
SYCAMORE PLAN COMMISSION MEETING
MINUTES OF JANUARY 9, 2006

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, Bill Davey, Lowell Evans, Ken George, Bill Lorence, Cheryl Maness, Michelle Schulz, Dave Shipley, Larry Steczo and Chairperson John Lewis. Commissioner Cindy Henderson 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 DECEMBER 12, 2005.

Motion

Commissioner Lorence moved to approve the Minutes of December 12, 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 Schulz moved to approve the agenda and Commissioner George 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 First Rockford Group and the National Bank & Trust Company, Trust No. 40-465200 for an Annexation Agreement, Annexation and Rezoning to "C-3" Highway Business District and "R-2" Two Family Residence District for a 75.84-Acre Property Located at the Northwest Corner of Peace Road and Illinois Route 23.

Jeff Marsh, First Rockford Group, said they are proposing 450,000 square feet of retail on 62 acres and 46 2-family lots. He said there would be access from Peace at 3 locations: a full signalized intersection at Sarah Road, a right in only, and a second signalized intersection roughly 1300 feet south of Sarah Drive. He said they are requesting the annexation of 82 acres with proposed zoning classifications of "C-3" and "R-2" with a special use for Planned Unit Development. He said public water is available to the site from both Peace Road and Route 23 and sanitary is available from the north at Route 64. He explained that they are mindful that they share a property line with Grandview Townhomes and met with representatives from Grandview. He said the meeting concluded that First Rockford Group would slope their property

upwards 4 feet and install a 6 foot board-on-board fence. He said the landscaping would be per ordinance and they agreed to plant evergreen and ornamental trees on the south side of the fence and shade trees on the north side. Mr. Marsh asked for a sign variance for 3 300-square-foot pylon signs since this is the largest commercial development ever proposed in Sycamore. He also requested for larger ground signs and increased wall sign size. He mentioned that they have a similar agreement with DeKalb. Mr. Marsh requested the option of starting residential sales earlier than required in the pace ordinance to offset the \$7.6 million in land and improvement cost.

Manager Nicklas summarized the preliminary plan and the annexation agreement as follows:

Preliminary Plan

- a) Land Uses. The plan depicts two general types of land uses: "C-3" Highway Business uses up to a depth of about 1,200 feet west of the Peace Road right-of-way, and "R-2" Two Family Residence District at the west boundary of the property to allow the construction of 47 duplex buildings (94 units). These land uses conform to the 2003 Comp Plan.
- b) Access and Internal Circulation. The main access points are located at Sarah Drive and Peace Road and at Puri Drive and Peace Road. A "right-in only" from Peace Road is located between these two Peace Road access points. In separate actions the DeKalb County Board and the City Council approved an amendment to their joint agreement concerning access to Peace Road to permit the access point at Puri Drive, on August 17 and September 6, respectively.
- c) Buffering of Adjacent Residential Uses. The Grandview townhouses parallel the south boundary of the proposed development area. According to Section 6.6.2 I, 3 of the City's UDO, a landscape buffer is required between the townhouses and the adjacent commercial uses. The pertinent regulation reads as follows:
 - 3. *NON-RESIDENTIAL PROPERTY ABUTTING RESIDENTIAL PROPERTY. Where non-residential property abuts property in a residential district, landscaping shall be provided as follows:*
 - a. *A solid screen six (6) feet in height, shall be provided along the entire length of the abutting property line. Such screen shall consist of a solid wood fence, berms, trees, evergreens, shrubbery, and/or other live planting materials, necessary to provide one-hundred percent (100%) coverage.*
 - b. *Shade trees shall be provided along the abutting property line. Such trees shall not be planted more than forty (40) feet apart and may be clustered or spaced in linear fashion as determined appropriate.*

The proposed preliminary plan shows a 50-foot landscape buffer where the commercial zoning would abut the Grandview townhouses.

- d) Storm Water Management. The preliminary plan depicts the path of a storm water easement that would pipe the storm from the outfall of the structures near the intersection of IL Rt. 23 and Peace Road around the perimeter of the development area to the west edge of the property where the runoff would be slowly released over time. On-site detention would control and slowly release stormwater runoff from the paved and hard surfaces that will be built on both the commercial and residential-zoned areas.

Annexation Agreement

- a. Term. The term is for twenty years.
- b. Economic Incentive Agreement. An economic incentive agreement is referenced in the Agreement (Section 12,d). Although the details of this agreement are not within the purview of the Plan Commission, the terms will be of general community interest and are in the background.
- c. Impact and other Development Fees. All existing fees will apply, as they may vary over time.
- d. Traffic Study. John Brady will summarize the very detailed volume prepared by McClure Engineering and subsequent intersection design studies (see attached) prepared in cooperation with the DeKalb County Highway Department. County Engineer Bill Lorence was particularly generous in his time and insight to assure entrance designs that would serve the development while also assuring efficient traffic movements on Peace Road.
- e. Variances. The City's UDO introduced a number of new features, including higher landscaping standards in parking areas, and a new format to more easily direct the eye to such topics as allowable uses in zoning districts. However, for the most part, the UDO did not revise large bodies of local law pertaining to signage and setbacks in commercial areas. This means that the signage and setback codes have not essentially changed in decades, and do not anticipate a regional commercial development of a size roughly comparable in square footage to the Cherry Vale Mall. The following requested variances from the provisions of the UDO are practical in nature, and point toward deficiencies in the law rather than new policy directions.

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aa. Signage.

- The permitted maximum sign area for any wall sign on the property shall be increased by fifty (50) percent.
- Each outlot containing a multi-tenant building shall be entitled to one (1) free-standing monument sign of one hundred square feet along Peace Road and one (1) twenty square foot free standing tenant identification sign with a maximum height of seven (7) feet along the inner ring road.
- The shopping center shall be entitled to three (3) three hundred square foot freestanding pylon signs on the Property as follows: one toward the intersection of IL Rt. 23 and Peace Road, one near the intersection of Puri Drive and Peace Road and one near the intersection of Sarah drive and Peace Road. Each shall have a maximum height of thirty-five (35) feet.
- Monument signs shall not be located nearer than five (5) feet to any property line, provided their placement does not impede visibility for vehicular traffic.
- For so long as the owner and/or Developer is actively marketing the development of the Property, it shall have the right to install and maintain two illuminated double-faced 10' x 30' marketing signs on the property, and informational and directional signage on the Property of a reasonable size and configuration. The Owner and/or Developer shall remove such signs promptly after it has ceased marketing the development of the Property.

Mr. Nicklas noted that when the UDO was created, a commercial development of this size was not contemplated.

bb. Setbacks.

- Any outlot with frontage on both Peace Road and the inner ring road shall treat the inner ring road as their rear yard.
- The front yard building setback from Sarah drive and Puri Drive, for commercial uses, shall be twenty-five (25) feet.

cc. Relief from Section 4.4.2.

It is understood that the offsetting tax revenue to be generated from the commercial retail area obviates the need to pace the construction permitting of the proposed duplexes according to the timelines defined by Section 4.4.2 (Ordinance 2005.60).

Mr. Nicklas said staff recommends passing this along to Council with a favorable recommendation.

Commissioner Lorence said the agreement with the County regarding the second entrance requires 1320 feet from Sycamore Road for signalized intersection and it looks like only 900 feet on the exhibit.

Mr. Marsh said it should be 1325 from Peace Road.

Commissioner Lorence said it did not appear that way on the exhibit.

City Engineer Brady said there is additional beyond the 987.

Commissioner Lorence said he thought they were about 200 feet off.

Mr. Nicklas asked Commissioner Lorence if this could be worked out with County staff and City staff.

Commissioner Lorence said it could.

Commissioner Brotcke asked if the berm behind Grandview could be 20 feet higher.

Mr. Marsh said the berm is already taxing them 750 lineal feet and will tax their existing surplus. He said it would take an enormous amount of land to achieve that. He said they have 10 feet with a 4-foot berm and a 6-foot fence. He said when they met with the resident representatives this was acceptable.

Mr. Nicklas asked Engineer Brady to explain the width of a buffer or easement that would evolve from such a height. He said he thought the 4-foot berm would fit within the 50-foot easement. He said there is a 50-foot buffer and a storm water easement of 15 feet and all the City would require is a fence at the boundary line. He said with that and an access road the nearest building will be about 100 to 110 feet from the boundary line. He explained that First Rockford Group originally planned a higher berm, but there were some stormwater release issues.

Engineer Brady said the detention at the rear of the Grandview Townhomes needed a spillway to let the water go through. He said if the berm was raised 10 feet that would require a lot of land.

Mr. Brotcke said that Mr. Marsh indicated that the neighbors were in agreement and he is hearing they are not. He also asked how many condos were proposed.

Mr. Marsh said 46 condos.

Gary Sale, 404 Peace Rd., said he lives across the road and has no problem with the development, but he would like to replace the pump and hook into sewer line and hoped they would keep the lighting down.

Mr. Nicklas said the possibility of eliminating forced main is in the project plan and lighting will have to conform to lighting requirements in the UDO.

Gary Cordes, 1467 Maria Ct., said he represented Grandview Townhome Association and they would like to see the following spelled out in the annexation agreement: the location of the berm, that the drainage outlet will not be compromised, a lighting design, noise and visibility, what type of building and commerce will be going in, loading schedules, and a timeline when the screening will begin.

Mr. Marsh said the berm will be part of the initial phase and the landscaping and fence will be done when they strip the land for the commercial portion.

Mr. Cordes asked Engineer Brady if berm ratio would be 4:1.

Engineer Brady said they could get it down to 4:1 and with the thick trees there would probably be no grass to mow. He said they prefer 5:1, but 4:1 would be acceptable.

Chairperson Lewis said tonight's action would be for the agreement and before any development takes place, First Rockford Group would need to come back for final plat approval.

Mr. Nicklas said that was correct. He said the final plat would show the details and the City Code applies no matter what develops there. He said the proof is in the enforcement and that would include the nuisance issues like noise and rubbish.

Mike Butala, Butala Funeral Home & Crematory, said he has been in business at that location since 1989 and he felt First Rockford Group was not being a good neighbor because they did not notify him. He said there are no requirements for berms between commercial and commercial. He said that 3 300-foot signs will look like a circus, but he does not think he wants that around him.

Mike Liszka, 470 Lincolnshire Dr., questioned the fact of building residential without any open space and parking. He expressed concern about access for emergencies. He said he does not see a need to get residential in order to get commercial. He asked Plan Commission not to give them a break on doing residential first and to keep to the zoning ordinance.

Mr. Nicklas said that would be a public street so there would be on-street parking and that there would be an emergency access road. He explained that the other issues were pure economics; developing this large area for commercial would take a significant amount of upfront investment. He said the residential would offset some very significant public improvements including all the turn lanes and traffic signals on Peace and Sarah and the extension of sewer along Peace plus the acquisition of the land. He said this is the 3rd major development firm to look at this property and the other 2 pulled out because of storm water issues or upfront infrastructure issues. He said the sales tax prompts the City to want to partner up because millions of dollars each year are flying out of Sycamore to DeKalb, Geneva, and Rockford to name a few.

Dan Graettinger, 562 S. Peace Rd., asked what the development would look like from his side of the street. He would like a visual.

Mr. Nicklas said the details are down the road. It will fall to the City to see that the next people in are good neighbors and that our codes are directed toward the existing properties.

Bill Brotcke, 850 Croatian Ct., expressed concern that the new storm sewers might take away their flowage.

Engineer Brady said it would have to be extended out and tied to the new storm sewer system and conveyed west and north into First Rockford Group's detention. He said the overflow would be a dry pond, paved ditches, and a concrete spillway. He said it would be piped underground and overland flow to the pond.

Maryann McCabe, 831 Croatian, said she feared there would be gridlock with all the new development. She said that Peace Road is already bumper to bumper and she said by adding retail the traffic will increase. She asked if Peace Road would be widened.

Mr. Marsh said County Engineer Bill Lorence is working to resolve the traffic issues. He said the residential is needed to offset the cost of developing the commercial. He said that in the long run Sycamore will have something to be proud of and that it will pay dividends for the community.

Commissioner Bridgewater asked Mike Butala if laws restricted distances for his type of business.

Mr. Butala said his concern was that they know nothing about what might go into the commercial property and that he has no buffer. He said he does not want trucks running behind his business because there is nothing between his business and theirs. He said he operates a crematory behind his building and he wanted everybody to know that up front. He expressed concern that nobody could come back and sue him for what it might be perceived he is doing. He said First Rockford Group has not contacted him and he felt that would be common courtesy.

Mr. Nicklas asked Mr. Butala if he had received complaints from the townhouses.

Mr. Butala said he had not and he was there before the townhomes.

Mr. Nicklas said the logical source of complaints would come from residential. He said he cannot see commercial complaining about his use.

Commissioner Schulz asked Mr. Butala if he called the neighbors when he built the crematory.

Mr. Butala said he was there first and he made sure that any future developer knew what he did.

Commissioner Lorence clarified that what was proposed tonight was the annexation agreement and a preliminary plan.

Chairperson Lewis said the final plat will include the landscape plan.

Mr. Nicklas said in this instance where there is a buffering issue there is often an exhibit along with the plat.

Chairperson Lewis said the architectural renderings could include the buffering with the commercial property.

Mr. Nicklas said the architectural renderings are not required and in this case without tenants it is hard to say what they would be.

Motion

Commissioner Maness moved to forward a favorable recommendation to Council with compliance to County regulation for extension of Peace Road and Commissioner Steczo seconded the motion.

Commissioner Brotcke asked about the issuance of building permits.

Chairperson Lewis said as it stands right now the attached houses would be exempt from the pacing ordinance.

Commissioner Bridgewater asked if this included the issue of signs and lights.

Chairperson Lewis said the annexation agreement has the exceptions to the signage ordinance as part of it and lighting would have to follow existing ordinance.

Roll Call Vote

Chairperson Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Bill Davey, Ken George, Bill Lorence, Cheryl Maness, Michelle Schulz, Dave Shipley, Larry Steczo, and Chairperson John Lewis voted aye. Commissioners Lowell Evans and Tom Brotcke voted nay. Motion passed 9 - 2.

B. Consideration of a Petition from Location Finders International and Albertson's Inc. for an Amendment to the Original Annexation Agreement dated June 30, 1999 Between the City of Sycamore and B&B Development, LP, Sycamore Family Farm, LLC, Harold V. Engh, Jr., Florence D. Engh and the National Bank & Trust Company of Sycamore as Trustee under the Provisions of Trust No. 60-312400-9 to Revise the Preliminary Plat for the Commercially-Zoned Property Located at the Southwest Corner of Peace Road, Plank Road, and Illinois Route 23 and for a Final Plat of Subdivision.

Richard Skrodzki, Goldstine, Skrodzki, Russian, Nemecek and Hoff, Ltd., 835 McClintock Dr., Burr Ridge, IL said he was the attorney representing Jewel-Osco and introduced the other representatives as Robert Stack, Senior Real Estate Manager; Sherwin Portnoy, Location Finders International, Inc.; James Koehler, Civil Engineer for Cowhey Gudmundson Leder, Ltd.; and Dominic Pezzuto, Architect with Camburas & Theodore, Ltd. Mr. Skrodzki explained they wanted to re-review their basic site plan of about 20 acres at the southwest corner of Peace Road and IL Route 23 and for a plat of subdivision. He said the site plan has not changed since presented in July 2006 and the plat of subdivision is new. He said they are seeking no variations and they comply and in most instances exceed Sycamore's requirements. He said the proposal consists of two parts: the Jewel-Osco and the balance of the site is proposed an addition 60,000 square feet of commercial that would have to comply with Jewel's standards. The preliminary engineering and traffic study have been submitted to the City engineer. He said they have proposed significant improvements to Route 23 and Peace Road and he listed the accesses. He said they propose a 7-lot subdivision with Lot 1 as Jewel-Osco, Lot 2 as Jewel Express and the remaining 5 lots to be developed by

Location Finders. He said the landscaping plan is a generous plan which exceeds the City requirements in many respects.

Dominic Pezzuto, Architect, said the objective is to make Jewel neighborhood and pedestrian friendly.

Mr. Skrodzki said the signs will match the architecture design of the building.

Manager Nicklas listed the features of the revised preliminary plan proposal as follows:

1. Land Uses. All of the land uses conform to the “C-3” Highway Business District designations in the UDO.

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2. Access. The preliminary plan depicts two “right-in, right-out” access points, one on Peace Road and one on Il Rt. 23. Neither has been approved by the respective authorities (the County of DeKalb and IDOT, respectively).

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3. Buffering of Adjacent Residential Area. The landscape plan exceeds the requirements of the UDO (Section 6.6.2,1,3) with respect to landscape screening between non-residential and residential areas. In addition to the voluntary buffer area included in the residential portion of the Heron Creek plat, the commercial portion shows an additional buffer with more than the required number of trees and foliage.

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4. Storm Water Management. The detention requirements are primarily met by the off-site detention ponds and structures in the Heron Creek subdivision, as anticipated in the original preliminary plan.

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5. Variances—none.

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Mr. Nicklas said staff recommends the Commission’s support for this exciting plan for a substantial commercial development on Sycamore’s northeast side, subject to the approval of the County of DeKalb and IDOT with respect to the access arrangements. No recording of the revised preliminary plat or final plat would occur without these approvals. Mr. Nicklas said the City is eager to see this commercial development of this corner and hopes to see this succeed.

Commissioner Lorence asked what buffer would be between the loading docks of Jewel and the rear of Lots 104 & 105.

Mr. Nicklas said there is an area on the developer’s property and on the adjacent property. He said because B & B Development anticipated commercial development on this corner, they allowed for a berm on the residential side.

Motion

Commissioner Brotcke moved to forward a favorable recommendation to Council subject to access from DeKalb County and IDOT and Commissioner Schulz seconded the motion.

Commissioner Maness asked if the intersection at Peace, Plank, and Route 23 will be increased to 6 lanes at Jewel’s expense.

Mr. Skrodzki said that was correct.

Roll Call Vote

Chairperson Lewis called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Bill Davey, Lowell Evans, Ken George, Cheryl Maness, Michelle Schulz, Dave Shipley, Larry Steczo, and Chairperson John Lewis voted aye. Commissioner Bill Lorence abstained. Motion passed 10-0-1.

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 8:50 p.m. and Commissioner Steczo 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