

**VILLAGE of SUGAR GROVE
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of November 16, 2011**

1. CALL TO ORDER

The meeting of the Sugar Grove Plan Commission / Zoning Board of Appeals (ZBA) was called to order at 7:00 p.m. by Chairman Irv Ochsenschlager in the Village Hall Board meeting room.

2. ROLL CALL

Plan commission/ZBA members present:

Irv Ochsenschlager, John Guddendorf, Jim Eckert, Mary Heineman, Rebecca Sabo, Ryan Reuland and Don Meisinger

Absent: None

Also present: Mike Ferencak, Village Planner; Residents- Rita and Dennis Fitzpatrick, Laszlo Hullan and Laura Michalek

3. APPROVAL OF MINUTES of the October 19, 2011 MEETING

Motion made by **Mr. Guddendorf** and seconded by **Ms. Heineman** to approve the minutes of the October 19, 2011 Plan Commission meeting as corrected. **The motion carried by unanimous voice vote.**

4. PUBLIC HEARINGS

None

5. Old Business

Residents in attendance presented a petition against the rezoning of 11-010, 11-011 and 11-012. It was accepted by **Mr. Ferencak** and will be forwarded to the Village Board. Mr. Hullan stated that some residents told him that they didn't know anything about the intention of the Village to rezone the properties to light industrial. **Mr. Ferencak** stated that the owners within the required distance of the property being proposed for rezoning were sent letters notifying them of the public hearing. Property owners within 750' of the property proposed for the TIF District were sent notices of that public hearing as required by law. The property being proposed for a head trauma rehab center is next to the property that was proposed to be in the TIF District. He explained the location of the different parcels. Laura Michalek explained that almost all the residents on Wheeler Road, Carriage Hill Lane and Court and Hampstead Drive signed the petition. Mr. Hullan and Mr. Fitzpatrick both stated their disagreement with any TIF being brought forward for this area in any capacity and asked that their opinions be forwarded to the elected officials. Staff agreed to do so.

6. New Business

a. Introduction to The Coast Oak Group for Settlers Ridge - Lane Wright with Coast Oak Group represents a landowner by the name of Land Cap (LCP), who is

an investment group that took ownership of some of the portions of Settlers Ridge through foreclosure and acquired the property a couple of years ago. **Mr. Wright** has been involved since March 2010. The initial focus was to stabilize the community, make sure it was being maintained. Through that process they've also tried to understand what the marketplace could support for residential communities and how to position this community in order to reopened it for home building, which is the ultimate goal. They have been studying this over the last year and have commissioned several reports to be completed. A survey was also offered to all residents by an independent survey company to better understand what people are looking for. They are receiving information that there are builders interested in building in Sugar Grove. **Chuck Hanlon**, Land Vision is the planner working for them. He gave an explanation of the development. The market doesn't currently have a demand for the commercial piece. It logistically is not set up ideal but could work for some types of commercial. There is a possibility it could be changed to residential. **Ms. Heineman** asked about Land Cap's other properties and backgrounds of the heads. **Ms. Heineman** asked about TRG (SunCal). TRG bought 70 lots, including 1466 Cornell Circle. They have sold 1466 Cornell Circle as a single family home, so have 69 lots left. **Mr. Reuland** asked where they stand with Ingham Park. They are currently in talks with the City. No action was taken at this meeting, just a presentation and introduction.

- b. Petition 11-017: Temporary Signage – Zoning Ordinance Text Amendment (Village of Sugar Grove)** **Mr. Ferencak** explained that this was being brought back to the Commission from last month due to a few items that needed clarification. The first issue was to clarify internal illumination of temporary signs. Staff recommends adding something disallowing this. The second issue was to set parameters for temporary signs placed on lots with multiple tenants. Currently, multi-tenant lots are treated the same as single-owner lots and this limits each tenant on a multi-tenant lot to less signage than if they were on their own lot. Staff has a proposal on how to handle them and wants the Commission's opinion. This discussion is based on end users for special events and grand opening type temporary signs, not real estate. **Mr. Ferencak** asked that the Commission keep in mind that the total number of signs allowed per lot would be a combination of permanent signs, real estate signs and other temporary signs, like grand openings or sales. Currently the code allows each lot a total of 45 days to be split into any time increments for up to 4 signs at a time for the calendar year. The proposal is to only amend this for multi-tenant lots. This is monitored with the issuance of each building/sign permit. Educating individual owners about the rules regarding temporary signs is constantly needed. Some just don't know and don't call to find out before putting up signs. There was discussion about how strong enforcement should be utilized for commercial due to the strong desire to encourage commercial business within the Village. **Mr. Guddendorf** stated that if it isn't enforced to the maximum of the code then it shouldn't be written that way. **Ms. Heineman** stated that the rule should be there in case it's ever needed, but that doesn't mean it has to be strictly adhered to all the time. **Mr. Ferencak** added that village staff hasn't been performing active enforcement. Commercial sites are

more visual, so obvious violations get noticed. The consensus was that the rules need to be enforced fairly and evenly to all.

Though, not part of the text amendment proposed tonight, other temporary signs were discussed. Window sign rules were reviewed. There's no permit required to cover up to 40% per window. Human signs were also questioned, where someone dresses up or stands out in the right of way holding a sign. **Mr. Ferencak** stated nothing for human signs is currently in the Sign Ordinance or yet being proposed for the overall comprehensive changes. Several members mentioned that this is the time to set the rules and enforce them before more national commercial retailers come into town. **Ms. Sabo** stated that this is similar to Aurora's rules. The comparisons were discussed. The Commission preferred restricting each sign to a time limit instead of placing an annual limit for the whole lot or business. Vehicle painted signage was discussed. If a vehicle is parked in a location for longer than 24 hours, then it qualifies as outdoor storage and technically requires screening. There are some locations on Route 47 where this hasn't been strictly enforced. There is a provision about signs on vehicles in the sign ordinance but the way it's written is hard to enforce. Definitions were discussed. The comprehensive rewrite of the sign ordinance is underway to better define classes and provide clarity, as well as an overall clean up. Creating a separate category for temporary advertising signs from the special event sign class was discussed, including limiting them to a maximum size. Charging by the permit based on the square footage of the sign with a limitation for a maximum length of time each would be allowed for each displayed. **Ms. Sabo** read the section relating to vehicle signage.

Tonight staff is requesting that the two proposed changes plus the rest of the amendment be recommended and these be taken to the Village Board for the interim; then the comprehensive change to the entire Sign Ordinance will be brought back to the Commission within a couple of months.

Ms. Heineman stated that she wants a change made to the 45 day time restriction. **Mr. Guddendorf and Mr. Eckert and Ms. Sabo** agreed. The time limit should be on each sign, not the property or business, and the time maximum allowed per sign was discussed.

Mr. Eckert made a motion seconded by Mr. Meisinger to recommend an amendment to section 11-14-9-G of the Village of Sugar Grove Sign Ordinance to restrict temporary special event signs from being internally illuminated.

The motion carried unanimously by voice vote.

Ms. Heineman made a motion seconded by Mr. Guddendorf to recommend an amendment to section 11-14-9-G of the Village of Sugar Grove Sign Ordinance to increase the allowance of temporary special event signs from 45 days per zoning lot with up to 4 signs per zoning lot to 45 days per tenant with

1 sign per tenant with the provision that staff will bring forth a further overall revision for temporary signs with the comprehensive review of the Sign Ordinance in the near future.

The motion carried unanimously by voice vote.

c. Petition 11-005: Off Street Parking and Loading – Zoning Ordinance Text Amendment (Village of Sugar Grove)

Mr. Ochsenschlager recapped from the last meeting that staff would present a spreadsheet to convey the information on parking for the example of Lot 4, The Landings for the Commissioners. **Mr. Ferencak** explained the spreadsheet and reiterated that this was the situation that initiated this discussion and caused staff to bring this issue before the Commission. To recap; parking for multi-tenant buildings is tracked, each development has an approved list of allowable and special uses and each use has its own parking requirements. When this specific building was built, the parking was based on the information received from the developer that it would be all retail and a bank. So, five spaces were placed for each 1,000 square feet of building, which includes the handicap spaces. Due to the fact that a salon has gone in one of the spaces, and the parking requirement for salons is much higher – almost like a restaurant – they have already reached the maximum parking allowance. The salon isn't currently utilizing this many spaces but the potential is there to use them. The spreadsheet shows how the current number of parking spaces can work for this site if the code is amended in two ways.

Staff is recommending modifying the bank parking requirement from 5 spaces per 1,000 square feet to 4 spaces per 1,000 square feet and also modifying the salon parking requirement from 2 spaces per chair plus 1 space per employee to 10 spaces per 1,000 square feet village wide. Staff does not feel this would adversely affect the Village anywhere.

If this was done the salon would then be able to add three more chairs and the other spaces would be able to be filled, one with non-medical office and one with retail. Changing this would not change the stacking requirement. Mr. Ferencak will make sure this is clear in the ordinance amendment.

Mr. Guddendorf made a motion, seconded by Ms. Sabo that the Plan Commission/ZBA recommend a text amendment to amend Section 11-12 Off Street Parking and Loading of the Sugar Grove Zoning Ordinance requirement for bank parking from 5 spaces per 1,000 square feet to 4 spaces per 1,000 square feet and also modifying the salon requirement from 2 spaces per chair plus 1 space per employee to 10 spaces per 1,000 square feet. The motion carried unanimously by voice vote.

7. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

Mr. Ferencak updated the Commission on the **Denny Road Estate Lot** which was presented to the Village Board last night. They approved it with a couple of conditions that the Plan Commission recommended regarding right of way dedication for Denny Road and a 66 foot right of way dedication to the north for flexibility for an east-west street. Dave Burroughs at EEI determined that there was no need to dedicate any land for the interchange ramp, that it wouldn't get that far to the east. A couple of other conditions were stipulated as well.

Scot Industries Pump House variances were also approved with the conditions that the Plan Commission recommended.

The Light Industrial District was discussed with the Village Board as well. Rich Young got some Board input and he and Brent Eichelberger put together a list of proposed permitted and special uses for this district. The idea here is that the properties surrounding the residential in the previously proposed TIF districts would be a softer zoning class than M-1 manufacturing, more office related. This list was distributed and any input was requested from the Commissioners on the uses. The residents would rather see the land remain undeveloped.

Meeting Time was reviewed. 7 pm was requested by one, 6 pm was requested by four members and two members could do either. A December meeting was discussed as well but it was unclear if there would be an agenda or not. **Mr. Meisinger** will not be available.

Molloy-Bolz is still awaiting State approval which is anticipated by the end of the year. They are planning for a 2012 start for construction but have many planning issues that need to be completed and have not been started as of yet.

Hondajet and **Walgreens** have no update at this time.

8. ADJOURNMENT

**A motion and second was made that the meeting be adjourned at 8:50 pm.
The motion carried unanimously by voice vote.**

Respectfully submitted,
Holly Baker
Substitute Recording Secretary