

**VILLAGE of SUGAR GROVE
REGULAR MEETING of the
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of July 16, 2014**

1. **CALL TO ORDER**

The meeting of the Sugar Grove Plan Commission / Zoning Board of Appeals (ZBA) was called to order at 7:03 p.m. by Acting Chairman Jim Eckert in the Village Hall Board meeting room.

2. **ROLL CALL**

Plan commission / ZBA members present:

Jim Eckert, John Guddendorf, Rebecca Sabo, Mary Heineman and Heidi Lendi were in attendance.

Absent: Irv Ochsenchlager and Ryan Reuland

Also present: Mike Ferencak, Village Planner and Walter Magdziarz, Community Development Director, Jonathon Pantea and Ken Arnold, and Rick Zirk.

3. **PUBLIC HEARING**

a. Petition 14-010: Impound Yards in the M-1 District – Text Amendment (Village of Sugar Grove)

Acting Chairman Eckert called the public hearing to order. He then swore in those persons in attendance planning to testify.

Petitioner Presentation: Ferencak gave an overview of this request. An owner of a towing company in the area had inquired in late June about relocating his business to a property located on Heartland Drive which is zoned M-1, Limited Manufacturing District. Initially staff identified the proposed use as a towing service, which it is, but it would also include an impound yard on site. Towing Service is currently only permitted in the B-3 Regional Business District. Staff recommends approval of the proposed text amendment to add Impound Yard as a permitted use in the M-1 District, with this a towing service may be included as an ancillary use. The other provisions of the text amendment would include that a principal building is required on the site and that any towing operators provide a copy of their Illinois Commerce Commission Registration along with several other provisions within the text amendment. The proposal would not have any impact on the current B-3 Regional Business District text.

Public Comments/Questions: No Comment

Acting Chairman Eckert closed the public hearing on petition 14-010.

b. Petition 14-011: 1942 W. US Highway 30 – Special Use (Jonathan Pantea and Kenneth Arnold)

Acting Chairman Eckert called the public hearing to order. He then swore in those persons in attendance planning to testify.

Petitioner Presentation: Ferencak explained the request is from the business owners of the existing Round Up Sports Bar & Grill at 1942 W. US Highway 30 for a Special Use to add Live Entertainment and Dancing. A Special Use for Service of Alcoholic Beverages in conjunction with an Eating and Drinking Establishment is also requested. This is a use listed in the Zoning Ordinance in the B-2 District, which was not previously identified by staff. No dancing is planned but it is listed that way in the Zoning Ordinance. Staff has no objections and continues to work with the owners on a submittal for improvements to the site.

Public Comments/Questions: Mr. Pantea asked if they can use the back area of land for a one time use outing. Staff would need to review a request for temporary use for that. This hearing is for this Petition and Special Use.

Acting Chairman Eckert closed the Public Hearing on Petition 14-011.

c. Petition 13-004-ALT: Senior Housing Resubdivision – Rezoning to SR, Preliminary / Final PUD, Preliminary / Final Plat (Sugar Grove Seniors LP)

Acting Chairman Eckert called the public hearing to order. No public were present for this hearing.

Petitioner Presentation: Ferencak explained the SR, Senior Residential District is still being worked on and staff recommends that this public hearing be continued to the next Plan Commission meeting.

Acting Chairman Eckert asked for a motion to continue the public hearing on petition 13-004 ALT to the next regular meeting. **Commissioner Guddendorf** made a motion and it was seconded by **Commissioner Heineman**. Motion carried unanimously.

4. **OLD BUSINESS**
None

5. **NEW BUSINESS**

a. Petition 14-010: Impound Yards in the M-1 District – Text Amendment (Village of Sugar Grove)

Acting Chairman Eckert asked about stacking cars. **Ferencak** stated that a height limit has not been set for outdoor storage. Outdoor storage has to be opaque and fully screened. The 180 day limit on holding a car is set by the Secretary of State. This

operator stated that cars left there for months would be stored inside the building. There is no intention to have an auto repair business on site, but in the future they may incorporate a body shop which is already a permitted use. They're not proposing any relocation services, but it would be allowed with this amendment.

This operator stated that pans will be placed under the cars for possible leakage since there is no requirement to pave the storage yard and it is gravel. There is a requirement added within the text amendment that they perform an annual environmental check on the storage lot. **Commissioner Guddendorf** stated there needs to be a plan for containment of the fluids.

There's no easy way to enforce that a car is limited to 180 days on site unless the village asks them to provide records. A certain number of parking spaces are required by the Zoning Ordinance. Most of these will be provided at the front of the building, but if more are required than exists at the front of the building, the difference will need to be provided at the side or rear of the site. Vehicles or equipment cannot be stored in required parking spaces wherever they are located. Vehicle repair and body shop are two separate uses in the Zoning Ordinance.

A motion was made by Commissioner Heineman and seconded by Commissioner Guddendorf to recommend a text amendment to the Zoning Ordinance to add Impound Yard as a permitted use in the M-1 Limited Manufacturing District, pursuant to Section 11-13-11 of the Sugar Grove Zoning Ordinance as described in the staff report dated July 16, 2014.

The motion carried by unanimous roll call vote.

b. Petition 14-011: 1942 W. US Highway 30 – Special Use (Jonathan Pantea and Kenneth Arnold)

Acting Chairman Eckert raised the question of parking. Internal occupancy is set by the Fire District and is currently set at 224. Required parking as set by the Zoning Ordinance may not match the number of spaces the applicant feels are needed. This site is actually under parked even for the existing straight restaurant use by a couple of spaces. Indoor entertainment does require a few more parking spaces per the Zoning Ordinance. The site would be short under 10 spaces in total. **Commissioner Guddendorf** asked if there was a restriction on the noise decimal level. Staff would need to check the Village Ordinances but believes that there is no decimal restriction just a restriction on the hours the entertainment is allowed. **Ferencak** accepted the published copy of the public hearing notice from the Petitioner.

The establishment doesn't keep the doors open because of bugs and health department code. Parking is not allowed on an unimproved surface but it could be allowed for a temporary use. The septic field is further south than the parking area.

A motion was made by Commissioner Sabo and seconded by Commissioner Heineman to recommend approval of a Special Use for a restaurant with live entertainment and dancing and to allow service of alcoholic beverages in conjunction with an eating or drinking establishment, pursuant to Section 11-13-11 of the Sugar Grove Zoning Ordinance along with adopting the findings of fact on pages 3-4 in the staff report dated July 16, 2014.

The motion carried by unanimous roll call vote.

c. Petition 14-012: Prairie Glen – Minor PUD Amendment (Orleans RHIL, LP)

Ferencak gave an overview. There's no public hearing involved in this request because it's a Minor PUD Amendment request as opposed to Major. This development was approved in 2005 and since then there have been 5 amendments to the development, this would be the sixth. Orleans Homes is building in Unit 1 and requesting some modifications to the Architectural Standards in Exhibit E of the PUD Development Agreement. This amendment would reduce the number of homes on Lots 3-15 and 17-27 that must meet a maximum horizontal expanse requirement from 17 to 8. It would also remove the requirement that fireplaces (including direct vent) not flush with the exterior wall be full height and be brick or stone for Lots 3-15, 17-27 and 92-105. In return for these changes, the proposed amendment would require that architectural trim amenities that are provided on the front elevations of Lots 3-15 and 17-25 also be provided on the rear elevations. Staff recommends approval of the proposed change.

Commissioner Guddendorf asked if there was a visual of the proposed change. Orleans RHIL representative **Rick Zirk** responded the lots on the north side of the subdivision have not sold out but the lots on the south side have. Times have changed with the economic climate and the buyer won't pay more for a look-out and the more traditional style homes are the ones moving. The homes are next to a wetland area, then a commercial strip of land and then US Highway 30. The road is set approximately 600-1000 feet from the homes, so these amenities aren't seen. The intended goal of the different look for the fireplace isn't happening because people are choosing the direct vent alternative. Instead the architectural amenity that is on the front will be added to the back as well and the passersby on US Highway 30 will see these amenities better. The sales price is rising as time goes on.

A motion was made by Commissioner Guddendorf and seconded by Commissioner Heineman to recommend approval of a Minor PUD Amendment for Prairie Glen (Ordinance 2005-0920A) as described in the staff report dated July 16, 2014.

The motion carried by unanimous by roll call vote.

6. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

The Commercial and Trade Schools Amendment was passed by the Village Board with some minor changes. **Magdziarz** presented the changes made by the Village Board. They had some concerns about parking in conjunction with performances or recitals at performance type schools, so conditions of use were added for the Commercial and Trade School use to the Zoning Ordinance. The resolution added was that if there were a recital or performance by the school, approval must be obtained from the Community Development Director prior to scheduling the event. The Director would address the parking issue and try and resolve that issue prior to the event.

Ace Hardware is coming along. The owner is still planning a soft opening around Labor Day with a formal grand opening in late September. They're currently running a couple of weeks ahead of schedule

American Heartland Bank is having a problem with the excavation, they are running into sand. That issue has to be resolved before they can pour the foundation. There have been several delays with this project including their steel, their consultant had issues with the soils, and now the excavation issue.

Senior Apartment building hasn't given any timeline other than building plans may be coming in September. Framing over the winter but the bulk of the work is planned for next building season.

Dunkin Donuts has signed on but the developer is reluctant to start construction without a second tenant.

Upcoming projects include a request to combine two lots in Black Walnut Trails, a Village water tower Special Use for cellular antennas, and the assisted living facility. A developer made a presentation to the Village Board looking for support for an industrial park to be located across the street from here at Municipal Drive and US Highway 30 on the Wiedner property and generally the Board is supportive of it. This would include rezoning and comprehensive plan amendment.

Staff is busy with hail storm repairs. 214 building permits were issued last month and of them 170 were roof/siding.

New Municipal Offices will be coming with the newly purchased Prairie Glen Office Park. The building located in the back will be used as a tenant building for a stepping stone for new private offices. The front building will eventually be a municipal office building for Administration, Finance, and Community Development.

7. **ADJOURNMENT**

A motion was made by Commissioner Heineman and seconded by Commissioner Sabo that the meeting be adjourned at 7:49 p.m.

The motion carried unanimously by voice vote.

Respectfully submitted,
Holly Baker
Substitute Recording Secretary