

**DEKALB COUNTY REGIONAL PLANNING COMMISSION  
MEETING MINUTES  
May 26, 2005**

The DeKalb County Regional Planning Commission met on May 26, 2005 at 7:00 p.m. in the DeKalb County Administration Building, Conference Room East, in Sycamore, IL. In attendance were Commission Members Frank Altmaier, Rich Gentile, Don Pardridge, Mike Heiderscheidt, Bill Nicklas, Jerry Thompson, Mike Becker, Paul Rasmussen, Shawn McAlister, Becky Morphey and Dan Goddard. Also in attendance were Director Paul Miller, Assistant Planner Cky Ready, County Engineer Bill Lorence and County Board member Pat Vary.

**1. Roll Call** -- *Mr. Nicklas noted that all members were in attendance except Roger Steimel for DeKalb County, Cheryl Aldis for Cortland, Dennis Ragan for Lee, and Ruben Allen for Sandwich.*

**2. Approval of Agenda** – *Mr. Rasmussen moved to approve the agenda, seconded by Mr. Gentile, and the motion carried unanimously.*

**3. Approval of Minutes** – *Mr. Gentile moved to approve the minutes of the March 31, 2005 meeting of the Regional Planning Commission, seconded by Mr. Pardridge, and the motion carried unanimously.*

**4. Greenways and Trails Plan -- Presentation by Julia Fauci**

Ms. Fauci introduced Ann Freiwald and Alexis Wolff from Schreiber/Anderson Associates Inc., a consulting firm hired to help create the DeKalb County Greenways and Trails Plan. The project is a partnership between the DeKalb County Forest Preserve and the DeKalb County Greenways and Trails Coalition. Ann Freiwald and Alexis Wolff gave a detailed presentation of the background, research, future maps, and overall connectivity proposed by the draft DeKalb County Greenways and Trails Plan.

Terry Hannan, Director of DeKalb County Forest Preserve, gave some examples of success stories between local governments, community groups and private citizens in the creation of public trails and greenways. Mr. Hannan pointed to the Great Western Trail through Kane and DeKalb counties and the DeKalb-Sycamore Trail as examples of successes in the area.

Mr. Miller asked if the DeKalb County Forest Preserve District had adopted this plan. Mr. Hannan said that the Forest Preserve District has not officially adapted the plan yet, and wanted to bring the plan before the Regional Planning Commission and to the Forest Preserve Committee of the County Board for input before adoption.

Mr. Nicklas asked if the Forest Preserve District and Schreiber/Anderson had worked with the 14 local municipalities in the creation of this plan, and if there were any diversions from newly adopted Unified County Comprehensive Plan. Ms. Freiwald indicated that they had closely followed the County Plan. Mr. Miller stated that this

project was a refinement of the transportation element of the Unified Comprehensive Plan.

Mr. Pardridge indicated that there are some large areas on the plan that have been designated as conservation or greenspaces, and asked if the current land owners were aware of the plans. Ms. Freiwald stated that the areas in question were either critical or important habitat or located on either side of a stream, and added that they had not talked with land owners because they were not recommending acquisition. This plan just maps the areas in the hopes that the land owners will voluntarily help to preserve the greenways. Mr. Miller indicated that the properties indicated by Mr. Pardridge are currently designated as Conservation or Open-space areas on the Unified Future Land Use Plan of the County Comprehensive Plan.

Mr. Nicklas asked if any public hearings were going to be held prior to County Board adoption and suggested that it would be a good idea to circumvent any negative reactions to the proposal. Ms. Vary and Mr. Bill Lorence suggested that “informational meetings” be held as opposed to public hearings.

Mr. Altmaier inquired about available grants and the probability of receiving grants applied for the first time. Ms. Freiwald and Mr. Lorence discussed types of grants, deadlines for grants, and chances of receiving said grants.

Mr. McAlister asked if the proposed on road bike path along Somonauk Road has been endorsed by the County. Mr. Lorence stated that the area was currently under study by the Town of Cortland, and that in general the County Highway Department supports the idea of separate pedestrian/bike facilities and road rights-of-way.

## **5. Transportation Planning**

Mr. Miller discussed gave a brief introduction of transportation planning and development before he introduce County Engineer Bill Lorence.

Mr. Lorence discussed the differences in the categories of streets, collectors, arterials and local streets, the differences in capacities of these roads, and how transportation-related impact fees are determined and collected. Mr. Lorence presented a transportation map and identified collectors and arterial roads along with current projects that are being planned or under construction. He suggested that each municipal plan should also identify local collectors and arterial streets and impose restrictions on those roads to limit curb cuts and protect the carrying-capacity.

Mr. Miller discussed the updates to the future plans of each of the municipalities and how at the same time the transportation networks should have been examined. Areas set aside for growth would have been identified so when a developer comes to the municipality they already know where they want to encourage development and can have the developer help pay for necessary improvements.

Mr. Miller and Mr. Lorence discussed what road impact fees are and how they can be used by local municipalities. Mr. Nicklas discussed the use of annexation agreements with developers.

Mr. Rasmussen discussed how annexation agreements differ from developer impact fees.

## **6. Annexation Law Amendment**

Mr. Nicklas briefly described the current annexation laws and pointed out an area that allows for a municipality to enter into an annexation agreement for land that is not contiguous, and therefore cannot be annexed, and yet via the annexation agreement the municipality can allow development to occur as though the property were annexed. He discussed some of the potential problems this provision of State law can create.

Mr. Miller reiterated and added to the list of problems that this provision in the State statutes could result in, and asked the Regional Planning Commission to endorse a letter to State legislators asking for the current annexation laws to be amended. The materials provided to the RPC included a draft of such a letter, and the proposed language of an amendment that would make it clear that while municipalities could enter into annexation agreements with non-contiguous properties, development would not be permitted unless and until annexation takes place, unless there is mutual agreement between the county and the municipality that development should take place without annexation.

Mr. Thompson asked if the proposed amendment would place any limitations on the authority of the local municipalities that are currently not in place. Mr. Miller explained that would be the case, but added as an example of the effect that it would prohibit a municipality in Ogle County from entering into an annexation agreement for land that was across the county line in DeKalb County and next to the Village of Malta.

Mr. Heiderscheidt asked if this was a new law. Mr. Miller explained that it was not new and has been this way at least since 1996. Mr. Heiderscheidt stated that now if Waterman wanted to annex the Aurora Sportsmen's Club (which is not contiguous) and the Aurora Sportsmen's Club was in agreement Waterman could enter into an annexation agreement and annex the property. It was clarified that, under both the existing law and the proposed amendment, Waterman could only actually annex the Aurora Sportsmen's Club when it becomes contiguous to the Village limits.

Mr. McAlister asked if anything local had been attempted like this. Mr. Miller explained that an attorney from Malta had proposed an annexation agreement for a property that was a mile outside of town in order to allow a house on less than 40 acres. Mr. Miller stated that the Village Board recognized that this was too far outside of town and had indicated it was not in support of the idea.

Mr. Thompson stated that local municipalities would be giving up some of its authority if the current annexation laws were amended, and he felt that serious consideration should be given to the loss of this type of control.

Mr. Altmaier asked if any type of time frame has been put forth for endorsement of this letter. Mr. Altmaier stated that he felt this was an issue he would need to take back to the Village Attorney and have him approve before he was willing to give his endorsement.

Mr. Pardridge discussed the amount of time that the Regional Planning Commission had invested in the Comprehensive Plan and that not to support something that is in line with the Comprehensive Plan does not make sense.

Mr. Altmaier put forth a scenario that if a municipality wanted to enter into an annexation agreement for a piece of property that was within a mile of the municipality, and the proposed use was in accordance with the comprehensive plan, what we would need to do is come to the County and inform them that this is what we want to do. As long as it is agreeable with the County that the County would not try to stop us. Mr. Miller stated that was correct because DeKalb County has endorsed the Comprehensive Plans of the municipalities.

Mr. Nicklas asked a procedural question to the effect that if someone were to move to endorse this letter tonight would the vote need to be unanimous or if a majority vote would carry.

Several members of the Regional Planning Commission indicated that they would be uncomfortable voting on the letter without first having taken it to their respective communities.

County Board member Pat Vary stated that the core of the Unified Comprehensive Plan was for development to occur contiguously to a municipality and that if that were to change it has the potential to split the Unified Comprehensive Plan open.

Mr. McAlister asked if property had to be contiguous to a municipality for it to be annexed. Members of the Committee clarified that an annexation agreement could be entered into with a non-contiguous piece of property, but that the property could not be annexed until it was contiguous.

The Commission decided to carry over this issue until the next RPC meeting in July.

## **7. Possible Topics for Next Informational Seminar**

Several members of The Commission indicated that because of all the newly elected officials that another "Zoning 101" seminar would be beneficial.

Issues recommended by The Commission for seminars;

- Stormwater management
- Transportation issues
- Speakers from Northeastern Regional Planning Commission
- Annexation (Developer agreements)

It was agreed that a decision about the subject of the next informational seminar, tentatively slated for the Fall of 2005, should be made at the July meeting of the RPC.

## **8. Municipal Development projects**

Mr. Goddard of Hinckley discussed the Nelson property development (75 units), which was annexed in 1993.

Mr. Heiderscheidt of Waterman announced that the Village has amended its Comprehensive Plan due to the fact that two subdivisions were approved last year. The Aurora Sportsmen's Club took 700 acres out of the Village's planning area. Mr. Heiderscheidt also announced that a moratorium has been placed on annexation. Farmers and Traders Bank out of Shabbona has petitioned for annexation and rezoning for a small piece of property at the corner of Rt. 23 and Hwy. 30, the northeast corner. It would be strictly commercial for the construction of a new bank. Deerfield Crossing has submitted a final plat. Kennedy Homes is moving along well with a total of 210 units.

Mr. Pardridge of Shabbona reported that the 33 units of assisted living are progressing nicely. Approval has been granted to a developer for the first 53 units of 248 to be constructed on the west side of the Village.

Mrs. Morphey of Somonauk reported that a conceptual plan for the Nickles property is in the process for 150 units.

Mr. Rasmussen of DeKalb reported on a proposal for a moratorium on residential annexations until September. The City of DeKalb is drafting development guidelines that will place quality standards on residential development. New impact fees have been proposed that base the fees on the number of bedrooms.

Mr. Gentile of Genoa reported that work continues on existing subdivisions in the area.

Mr. Becker of Kirkland reported that when Hickory Ridge subdivision is built out, the school system will be at capacity.

Mr. Altmaier of Kingston reported discussions with a developer to expand Deer Run subdivision by 28 lots. The same developer wants to do another project west of Deer Run that would consist of 50 lots. Platinum Builders/Pacific Development are interested in developing 191 acres at Anne Glidden Road and Hwy. 72. The development consists of 280 single family homes, 155 multi-family units, 17 acres of commercial development and 18 acres of mixed development. They also hold an option for another 75 acres just south of that area. Mr. Altmaier reported that boundary agreement attempts with Genoa appear to be dead in the water.

Mr. Thompson of Malta reported that water service has been extended Prairie Springs subdivision and the construction of three model homes in underway.

Mr. Nicklas of Sycamore reported that Sycamore is pursuing an update to its sewer treatment plant. The plant is at 65% capacity at this time. The Unified Development Ordinance has been completed. Sycamore has received a fiscal impact study that looked at the City, the School District, the Park District and the Library. They looked at what the impact to those tax bodies to see with the fiscal impact would be, based on the Comprehensive Plan, for the next ten years. The net balance for the City, the Park District and the Library were positive. For the School District it was estimated to be eight and a half million dollars in the red over the next ten years.

9. **Adjournment** -- *Mr. Rasmussen motioned to adjourn, seconded by Mr. Gentile, and the motion carried unanimously.*

Respectfully submitted,

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Bill Nicklas  
Chairman, DeKalb County Regional Planning Commission

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