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DeKalb County Government
Sycamore, Illinois

DEKALB COUNTY REGIONAL PLANNING COMMISSION MINUTES
(June 23, 2016)

The DeKalb County Regional Planning Commission (RPC) met on June 23, 2016 at 7:00 p.m. in the DeKalb County Administration Building, Conference Room East, in Sycamore, Illinois. In attendance were Commission members Cheryl Aldis, Rich Gentile, Brian Gregory, Misty Haji-Sheikh, Derek Hiland, Martha May, Becky Morphey, Elizabeth Peerboom, Les Redden, and Anita Sorensen. Also in attendance were Greg Milburg, Jo Ellen Charlton, and County staff members Paul Miller and Marcellus Anderson.

1. Roll Call -- *Commission members Les Bellah, John Fischer, Dawn Grivetti, Don Pardridge, and Linda Swenson were absent. Commission Members Les Redden and Anita Sorensen arrived late.*

2. Approval of Agenda – *Ms. Aldis moved to approve the agenda, seconded by Ms. Haji-Sheikh, and the motion carried unanimously.*

3. Approval of Minutes

Ms. Peerboom noted an error in the draft minutes of the March 24, 2016 Commission minutes to the effect that Maple Park has approved three new houses, rather than six as written.

Mr. Gentile moved to approve the corrected minutes from the March 24, 2016 meeting, seconded by Mr. Hiland, and the motion carried unanimously.

Commission Members Les Redden and Anita Sorensen arrived at 7:05 pm.

4. Planned Developments as a Regulatory Tool

Mr. Miller gave a presentation on the use of the “Planned Unit Development” (PUD) as a regulatory tool. He elaborated on the nature of PUDs, discussing the State law that allows municipalities to approved them as a type of Special Use, and then explored several of their advantages and disadvantages. He then provided some examples of how some communities have used PUDs. Mr. Miller finished by stressing the need to tie a proposed PUD to the community’s Comprehensive Plan.

Mr. Gregory related an example of how the City of Sycamore used a PUD.

Mr. Gentile related some of the City of Genoa's experiences using PUDs.

Mr. Hiland described how the City of DeKalb used PUDs.

Mr. Miller provided an example of a PUD in unincorporated DeKalb County. He cautioned against PUD ordinances being overloaded with too many regulations.

Ms. Sorensen described the Village of Malta's experiences using a TIF district in the development of a subdivision and how it was similar to the PUD process.

Mr. Redden described some issues that the City of Sandwich is having with a proposed apartment development, and posited that a PUD might be helpful in resolving it. The Commission discussed that matter, with the result that Mr. Miller suggested that Mr. Redden have Tom Horak (City of Sandwich City Engineer) contact him and that he would be happy to talk with him about the issue.

5. Illinois Accessibility Code

Mr. Miller gave a presentation regarding the Illinois Environment Barriers Act (410 ILCS 25/1 through 25/8, a copy of which was included in the packet), and its ramifications for local municipalities. He noted that the Act authorized the Capitol Development Board to promulgate, and enforce, the Illinois Accessibility Code (IAC), which in turn requires that all municipal and county departments which issue building permits or other official authorizations for the construction or alteration of public facilities must insure that said facilities are in compliance with the Code. Such compliance is not required if there is no permit or authorization, as in the case where a use is permitted and requires no special permit from the jurisdiction, however, the IAC provisions must be enforced on all public facilities when a complaint alleging possible non-compliance is received. He elaborated on the requirements of the Code, adding particular emphasis on the fact that any municipality or county that authorizes a use or building by zoning permit, building permit, or business permit is responsible for enforcing the IAC regulations. In particular, he spent time explaining the term "public facility" (which is any building intended to be used by the public or employees) as it relates to the Code, and the penalties for not enforcing the Code. Mr. Miller finished by providing the example of Ogle County, which has no building codes, but is still required to enforce the IAC.

Ms. Peerboom described a situation in Maple Park regarding a business which changed zoning but not the use operating therein. Mr. Miller responded that if the use did not change, and if there was no authorization from the Village, the Code would not apply.

Mr. Redden described how the City of Sandwich's experiences dealing with the Attorney General's Office regarding the IAC requirements.

Mr. Hiland inquired whether there is any burden on an engineered plan to be certified and stamped that it meets the Code. Mr. Miller responded that would be the case only if the municipality requires it, adding that the municipalities inspectors are then responsible for confirming that the plans do meet the code and that it gets constructed correctly.

Ms. Sorensen inquired whether the municipality could still be held responsible if ten or more years ago a business was approved but some requirements of the Code were overlooked. Mr. Miller answered that the potential was there for action to be taken, but that it might be directed against the property owner rather than the Village.

Mr. Hiland gave an example of a business in the City of DeKalb that was found to be in non-compliance by the Attorney General's Office and the steps that business had to go through to come into compliance.

Ms. Aldis gave some examples of the Town of Cortland's experiences with meeting the IAC, and frustrations she felt in trying to meet the changing ADA regulations.

Mr. Hiland noted that a major resource in getting answers regarding the IAC is Felicia Burton (217-782-8530; Felicia.Burton@illinois.gov), the Accessibility Specialist for the Capitol Development Board. He added he would forward staff her full contact information so that it could then be forwarded to the RPC members.

Ms. May inquired as to how the Code addresses municipalities which do not have a building inspector. Mr. Miller answered that if a municipality does not have a building inspector or building inspection service, and a new use is taking place or a new building is being constructed, it can require as part of the approval by the Village that, prior to any construction or start of operation, a report must be submitted to the municipality, signed and sealed by a "qualified inspector" (as defined in the Illinois Environmental Barriers Act), that the use or building meets the requirements of the IAC. That report can then be kept on record at the municipality.

6. Municipal Development Projects/Issues

Mr. Hiland noted that the new 3M building located in the Park 88 was moving along and that they hoped to be in the building by August of 2016. He also noted that a lot located near the corner of State Route 23 and 5th Street, will contain a Dunkin Donuts, a Subway, and a Marco's Pizza, and will hopefully be open by November 30th. He finished by encouraging the RPC members to visit the new DeKalb Library building.

Ms. Sorensen noted that the bar located in downtown Malta, Remington's (formerly Mustangs), was

under new management, and that they just were waiting for the issuance of their new liquor license to re-open.

Ms. May noted that a new four (4) unit apartment would soon be open in the Village of Lee.

Ms. Haji-Sheikh noted that the ground breaking for the new County Jail had recently occurred and that it is expected to be completed in 2018. She also updated the Commission on the status of the conversion of the former Evergreen Village trailer park into a new DeKalb County Forest Preserve.

Mr. Redden noted that a new apartment complex was being built in the City of Sandwich, and elaborated on the issues the City was having with the development. Mr. Redden pointed out that almost all of the existing store fronts in the City were full, and that Special Use Permit had been issued for a new recycling center. He also explained that the City had bought an existing office building which will be the new location for the Police Center.

Ms. Peerboom said that the Village of Maple Park had issued three (3) new building permits for houses in the Shodeen development.

Ms. Aldis stated that the Town of Cortland's Planning Commission would be meeting for the first time in three (3) years, and that the Town would be hosting a training workshop for them on July 7th.

Ms. Morphey noted that the Dollar General in the Village of Somonauk will be open sometime late August or early September, 2016. She also added that the local grocery store may be re-opening soon.

Mr. Gentile said that the City of Genoa has had some interest in certain vacant properties. He also noted that the Piggly Wiggly grocery store is now a Butera grocery store.

Mr. Gregory explained that the building formerly know as the Fargo Hotel in the City of Sycamore was being converted into a multi-use building, with retail space on the main level, with twelve (12) 1-bedroom and four (4) 2-bedroom residential units upstairs. He also said that two (2) new restaurants were coming, that the Credit Union was going to be constructing a new building, the City has issued two (2) new house permits, that MOI would be occupying the old dealership site along DeKalb Avenue, that a new bank would be opening next door to Texas Roadhouse, that the old carriage house on North Main Street was to become a Resource Bank, and that a newly annexed area northwest of the City was to become a Rural Residential area.

7. Next Meeting Date -- The Commission agreed that the next RPC meeting would be held August 25, 2016 at 7 pm in the Conference Room East of the Administration Building.

The Commission agreed to set the remaining meeting dates for 2016 at the next meeting.

8. Adjournment -- *Ms. Haji-Sheikh moved to adjourn, seconded by Ms. May, and the motion carried unanimously.*

Respectfully submitted,

Brian Gregory
Chairman, DeKalb County Regional Planning Commission

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