of a Conceptual Annexation and Redevelopment Proposal Submitted by Kevin Wynn.

Kevin Wynn, owner of Wynn’s Freight Service in Sycamore, appeared before the Plan Commission on November 10 to present his plan to purchase and annex the five-acre site that has been the home of Total Lawn Care at 2075 Coltonville Road, to raze the structures on site, and to develop the site for attached townhouses in the \$150,000 to \$170,000 price range. The parcel is presently within the jurisdiction of the County of DeKalb. Immediately to the east there are several parcels within Sycamore’s jurisdiction that are zoned “M-1” Light Manufacturing. To the south, the zoning is a mix of residential and commercial.

For the November meeting, Mr. Wynn prepared a very preliminary plot plan showing a possible layout for townhouse units. The Commission’s concensus was that a more readable plan was needed to portray his intentions, particularly with respect to adjoining properties and the possible location of a north/south extension of Motel Road from Coltonville Road. Along with the issue of land use, the Commission informed Mr. Wynn that it wanted to discuss the proposed density, open space, parking, architectural style and other related issues.

The attached concept plan has the following features:

- Nine, 4-unit buildings for a total of 36 units on a 5.02-acre site, or a gross density of 7.17 units per acre.
- The units would be served by privately owned and maintained streets.
- A total of 23 guest parking spaces are provided, or .64 spaces per unit. The minimum expectation has recently been around .75 spaces per unit (e.g. Roncon; Castle, etc.).
- A detention area is located at the northwest corner of the property.
- No sidewalks are shown.
- No recreational open space is shown.
- There is a 25-foot setback from the west and east parcel lines.
- There is no entry feature or turn lane shown.

City Engineer John Brady published a notice for a public hearing on this concept plan in anticipation of a formal petition for annexation. Such a petition and a draft of an annexation agreement were received. Nevertheless, the City Manager recommends that the hearing be opened and then immediately continued until such time as the Commission feels that the concept is worthy of formal review.

Plan Commission direction is recommended.

B. A Consideration of a Refinement of B&B Development's Harvest Lakes Concept Plan.

At the last regular Plan Commission meeting of November 10, B&B Development presented two concept plans: one for the development of approximately 650 acres north of the Sycamore Creek project for residential purposes, and the other for the development of about 360 acres. The timing of these proposals, the larger of which bore a close resemblance to the concept plan presented to the City Council in July, was based on several factors. First, as explained at the November Plan Commission meeting, more clarity and precision has been brought to the City's regulatory framework for residential growth since late July, resulting in greater public control over the fiscal impact of new growth. Second, the developer was mindful of certain market realities, including a possibility that a significant portion of the proposed development area to the northeast might not be available on economically acceptable terms.

After some review, the Commission expressed a preference for the larger, 650-acre development concept. Unfortunately, subsequent to the meeting, B&B was not able to negotiate a contract purchase for a significant portion of this plan on terms that were acceptable to the developer. As a result, a revised concept for a smaller version of the proposed "Harvest Lakes" plan has been developed by the firm of Land Vision for B&B. This plan is very similar to the design of Option 2, presented on November 17, except that the developer has retained the voluntary contributions and dedications of the larger option. Specifically, the proposed plan has the following features:

1. A gross area of about 366 acres;

2. A total of 573 single-family detached homes;
3. A total of 100 townhouses that might be constructed in the rust-colored areas;
4. A gross density of about 1.84 units per acre;
5. The donation of a 22.8-acre school site including a 2.8-acre detention facility;
6. The donation of alternate lake and open spaces to the Park District consisting of about 7.3 acres;
7. The dedication of a park space abutting Whipple Road (offering the required 500 feet of “green” belt) that could be used for a new City water tower. This area is the proverbial “high ground” for the northeast planning area.
8. A designation of offsetting entrances on a straight section of Plank Road;
9. An interest in realigning the dangerous intersection of Moose Range and Plank Roads. This is not shown on the concept plan at this writing, but will be discussed at length in the meeting on December 8. Discussions between the City Engineer, County Engineer, and Christopher Burke Engineering West will occur on Thursday, December 4 to address this specific issue.
10. The signature B&B arrangement of private parks in addition to public park dedications. A total of 71.8 acres of private open space and detention would be provided.
11. As with the proposal discussed at the November 10 Commission meeting, this project would not begin until 2010 at the earliest.

The developer’s design team would like to present this revised concept to the Commission for creative conceptual review in advance of more in-depth engineering and planning.