

TO: The Sycamore Plan Commission

FROM: Bill Nicklas  
City Manager

DATE: June 9, 2004

RE: June 14, 2004 Plan Commission Meeting

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

**I. Action Items**

**A. Consideration of a Petition from Dennis Collins for an Annexation Agreement, Annexation, Rezoning and Preliminary Plat for the Prairie Professional Park Planned Commercial Development.**

On May 10, the Plan Commission reviewed a concept plan for a commercial subdivision on the south side of Bethany Road and east of the Monsanto Headquarters. The developer, Dr. Dennis Collins, is a local dentist and lifetime resident of DeKalb County. Dr. Collins has returned with a formal petition for the annexation of 12.4 acres to be developed for commercial office purposes. The main features of the proposed development, known as the “Prairie Professional Park,” are outlined below:

1. The Preliminary Plan

- Conforms to the 2003 Comprehensive Plan which depicts the Bethany Road Corridor as a locus for commercial office, research and light industrial uses.
- Depicts 10 lots.
- Locates stormwater detention ponds at the north end of the project, along the Bethany Road Frontage, and an additional storage facility located on Lot 4, in the southwest corner of the development.
- Depicts a public street that extends Aberdeen Court south of Bethany Road and ends in a cul-de-sac. The street is in a 66-foot right-of-way and has a width of thirty-one feet, measured from the back to the back of the opposing curbs.

- Shows Portland cement sidewalks running along both sides of the public street.
- Shows an entry feature with a sign. The sign will be removed, but the boulevard-style median with landscaping will remain.
- The landscaped circle in the cul-de-sac would typically be prohibited, but the prohibition of parking on the circle, the limit of two curb cuts on the circle, and the ability to place plowed snow on broad parkways makes the circle median acceptable in terms of City plowing operations.

## 2. The Annexation Agreement

The annexation agreement has the following features:

- A twenty year term.
- The requirement of a concurrent Park District annexation.
- Calls for “C-3” Highway Business zoning.
- Requires the payment of a \$2,000 per acre annexation fee.
- Requires connection to the public water and sanitary sewer mains on Bethany Road.
- Acknowledges the City’s plans for the widening and reconstruction of Bethany Road, and provides necessary right-of-way and easements to support that project.
- A property owner’s association shall be created to maintain the common property.
- The developer will be permitted to install and maintain a private non-potable water supply for the sole purpose of providing make-up water to maintain a constant water level for two fountains in the ponds adjacent to the entrance. This private water supply shall not be used for any irrigation system or any other purpose and shall be clearly marked as a “non-potable water supply source.”
- The length of the cul-de-sac street shall not exceed 900 feet.

## 3. Traffic Study. The attached FAX from Wendler Engineering as this report was going to press portrays the results of a traffic study with the following assumptions:

- Of the 10 lots, 4 lots will have multiple tenants and serve general office uses; 4 lots will be single tenant buildings with office uses; and 2 lots will be used for medical and dental services.
- Occupied building space will constitute about 20% of the gross land area of each lot;
- A total of 924 vehicle trips per day is expected;
- The assumptions lead to the classification of a minor commercial street.

## 4. Variations. Two variations are requested: (1) a variation from Section 7-2-4, Table 1 of the City Code that requires a street width of 35 feet, back to back of curb; and (2) a variation from Section 10-3-1, B of the City Code which limits the length of cul-de-sac streets to 500 feet. With regard to the proposed reduction in

street width from 35 feet to 31 feet, the staff find that in this commercial subdivision, with required off-street parking on each lot sufficient to serve its employees and guests, the reduction in street width is acceptable so long as on-street parking is restricted to one side on Aberdeen Court, with the exception of the cul-de-sac. With respect to the cul-de-sac length, the potential emergency access through Lot 2 from the Monsanto Headquarters roughly half-way down the street appears to afford the margin of safety in terms of alternate emergency vehicle access to all lots. To secure this access, the agreement requires a cross-easement involving the owner of Lot 2 and the owner or the Monsanto parcel, or their successors and assigns.

**Recommendation:**

The City Manager requests a favorable Plan Commission recommendation with the two proposed variations.

**B. Consideration of a Petition from Youssi Real Estate Developers for a Final Plat of River Edge Condominiums, Phase Three.**

The attached plat depicts the third and final phase of the River Edge condominium project. The Commission will recall that the final plat for Phase Two of the project was approved by the Council on February 26, 2004. Phase Two lies immediately west of the proposed Phase Three.

The proposed phase features the same type of condominium building as the earlier phases. Each building is a four-unit. The plat officer will oversee the ultimate subdivision of the buildings into individual lots for sale in fee simple.

The plat has the following features:

- The continuation of Penny Lane from Phase Two to a junction with Buckingham Drive.
- The first and only designated “green space” within a Townsend Woods phase. The original preliminary plan approved in the early 1990s did not feature open space or park land as the City now requires, and the developer has been encouraged to designate about a half-acre inside Chris Circle for recreation or simply a passive “green” amenity.
- The frontage on Mt. Hunger will feature a continuation of the 10-foot wide asphalt walkway/bikeway incorporated in earlier phases.

A favorable Plan Commission recommendation is requested.

**C. Consideration of a Petition from R.A. Faganel Builders for a Final Plat for Phase One of the North Grove Crossing Planned Development.**

On March 15, 2004, after a favorable recommendation from the Plan Commission, the City Council approved a final plat for Phase One that depicted about one-half of the R-1 One Family Residence zoning in the North Grove Crossing subdivision. David Faganel, a principal in R.A. Faganel Builders, is requesting a revision of that plat to depict all of the R-1 zoning in order to provide more flexibility in marketing the project. The advantage

for the City and prospective buyers is the incorporation of all of the open space features in the initial phase of the development.

The final plat shows all of the 164 single family home lots that were depicted on the preliminary plat, as well as the park and detention sites. All engineering contours and features conform to the City's standards.

A favorable Plan Commission recommendation is requested.

**D. Consideration of a Petition from Norman Adshade for a Preliminary Plat for the Brickville Estates Subdivision.**

In January of this year the Commission favorably recommended and the Council approved a storm sewer easement that would serve Mr. Adshade's need to release stormwater from his 6.17-acre infill site at the corner of Brickville and Freed Roads, while addressing the concerns of Ms. Shirley Overton and other downstream propertyowners concerned about potential disruption to their property. According to the easement agreement, Mr. Adshade would design a storm sewer running from the proposed detention pond to the Brickville Road right-of-way, then within the right-of-way and that portion of Mrs. Adshade's property running to the centerline of the roadway. Mrs. Overton would grant a perpetual non-exclusive utility easement to the City of Sycamore and Mr. Adshade, at his sole expense, would install the storm sewer and all related appurtenances. Upon approval by the City Engineer, the City would assume repair and maintenance responsibility for the publicly-dedicated sewer line, as it typically does with other dedicated storm mains. In addition, any damage to the adjacent yard areas within Mrs. Overton's property during the construction period would be repaired at the sole cost of Mr. Adshade.

The approval of this easement did not involve the approval of any plan for the development of the 6.17-acre site owned by Mr. Adshade. The review of any such development plan must first be accomplished at the Plan Commission level, with a referral and ultimate action by the City Council. Action on this easement only established one of a number of preconditions to the ultimate approval of such a plan, and was necessary prior to further Plan Commission review.

Now Mr. Adshade returns to the Plan Commission with his preliminary plan for the development of his parcel. The plan conforms to the concept plan presented to the Plan Commission on August 11, 2003, which was generally supported except for the then-outstanding issue of the storm water easement. The Commission will recall that the property is already annexed and zoned "R-1." The plan has the following details:

- Eleven single family detached home lots;
- A gross density of 1.63 units per acre (the maximum allowance is 3 units per acre).
- A cul-de-sac interior public roadway with one access to Freed Road.
- House lots varying from 10,767 sq. ft. to 19,681 sq. ft.

A favorable Plan Commission recommendation is requested.

## **II. Workshop Items**

### **A. Consideration of a Development Concept for the Whitwell Farm from Gregory Derrico and John Cebrzynski.**

Gregory Derrico and John Cebrzynski are homebuilders from the Fox Valley (St. Charles and Geneva, respectively). They each own and operate small, family-centered homebuilding firms, and each has more than twenty years of experience as builders of quality homes. They will introduce their interest in our Sycamore area in their own words on June 14, but they have explained to the City staff that they are interested in finding a community that has a keen vision of how it wants to grow. They have read the Comp Plan, they have considered the City's growth management regulations, and they have visited Sycamore many times over the twenty-plus years that each has been in business. Their perception is that Sycamore has a strong self-image, built around a central downtown core, and has taken unique steps to see that it will be disciplined about its growth, particularly in view of the Comp Plan's imposition of a geographical growth limit and the Council's imposition of permitting restrictions as well as constraints on the timing of new permits in relation to the build-out of older subdivisions.

Messrs. Derrico and Cebrzynski have a contract to purchase the farm of Jack and Margaret Whitwell, which is located on Lindgren Road east of, and contiguous with, Sycamore Creek Phase One. The Whitwells wish to sell their farm to provide for themselves and their family, and will be on hand to answer any questions from the Commission regarding their decision. The attached concept plan shows the location of the farm and depicts, in a very general sense, how it might be integrated with the approved preliminary plan for Sycamore Creek.

The entire Whitwell farm comprises about 260 acres. It is the intention of the two builders to form a partnership to develop the farm over an extended period of time, building each house themselves with local subcontractors. Their first objective would be the 80-acre "pod" shown closest to the east boundary of Sycamore Creek.

Both builders are aware of Ordinance No. 2003.65 and the "inventory" of existing house lots (see attached). According to that ordinance, approved in November 2003, the other part of the farm could not be subdivided for at least five years. In addition, the terms of that ordinance prescribe that of the 120 lots depicted in the 80-acre pod, the first permit could not be issued for two years (later in 2006), and then only 25% or 40, whichever is lower, could be issued in any calendar year.

Messrs. Derrico and Cebrzynski recognize that, according to the terms of current regulations, and assuming ultimate approval of an 80-acre subdivision as they propose, their first permit would be issued late in 2006 or early 2007, as the peak annual permit pace is reached (see the attached spreadsheet). In consideration of this expectation, they would offer to voluntarily constrain any building activity to a substantially slower pace, such as a dozen or so homes in their first year, 20 homes in their second year, etc.

Plan Commission direction is recommended. In its consideration of this proposal, the Commission may be interested in the ongoing level of interest in residential development in Sycamore's planning area, and the extent to which it has been affected by the regulations of November 2003, and the recent nonbinding referendum. The City Manager can report that several developers who had expressed interest in farms contiguous with the north corporate limits seem to have abandoned their interest for the present. The failure of the Haviar petition on May 17 chilled the interest of a local developer in another infill area contiguous with the present corporate limits. The concept plan offered by Mr. Derrico and Mr. Cebrzynski is the only one under staff review at this time.

An interesting policy question arises from this trend, whether it is perceived favorably or unfavorably. There is now an inconsistency between the City's policy, as expressed through the Comp Plan and related regulations, and the governing body's actions, and this discordant situation makes it difficult for the City staff to identify the direction of the City to inquiring residential or commercial developers. This may seem inconsequential, but it is a very real dilemma when a key administrative responsibility is to present the "rules" as clearly and consistently as possible. In terms of the Council's recent actions, the Future Land Use Map might actually be painted "green" in all those bright yellow spaces that have not been annexed. If one indulges this vision, the Future Land Use Map is dramatically changed. Is this the vision that emerged from the consensus at the Plan Commission and Council levels just a year ago? Is it constructive to re-visit our overall planning vision before entertaining any future annexation concepts? What has changed since the winter of 2004 to prompt such a divergence? These are questions that the City Manager suggests for the Commission's review, in order to assist the Council in its periodic consideration of new developments. These are not questions of right and wrong; good or bad. They are matters for civil debate in public forums.

We have some facts, some experience, and some conjecture to guide us. Most would agree that we have one organized survey of opinion on local growth, and a variety of less organized but nevertheless passionate bodies of thought on the topic. The organized survey was the nonbinding referendum of March 16, 2004. In that referendum, 23 percent of the registered voters (1,879 out of 7,999), or approximately 20% of persons over 19 years of age or older, voted "yes" when asked: "Shall the Sycamore City Council be directed from further approving a residential development (or developments) for a period of seven (7) years, with the exception of housing for the elderly, homeless, and handicapped?" Ten percent of the registered voters (778 out of 7,999) voted "no." The organizers and supporters of this referendum deserve much credit for taking the time to vote and, in numerous cases, for sacrificing their personal time for a larger community goal. That is citizenship and an exercise of liberty that honors those involved. No similar organized effort arose among persons who occasionally spoke in favor of managed growth at Commission and Council meetings last fall or last winter. So, what do the other 67% of Sycamore's registered voters think about the Council's policies on growth—the policies that presently represent our official growth position? We do not know for sure. We can judge by the earnest, well-intended but often uninformed comments from people who speak in public meetings on various sides of the growth debate that few have read or considered our growth management tools (e.g. the Comp Plan or maps or attendant

regulations). Moreover, most have not taken the time to read or consider the deepening public record of meeting agendas, background reports, public minutes, statements by elected and appointed officials, comments and speeches from public hearings, expert testimony from engineers and others, etc. Good citizenship is more than an exercise in opinion-giving; it involves a lot of effort and a willingness to graciously receive as well as express criticism.

This extended and open-ended inquiry is offered to prompt some discussion at this—or a future—Commission meeting. Passion and pre-conceived notions of various stripes are presently much in abundance, but cold-hearted analysis is not very popular or abundant.

**B. Consideration of the Entire Chapter Five As Well As Chapter 6, Articles 6.1 Through 6.5, in the Proposed Unified Development Ordinance.**

In our attempt to imprint the new Comp Plan on local law, and to compile a more direct and consistent presentation of all local zoning and development ordinances, we have been working our way through the draft UDO for months. On June 14, the Commission will tackle the heart of our zoning and development codes. Specifically, the Commission will review the following:

- The zoning district classifications;
- General conditions of use applying to most districts;
- Permitted uses. A new presentation is offered in the form of a table that is topical in nature. The reader thinks of a generic use—a bank, for example—and finds the word in the table, then reads across to see whether that use is permitted in one or more zoning classifications. Discussion about words that should be--or should not be--on the list is invited.
- Accessory uses;
- Temporary uses;
- Home-based business regulations;
- Lot area and setback requirements.

The Commission may want to read beyond this assignment as needed to explore parking requirements and landscaping standards, which are related to a variety of the permitted uses. However, the 58 pages that are part of the “assignment” offer a formidable body of information for the Commission’s review in the coming days and no additional review is expected beyond Article 6.5.