

DATE: January 3, 2022

MEMO TO: Terry Wilke, Chair
Planning Committee

FROM: Randall L. Seebach
Director of Planning and Land Preservation

REQUEST: Provide policy direction regarding a request from the Farm Foundation for a long term driveway access license at Casey Trail & Greenway for their Innovation and Education Center.

STRATEGIC DIRECTION SUPPORTED: None

FINANCIAL DATA: The Farm Foundation will be expected to pay all fees and reimbursements in accordance with the District's License and Easement Ordinance.

BACKGROUND: On May 10, 2011 the District executed a long term license agreement (the "2011 Agreement") with the Liberty Prairie Conservancy to allow Liberty Prairie Conservancy to build and maintain a driveway over 0.3-acres of District property at the Casey Trail and Greenway so that Liberty Prairie Conservancy could access its property from Route 21 (the "Driveway License"). According to the 2011 Agreement (i) Liberty Prairie Conservancy was a non-profit corporation "organized to protect the quality of life in Lake County by preserving open space and restoring natural areas" and (ii) the Driveway License was granted "to promote Licensee's continued use of Licensee's Property as open space and for conservation purposes". As such, the Driveway License was for an "activity reasonably connected with the purposes for which [the District] has been created," which is the statutory standard for granting licenses of this type. 70 ILCS 805/7b. In addition, the Driveway License was necessary as a practical matter, because IDOT, in conjunction with improvements to Route 21, was going to remove the then-existing driveway that connected Route 21 to Liberty Prairie Conservancy's property and prohibit a new driveway in the same place, because of safety concerns created by topography and the new profile of Route 21.

Liberty Prairie Conservancy later changed its name to Conserve Lake County and, in January, 2018, Conserve Lake County merged into Openlands. The driveway continued to be used and maintained by Openlands.

The District was recently contacted by a real estate company representing Farm Foundation, which is interested in purchasing the Openlands property for the development of a new "Innovation and Education Center". The Farm Foundation has asked whether the Driveway License would "run with the land," in other words, whether the Farm Foundation would be able to use the Driveway License, merely by purchasing the Openlands property. However, the District's Corporate Counsel has confirmed that the Driveway License is a contractual right that is personal to Openlands, not a real property right that "runs with the land." Therefore, if the Farm Foundation acquires the Openlands property, it can use the driveway only if the District grants a new driveway license to it. The Farm Foundation has asked whether the District would grant such a new license.

Attached to this memorandum is a power point presentation describing the Farm Foundation and summarizing its mission and its goals for its Innovation and Education Center. It appears the proposed Innovation and Education Center presents opportunities to advance the District's statutory authority to promote "environmental education". If that is the case, then a new license to the Farm Foundation would be "reasonably connected with the purposes for which [the District] has been created" and therefore meet statutory requirements. We have invited the Farm Foundation to attend the Committee meeting to describe their intended use of the Innovation and Education Center.

The District currently uses the driveway within the Driveway License as its only large vehicle access to the west side of Route 21. Consistent with what the District was told in 2011, the Farm Foundation has stated that IDOT will not allow a driveway access directly onto Openlands property due to safety concerns.

Staff is seeking Committee direction whether to continue discussions with the Farm Foundation, and for authorization to negotiate a long-term license agreement for continued driveway access across Casey Trail and Greenway. Under the District's License and Easement Ordinance, the maximum term of a license is five years, but it can be renewable. If the Committee directs that negotiations proceed, staff would bring the negotiated agreement back to the Committee for its review and approval at a future meeting.

REVIEW BY OTHERS: Executive Director, Chief Operations Officer, Director of Finance, Corporate Counsel.



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Build a future



OUR MISSION AND VISION
GUIDE OUR WORK

MISSION:

To **build** trust and understanding at the intersections of agriculture and society.

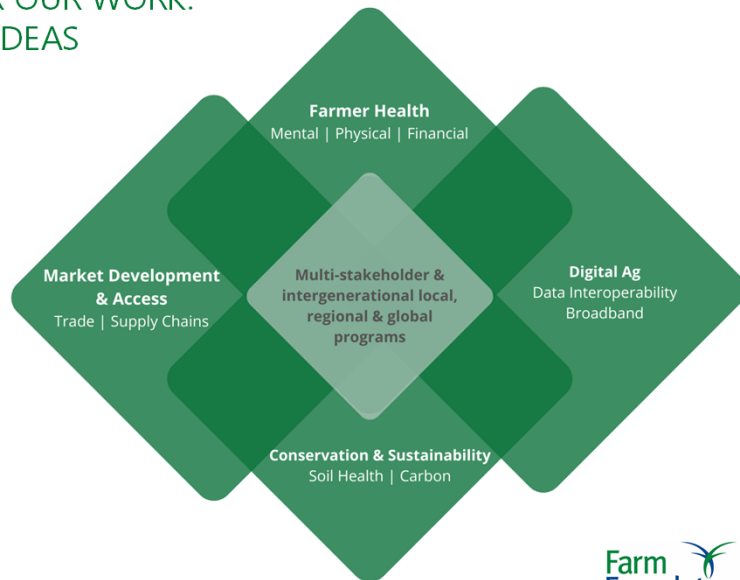
VISION:

To **build** a future for farmers, our communities and our world.

Farm 
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STRATEGIC PRIORITIES FOR OUR WORK: ACCELERATING PEOPLE & IDEAS

- **Building a future** for farmers, our communities and our world.
- **Building trust and understanding** at the intersections of agriculture and society.
- **Building momentum** with the new **Innovation and Education Center** for local, regional and global in-person and virtual programs.



INNOVATION AND EDUCATION CENTER

OUR BOLD VISION TO BUILD A FUTURE



BUILD ON OUR PAST



**We have an enduring history in Chicagoland.
Now it is time to put down roots in new and unique ways.**

- **Innovation and education are central to our identity.**
Our founders were among the leading agricultural minds of their day. Our work is fueled by their relentless passion to improve food and ag.
- **Farm Foundation was founded at a time like this, for a time like this.**
We have always risen to the challenge to tackle hard issues and hard times. We continue to provide steady leadership while pushing for practical solutions.
- **Our history is long, but our future is just beginning.**
Our non-partisan, objective, connection-building approach is more relevant today than ever. It makes us uniquely suited to address the most interesting and impactful issues in food and agriculture.



BUILD OPPORTUNITY

Now more than ever, we need live, in-person collaboration supported by top technology to get the best results and make the biggest impact.

- Agriculture is facing big challenges. Recent experiences have taught us that we need each other to craft solutions.
- Technology is a functional but poor substitute for the energy and electricity of in-person learning and collaboration.

We are creating a launchpad for our next century.

- This will be a place to not just identify and discuss challenges, but accelerate the momentum and action needed to solve them.
- We will lead food and agriculture forward from this innovative, purposeful space.



BUILD PURPOSE

The Innovation and Education Center will be used for:

- | | |
|--|---|
| <ul style="list-style-type: none"> ■ Administration
A state-of-the-art facility for conducting the day-to-day work of Farm Foundation ■ Gathering
Providing inspiring indoor and outdoor space for program participants to convene and collaborate ■ Breaking bread
Cooking and eating are community activities that highlight the connection between food and ag ■ Accelerated learning
Training, development and educational opportunities in a fully tech-enabled space | <ul style="list-style-type: none"> ■ Community engagement
An asset for the local community and the regional, national and international food and ag community ■ Content creation
Audio, video and other innovative content to engage with audiences digitally and in-person ■ Telling our story
Celebrating the Farm Foundation brand, history, impact and vision for the future ■ Experiential engagement
Providing unique and transformative event experiences that move people to action |
|--|---|



BUILD LOCAL IMPACT

This will be the first and only integrated food and agriculture center in Chicagoland that:

- **Highlights and accelerates** innovation in food and agriculture
- **Encourages** collaboration and greater connection with the vibrant Chicago-area food and ag ecosystem
- **Serves** as a local hub to attract influential visitors and organizations to the area
- **Builds** on our history and story in this area



BUILD REGIONAL, NATIONAL AND GLOBAL IMPACT



- **Connect** with other centers in our region
- **Strengthen** the role of the Central U.S./Midwest in advancing food and ag
- **Create** a premier and unique space to engage stakeholders and change agents



- **Build** trust and understanding at the intersections of ag and society nationwide
- **Establish** a centrally located, convenient space for engaging with innovators from coast to coast



- **Leverage** technology to integrate more global voices and perspectives into our programs
- **Offer** more ways to engage with Farm Foundation's innovation, education and policy programs in the U.S. and abroad



INNOVATION AND EDUCATION CENTER: "STRAW DOG" EXAMPLE VISUAL BLENDING PAST AND FUTURE



Images Credit: [Kimmel Studios](#)



BUILD ALIGNMENT

How can **our mission** and this **purpose-built place** support and strengthen **your mission**?



