
SYCAMORE PLAN COMMISSION MEETING
MINUTES OF JUNE 14, 2004

CALL TO ORDER AND ROLL CALL

Chairman John Lewis called the meeting to order and City Clerk Candy Smith called the roll. Those Commissioners present were: Tom Brotcke, Bill Davey, Pat David, Ken George, Dave Hamilton, Bill Lorence, John McBride, Cindy Henderson, Chuck Stowe and Chairperson John Lewis. Commissioners George Bridgewater and Larry Steczo were absent. Other staff members present were City Manager Bill Nicklas, City Engineer John Brady, Building Commissioner/Zoning Officer Lyle Doty and Commission Attorney Kevin Buick.

APPROVAL OF MINUTES OF MAY 10, 2004.

Motion

Commissioner Brotcke moved to approve the Minutes of May 10, 2004 and Commissioner George seconded the motion.

Voice Vote

Chairman Lewis called for a voice vote to approve the motion. All Commissioners voted aye. Motion carried 10-0.

Commissioner George Bridgewater arrived at 7:01 p.m.

APPROVAL OF AGENDA

Manager Nicklas said the 3-Sula Sycamore Bethany Center annexation proposal was published for tonight, but has been placed on the July agenda and will be republished.

Motion

Commissioner Lorence moved to approve the agenda and Commissioner David seconded the motion.

Voice Vote

Chairman Lewis called for a voice vote to approve the motion. All Commissioners voted aye. Motion carried 11-0.

CONSIDERATIONS

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.

Manager Nicklas explained that on May 10th the Plan Commission reviewed a concept plan for a commercial subdivision on the south side of Bethany Road and east of the Monsanto Headquarters. Mr. Nicklas said this is a form petition for the annexation of 12.4 acres to be developed for commercial office purposes. He said the main features of the proposed Prairie Professional Park are as follows:

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 halfway 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 of the Monsanto parcel, or their successors and assigns.

Mr. Nicklas said staff supports the annexation agreement as written as well as the variations.

Steve Milner, Milner & Associates, 517 Joanne Lane, DeKalb said he was available for questions.

Commissioner McBride asked if they had any options on lots and Mr. Milner said one lot is sold and there is much interest.

Commissioner Brotcke asked why they wanted to reduce the street size from 35 feet to 31 feet. Mr. Milner said to save on the cost of the road to spend elsewhere in the development.

Mr. Nicklas said the staff supported this because the parking has been reduced to one side and they like the 66' right-of-way for sidewalks and landscaping. He said because this is commercial, off-street parking is required.

Chairperson Lewis asked for audience comment and hearing none asked for action from the Commission.

Motion

Commissioner Lorence moved to approve a favorable recommendation with the two variations to Council and Commissioner Davey seconded the motion.

Roll Call Vote

Chairman Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Pat David, Bill Davey, Ken George, Dave Hamilton, Cindy Henderson, Bill Lorence, John McBride, Chuck Stowe and Chairperson John Lewis voted aye. Motion passed 11 - 0.

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

Manager Nicklas explained the features of the plat as the continuation of Penny Lane to a junction with Buckingham Drive, the first and only designated "green space" within a Townsend Woods phase, and a continuation of the 10-foot wide asphalt walkway/bikeway on Mt. Hunger frontage.

Chris Youssi, Youssi Real Estate Developers, 555 N. Court Street, Rockford, said he would answer questions.

Motion

Commissioner David moved to approve a favorable recommendation to Council and Commissioner Bridgewater seconded the motion.

Roll Call Vote

Chairman Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Pat David, Bill Davey, Ken George, Dave Hamilton, Cindy Henderson, Bill Lorence, John McBride, Chuck Stowe and Chairperson John Lewis voted aye. Motion passed 11 - 0.

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

Manager Nicklas explained that on March 15 Council approved a final plat for Phase One depicting about one-half of the R-1 One Family Residence zoning in the North Grove Crossing subdivision. He said Mr. Faganel 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. Mr. Nicklas said the final plat shows all of the 164 single-family homes and the park and detention sites and is recommended by staff.

Commissioner McBride inquired if the road curving at lots 152 and 153 would allow for snow plowing and Mr. Nicklas said Engineer Brady will review it, but he said he thought it was workable.

Commissioner Lorence asked if the easement for east of Plank Road was in the construction plans and said there is a new state law that birms need to be 10' away from the right-of-way.

Engineer Brady said that easements were not typically shown on final plats, but are addressed before they are recorded.

Dave Faganel, 1387 Energy Pass, Batavia, IL, said he was available for questions.

Commissioner Henderson asked if he would address the easement and Mr. Faganel said he would work it out with the engineers.

Hearing no audience comment, Chairperson Lewis asked for action from the Commission.

Motion

Commissioner Henderson moved to approve a favorable recommendation pending working out of easements with the engineer to Council and Commissioner Lorence seconded the motion.

Commissioner McBride asked what happened to the curve at Luther Lowell Lane and Commissioner Lorence said it becomes part of the right-of-way.

Roll Call Vote

Chairman Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Pat David, Bill Davey, Ken George, Dave Hamilton, Cindy Henderson, Bill Lorence, John McBride, Chuck Stowe and Chairperson John Lewis voted aye. Motion passed 11 - 0.

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

Manager Nicklas said January 2004 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 property owners concerned about potential disruption to their property. He said that easement is in place. Mr. Nicklas said this area is annexed and zoned and this preliminary plat conforms to the concept plat presented to the Plan Commission August 2003 which was generally supported except for the then-outstanding issue of the storm water easement. Mr. Nicklas said 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.

Commissioner McBride asked if the detention would be wet or dry and City Engineer Brady said it would be dry and it should help with that area of Maple Terrace that does not drain well.

Norm Adshade, 1247 Ivy, DeKalb, said he was there to answer questions.

Motion

Commissioner Lorence moved to approve a favorable recommendation to Council and Commissioner Hamilton seconded the motion.

Roll Call Vote

Chairman Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Pat David, Bill Davey, Ken George, Dave Hamilton, Cindy Henderson, Bill Lorence, John McBride, Chuck Stowe and Chairperson John Lewis voted aye. Motion passed 11 - 0.

I. Workshop Items

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

Manager Nicklas explained that Mr. Derrico and Mr. Cebrzynski have a contract to purchase the Whitwell Farm located on Lindgren Road east of and contiguous with Sycamore Creek Phase One. He said the entire farm comprises about 260 acres and the two builders first objective would be the 80-acre "pod" shown closest to the east boundary of Sycamore Creek. Mr. Nicklas said according to the permit regulation Ordinance 2003.65, the other part of the farm could not be subdivided for at least five years. He explained that of the 120 lots depicted on this 80-acre pod, the first permit could not be issued for two years and then only 25% or 40 permits. Mr. Nicklas said in his background he asked the Commission to consider how best to proceed with residential development proposals because he needs to be able to respond to interested residential, commercial, and industrial developers about the residential development. Mr. Nicklas said that Mr. Derrico and Mr. Cebrzynski realize that, according to the terms of the current regulations, their first permit would be issued late in 2006 or early 2007, the peak of building permitting, and would offer to voluntarily constrain any building activity to a substantially slower pace in the first two years.

John Cebrzynski, owner of John Henry Homes, said he has been building homes for 23 years and said he likes Sycamore because it is its own little pod.

Greg Derrico, owner of Derrico Homes, said he likes the true sense of community he sees here and they would like to contribute to that. He said theirs would be an upscale development with 4,000 to 5,500 square-foot homes.

Mr. Nicklas said he thought it interesting that these two builders will build the homes themselves and use local subs.

Commissioner McBride said Sycamore Creek will be starting this fall and wondered when the watermain needed for this pod would be ready. Manager Nicklas said they should be able to move ground in 2006. Engineer Brady said he has received the engineering plans from Sycamore Creek, but has not yet reviewed them. He said he assumes they would want to begin by this fall or next spring and should be enough to cover these 80 acres. He said beyond that the watermain might have to come from some place else.

Commissioner McBride said some of this proposal appears to be outside the Comprehensive Plan area and Mr. Nicklas said it is a fuzzy edge, but they attempted to include the Whitwell farm inside the planning area.

Chairperson Lewis said according to the permitting timeline the real opportunity for potential permits starts in 2008 and really opens up in 2009. He said the responsibility of the Plan Commission is to review concepts based on the Comprehensive Plan, but also they have an obligation to second-guess Council in projected starts. He asked if the developer would be willing to move out the start date.

Mr. Derrico said they had anticipated mid 2007 to start and rather than being allowed 25% building permits would settle for 10 to 12 permits the 1st year and make up the 40 the second year. He said they wanted to come in a little softer with pace and density. He said they will not be selling lots, but will build the homes themselves.

Commissioner Lorence asked if they were asking for any variances from codes or fees and Mr. Nicklas said they had proposed none.

Mr. Cebrzynski said they would be willing to discuss issues with staff and he said they have not yet talked with the School or Park District.

Chairperson Lewis said the Plan Commission and Council have taken positions that certain ordinances are in place and recent developers have often exceeded those ordinances.

Commissioner David said the bar has raised higher and higher and they don't want to close the doors, but there are too many permits on the books and asked if they would consider a 2009 start. Mr. Derrico said that would be difficult because the seller is anxious to sell and he hoped the permit numbers they put forth would soften their impact for the first two years.

Commissioner McBride said as School Board Representative, the School District's position is neutral. They feel it is ultimately the City's decision and statutory responsibility to accept or deny annexations. He said the School District is walking a tight rope because residential development impacts the School District and Illinois law states that the overall taxes paid by the developer does not cover all the capital costs. He said he does the best job he can to represent the School District.

Commissioner Davey said he does not think City Council will approve any big developments right now, but this plan has a little different twist and he thinks the Plan Commission should pass this on to Council for them to decide.

Commissioner George asked how many homes per year they build and Mr. Cebrzynski said about 20 to 25 and Mr. Derrico said about 12.

Mr. Nicklas said he needed clearer direction for the developers. He said that 2 things have happened since last fall: production builders have pulled their interest and large developments have faded away.

Chairperson Lewis said he thought this development was appropriate for Sycamore and he was comfortable phasing in 10 to 12 units in 2007, 28 in 2008 and 40 in 2009.

Commissioner David said she was uncomfortable because there are many more developments like this out there.

Mr. Nicklas said Dave Faganel will be returning with another large development.

Chairperson Lewis said there is no assurance how City Council will react to recommendations because in 12 years he has never seen less communication between the two bodies.

Mr. Nicklas said the Plan Commission does not want to be at odds with the City Council and the Council does not want to be at odds with Plan Commission. He said he thought they should have a joint meeting.

Chairperson Lewis said he would be more comfortable discussing this project after a joint meeting.

Commissioner Lorence said it would be the only way for the Plan Commission to progress because their function is to make decisions based on the Comprehensive Plan and if Council wants the parameters changed they need to know.

Commissioner McBride said he is not insulted by a no vote at the City Council level, because the Council's role is different than Plan Commission's.

Commissioner Davey said this proposal has enough differences and slow enough pace that they should pass it on for Council's decision. Mr. Davey said it sounded like the pace ordinance was doing its job by running off production builders. He said otherwise they would be having joint meetings with Council for each project.

Commissioner David said she agreed with Mr. McBride that she was not insulted if the Council disagreed with Plan Commission recommendation.

Mr. Nicklas said if there is a pattern of Council turning down Plan Commission recommendations, it is his job to find out why. He said he thinks there is a largely uninformed population because they don't attend the meetings. Mr. Nicklas said the media as well as the City has a role in informing the public.

Commissioner Stowe said he thinks the Plan Commission is doing its job by trying to get the best package it can from the developers coming in. He said just because it's a good project doesn't mean the Council will agree with it. He said a supermajority is needed for an annexation so he thinks the work needs to be done at the Council level.

Commissioner Henderson said as an informed citizen and member of the Plan Commission she thinks the timing is wrong for this plan.

Chairperson Lewis said he thinks as a public policy prospective, the philosophy of Council should be transmitted to the Plan Commission because it is unfair to the petitioners to take the time and expense to prepare a plan that will not be approved.

Mr. Derrick said an informal meeting between Plan Commission and Council would help them get a feel for how well accepted the project might be.

Mr. Nicklas said they could schedule a joint meeting to focus on this type of development.

Commissioner Davey asked if there would be a joint meeting every time a new development comes in.

Chairperson Lewis said he thought the issue is the 2006 to 2009 time period and he said there is some opinion to forestall any more development until 2009.

Commissioner McBride said they followed the land planner's advice to not get specific with zoning and to date the market has interpreted the yellow portion on the Comp Plan as high priced single family homes. He said that is not the intention of the Comp Plan.

Mr. Nicklas said there is no affordable land contiguous to Sycamore for low-end houses.

Commissioner George suggested a household survey. Mr. Nicklas said the City is conducting occupancy surveys for 9 months asking previous zip codes and number of children and their ages. He said 2 out of 3 large homes have no children; the other homes have 2 or 3 averaging .86. Mr. Nicklas said he would provide a spreadsheet of survey results.

Chairperson Lewis asked if they could work with the School District when compiling that information.

Jack Whitwell, 16037 Lindgren Road, said his family has owned their 260 acres since 1962. He is now retired and his 2 daughters share no interest in farming the land. Mr. Whitwell said many developers have approached him and he feels these two will do a good job.

Chairperson Lewis asked for audience comment.

Peter Barrick, 433 W. High Street, asked Mr. Whitwell if he would sell the land as agriculture and Mr. Whitwell said he would sell to anybody willing to buy at the same rate as developers.

Mr. Barrick asked if the developers had considered building any senior or multi-family housing for special needs. Chairperson Lewis asked the developers if they would prefer to answer that question when they have a detailed plan and they said they would.

Dave Waters, 307 N. Main Street, said that any plan is subject to change and the Plan Commission only looks at the current plan and Council makes the final decision. Mr. Waters said the advisory growth referendum passed at 70+% because the City already has enough on the books to double the population. He said in the comments the City Manager said only 23% of the people voted so the 67% who didn't vote really voted not to be counted because they didn't show up. Mr. Waters said any time you build more houses not only does the School District get hammered, the City staff increases. He said DeKalb County property taxes are the highest in the state and something needs to be done to curb that back.

Jan Torrence, 520 S. Main Street, said she is impressed to see the Plan Commission wrestle with issues. She said she is insulted with Mr. Nicklas's comment about an uninformed public. She said she is one of the people that attends the meetings. Ms. Torrence said that her Alderman discouraged her from attending the planning sessions, but she went and neither of her Aldermen attended those meetings.

Manager Nicklas said he took pains to say he thought it was honorable what those involved with the referendum did and was not chastising them. He said a lot of people don't take the time to take City matters seriously.

Richard Lindgren, Lindgren Road, thanked the Commission and the audience for their concern. He suggested the Plan Commission not get bogged down which direction to go because their job is to recommend what is best for Sycamore.

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

Chairperson Lewis suggested postponing the UDO discussion until next month because of the late hour.

Mr. Nicklas said the UDO would create new fabric and law that support the Comp Plan. He said they need to plod along toward its completion, but not necessarily tonight. They could discuss this at a joint meeting July 12, 2004.

Commissioner Henderson suggested discussing the UDO at 6:00 p.m., do the Plan Commission business at 7:00 p.m. and have Council join them around 7:30 p.m.

Mr. Nicklas said he would poll Council to see if they can meet on July 12.

REPORTS

PERSONS TO BE HEARD FROM THE FLOOR ON OTHER THAN AGENDA ITEMS

ADJOURNMENT

Motion

Commissioner Stowe moved to adjourn the meeting at 9:05 p.m. and Commissioner Bridgewater seconded the motion.

Voice Vote

Chairman Lewis called for a voice vote to approve the motion. All Commissioners voted aye. Motion carried 11-0.

Approve:

Chairman – John Lewis

Attest:

Candy Smith, City Clerk