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**SYCAMORE PLAN COMMISSION MEETING**  
**MINUTES OF DECEMBER 12, 2005**

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**CALL TO ORDER AND ROLL CALL**

Chairperson John Lewis called the meeting to order and City Clerk Candy Smith called the roll. Those Commissioners present were: George Bridgewater, Tom Brotcke, Lowell Evans, Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, Michelle Schulz, Dave Shipley, Larry Steczo and Chairperson John Lewis. Commissioner Bill Davey was 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 NOVEMBER 14, 2005.**

**Motion**

Commissioner Lorence moved to approve the Minutes of November 14, 2005 and Commissioner Schulz seconded the motion.

**Voice Vote**

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

**APPROVAL OF AGENDA**

**Motion**

Commissioner George moved to approve the agenda and Commissioner Steczo seconded the motion.

**Voice Vote**

Chairperson 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 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.**

Manager Nicklas said the petitioners are represented by Dave Waden of Land Vision and John Wills of Christopher Burke Engineering. He said a total of 381 single-family lots have been proposed. Mr. Nicklas listed the principal terms of the annexation agreement 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.

He said a traffic study has been done and the developer will have to conform to the permitting regulation in Ordinance 2005.60.

Dave Waden of Land Vision said the project consists of 261 acres of land bounded by Swanson Road on the south, Lindgren Road to the north (with 40 acres north of Lindgren), and mostly encompassed by B & B Development's Sycamore Creek and The Hamlet. He said the plan is a modified grid with single-loaded road within the project to create views and vistas. They will tie into Sycamore Creek's bike trail and have small pocket parks with one 5.8-acre public park. He said there are 381 single-family lots with the smallest lot measuring just over 12,000 square feet. He said they feel this ties in appropriately with approved B & B's development to the north and south. He said that John Wills and Mr. Derrico are available for questions.

Mike Liszka, 470 Lincolnshire, asked what single-loaded roads were.

Mr. Waden said that means no houses on one side of the road.

Mr. Nicklas said the City insisted on a single-loaded road in Reston Ponds along Somonauk so the view of amenities can be retained for all.

Commissioner Shipley said the voluntary contribution is shown at the time of permit and asked if that was correct.

Mr. Nicklas said it should be at the time of plat.

Gregory Way, 13897 North Grove Road, said all the green parts look like they are putting all the houses around where it is all wet. He said it looks like a lot of retention.

John Wills, Christopher Burke Engineering, said there is a portion of Heron Creek running through this property. He said they are trying to build in storm water management that has a regional impact. He said there are a lot of ponds and that is to meet the ordinance. He said they are going above and beyond that to make sure the downstream properties are protected.

#### **Motion**

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

#### **Roll Call Vote**

Chairperson Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Lowell Evans, Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, Michelle Schulz, Dave Shipley, and Chairperson John Lewis voted aye. Commissioner Larry Steczo voted nay. Motion passed 10-1.

### **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.**

Manager Nicklas said that commercial and residential zoning are proposed. He presented other features of the preliminary plan as follows:

- The commercial zoning has a gross area of 24.29 acres and features 9 commercially-zoned lots including the Primm residence. The Primm's intend to reside on Lot 302 for the present, but once they relocate the lot will be dedicated to commercial uses.
- 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.
- 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.
- A circulation of traffic through the subdivision via seven outlets, including the main entrances.
- 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.

- 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 believes the Comp Plan's expectations for low density residential growth north or North Grove Road and west of IL Rt. 23 are no longer realistic.
- 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.
- Frantum Road will be rebuilt to an urban standard to conform with the existing design of Frantum to the south.

Mr. Nicklas listed the principal terms of the annexation agreement 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.

John Pappas, 3 Fairway Circle, DeKalb, said this project is providing 25 acres of commercial land along with residential. He said the residential lots will be about ½-acre lots to create more greenspace. He said the residential will not take place until 2010 and the commercial will help the School District and the City with tax revenue. He said they are not providing a park in the development because it is a small development. They decided to give cash to the Park District and create larger lot sizes.

Cathy Lampkins, 13985 North Grove Road, said she was speaking on behalf of Ed & Rita Miller, Pete & Crystal Springmeier, and she and her husband Don. She said they are not opposed to development across the road, but their concern is that the plan as presented will make their current water problem worse. She

said when the influx of water occurs, the ditch on the south side of North Grove Road backs up when it meets resistance and backs up into their properties. She said the proposed plan is still trying to turn water. She provided pictures of the flooding that occurs in that area. She said they are not opposed to development, but are opposed to the current proposal.

Terresa Way, 13897 North Grove Road, said she agreed with the Lampkins. She said her concerns were increased traffic on North Grove Road, street configuration with headlights directed toward her house, worsening water problems, smaller houses, birms and drainage ponds, taking of property to widen North Grove Road, and maintaining their ag zoning not in a flood plain.

John Pappas said he is not creating water problems and thought his retention my alleviate some of the problem.

Marty Swarts, 13803 North Grove Road, said there is a water problem out there. She said she is concerned that some of her property might be taken to widen the road and she said the curve in front of her property may be an issue because already there are accidents there.

Sharon Cornejo, 13923 North Grove Road, said she has the same concerns as her neighbors as well as how this might affect the values of the existing homes.

Greg Way, 13897 North Grove Road, expressed concern about Sycamore's rapid growth and requested larger lots on the Primm proposal.

Mark Gebhart, Wendler Engineering, 1770 State Street, engineer for the Pappas proposal, said they share the neighbors' concerns about the water problem. He said the developer will be required in the annexation agreement to replace the culverts under North Grove Road to carry the one-hundred-year storm. He said behind lots 7 – 10 there will be 65-feet of landscape buffer and drainage easement and they plan to increase the ditch to carry water to the detention area. He said they are downstream from the existing residences and all they can do is pass the water through. Mr. Gebhart said there is no flood plain on the property.

City Engineer Brady said the property is downstream from the existing properties and they must make sure to convey the water beneath North Grove Road to the detention ponds.

Commissioner Lorence said if the petitioner would relocate the stub of Settlers Way and perhaps remove Lot 104 it would eliminate headlights into existing homes. He said that would bring the entrance to the outside of the curve.

Engineer Brady said it could done, but they would want to skew that as far east as possible.

Commissioner Maness asked what size pipe would go under North Grove Road.

Engineer Brady said it will probably be a box culvert.

Ms. Maness said right now the water would go right into the proposed Pappas Drive area and the retention is way to the west.

Engineer Brady said they would pipe some of the low flows, but would have open land ditches for the overland flow. He said they would definitely have to turn the water.

Mr. Pappas said they would be willing to take Commissioner Lorence's suggestion to relocated Settlers Way.

Marty Swarts, 13803 North Grove Road, said her property is on the curve and the pasture floods so they will want to address that area.

Commissioner Lorence said the 65-foot measurement along the south side of North Grove Road is a ditch.

Mr. Nicklas said the reference to a birm is for planning purposes as a natural border to the north and can be done with trees.

Commissioner Brotcke asked if Frantum Road could be completed.

Engineer Brady said the area he is talking about is not in City Limits.

Commissioner Lorence said the Road Commissioner is working on acquiring that land to get that done.

Robert Krupp, attorney for John Pappas, said this proposal conforms to the City's Comp Plan and would not be a detriment for the existing neighbors. He said the engineers will work to resolve the water issue. He said the commercial element will be a revenue generator; the \$3,000/lot voluntary contribution is over and above the City's ordinances. He asked for a favorable recommendation.

### **Motion**

Commissioner Steczo moved to approve a favorable recommendation to Council and Commissioner George seconded the motion.

### **Roll Call Vote**

Chairperson Lewis called for a roll call vote to approve the motion. Commissioners Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, Michelle Schulz, Dave Shipley, Larry Steczo, and Chairperson John Lewis voted aye. Commissioners Lowell Evans, George Bridgewater, and Tom Brotcke voted nay. Motion passed 8-3.

Manager Nicklas further explained that this development would not worsen the water issue for the existing residents. He said if anything, it might improve it.

### **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.**

Manager Nicklas explained that the Hepker's request derived 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. He said they would also like to add a third rental unit to the rear of the building. He said they would need to provide adequate off-street parking spaces for renters and guests.

Mike Powell, 328 N. Sacramento, said his business, Powell Excavating, is next door and his concern was if his building burns down can he still rebuild lot line to lot line.

Building Commissioner Lyle Doty said Mr. Powell would be allowed to rebuild up to the property line. He said there would be some window and door codes to meet, but that would be required no matter what the adjacent zoning is.

Jason Beinarauskas, 342 N. Sacramento, asked if Hepker's would be allowed to increase to 4 units or if it would be a 3-unit.

Mr. Nicklas said the Hepker's have agreed to limit the residence to 3 units.

Brooks Hepker, 311 Grant Street, said they would either configure 3 1-bedroom or 2 1-bedroom and 1 2-bedroom.

Mr. Beinsarauskas said the backyard parking would not be desirable to him and his wife. He said they do not want a parking lot adjacent to their back yard.

Commissioner Henderson asked the zoning for Mr. Beinsarauskas' property and he said he was zoned commercial.

Commissioner Brotcke said he thought Mr. Hepker could put up some screening.

Patty Storey, 336 N. Sacramento, said she spoke with the landlords last night and they said the house would not be closed until December 27, 2005. She said she was disappointed that the renters have not been notified.

Brooks Hepker, 311 Grant Street, said the reason he has not notified the tenants is because he is not sure of his plan of action.

Commissioner Shipley asked if the whole area was transitioning from C-2 to R-3.

Mr. Nicklas said he did not believe that would occur because most of the lots are not large enough to accommodate R-3 zoning. He said there are a mix of lots sizes and zoning. He said that most of the improvements have been thoughtful and for the betterment of the neighborhood.

### **Motion**

Commissioner Evans moved to approve a favorable recommendation to Council and Commissioner Brotcke seconded the motion.

Commissioner Henderson asked if there was a resolution on the parking issue.

Mr. Nicklas said he does not know how else they could configure the parking.

Mr. Hepker said cars are parked next to the fence nearest the Beinsarauskas' property now. He said that he currently rents one-bedroom apartments and generally that involves only 1 vehicle.

Mr. Nicklas suggested the parking could be shifted south one space.

Mr. Hepker said that would be a possibility.

Mr. Nicklas said although the Hepker's have a reputation of keeping up their properties, this is important because the zoning goes with the land not the owners.

**Roll Call Vote**

Chairperson Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Lowell Evans, Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, Michelle Schulz, Larry Steczo, and Chairperson John Lewis voted aye. Commissioner Dave Shipley voted nay. Motion passed 10-1.

**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.**

Manager Nicklas said that Council approved an ordinance revising the framework for managing the pace of residential growth November 2005. He said the Plan Commission will need to approve the revision to the UDO that will reflect the new ordinance.

Chairperson Lewis said that Sycamore is trying hard to pace development to accommodate the need of the School District and the School District encompasses more than the City of Sycamore, and we are not getting similar cooperation from Cortland. He said the Plan Commission cannot address that, but no matter how hard Sycamore tries, our work can be turned around by Cortland's actions.

Mr. Nicklas said there has been a change in leadership and there are ongoing discussions in recent months that hopefully will lead to cooperation between the two communities.

**Motion**

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

**Roll Call Vote**

Chairperson Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Lowell Evans, Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, Michelle Schulz, Dave Shipley, Larry Steczo, and Chairperson John Lewis voted aye. Motion passed 11-0.

**WORKSHOP ITEMS - None**

**REPORTS**

None

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

**ADJOURNMENT**

**Motion**

Commissioner Lorence moved to adjourn the meeting at 8:35 p.m. and Commissioner Schulz seconded the motion.

**Voice Vote**

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

Approve:

\_\_\_\_\_  
Chairperson – John Lewis

Attest:

\_\_\_\_\_  
Candy Smith, City Clerk