

TO: The Sycamore Plan Commission
FROM: Bill Nicklas
City Manager
DATE: December 7, 2005
RE: December 12, 2005 Plan Commission Meeting

The Plan Commission agenda has four action items.

I Action Items

A. Consideration of a Petition from Margaret and Jack Whitwell and Whitwell Farms, LLC for an Annexation Agreement, Annexation and Rezoning for a 261-Acre Property Located on Both Sides of Lindgren Road, Approximately One Mile East of Plank Road.

On July 11, 2005 the Plan Commission reviewed a concept plan presented by Greg Derrico and John Cebrzynski for the residential development of the 261-acre Whitwell farm which straddles Lindgren Road at the northeast edge of the area slated for residential development on the 2003 Comp Plan. Based on the guidance of the Commission and with due consideration for the Council's revised standards for managing the pace of permits in new residential subdivisions, Mr. Derrico (representing Whitwell Farms, LLC) and the Whitwells have petitioned the Commission for a public hearing on an annexation proposal for the entire Whitwell farm.

The Preliminary Plan

The proposed plan has the following features:

1. Land Uses. The following table depicts the various land uses:

	Acres	Percentage
Single Family Lots	126	48%
Private Parks & Conservation Areas	76	29%
Public Park Land	6	2%
Public Road Right-of-Way	53	21%
Total	261	100%

2. A gross area of 261 acres and a gross density of 1.46 units per acre;
3. A total of 381 single-family detached home lots. Based on the provisions of the City's permit constraints (Ordinance 2005.60), the first permit could not be issued until 2010, and no more than 50 permits could be issued per year.
4. Two main entrances on Lindgren Road and one on Swanson Road;
5. A circulation of traffic through the subdivision via seven outlets, including the main entrances.
6. An arrangement of private park space and publicly dedicated space as is typical of the adjacent B&B developments.

The Annexation Agreement

The principal terms of the annexation agreement are as follows:

1. The Name. "Whitwell Farms" ties the development to its historic family farm roots.
2. The Term. The agreement runs for twenty years.
3. Performance Guarantees. The developer shall provide an irrevocable letter of credit for the public improvements on the site.
4. School Contribution. As with the B&B annexation agreements approved in October, the proposed agreement acknowledges the current public/private initiative in behalf of a new funding source for the School District's operational priorities (Paragraph 15). The Commission is aware of the recent work of Mayor Mundy's ad hoc Committee on Growth Management and its support for a real estate transfer tax. Based on a review of all Sycamore real estate transactions in 2004, the ad hoc Committee believes it is reasonable to assume that the proposed transfer tax, with exemptions, will generate sufficient new revenue to annually offset the projected imbalance in school operating funds over the next ten years. Since the proposed tax can only be imposed by a referendum and the next general election is March 21, 2006, the annexation agreement must anticipate both a successful and an unsuccessful referendum to assure that a comparable level of school funding is provided. How can this be done? The Developer agrees to pay a \$3,000 per unit "voluntary fee" to the School District in addition to any applicable impact fee.

The \$3,000 threshold is based on the findings of a recent independent fiscal study and City and School data. Based on the 2000 Census data and more recent occupancy data collected by the City's Building department over the past 20 months, the City's new households have an average of .7 students (about two-thirds of all new households have no children). The average new household is thus about 2.7 persons. The independent fiscal study presented in the spring of 2005 reports a net School operating imbalance of \$8,469,503 over the period 2005 to 2015. At the 2004-2005 enrollment level, this would be a funding shortfall of \$2,777 per student (\$8,469,503/3050). The developer has agreed to "round up" the "voluntary" donation to \$3,000 per home, payable at the time of permitting in the same manner as impact fees. If the planned referendum on a transfer fee is successful, this contribution would be

a “credit” against any transfer fee obligation. If the referendum is unsuccessful, every house permit would generate a \$3,000 voluntary donation to be applied to School operating needs.

5. Impact Fees. Impact fees shall be assessed at the rate in effect at the time a permit is issued, allowing the rates to float upward over time as the City Council determines their appropriate levels with the advice of local taxing bodies.
6. Park Contribution. The developer will comply with the UDO requirements relative to the Park District land-cash ordinance.
7. Water and Sewer Main Extensions. The developer 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.
8. Variations. There are no proposed variations from City policies or practices.

The Traffic Study

See the attached memorandum from City Engineer John Brady.

Pace of Development. A spreadsheet depicting the number of allowable permits per year is attached. The spreadsheet places the proposed development in the context of all current developments.

Recommendation

The proposed development conforms to the City’s Land Use Plan and satisfies the City’s codes and ordinances, including the recently-adopted Ordinance 2005.60. A favorable Plan Commission recommendation is requested.

B. Consideration of a Petition from John Pappas, as Developer, and Charles and Betty Primm, as Owners, for an Annexation Agreement, Annexation and Rezoning of a 99-Acre Property Located West of Illinois Route 23 and South of North Grove Road.

On September 12, 2005 the Plan Commission reviewed a concept plan presented by John F. Pappas for a mixed commercial and residential development on the 99-acre Primm Farm, located west of Illinois Rt. 23 and south of North Grove Road. Based on the guidance of the Commission and with due consideration for the Council’s revised standards for managing the pace of permits in new residential subdivisions, Mr. Pappas and Charles and Betty Primm have petitioned the Commission for a public hearing on an annexation proposal for the entire Primm Farm.

The Preliminary Plan

The proposed plan has the following features:

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

	Acres	Percentage
Commercial Lots	24.29	24.53%
Single Family Lots	48.09	48.57%
Private Parks & Conservation Areas	8.15	8.23%
Public Park Land	0	0
Public Road Right-of-Way	18.49	18.67%
Total	99	100%

2. The commercial zoning has a gross area of 24.29 acres and features 9 commercially-zoned lots including the Primm residence. The Primms intend to reside on Lot 302 for the present, but once they relocate the lot will be dedicated to commercial uses.
3. The residential zoning has a gross area of 48.09 acres and a gross density of 2.22 units per acre. There are a total of 107 single-family detached home lots. Based on the provisions of the City's permit constraints (Ordinance 2005.60), the first permit could not be issued until 2010, and no more than 35 permits could be issued per year.
4. The commercial uses would primarily be served by the intersection of Northgate Drive and IL Rt. 23. The residential uses would primarily be served by North Grove Road and Frantum Road.
5. A circulation of traffic through the subdivision via seven outlets, including the main entrances.
6. A regional bike path extension along the south side of North Grove Road that extends south on Primm Drive to the commercial uses and then to the Camden Crossings subdivision. There is also a walking path around the main detention pond.
7. The rural design for improvements to North Grove Road, except that portion that will fall within IDOT's intersection design standards, means that North Grove Road rather than Whipple Road will be the northern edge of the City's future development on the west side of IL Rt. 23. Given the diminishing capacity for further sewer hookups in the northeast quadrant, the staff believe the Comp Plan's expectations for low density residential growth north of North Grove Road and west of IL Rt. 23 are no longer realistic.
8. Consistent with rural roadway design noted in Item #7, the entry feature planned for the intersection of IL Rt. 23 and Whipple Road has been relocated southward to Lot 301. Should Mr. Pappas come into control of the Johnson property at the southwest corner of IL Rt. 23 and North Grove Road, the entry feature can be moved northward to that property. A significant landscaped entry feature for Sycamore's northgate has been a part of the Comp Plan since 2000. If the Commission and the Council approve this development, the City's north-central boundary and its entry feature would be moved to the vicinity of North Grove Road.
9. Frantum Road will be rebuilt to an urban standard to conform with the existing design of Frantum to the south.

The Annexation Agreement

The principal terms of the annexation agreement are as follows:

1. The Name. "Primm Prairie Subdivision."
2. The Term. The agreement runs for twenty years.
3. Performance Guarantees. The developer shall provide an irrevocable letter of credit for the public improvements on the site.
4. School Contribution. As with the Whitwell agreement, the proposed agreement acknowledges the current public/private initiative in behalf of a new funding source for the School District's operational priorities (Paragraph 15). Since the proposed transfer tax can only be imposed by a referendum and the next general election is March 21, 2006, the annexation agreement must anticipate both a successful and an unsuccessful referendum to assure that a comparable level of school funding is provided. The Developer agrees to pay a \$3,000 per unit "voluntary fee" to the School District in addition to any applicable impact fee.
5. Impact Fees. Impact fees shall be assessed at the rate in effect at the time a permit is issued, allowing the rates to float upward over time as the City Council determines their appropriate levels with the advice of local taxing bodies.
6. Park Contribution. The developer will comply with the UDO requirements relative to the Park District land-cash ordinance.
7. Water and Sewer Main Extensions. The developer 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.
9. Variations. There are no proposed variations from City policies or practices.

The Traffic Study

See the attached memorandum from City Engineer John Brady.

Pace of Development. A spreadsheet depicting the number of allowable permits per year is attached. The spreadsheet places the proposed development in the context of all current developments.

Recommendation

The proposed development conforms to the City's Land Use Plan and satisfies the City's codes and ordinances, including the recently-adopted Ordinance 2005.60. A favorable Plan Commission recommendation is requested.

C. Consideration of a Petition from Brooks and Rebecca Hepker for a Zoning Change from "C-2" Central Business District to "R-3" Multiple Family Residential District for the Property at 336 N. Sacramento Street in the City of Sycamore.

The Hepkers have purchased a two-family rental property on North Sacramento Street which has the anomalous zoning classification of "C-2" Central Business. It lies in a predominantly residential area, with the Bowen condominiums on the west side and a mix of one-family and two-family residences on the east side. The singular

exception is the former sheet metal shop immediately south of the residence at 336 N. Sacramento which is currently occupied by Powell Excavating.

The Hepker request derives from an interest in providing their lender security in the event the property was severely damaged and could not be re-built as a residential use in the current commercial zoning. In addition, the Hepkers would like to add a third rental unit to the rear of the building. Aside from the zoning and building issues, such an alteration carries a higher off-street parking requirement. Each rental unit would need to provide two off-street spaces per unit plus .75 guest spaces per unit. The attached conceptual site plan prepared by Mr. Hepker is provided to help the Commission and adjacent property owners assess whether a greater residential density and substantial back yard parking is desirable.

Plan Commission direction is requested.

D. Consideration of Certain Amendments to Section 4.4.2F of the 2005 Unified Development Ordinance to Revise the Allowable Pace of Permits for Residential Dwelling Units in New Subdivisions in the City of Sycamore.

On November 21 the City Council implemented Ordinance 2005.60 to replace Ordinance 2003.65 and introduce a new regulatory framework to manage the pace of residential growth in Sycamore consistent with the position that the Council majority took regarding the B&B developments in October. The key features of Ordinance 2005.60 are as follows:

1. the elimination of the “bank” of permits that Ordinance 2003.65 allowed the developer to carry over from one development year to the next.
2. the establishment of a threshold of January 1, 2010 for the first permits for any future subdivision approvals.
3. a commitment by the Council 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.
4. a reduction in the allowable number of permits that can be issued per year, at each threshold in the regulatory schedule.
5. the removal of the confusion pertaining to the subdivision of larger tracts.

The relevant passages from the text of the proposed ordinance are shown below:

Number of Dwelling Units on the Preliminary Plan	Dwelling Units Permitted Per Year	Time Limit Before New Building Plan Permits are Issued Following Annexation*
0 to 50 dwelling units	No More than 25 per Year	No Time Limit
51 to 100 dwelling units	No More than 30 per Year	One Year
101 to 200 dwelling units	No More than 35 per Year	Two Years
201 to 300 dwelling units	No More than 40 per Year	Three Years
301 to 400 dwelling units	No More than 50 per Year	Four Years
401 to 500 dwelling units	No More than 60 per Year	Five Years
Over 500 dwelling units	No More than 65 per Year	Six Years

***For planned unit developments and all other subdivisions annexed after November 1, 2005, no permits shall be issued until January 1, 2010.**

This provision shall apply to planned unit developments and all other subdivisions annexed after November 1, 2005. The annual allowance for the issuance of dwelling unit permits shall commence on January 1 of each year.

In its consideration of new residential annexations after November 1, 2005, the Sycamore City Council will only consider annexation agreements that adjust both the timing and the number of new housing permits in any given year in order to achieve an overall average of 250 dwelling units per year in the City of Sycamore, from 2010 onward.

The City Council may consider a petition for annexation and preliminary plat approval involving less than the full acreage of a tract of 100 or more contiguous acres. However, in order to plan for orderly growth and to discourage the submittal of a series of annexation plats and preliminary plats from the same tract of 100 or more acres, the Council will only consider one additional petition for annexation and preliminary plat approval involving the balance of land in said tract, and such Council action may only occur after five years has elapsed from the approval of the initial development plat. The Council may only waive this provision by a two-thirds vote of the corporate authorities.

The Council unanimously approved this ordinance on November 21 in order to clarify its consensus on how to pace the permitting in new subdivisions, and was aware that in so doing it was sending a clearer message to development firms known to be preparing submittals for future City consideration. The two development proposals at the top of this agenda are cases in point.

Although the Council adoption of Ordinance 2005.60 becomes the City standard, there is another standard still on the books, so to speak. The Unified Development Ordinance (“UDO”), adopted in May 2005, incorporated Ordinance 2003.65 as the framework for pacing growth in Chapter 4, Article 4.4, “Planned Developments.” The Commission is asked to recommend the Council’s revision of Section 4.4.2F, which makes reference to Ordinance 2003.65, to replace the existing language with the language of Ordinance 2005.60, noted above.

II Workshop Items--None