

**VILLAGE OF WAUCONDA
JOINT
ECONOMIC DEVELOPMENT COMMITTEE MEETING
AND
BUILDING AND ZONING COMMITTEE MEETING**

Tuesday, September 13, 2011

MINUTES

CALL TO ORDER: Chairman Barbini called the Joint EDC & B&Z Committee Meeting to order. Trustee Buster; Trustee Knight, Trustee Arnswald and Trustee Starkey were present. The joint meeting was called to order at 6:00 pm.

Others present included: Mayor Knigge; Administrator Geary; Rudy Magna, Village Attorney; Linda Krajniak, Director of Economic Development; Debra Ogorzaly, Economic Development Coordinator; and, Chris Miller of Rolf C. Campbell & Associates (RCCA/MCL), Village Planning and Zoning Consultant.

APPROVAL OF AUGUST 23, 2011 JOINT MEETING MINUTES: Chairman Barbini asked if any of the Trustees had questions or changes to the minutes. There were none and the minutes were accepted.

COMPREHENSIVE PLANNING: Chairman Barbini reviewed that at the 8/23/11 Joint Committee Meeting the Trustees identified two general areas where there are tracts of property less than 60-acres in size surrounded by the Village as being critical to advanced planning and economic development, and requested Staff to: 1) Prepare an annexation invitation letter to the property owners for Committee review; 2) Research and report back to the Committee with anticipated hard costs to annex and rezone the properties; and, 3) Prepare a bullet point procedure list of the Annexation and Zoning process along with an estimated time line. Chairman Barbini asked Chris Miller to review what Staff had prepared. Mr. Miller provided a review of the process and time lines associated with annexation and rezoning, and indicated that he had coordinated with Village Attorney Magna who contributed to and provided information contained in a memo and an attachment dated 9/13/11 (copy attached). Discussion occurred of the process and time involved in annexing and rezoning properties surrounded by the Village along with potential alternatives and challenges that might occur. Mr. Miller provided the Trustees with a second memo dated 9/13/11 (copy attached) consisting of an estimate of costs to annex and rezone tracts the Village surrounds and are less than 60 acres. Discussion began, when Chairman Barbini indicated that it was nearing time to adjourn the Joint Committee Meeting and to attend the 9/13/11 Committee-of-the-Whole Meeting. Prior to adjournment the Committee agreed that in lieu of beginning review of Design Guidelines at this time, the Committee would defer discussion to the 9/27/11 Joint Meeting and also requested that there be discussion at that meeting related to establishing TIF Districts.

COMMENTS BY THE PUBLIC: There were no public comments.

ADJOURNMENT: The meeting was adjourned at 6:55 pm.

ROLF C. CAMPBELL & ASSOCIATES

910 Woodlands Parkway, Vernon Hills, Illinois 60061
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PLANNING & ZONING CONSULTANTS MEMORANDUM

To: **Joint Economic Development and Building & Zoning Committee
Village of Wauconda**

Fr: Chris Miller
Zoning Administrative Consultant

Date: September 13, 2011

Re: **Annexation and Rezoning Process for Properties Village Surrounds and less than 60-acres or less**

At the August 23, 2011 Joint EDC/B&Z Committee Meeting the Committee requested that Staff outline steps required to Annex and Rezone properties the Village surrounds which are less than 60-acres in size. The following outline is provided:

Step One: Annexation Process for Properties Village Surrounds and less than 60-acres (also see attachment from Village Attorney)

- Identify the Areas to be annexed
- Obtain a Legal Description for each area to be annexed
- Prepare the appropriate Plat(s) of Annexation
- Establish Parcel Ownership and the most current address of Property Owners in question
- Notify Property Owners affected of the Village's intent to Annex the property – minimum of 15-days prior to passage of the annexation ordinance
- Publish Notice in Newspaper and Notify Lake County, not less than 10-days prior to passage of the annexation ordinance
- Prepare an Ordinance Annexing the Property
- Approve the Ordinance Annexing the Property at an open Village Board Meeting
- Upon Annexation the Parcels Annexed will be zoned R1 – Residential

Step 2: Zoning Map Amendment (Rezoning) Process for Properties Village Surrounds and less than 60-acers

- Identify the appropriate Zoning District by allowed use in that District with the intended or existing use of the parcel(s) in question and note allowing for legal non-conforming uses and/or conditions to continue or to be amortized to discontinue
- Schedule a Public Hearing with the Chairman of Village Plan Commission/ZBA
- Prepare Legal Notice of General Distribution for newspaper publication
- Prepare Neighbor Notice
- Identify adjacent properties within 250 feet of the parcels to be rezoned
- Send Newspaper Legal Publication and Neighbor Notices at least 15-days but not more than 30-days prior to the scheduled public hearing
- Plan Commission holds Public Hearing
- Plan Commission prepares a Findings of Fact and Recommendation to the Village Board
- Village Board Committee-of-the-Whole reviews the Plan Commission's Recommendation, Findings of Fact and authorizes the Village Attorney to prepare an appropriate ordinance
- An Ordinance Rezoning the Parcels is prepared
- Village Board at an open meeting acts on the Ordinance Rezoning the parcels in question

The Village Attorney and I will be attending the September 13, 2011 Joint EDC/B&Z Committee Meeting to discuss the above outline with the Committee Members. If you have any questions or comments, please contact me.

Cc: Dave Geary, Joe Schwarz, Linda Krajniak

Non-voluntary Annexation (tracts less than 60-acres):

Received from Rudy Magna, Village Attorney 9/13/11

I: Procedure; Details:

65 ILCS § 5/7-1-13(b) (Available only for tracts of property of 60 acres or less)

1. The corporate authorities shall cause notice to be given, stating that annexation of the territory described in the notice is contemplated under this Section 5/7-1-13(b).
2. The notice shall be published once, in a newspaper of general circulation within the territory to be annexed, not less than 10 days before the passage of the annexation ordinance.
3. The corporate authorities shall also, not less than 15 days before the passage of the annexation ordinance, serve written notice, either in person or, at a minimum, by certified mail, on the taxpayer of record of the proposed annexed territory as appears from the official tax records of the county.
4. When the territory to be annexed lies wholly or partially within a township other than the township where the municipality is situated, the annexing municipality shall give at least 10 days prior written notice of the time and place of the passage of the annexation ordinance to the township supervisor of the township where the territory to be annexed lies.
5. The annexing municipality shall give at least 10 days' prior written notice of the time and place of the passage of the annexation ordinance to the corporate authorities of the county where the territory to be annexed lies.
6. The notices shall contain an accurate legal description of the property to be annexed, their PIN Numbers and mailing addresses, if assigned.
7. A plat of annexation shall be prepared for each lot, tract or parcel to be annexed. The Village can combine adjacent annexation tracts under different ownership into single plat(s) of annexation. State statutes require a plat to be recorded along with a certified copy of the annexation ordinance(s). We should discuss the information to be contained on the plat of annexation.
8. An ordinance annexing the territory must be passed. Depending on the circumstances of the property and the level of resistance to the annexation, if any, it may be possible to combine some of the differing tracts into a single ordinance. But it should be expected that multiple ordinances will be needed in any event.

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PLANNING & ZONING CONSULTANTS MEMORANDUM

To: Joint Economic Development and Building & Zoning Committee
Village of Wauconda
Fr: Chris Miller
Zoning Administrative Consultant
Date: September 13, 2011
Re: **Cost Estimate to Annex and Rezone Properties Village Surrounds**

At the August 23, 2011 Joint EDC/B&Z Committee Meeting the Committee requested that Staff review costs associated with the Village petitioning itself to Annex and Rezone parcels the Village presently surrounds. The number of individual parcels being considered equals approximately thirty-four (34) properties located in eight (8) areas of the Village (see 3-page attachment).

The following Village Cost Estimate to Annex and Rezone the properties is provided:

Annexation Costs (1)	Estimated Cost Range			Estimated Upper Costs based on 8 – Tracts
Legal Descriptions	\$5,000	to	\$6,000	\$6,000
Owner Title Search (Owner and Liens Only 34 PIN's)	\$5,400	to	\$6,800	\$6,800
Plat(s) of Annexation	???		???	???
Village Attorney Costs per Annexation Tract (2) (3)	\$675	to	\$1,150	\$9,200
Village Planner Costs per Annexation Tract (2) (3)	\$400	to	\$800	\$6,400
Property Owner Notice (one mailing)	\$ 200	to	\$300	\$300
<i>Cost Estimate to Annex Parcels (not including costs for Plats of Annexation)</i>	\$11,675	to	\$15,050	\$28,700
Zoning Map Amendment (Rezoning Costs)				
Village Attorney Costs per Hearing/Ordinance (2)(3)	\$850	to	\$975	\$7,800
Village Planner Costs per Zoning Hearing (2)(3)	\$900	to	\$1200	\$9,600
Newspaper Publication Costs Notices (dependent on length of legal description)	\$275	to	???	???
Property Owner & Neighbor (based on approximately 120 notices)	\$ 700	to	\$ 900	\$900
Zoning Board / Plan Commission (Perdeim / 2-meetings per hearing)	\$ 700	to	\$ 700	\$5,600
<i>Cost Estimate to Rezone Parcels</i>	\$3,425	to	\$4,050	\$24,175
<i>Estimated Total Costs* to Annex and Rezone (not including costs for Plats of Annexation and All Legal Publication Costs)</i>	\$15,100	to	\$19,100	\$52,875

(1) Does not include costs that may be associated with an Annexation Agreement should a property owner request annexation subject to an annexation agreement.

(2) The estimates above are strictly for the Village. They would not be applicable to a private developer seeking an owner-initiated change. These estimates assume that the proceedings run like a finely-tuned zoning clock. If neighboring property owners file formal objections then this estimate changes. These estimates are based on one public hearing being necessary and that there are no unusual actions required.

(3) Aggressive legal resistance will also increase legal costs appropriate to the level of resistance.

The Village Attorney and I will be attending the September 13, 2011 Joint EDC/B&Z Committee Meeting to discuss the above costs with the Committee Members. If you have any questions or comments, please contact me.

Cc: Dave Geary, Joe Schwarz, Linda Krajniak

3-page Attachment of Potential Annexation Areas