

SYCAMORE CITY COUNCIL
AGENDA
June 17, 2019

CITY COUNCIL COMMITTEES
No Committee Meetings are Scheduled

REGULAR CITY COUNCIL MEETING
7:00 P.M.

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF AGENDA**
5. **AUDIENCE TO VISITORS**
6. **CONSENT AGENDA**
 - A. Approval of the Minutes for the Regular City Council Meeting of June 3, 2019.
 - B. Payment of the Bills for June 17, 2019.
 - C. TIF Grant Close-Out for 403 Edward Street.
7. **PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS**
 - A. Recognition of the 2019 IHSA Class 3A Champion Girls Softball Team.
 - B. Recognition of 2019 IHSA Gymnastics Floor Exercise Champion Madison Hickey.
8. **REPORTS OF OFFICERS**
9. **REPORTS OF STANDING COMMITTEES**
10. **PUBLIC HEARINGS**

11. ORDINANCES

A. Ordinance 2019.05—An Ordinance Annexing Phase I of the Northwest Sub Area, Consisting of 182.721 Acres Including Flink Estates (Katherine J. Koehling Properties: 06-19-200-011), Country School Estates (Albert and Lois Hoffman Properties: 06-19-100-004, 06-19-100-003, 06-19-200-023, 06-19-200-003) Country School Estates (Richard and Jane Hoffman Properties: 06-19-200-021) Motel Corner Estates (Michael Schelkopf Properties: 05-24-200-025, Part of 06-19-100-002) and Fowler Farm Estates (Steven Glasgow Properties: 05-24-200-026) to the City of Sycamore, Illinois. First and Second Reading.

Background

In February 2011, the City Council approved the Northwest Sub Area Plan to provide for a rural “conservation” subdivision north and west of Motel Road shown on the City’s Future Land Use Map as “rural residential.” This land use designation was intended to recognize the existence of areas within the City’s mile-and-a-half planning jurisdiction that already have an established rural residential character, and which might see the development of additional, large-acre home sites utilizing individual wells and individual septic tank absorption fields. The western edge of this property was seen as a natural stopping point for development in the City’s northwest quadrant. With large lot homes to the north, south and west, the City’s comprehensive and land use plans identified this area as rural residential. It was thought that larger lot style homes would blend with surrounding residential uses and provide a natural edge, with reduced density as development moves outward.

Given that the properties within the rural residential area are controlled by multiple owners, the pace of potential annexation was unknown when the Northwest Sub Area Plan was established.

In the fall of 2015, six property owners comprising the majority of the Northwest Sub Area submitted annexation agreements for consideration. After holding a public hearing and considering whether the annexation agreements were consistent with the Northwest Sub Area Plan and the City’s UDO, the Plan Commission forwarded a favorable recommendation to the City Council on October 12, 2015. The City Council held a subsequent public hearing and first reading of the ordinances on October 19, 2015. On November 2, 2015, the City Council voted 6-3 to deny the first of the six ordinances and 8-1 to deny the remainder in omnibus fashion. The six ordinances combined would have established annexation agreements for 300.99 acres in within the Northwest Sub Area. The Council subsequently voted 5-3 on November 16th to reconsider and refer the matter back to the Plan Commission for future consideration. Staff recommended that a planning workshop be held to further discuss and address any concerns with provisions of the Northwest Sub Area Plan, the corresponding Unified Development regulations and the annexation agreements to provide further direction before the Plan Commission heard the consideration.

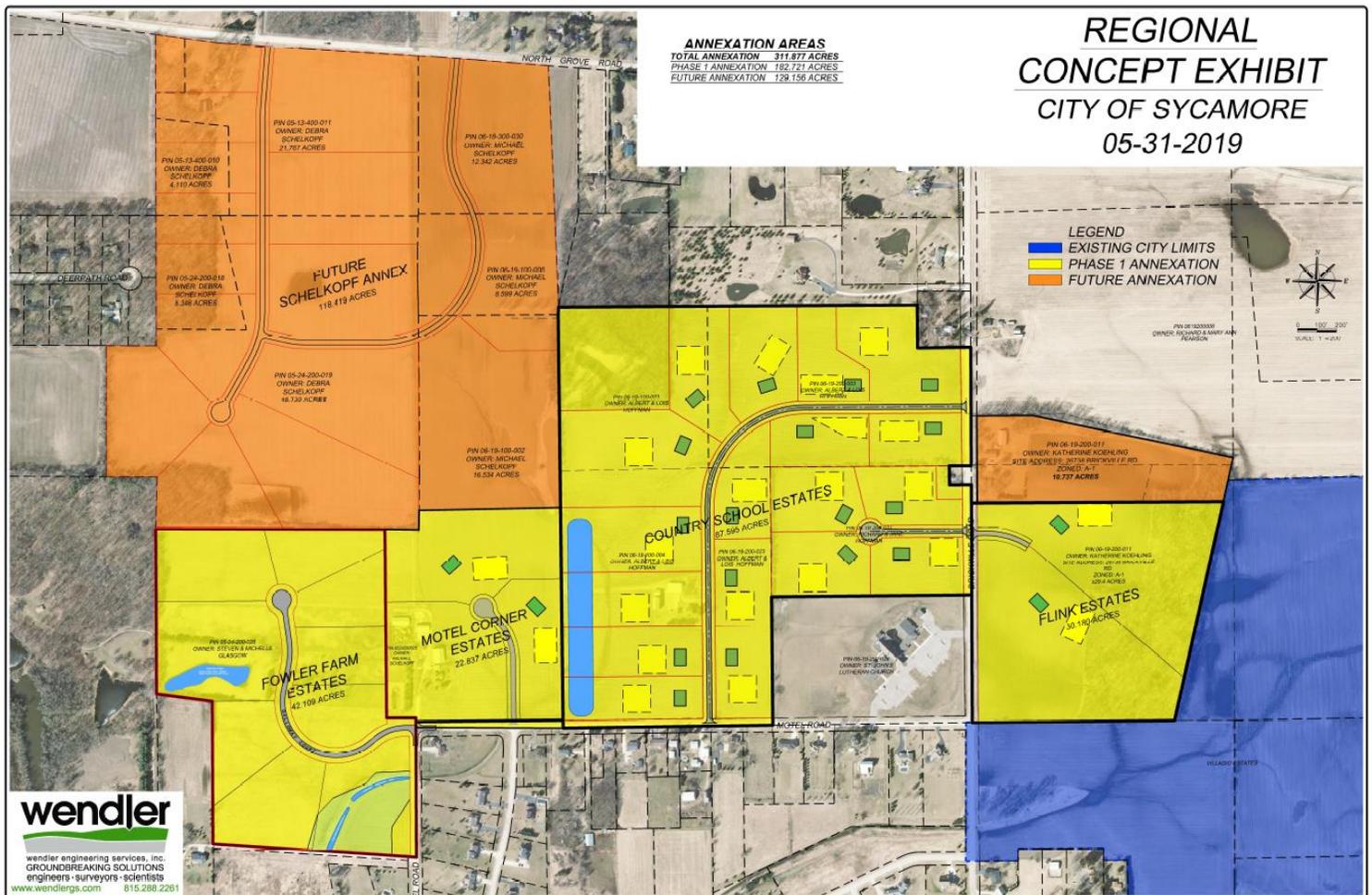
In January 2016, the City Council and Plan Commission participated in a joint workshop to discuss provisions and bulk regulations relating to the R-4, Rural Residential, Zoning Classification. Several other details such as storm water requirements, the use of private well and septic, private streets, and the impact development would have on other units of local government had been addressed previously throughout a series of public meetings at both the

Plan Commission and City Council levels. Discussions from the workshop led to amendments to the Unified Development Ordinance that were approved by the City Council in March 2016.

The City Council subsequently approved annexation agreements with the property owners that established the terms and conditions of future annexation in May 2016. The next step in the development process is the annexation and re-zoning (separate action) of the properties in Phase I, consisting of 182.721 acres. The action in Ordinance 2019.05 is the annexation of the properties which will develop consistent with the annexation agreements after going through the next steps of the development process which includes the preliminary plat and final plat (can be done concurrently).

Properties

The properties are listed below in the appropriate order necessary to establish contiguity with City limits. The properties presented for annexation in Phase I are shown in yellow on the regional concept plan below:



The properties shown in yellow are being petitioned for annexation and include:

Flink Estates / Katherine J. Koehling Properties: 06-19-200-011

Country School Estates / Albert and Lois Hoffman Properties: 06-19-100-004, 06-19-100-003, 06-19-200-023, 06-19-200-003

Country School Estates / Richard and Jane Hoffman Properties: 06-19-200-021

Motel Corner Estates / Michael Schelkopf Properties: 05-24-200-025, 06-19-100-002 (to be re-zoned at a later date).

Fowler Farm Estates / Steven Glasgow Properties: 05-24-200-026

The Development Process

The chart below outlines the development steps from annexation to construction to serve as a reference.

<p><u>1. Annexation Agreement</u></p> <ul style="list-style-type: none">• Defines and dictates the rules of annexation.• Establishes zoning upon annexation.• Annexation occurs later in development process.	<p><u>2. Concept Plan</u></p> <ul style="list-style-type: none">• Concept Plan submittal.• Review by staff and Plan Commission.• Requires Plan Commission support to continue.	<p><u>3. Petition to Annex</u></p> <ul style="list-style-type: none">• Petition to Annex and Plat of Annexation submitted.• Typically are submitted concurrent with Preliminary Plat.• Requires approval from the City Council.	<p><u>4. Preliminary Plat</u></p> <ul style="list-style-type: none">• Submitted to the Plan Commission and City Council.• Approval of the preliminary plat allows the preparation of the final plat.	<p><u>5. Final Plat</u></p> <ul style="list-style-type: none">• Submitted to the Plan Commission and City Council.• Approval allows the commencement of construction.
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City Services

The City will provide police, fire, ambulance and refuse and recycling services along with services and maintenance for public streets adjacent to the property.

Private wells will be utilized to provide water for drinking and bathing and will be inspected by the DeKalb County Health Department.

The area will not be served by Sycamore’s gravity-driven sewer system. Private sewage disposal systems will be used and be required to meet DeKalb County Health Department standards. When the Northwest Sub Area was contemplated, it was assumed that these properties would be serviced by private well and septic.

Codes and Development Fees

The developer will comply with all codes and ordinances currently in effect and as amended from time-to-time for properties zoned R-4. Any existing structure or building will be allowed to

remain while any new structure or improvement must comply with all applicable City codes and ordinances.

At the time of final platting, the owners will pay annexation fees of \$2,500 per acre and are required to make all cash or land donations as required by City Ordinance.

Schools, Parks and Library

When the annexation agreements were approved, the Sycamore School District indicated that it has room to accommodate any growth the proposed annexation may bring and has no concerns or objections. The area is currently within the District's boundaries.

The owners are in the process of filing a petition to annex to the Park District, which is a condition of annexation to the City. When the annexation agreements were approved, the Park District submitted a letter stating a position that although the development would result in low density and not likely call for added parks, there are still impacts on parks and recreation.

Based on the Park District input, an additional easement area of twenty (20) feet adjacent to the public right of way of along the north and west side of Motel Road, the west side of Brickville Road and the south side of North Grove Road (depending on where each respective property touches) for a future pathway was included. Additional language allows the owner and Sycamore Park District to consider alternatives that might include paving of pathways and/or the dedication of land for park space along the Kishwaukee River with public access in lieu of all or a portion of the required impact fees.

The Sycamore Library is a component unit of the City of Sycamore and therefore any properties annexed to the City would be within the library service area.

Streets and Common Areas

Streets constructed within any development on the property will be privately constructed and maintained by the owner(s) of the land in the development.

The City will provide services for portions of Brickville and Motel Roads when the Phase I properties adjacent to each respective road are annexed. The City does not intend and is not required to upgrade these roads to include curbs, gutters, base, and topcoat.

The developer is required to establish a homeowners association for each development, or for the entire tract to assume the responsibility for maintaining the streets within the development(s), and for snow removal, for the maintenance of storm water improvements and drain tiles, for street lights, and for other common areas. In the event that any homeowners association fails to maintain or repair its streets within a month after notice from the City that such streets are in need of maintenance or repair, the City may, but shall be under no obligation to, make such repairs or perform such maintenance, and establish a special service area, and assess the owners of the lands within such development for all such costs incurred.

The installation of any utilities including but not limited to electric and natural gas services will be the responsibility of the developer.

Stormwater

Any development is subject to requirements imposed by the City Engineer to ensure that both tile flow and overland drainage are appropriately managed. This includes locating all drain tiles at the time of platting and compliance with City of Sycamore Design Standards.

The City has used standards developed by the County and State, but also incorporated more restrictive requirements. The City's requirements for the Design of Stormwater Management Systems and the protection of special management areas are required to conform to the strictest of ten adopted standards as listed in the City's UDO.

The goal of Stormwater Management Ordinances and Standards are to protect properties through regulation. The opening statement of the DeKalb County Stormwater Management Ordinance which the City has adopted is as follows:

“Ordinance is to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth on land situated in DeKalb County.”

At the time of platting, each property will be required to appear before the Planning and Zoning Commission and City Council. The applicant will be required to submit engineering designs to the City for review and approval. During the Planned Unit Development platting process, the public is invited to voice concerns or provide testimony regarding the plans.

Runoff: Stormwater management is required on all residential developments larger than two acres. The disturbed areas on a new development would require detention through the use of individual or regional facilities. Through these ordinances the City will evaluate the existing conditions as well as proposed designs which include restrictions on the rate of flow and location where flow can be discharged.

Floodplain: Maps have been generated by FEMA. Topographic survey information provided by the applicant are used as verification. If areas are hydraulically linked they will be subject to floodplain requirements. Any modification requires City and FEMA approval with an additional 10% of storage created.

Depressional Storage: In the event that topographic survey reveals low lying areas that hold water, the volume will be preserved at the original location or within a hydraulically connected area. The goal is to protect features that attenuate flow.

Wetlands: These are regulated by Army Corp of Engineers unless jurisdiction is transferred to the City. In most cases, these are protected with buffer areas required.

Farm Tile Systems: During the application process these are identified and evaluated. The City will work with the applicant to address any issues.

Sycamore Sportmen’s Club

The annexation agreements require language regarding the Sportsmen’s Club as follows:

“Further the Owner or Owner’s successors in interest, shall execute and record an easement agreement with the Sycamore Sportsmen’s Club substantially consistent with the easement agreement entered between (1) Michelle T. Glasgow and Steve G. Glasgow and (2) the Sycamore Sportsmen’s Club, Inc. on November 8, 2010 (DeKalb County Document No. 2011-004619)”.

Additional language is required to be added to each and every final plat of all or part of the property the following covenant:

“The Owner, for Owner and Owner’s successors in interest, covenants with the Sycamore Sportmens’ Club, and its successors and assigns, that neither Owner nor any successor in interest to Owner, may bring any action for public or private nuisance or trespass arising out of or as a consequence of noise or sound emissions resulting from the normal use of the firearm range.”

The recorded easement will also include a provision regarding the payment of attorney fees in the event of unsuccessful litigation and a reference as to the “normal use” of the firearm range. The petitioners collaborated with the Sycamore Sportsmen’s Club to establish language that adds these additional protections to be memorialized in the annexation agreements.

Bulk Development Regulations

The information below was taken from the Unified Development Ordinance and outlines the development standards for properties in R-4, Rural Residential Zoning.

Minimum Lot Width: 250 feet

Minimum Lot Depth: 400 feet

Minimum Lot Area: Three gross acres. A guest house may be constructed as a separate building on a lot of four (4) or more gross acres and must be located behind the rear building line of the principal residence.

Front and Corner Side Setback: 50 feet

Side Yard Setback: 25 feet on interior lots. A minimum of 25 feet must be provided between a driveway and a side lot line.

Rear Yard Setback: 50 feet.

Lot Coverage (maximum): 30%

Frontage “Look”: Porch, Fence, Stoop, Forecourt, Dooryard

Accessory Buildings

Detached Private Garages. Detached private garages may be constructed in rear yards for the storage or shelter of motor vehicles with no facilities for mechanical service or repair of a retail nature. All licensed vehicles, trailers, boats and recreational vehicles shall have permanent enclosed garage space. Such buildings may not exceed thirty-five (35) feet in height or two thousand five-hundred (2,500) square feet on the first-floor level. Detached private garages may exceed 2,500 square feet by special use only. Private detached garages shall not be closer than fifty (50) feet from the rear and side lot lines.

Private Stables and Livestock Buildings. Private stables and livestock buildings may be constructed in rear yards and shall not be closer than seventy-five (75) feet from the rear or side lot lines. The stalls in a private stable or livestock building shall be a minimum of ten feet by twelve feet (10' x 12'). On a three-acre parcel, a maximum of five hundred square feet may be in the first-floor area of a stable or livestock building. For each additional acre over three acres, the first-floor area may be increased by 250 square feet. Private stables or other livestock buildings in excess of one thousand (1,500) square feet on the first-floor area shall require a special use permit.

Other Accessory Uses. Tennis courts, swimming pools and accessory uses other than private stables and livestock buildings shall be in rear yards only and shall be no closer than twenty-five (25) feet from a side or rear lot line.

Vertical Standards

Maximum Height: 35 feet; 2 1/2 stories.

Ground Floor: Residential. Minimum first floor living area: 1,800 sq. ft.

Upper Floor(s): Residential

Building Entrance Typically Faces Front

Each dwelling unit shall be serviced with its own water service line, building sewer line, sump pump line and all other utility lines and extensions.

Parking Standards

In addition to the requirements set forth in Article 6.7:

Covered Parking: Required (except for guest parking)

Keeping of Livestock or Domesticated Animals

Livestock: Keeping of livestock, as defined in Article 1.3, shall be permitted in accordance with the following:

Minimum lot size required: Five (5) acres.

Lot size equal to Five (5) acres: Two (2) livestock animals.

Each additional acre: One (1) additional livestock animal per acre with a maximum of five (5) total per residence.

Offspring: May be kept for a duration not to exceed six (6) months.

Domestic Animals: Keeping of domestic animals shall be permitted in accordance with the provisions of Title 5 of the Sycamore Municipal Code.

Recommendation

The annexation agreements that were approved in 2016 require properties to annex in a contiguous manner and the submission of a petition to annex to the Park District. The petitioners have met these conditions.

City Council approval is recommended.

B. Ordinance 2019.06—An Ordinance Authorizing the Re-Zoning of Certain Properties in Phase I of the Northwest Sub Area From R-1 Residential to R-4 Rural Residential, Including Flink Estates (Katherine J. Koehling Properties: 06-19-200-011), Country School Estates (Albert and Lois Hoffman Properties: 06-19-100-004, 06-19-100-003, 06-19-200-023, 06-19-200-003), Country School Estates (Richard and Jane Hoffman Properties: 06-19-200-021), a Portion of Motel Corner Estates (Michael Schelkopf Properties: 05-24-200-025) and Fowler Farm Estates (Steven Glasgow Properties: 05-24-200-026) in the City of Sycamore, Illinois. First and Second Reading.

Article III of the annexation agreements with the owners of the properties that make-up the Northwest Sub Area calls for the property to be re-zoned to R-4 Rural Residential at the time of annexation. An excerpt from that section of the annexation agreements is as follows:

A. At the same meeting of the Corporate Authorities at which annexation of the Property to the City is accomplished, the Corporate Authorities shall, provided the then Owners have submitted all appropriate petitions, plats and plans in accordance with the requirements of the Unified Development Ordinance, enact such ordinances, adopt such resolutions, and take such actions as are necessary to rezone the Property as set forth in Paragraph B following.

B. The City agrees to allow and approve development of the Property consistent with the zoning of R-4 Rural Residential.

A public hearing regarding the rezoning was held at the Planning and Zoning Commission meeting on June 10th after appropriate public notice. The Planning and Zoning Commission heard testimony related to the re-zoning and voted 10-0 to forward a favorable recommendation to the City Council.

City Council approval is recommended.

C. Ordinance 2019.07—An Ordinance Amending Title 8, “Water and Sewer,” Chapter 4, “Sewer Use and Service,” Section 2, “Sewer Connection Charges,” and Section 4, “Sewer Discharge and Connection Requirements,” of the City Code of the City of Sycamore, Illinois. First and Second Reading.

Certain conditions were established when the City Council approved annexation agreements with the owners of the properties that comprise the Northwest Sub Area. Among the conditions involved annexation fees as noted from the excerpt below:

Any fee or charge to be paid for annexation, impact, tap on, connection, or similar obligation with respect to the Property, or any lot, parcel, or portion thereof, shall not be due and payable until such time as required by City Ordinance, as amended from time-to-time, provided, however, that no such fees shall, in any event, be due and payable prior to final approval by the City Council of a Final Plat for such property. Owner consents to the amendment of the current annexation fee to require the payment by land owner within the R-4 Zoning District of \$2,500.00 per acre for so much land as shall receive Final Plat approval by the City Council payable at the time each such Final Plat is so approved.

To codify the annexation fee for rural residential properties, Section 8-4-2 of the City Code needs to be amended. The proposed language is underlined in sub-section F.2, below.

Section 8-4-2

F. Additional City Fees:

1. Basis: To allow for the costs primarily attributable to new and additional users and because existing facilities were constructed at the expense of landowners heretofore connected, the following additional fees are based on:

- a. Distance from the sewage disposal system; and
- b. Density use per acre and other reasonable factors.

2. Annexation Fee: Except as previously ordained or by contract, any land outside the city requiring sewer service that is contiguous to the city must annex to the city. An annexation fee of two thousand dollars (\$2,000.00) per acre shall be assessed and paid by the owner or developer of industrial or commercial subdivisions, jointly and severally, no later than the time that each final plat including real estate that is a part of the subject property is approved. An annexation fee of three thousand dollars (\$3,000.00) per acre, with an allowance for the deduction of retention, park and school dedications or, alternatively, at the owner or developer's option one thousand dollars (\$1,000.00) per unit, shall be assessed and paid by the owner or developer of residential subdivisions, jointly and severally, no later than the time that each final plat including real estate that is a part of the subject property is filed. Those owners or developers who are already annexed may pay an annexation fee of one thousand dollars (\$1,000.00) per acre on or before October 7, 2003, with or without a final plat of subdivision, but shall pay the annexation fees

stated above after that date. For all owners or developers who shall hereafter pay three thousand dollars (\$3,000.00) per acre or one thousand dollars (\$1,000.00) per unit for residential property under development, of the total fee two-thirds ($\frac{2}{3}$) shall be deposited in the city's general fund, one-sixth ($\frac{1}{6}$) shall be deposited in the city's capital assistance fund (fund 6) to help offset the impact of new development on existing city roadways; and one-sixth ($\frac{1}{6}$) shall be deposited in the city's sewer fund (fund 4) to help offset the cost of maintaining or expanding the capacity of the city's water treatment facilities and sanitary sewer infrastructure. This fee shall be effective May 1, 2003.

Properties annexed and zoned R-4, Rural Residential will not connect to the City's Public Water and Sewer Systems. The annexation fee for these properties shall be two-thousand five-hundred (\$2,500.00) per acre.

The annexation agreements for the properties in the Northwest Sub Area exempt the properties from sanitary sewer connection. The language reads as follows:

The City acknowledges that the contemplated zoning and use of the Property involves primarily agricultural and estate residential development, and that individual septic systems are more complementary to such uses than typical municipal sanitary sewer systems. Therefore, each building site shall be permitted to install, maintain, and use a septic system for disposal of its sanitary waste. Such systems shall be constructed according to the requirements of the DeKalb County Health Department. Lots within the Property shall be exempt from the requirement to connect to the City's sewer service within 100' of a property boundary, and the City agrees to amend Section 8-4-4 B of the City's Municipal Ordinances to reflect this exception.

Section 8-4-4-B of the City Code needs to be modified to memorialize the intent for rural residential properties to be exempted from sanitary sewer connection requirements as follows in subsection 2.c, below (underlined):

Section 8-4-4

B. Connection Requirements:

1. Outside City Limits: No person shall connect or cause to be connected any building or facility on any property or any part thereof to any sewer unless the entire property shall first be situated within the limits of the City unless previously excepted by special assessment.

2. Within City Limits; Connection Required:

a. Any person owning property situated within the corporate limits of the City, which is improved with one or more residences, houses, buildings or structures, used or intended to be used for human use, occupancy, employment or any other similar purpose whatever and which property abuts on any street, alley, or right of way in which there is located a sewer within one hundred feet (100') from the nearest property line shall, within ninety (90) days after such sewer is in service, at his expense, install suitable toilet and waste disposal facilities therein and connect such facilities with the sewer in accordance with

the terms and provisions of this Title; provided, however, that in the event compliance with this Section causes economic hardship to said person, he may apply to the City for variance from this Section. Such application shall state in detail the circumstances which are claimed to cause said economic hardship. Such exemptions shall only be granted to residential users and shall not apply to commercial and industrial users.

b. At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the sanitary sewer system within sixty (60) days in compliance with this Title, and any septic tanks, cesspools or similar private sewage disposal facilities shall be cleaned of sludge and filled with a suitable material. "Available" shall be defined herein to mean within a distance of one hundred feet (100') from said property.

c. Properties zoned R-4, Rural Residential will not be serviced by City Sewer and thereby exempted from connection requirements. These properties shall be served by septic systems that are in compliance with the County Health Department requirements.

City Council approval is recommended.

D. Ordinance 2019.08—An Ordinance Amending Title 8, “Water and Sewer,” Chapter 2, “Water Use and Service,” Section 2, “Connections,” of the City Code of the City of Sycamore, Illinois. First and Second Reading.

In addition to exemption from sanitary sewer service as contemplated in Ordinance 2019.07, the properties in R-4, Rural Residential Zoning were exempted from connecting to the City’s public water system. The language from the annexation reads:

The City acknowledges that the contemplated zoning and use of the Property involves primarily agricultural and estate residential development, and that individual wells for potable water are more complementary to such uses than typical municipal water supply systems.

Therefore, each building site shall be permitted to install, maintain, and use a drilled well for its water supply. Such wells shall be constructed according to the requirements of the DeKalb County Health Department. Lots within the Property shall be exempt from the requirement to connect to the City’s public water supply within 250’ of a property boundary, and the City agrees to amend Section 8-2-2 C of the City’s Municipal Ordinances to reflect this exception. The City also agrees to amend said Section to permit the installation of private wells within the R-4 Zoning District.

To align the City Code with the annexation agreements and the intent of the rural residential zoning classification Section 8-2-2 will need to be amended as shown below (underlined):

Section 8-2-2

C. Connections:

A. Water Mains Or Extensions; Fees: No person shall be permitted to make a connection to the city's water supply unless a connection is also made to the city's sanitary sewer system. In cases where it is the applicant's desire to utilize a city built water main or water main extension, there shall be a charge of nine dollars (\$9.00) per front foot of property served by said water main. In addition to the above front foot fee for city built water mains there will be a fee of four hundred eighty five dollars (\$485.00) per "unit" for any connection to the municipal water system. (A "unit" is based on the occupancy and values that are determined in subsection 8-4-2C of this title.) When a property which has already been served with city water requires additional units, a credit shall be given for previous units with the fee applied to the new units. The funds thus collected shall be used for general corporate purposes and primarily applied to the construction, expansion and extension of the city's water system. No permit shall be issued or water supplied until said fees are paid in full.

B. Metered Water: All water supplied shall be metered to the consumer and no sewer service shall be supplied unless the premises or property to be serviced are connected with the systems. All new service connections shall be installed at the expense of the applicant upon such terms and conditions as the city council shall require. Exception: See section 8-2-9 of this chapter.

C. Private Wells: Except for such uses or methods as are in existence on or before July 2, 2001 and properties within corporate limits zoned R-4, Rural Residential, the private use or attempted use of groundwater from within the corporate limits of the city as a potable water supply by the installation or drilling of wells or by any other method is hereby prohibited. Properties that are now served only by a private well may continue to be served by that well as long as the water is certified as potable at least every two (2) years without modifications to the well. When the public water system extends across the frontage street and is located within two hundred fifty feet (250') of the nearest point of the property, the existing well shall be capped and public water system shall be extended to the property.

City Council approval is recommended.

E. Ordinance 2019.09—An Ordinance Approving an Amendment to Article 5.3. – Permitted Uses of the Sycamore Unified Development Ordinance to Amend Table 5.3.1.H to Authorize a Special Use in the R-1, R-2 and R-3 Residential Zoning Districts Within the City for Continuation of a Professional Office if the Same Previously Existed on the Site Due to Past Special Use Approval in the City of Sycamore, Illinois. First and Second Reading.

When the City adopted the Unified Development Ordinance (UDO), certain purposeful modifications were made to define future development. Other changes, likely with unintentional impacts, were made where the UDO and the previous zoning ordinance do not align or allow for certain unique circumstances. This is the case with professional office uses within residential zoning districts (which were previously granted as a special use in the zoning ordinance) and are currently not allowed as either a permitted or special use in the UDO.

This was brought to staff’s attention as Morningstar Media prepares to vacate the company’s offices at 240 Edward Street. The property in question is zoned residential and has housed Morningstar Media for approximately fifteen years after a special use permit was granted in late 2003. Prior to Morningstar Media occupying the building, it was the home of the Masonic Temple for a number of years.

The UDO allows a church use as a special use in residential zoning districts but not professional offices. To rectify this type of situation, staff is proposing an amendment to the UDO to make professional offices a special use in R-1, R-2 and R-3 residential districts provided a special use for professional offices previously existed for the property in question. Adoption of the proposed amendment to allow for a special use in residential zoning districts does not guarantee the special use will be granted, rather it offers the option for a continuation of a similar use after the circumstances are reviewed against the special use criteria:

A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;

B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety, and general welfare; and

C. The proposed structure or use will be designed, arranged, and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

Upon the transfer of ownership or change in use, the new owner would need to apply for a special use and the process would commence and include public notice, a public hearing, consideration by the Planning and Zoning Commission and require action by the City Council.

The table of permitted uses would be amended as follows:

Table 5.3.1

H. PERSONAL AND BUSINESS SERVICES USES	AG	R-1	R-2	R-3	R-4	C-1	C-2	C-3	C-4	M-1	M-2	ORI
Private Clinic, Second Floor or Higher							S	P		S		
Professional Office						P	P	P	P	P		
Professional Office (with existing Special Use Permit)		S	S	S								
Professional Office, Second Floor or Higher							P	P		P		
Propane Tank Exchange, accessory to another use								P		P		

Professional Office: Shall mean any office used primarily for accounting, engineering, legal, consulting, correspondence, editing, administration and related services.

A public hearing was held at the Planning and Zoning Commission meeting after appropriate public notice. The Planning and Zoning Commission voted 10-0 to forward a favorable recommendation to the City Council.

City Council approval is recommended.

F. Ordinance 2019.10—An Ordinance Approving the Request of Kishwaukee Bible Church for the Resubdivision of Lots 1 & 2, Part of Lot 14 and Part of the Vacated Alley in Block 14 of the Assessor’s Plat of the Original Town of the Property Located at the Northwest Corner of State and Maple Streets (PIN number 06-32-255-041) in the City of Sycamore, Illinois. First and Second Reading.

Kishwaukee Bible Church owns the building at 201 West State Street in downtown Sycamore. The building includes frontage on both State and Maple Streets (commonly known as 201 W. State Street and 109 N. Maple Street).

The petitioner is requesting a resubdivision of the property to create separate lots; Lot 1, 201 W. State Street is 3,520 square feet and Lot 2, 109 N. Maple Street is 2,508 square feet.



In the request for resubdivision, the petitioner notes that the buildings were constructed as separate structures and have individual utilities, ingress/egress, foundations and structural supports. The property is zoned C-2, Downtown Business District and both lots/buildings would continue to have the same zoning.

The Planning and Zoning Commission held a public hearing on June 10th and forwarded a favorable recommendation by a vote of 10-0.

City Council approval is recommended.

G. Ordinance 2019.11—An Ordinance Amending Title 5, “Police Regulations,” Chapter 4, “Miscellaneous Offenses,” to Create a New Chapter 20, “Theft,” of the City Code of the City of Sycamore, Illinois. First and Second Reading.

Ordinance 2019.11 creates a local ordinance for theft and retail theft. The ordinance stems from Illinois statutes and gives police officers discretion for instances where a local ordinance violation is the better course of action in lieu of state criminal arrest.

From a practical standpoint, officers would not regularly exercise this option for repeat offenders, thefts on a larger scale, or if there were extenuating circumstances. The local ordinance option may be the most practical for juvenile offenders as it would hopefully bring accountability and parental involvement through the administrative adjudication process.

The penalty for violating this ordinance would be \$150 for the first offense and \$250 for subsequent offenses.

City Council approval is recommended.

12. RESOLUTIONS—None

13. CONSIDERATIONS

A. Consideration of a Recommendation from the Public Works and Building & Engineering Departments to Enter into a Professional Services Agreement with Trotter and Associates to Create a Water Study Report for the City's Water System.

The City of Sycamore water system includes over one-hundred miles of watermain, two elevated storage tanks and five wells. The system serves over 18,000 people (7,000 billed accounts) by pumping an average of 1.7 million gallons per day (MGD). The system has a maximum daily pumpage of 2.75 MGD and a capacity of 6.6 MGD. While the water system provides water, which meets IEPA standards, the City has identified upcoming capital needs to continue to effectively pump, treat, and distribute clean drinking water. These include tower maintenance and painting, radium removal and improvements/replacements within the City’s distribution system. To be eligible to use Illinois low interest loan funding, the City is required to prepare a Water Study/Planning Document identifying planned capital expenditures and potential sources of funding. The last update to these documents occurred in 2007.

To complete this task, the City sought Statements of Qualifications/ Proposals from consulting engineering firms and reviewed proposals from Strand Associates, Trotter and Associates Inc., and Rempe-Sharpe Inc. Information regarding the scope of work for the desired services was distributed on May 9, 2019, with a required submittal date of May 31st. All firms were provided two hours to ask the City questions and tour existing facilities. In order to maintain a level playing field, any information discussed at any of the meetings was distributed to all firms via an addendum.

Two firms were unanimously identified as the City’s top choices. After careful review, the selection committee chose Trotter and Associates Inc. of St. Charles, IL based on their relative

water engineering experience within the immediate area, project understanding, and previous work for the City of Sycamore. Trotter and Associates' fee including all reimbursable expenses is \$78,300. After the selection of Trotter and Associates, and as verification of value of services, the City examined the other proposals and found the cost difference negligible. \$90,000 was set aside for debt service for the projects being planned and evaluated by this study. When the FY20 budget is amended, this allocation will be moved from line item 02-740-9040 to 02-740-8331 to accurately reflect this project.

During this project, there are three main goals of the Water Master Plan:

- To provide recommendations, conceptual cost estimates and possible schedule(s) for a radium removal/mitigation system at Well #7 and all other locations using the IEPA's revolving loan program,
- To update the existing water system model, provide conceptual level recommendations for water system improvements/modifications to improve water quality,
- Use of the Water System Master Plan as supporting documentation within applications for the IEPA's Revolving Loan Program.

Trotter and Associates Inc, has confirmed that they can provide required the services within the time frame outlined in the proposal. Pending approval, Trotter and Associates plans on starting work during the week of June 17th.

Therefore, staff recommends the selection of Trotter and Associates Inc. for the completion of the City of Sycamore Water Study for a proposed project fee of \$78,300.

City Council approval is recommended.

B. Consideration of a Recommendation to Award a Contract for the Microsurfacing Portion of the 2019 Street Maintenance Program to AC Pavement Striping of Elgin, Illinois in an Amount Not to Exceed \$225,000.00.

The City's 2019 street maintenance program includes the microsurfacing of multiple streets within the Foxpointe Subdivision. This process is a maintenance technique that is designed to extend the life of the pavement.

The Building and Engineering Department opened bids on Wednesday, June 12th at 11:00AM.

AC Pavement Striping of Elgin, Illinois submitted the only bid in the amount of \$215,592.97 for microsurfacing and crack filling related to this project. Given the material needed for crack filling is an estimate, staff recommends that the contract be awarded to AC Pavement Striping in an amount not to exceed \$225,000 to allow for additional crack filling, if needed.

The Engineer's estimate for this project was \$263,893.15. The City's Public Works Department is helping to offset approximately \$15,000 by completing the patching in-house.

City Council approval is recommended.

C. Consideration of an Administration Request for Closed Session to Discuss Pending Litigation and to Review Closed Session Meeting Minutes.

14. APPOINTMENTS

15. OTHER NEW BUSINESS

16. ADJOURNMENT