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**SYCAMORE PLAN COMMISSION MEETING**  
**MINUTES OF JUNE 12, 2006**

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**CALL TO ORDER AND ROLL CALL**

City Clerk Candy Smith called the meeting to order at 7:00 p.m. and in the absence of Chairperson John Lewis asked for a motion to nominate an Acting Chairperson.

**Motion**

Commissioner Steczo moved to nominate Bill Lorence as Acting Chairperson and Commissioner Henderson seconded the motion.

**Voice Vote**

City Clerk Smith called for a voice vote to approve the motion. All Commissioners present voted aye. Motion carried 9 - 0.

City Clerk Candy Smith called the roll. Those Commissioners present were: George Bridgewater, Tom Brotcke, Bill Davey, Lowell Evans, Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, and Larry Steczo. Commissioners Michelle Schulz, Dave Shipley and Chairperson John Lewis were absent. Other staff members present were City Manager Bill Nicklas, Building Commissioner/Zoning Officer Lyle Doty, and Commission Attorney Kevin Buick.

**APPROVAL OF MINUTES OF MAY 8, 2006.**

**Motion**

Commissioner George moved to approve the Minutes of May 8, 2006 and Commissioner Steczo seconded the motion.

**Voice Vote**

Acting Chairperson Lorence called for a voice vote to approve the motion. All Commissioners voted aye. Motion carried 9-0.

**APPROVAL OF AGENDA**

**Motion**

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

**Voice Vote**

Acting Chairperson Lorence called for a voice vote to approve the motion. All Commissioners voted aye. Motion carried 9 - 0.

**CONSIDERATIONS**

- A. Consideration of a Petition from Dan Brown and TM Herst, Inc. for a Rezoning of the Properties at 503 Main Street and 525 N. Main Street from "M-1" Light Manufacturing District to "C-3" Highway Business District with the Approval of Existing Legal, Non-Conforming Yard Setbacks Where Applicable.**

City Manager Nicklas explained that this is a joint petition for two parcels that are separately owned. He said the rezoning makes sense in terms of the existing zoning and the City's long-term vision for the corridor.

Tom Herst, 22131 E. County Line Road, Maple Park, said he owns TurboWash at 525 N. Main Street, Sycamore, and he is planning to remodel the existing carwash and wants to comply with the latest zoning ordinance.

## **Motion**

Commissioner George moved to forward the rezoning with a favorable recommendation to Council and Commissioner Davey seconded the motion.

## **Roll Call Vote**

Acting Chairperson Lorence called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Bill Davey, Lowell Evans, Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, and Larry Steczo voted aye. Motion passed 9 - 0.

### **B. Consideration of a Petition from Rodney V. Oehlert and Martha S. Oehlert for an Amendment to the Annexation Agreement Dated December 11, 1995 and Subsequently Amended on February 7, 2000, to Permit the Construction of Two, Eight-Unit Apartment Buildings.**

City Manager Nicklas explained that February 2000 when approached to remove the 55-year-old age restriction, Council compromised by eliminating 2 buildings in the original plan. Mr. Nicklas said the Oehlert's are petitioning the Plan Commission to reintroduce those two buildings. He said the move to higher density would conflict with the 2003 Comprehensive Plan. He said because of the density, this item is presented without favorable staff recommendation. He noted the letter from the neighbors, Doederleins, asking the City to deny the request.

Mark Doherty, 125 N. First Street, DeKalb, said he was representing Rod and Marty Oehlert and Eric Simmons. He said the original agreement contained 112 one-bedroom apartments and 6 years ago they asked to amend the agreement to remove the age restriction because it was difficult to fully maximize the rent capacity. He said at that time Council asked them to reduce the density. He said regarding the density issue he does not think the purpose of having open space is clearly defined. He said the petitioners feel those concerns are minimal with their development and though they have not done the math, they believe they meet UDO standards of 30% open space. He said there is adequate space to "stretch their leg." He said the Oehlert family has maintained a quality development with less than 2% vacancy. The number of people per unit is restricted because they are one-bedroom units and cannot house children over the age of 5 so there is no school impact. Mr. Doherty said the tenant base does not require outdoor recreation space for children. He said the neighbor in question has what he qualifies common neighbor disputes. He said the issues raised about open space such as traffic congestion, over crowding, adverse environmental affects, and over-burdened utilities are not relative to this project. He said the site can handle the additional units and this is unique because it is not a new development.

Eric Simmons, 425 Viking Drive, said he is the property manager and the 2 buildings currently under construction are already rented. He said they offer garden plots, a small patio area, ample parking and a roadway around all the units that the residents use for walking. He said there is plenty of open space that will not be compromised by the additional buildings being requested.

Mr. Doherty said there is financial incentive for the two additional buildings, but beyond that there is benefit to the City in building permit fees and real estate taxes. He said \$174,000 in building permits has been paid to the City and the property tax for 2005 which covers only 5 buildings is \$87,000. Mr. Doherty said the Oehlerts' have spent \$35,000 in landscaping for aesthetic value and are continuing planting. He said this development had provided contributions to the City not only for the residents, but for the fiscal revenue streams.

Commissioner Evans asked the percentage of green space on the property.

Mr. Simmons said he did not have a percentage, but there is a large retention pond and green space around each building.

Commissioner George asked if the 30% included the parking lot.

Mr. Doherty said they were not sure what open space meant and would have to do some calculations.

Mr. Nicklas said that open space is defined in the UDO and the Comp Plan and does not include sidewalks, parking lots, and streets. He said open space does include easement areas for storm water, wetlands, common areas, park space, buffer yards and the like.

Commissioner Brotcke asked if the lots on the schematic map were large enough to house the buildings requested.

Mr. Simmons said they were and that would include parking and space around the buildings.

Commissioner George said that it would not conform to current standards.

Mr. Doherty said they essentially wanted to return to the original plan which was before the density was reduced in the UDO and Comp Plan.

Commissioner Shipley arrived at 7:27 p.m.

Commissioner Steczo said he would like gas prices to roll back 10 years, but will not happen. He said he loved the development, but would not depart from the Comprehensive Plan.

Mr. Doherty said he thought this was a unique situation because it is not a new development and since its inception the UDO has become more restrictive regarding density.

Acting Chairperson Lorence said the current amendment was a compromise to eliminate the 55 requirement, he said this request feels like they want to renege on the agreement.

Rod Oehlert, 1012 Janet, said the development was his brainstorm and when the 55 and older rentals did not pan out, the City was gracious enough to understand his position as a business man. He said since the change in 2000 the vacancy has been less than 2%. He said he does not feel the request is going back on any agreement, but that they are providing affordable housing.

Commissioner Lorence states that they have not gotten the fencing and shrubs promised and people are trespassing on their property.

Mr. Oehlert said there are 60' pine trees between the two properties and the 4' arborvitae did not survive beneath the large trees. He said he does not remember any promise of a fence and he was unaware of the trespassing.

Marty Oehlert, 1012 Janet, explained that when potential renters are screened they are informed about the quiet lifestyle and that the property line is the tree line and the neighbor does not want people on his property.

Mr. Doherty said regarding the concern about renegeing, his clients feel like they are in partnership with the City and it is time to look at the agreement again.

Mike Liszka, 470 Lincolnshire, said he appreciates the quality of the housing development, but the people of Sycamore have asked for more open space to set a higher standard for the community. He said they have provided no financial need and no percentage of green space upon completion.

Commissioner Steczo said he could not support this.

Mr. Simmons said they were not aware of exactly what open space meant. He said this will help the community and provide fantastic housing.

Commissioner Davey said if they are willing to put no school-aged children into the agreement he thought the referendum allowed for this type of housing.

Commissioner Maness said one of the problems is the division between the two properties and she would like to see a fence to keep the renters from encroaching on the neighboring property. She said that 10 years ago they talked about walkways and paths and she does not consider a street a walkway.

Commissioner Brotcke said they worked hard and long on the Comp Plan and the UDO and he did not want to bend the rules and said he could not support this concept.

### **Motion**

Commissioner Steczo moved to forward the amendment to the annexation agreement with a favorable recommendation to Council and Commissioner Henderson seconded the motion.

### **Roll Call Vote**

Acting Chairperson Lorence called for a roll call vote to approve the motion. Commissioner Bill Davey voted aye and Commissioners George Bridgewater, Tom Brotcke, Lowell Evans, Ken George, Cindy Henderson, Bill Lorence, Cheryl Maness, Dave Shipley, and Larry Steczo voted nay. Motion failed 1 - 9.

## **C. Consideration of Proposed Text for the Airport Road Sub-Area Plan.**

City Manager Nicklas explained that this is the text that will accompany the plan approved in April.

Commissioner Steczo said he missed the March meeting and he did not intend for the residential to extend north and east of Hillside Drive because he wanted to maintain the open space and the vista.

Mr. Nicklas explained that the residential on the west side of Airport Road only goes up to the City well and on the east side of the road only goes as deep as the farmstead.

Commissioner Steczo said he could live with that.

Commissioner George said that once the commercial is built up the green space will not be seen.

Commissioner Steczo said there is a hill on Route 64 coming in from the east that reveals the ball diamonds and open space and it is high enough it will not be shielded by the commercial.

Commissioner Brotcke said the text seems to work until somebody comes in with a project.

### **Motion**

Commissioner Brotcke moved to forward the text for the Airport Sub-Area Plan with a favorable recommendation to Council and Commissioner Steczo seconded the motion.

Commissioner Davey said they just told somebody they would not bend from the plan and now they are saying this looks good until somebody comes in with a project.

Commissioner Lorence said the sub-area plans are representative plans and are left with some leeway with the Mixed Use.

**Roll Call Vote**

Acting Chairperson Lorence called for a roll call vote to approve the motion. Commissioners George Bridgewater, Tom Brotcke, Bill Davey, Lowell Evans, Cindy Henderson, Bill Lorence, Cheryl Maness, Dave Shipley, and Larry Steczo voted aye with Commissioner Ken George voting nay. Motion passed 9-1.

**WORKSHOP ITEMS -None**

**REPORTS**

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

**ADJOURNMENT**

**Motion**

Commissioner Henderson moved to adjourn the meeting at 7:55 p.m. and Commissioner George seconded the motion.

**Voice Vote**

Acting Chairperson Lorence called for a voice vote to approve the motion. All Commissioners present voted aye. Motion carried 10 - 0.

Approve:

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Bill Lorence, Acting Chairperson

Attest:

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Candy Smith, City Clerk