

**VILLAGE of SUGAR GROVE
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of March 21, 2012**

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, Mary Heineman, Rebecca Sabo, Jim Eckert, Ryan Reuland and Don Meisinger

Absent: None

Also present: Mike Ferencak, Village Planner and Richard Young, Community Development Director; Pat Molloy, Bob Bolz, Michael Caldwell, David Schoning, Revere – Christopher Dials, and Mary Ochsenschlager.

3. **APPROVAL OF MINUTES of the February 15, 2012 MEETING**

Motion made by **Commissioner Eckert** and seconded by **Commissioner Guddendorf** to approve the minutes of the February 15, 2012 Plan Commission meeting as corrected. The third word in the second paragraph on page 2 about one third of the way down should be ‘phase’ not ‘phrase’ and about two thirds the way down the sentence should read, “Language is being worked out to give the village right of way...”. **The motion carried by unanimous voice vote.**

4. **PUBLIC HEARINGS**

a. **Petition 11-020: Hampstead Court – Preliminary PUD, Preliminary / Final Plat, Final PUD for Lot 1 (Sugar Grove Care Partners, LLC)**

Chairman Ochsenschlager opened this continued public hearing. He then swore in those persons in attendance planning to testify.

Petitioners' Request:

Mr. Ferencak presented an overview of the request. The petitioner has completed their submittal and staff has reviewed the documents and provided comments and conditions that on most instances will be worked out. A few are being brought forward for the Plan Commission’s review and opinion; the items regarding the bike path location and installation timing, the overhead utility lines location and timing, and the parking lot lighting pole style are the items staff is asking for review. Staff recommends a positive recommendation subject to the various conditions. The petitioner has responded that the majority of the conditions will be met.

Petitioner Presentation: Pat Malloy with Sugar Grove Care Partners thanked the Commission and gave an overview of the proposed 150 bed assisted living project. Fully staffed, the project plans for 70 full time positions which will be mostly skilled. During construction approximately 50 positions will be available. It will be a moderate fully equipped assistant living facility that will conform to all federal, state and local regulations. This facility will provide state of the art design, operations and resident care with a physical environment appropriate to improve their quality of life. The facility will be a 3 story building with one half being one bedroom and one half, studios. It will include a full dining room and kitchen, physical therapy room and other amenities to accommodate a full service facility.

Their architect, David Schoning, gave an architectural overview of the site which will be broken into two phases. Phase one will be the 150 bed assisted living facility and phase two is planned to be a skilled nursing facility of approximately 150 beds. The main access drive is off of Route 47 and will be a full access shared drive between both phases. There's a fire lane proposed to encircle the entire building and access Wheeler Rd. It will not align with Hampstead Drive but be located approximately 150-200' from Hampstead Drive. Emergency access (ambulance) is available to the building through the front doors under the canopy area. The site plan was reviewed and shows a gazebo, pond with pier and patio with coy pond. The elevation of the building was also reviewed. A streetscape look methodology is being used to shrink the appearance of size of the building with varied materials of stone, brick, limestone, fiber cement siding and others.

Michael Caldwell, Civil Engineer for the project reviewed the site plan. The emergency or secondary public access was added to Wheeler Road by requirement of IDOT. No traffic signals are anticipated at this location, the planned signal is at Ke-de-ka Road. There's a strong possibility that the access will extend to align with Hampstead Drive with phase two and then it will run through to Route 47. This is a fairly low impact commercial use and most visitors are staggered throughout the day. Detention storage will be provided on the site as per the Kane County Ordinance. The retention pond will be deep enough to support wildlife. Any field tiles and flow disrupted will be restored. Drain tiles, locations, flows and previous changes were discussed. Day lighted drainage structures that were repaired were reviewed. EEI included a comment in their review requesting a drain tile investigation with preliminary and final engineering. **Chairman Ochenschlager** stated that the Village is very sensitive to drainage. Mr. Caldwell stated his credentials and past experience. He stated this is his area of expertise and asked about any known flood issues across the east side of Route 47. There is a flood plain and Bliss Creek. The residents' front yards catch the overflow as extra water goes through. **Mr. Young** explained that along with the fill, there will be several detention ponds added so the flow will be much more controlled than it is today with only the agricultural field. Everything will be directed towards the bio swales which are above the 10 year high water levels. This will help clean the

water before it continues downstream. Permeated parking lot methodology was discussed. It's not being proposed for this project.

The access road to the south is planned to be moved and aligned with Hampstead Drive with the development of phase 2.

Public Comments/Questions:

Mary Ochenschlager asked if they were considering dark sky type lighting on this site. That type of lighting directs lighting only where it's needed and points it down. She also commented on the removal of the wetlands when this site develops which started a lengthy discussion on drainage. She asked that drainage be released in a way that would be beneficial in use in the habitat of wildlife. Percolation was discussed as were other options. The Engineer stated that he feels this is already being done but they can only address what's on their own site. He stated that at the present time there are approximately .75 acre feet of depressional storage area on site. They are proposing to provide 9.2 acre feet of storage capacity, which is an 800% increase. The bio-swales were identified on the site map and the process was reviewed. It's all connected and all run off is treated in the bio-swale prior to reaching the detention area. They're also creating a bio-habitat with the pond and will stay continually wet at 10' deep. **Ms.**

Ochenschlager acknowledged the positive impact of these swales but requested they do more; that they partner with the Forest Preserve to do an even better job. She asked that he make a recommendation to their consultant, Pat Kelsey that this partnership be adopted and additional options explored. **Commissioner**

Guddendorf asked if it was a designated wetland. Staff reviewed the submitted report by Kelsey (from 2009). It states that it is farmed wetlands and therefore not required to be preserved and not under the Army Corp of Engineers jurisdiction. An update of this report is due this year, but **Mr. Ferencak** stated the determination will probably be the same. Vegetation is required by the County's ordinance and a 5:1 slope to the pond is proposed. **Mr. Ferencak** checked on the lighting being proposed. It is a dark sky type of lighting.

Christopher Niles, with Revere Healthcare (the management company), gave his professional background and report. The differences between this proposed facility and a skilled nursing facility were reviewed. Both are licensed in the State of Illinois but skilled nursing is a rehabilitation facility that provides 24 hour care by RNs under the direction of a MD. The current proposed facility is NOT a rehab facility. Assisted living is a residence of congregate living with assistance of activities in daily living including showering, dressing, medication taking, but not activities requiring a RN. It's a residential setting, not institutional. Dementia, Alzheimer's, over 65 years old and others are typical conditions of these settings. Certain security measures may be taken. There are three parts planned for this facility, older adults, dementia or Alzheimer's, and physically disabled adults over 22 years old. The number of each hasn't been decided yet and will fluctuate with the market. A market study is being done. **Commissioner Heineman** asked about the State licensing restrictions for this type of facility. Mr. Niles stated that

the State license is much less rigid than for a skilled facility. They originally applied to the State for supportive living which is State funding for qualifying individuals, but didn't get it. This will be a private pay market. Skilled Nursing facilities are under the jurisdiction of the Illinois Health Facilities and Services Review Board. In Illinois you need State permission to build a facility providing certain health services. You must obtain a certificate of need permit that takes months and months to get. This has to happen before any planning of the actual building can take place. **Commissioner Sabo** asked how residents are obtained. Certain facilities fill certain niches of needs. Revere Healthcare specializes in traumatic brain injuries which is an underserved population in this area and serves a regional area. The next closest facility that serves the traumatic brain injury population is in Carbondale, Illinois, but that service still remains to be seen here. Most people who live in this type of facility (phase 1) are residents not patients. Most are aged and female; some are referred by their doctor, some drive by and choose to live there. **Commissioner Meisinger** asked about the age of 22, about whether it is a restriction. Mr. Niles stated they have made a policy decision to market to ages 22 and up. The State allows anyone over 18 to be a resident there.

Vehicle ownership was questioned or is public transportation used. Most facilities have a bus with a logo on it. Few assisted living residents drive, only some. **Commissioners Eckert & Guddendorf** reviewed parking. **Mr. Ferencak** stated the requirement is 88 spaces per building, so they need 176 total, 193 are being proposed after the proposed modifications to the plan. For the first building, they're proposing 111 on lot 1. Employee, resident and visitor parking were discussed. Doctors don't usually come here. Residents leave the facility to see the doctor usually. One accessible space is required for every 25 regular spaces. The only time enough parking may be questioned might be during an open house marketing event. **Mr. Young** pointed out that since this is the first phase of development on this site there is room to adjust if needed. **Mr. Young** asked for clarification as to the security of the site. Mr. Niles explained that there are two different levels of secured. The front door of the facility is unlocked during regular business hours for the public. The back door is always locked and requires a key. With regards to secure in the sense of the dementia unit, each resident wears a pendant on them so if they wonder out of the dementia unit area staff is alerted. That unit is more secure than the balance of the property. Residents that are not patients of the dementia unit are able to come and go at any time day or night. This is their home.

Chairman Ochsenschlager closed the public hearing.

5. **OLD BUSINESS**
None

6. **NEW BUSINESS**

a. **Petition 11-020: Hampstead Court – Preliminary PUD, Preliminary / Final Plat, Final PUD for Lot 1 (Sugar Grove Care Partners, LLC)**

Commissioner Guddendorf asked if the Petitioner received the staff recommendation. They did last Friday. **Chairman Ochenschlager** verified that any recommendation made by the Commission on the three items before them are still subject to the staff recommendation. **Mr. Ferencak** stated that there are a few that staff would like to discuss with the Commission. The petitioner stated that there are a few items that need some clarification; the timeline and how the power lines would be buried and the bike path placement, timeline and the easements needed. The technical points can be worked out with staff. The red line on the map is the actual bike plan map; the orange line indicates what staff is proposing right now in the staff report. This is slightly modified from the approved bike plan map. **Commissioner Heineman** explained that the path would take a side path up to Hampstead Drive instead of running parallel along Route 47. The path would then meet up with a sidewalk path in Windsor West and connect at the south end to another built path that runs further south behind The Landings Subdivision to Galena Blvd. Hopefully the future will include an at-grade crossing for bikes and pedestrians at Bliss Road and Route 47. She stated that she agrees with the staff recommendation and feels it would be safer for the cyclist. **Commissioner Eckert** asked for clarification of the three points for the bike path stated on page 11, paragraph 6 of the staff report. **Mr. Ferencak** clarified that the orange path shown on the plan follows both the shift of the path with first and second points. The third point is whether to do a cash-in-lieu-of option instead. At this time the only portion of the path that would go in is on the Hampstead Court property. The other segments wouldn't be installed at this time. Staff is asking for a recommendation from the Plan Commission (paragraph 6). **Commissioner Heineman** requested a bike rack be added to the Hampstead Court site.

Commissioner Eckert asked for clarification on several points in the staff report. On page 4, paragraph 3 refers to a retail/medical office being planned; **Mr. Ferencak** stated that it was shown on an older concept plan that has since been revised. It's still a possibility to amend lot 2's plan in the future to include these uses.

On page 4, paragraph 5 the report mentions a combined comment letter that was sent to the applicant on March 9th; **Mr. Ferencak** stated it was essentially the same points for the applicant as covered in this report. On page 6, point 'e' regarding ambulance runs brought up a discussion centered on vehicle lights hitting the residents homes in Windsor West upon exiting through the Wheeler Road exit. The pitch of the access drive will direct the lights right into the resident's windows. It was suggested that they plant evergreen trees on the south side of Wheeler Road to shield some of this. Only the intersection will be lit on the Wheeler Road access and the Route 47 access.

The petitioner will need to obtain a sign off from IDNR regarding wildlife in the wetlands.

On page 9, paragraph 3 and the condition on page 18, #6 discusses overhead electric lines. The annexation agreement for this property states that all lines on and next to the site and right of way be buried. All burial will be deferred except the access off Route 47 and the access off Wheeler Road. Burial or clearance will need to be met.

Page 10 talks of setbacks. Interior side setbacks for lot 1 are suppose to be 30' for the pavement and 40' for the building. Since the B2 & B3 districts don't allow for shared drive aisles, they will have a 0' setback for the pavement with the proposed plan, but can meet the 40' setback for the building. A deviation will be stated in the PUD for the pavement setbacks.

Page 12 discusses landscaping. Staff requests the petitioner to minimize the use of retaining walls as much as possible. Staff is requesting grade changes be utilized instead.

Page 14 mentions the Architectural Resource & Review Group's concerns with window detail, trim, louvers, etc. Dave Schoning responded that at the review meeting the colors were reviewed and they asked that the louver match the surrounding color. Clarification was given regarding the size of face brick, staff is ok with this. The proposed building height will be a deviation to the Village requirement and verification is still needed from the FAA. The majority of the building's equipment will be located just outside the service wing in a fenced ground level mechanical area. David Schoning confirmed there are no roof mounted units except the kitchen exhaust hood.

Page 15 discusses wall signage design. This has not been received yet. Phase 2 will require a Final PUD for review of signage, if anything is changed significantly a revised Preliminary PUD will be needed as well. The timeline for receipt of the final engineering was asked; currently being worked on. The reason and process for a tree mitigation plan was discussed.

Comment 32 talks about signage and elevating it due to the grade. That elevation change would be counted as part of the sign area but the Zoning Ordinance should be met even with the increase in size. They can have a sign on each lot or each right-of-way. The setback appears to be in compliance with the height.

Commissioner Guddendorf questioned deliveries, loading times and noise. Times are usually during regular business hours and most are made with box trucks not semis. Village Code restricts noise levels but not delivery hours.

Lighting was reviewed. **Mr. Ferencak** asked that all lighting be shown on the photometric drawing including the type of light; it's photometrics and the lighting

for the back of the building. The parking lot lights can be modified with different lenses or height of the bulb to give off a different effect. **Commissioner Heineman** stated her preference is for the decorative poles with metal halide lighting meeting dark sky standards, and with a dark bronze color pole.

The utility plan doesn't show the transformer and generator. One of each for each phase is being proposed. They are planned for the back of the facility. **Commissioner Sabo** located them on the photometric sheet.

The property for phase 2 will have minimal impact and change until its development. Building of the detention facilities with phase 1, road access to Wheeler Road, fill for the site to properly drain to the detention facilities, and some landscaping will be about the only improvements made. It will be top soiled and seeded.

Commissioner Meisinger questioned the County requirements for street lights at every corner. They're just like the Village. That requirement is for those in a right of way, but this is not a public right of way entrance.

Staff recommends that the recommendation on page 18, item 6 be burial of all overhead electric lines is deferred until the development of Lot 2 with the exception of clearance requirements for both vehicle entrances off of State Route 47 and Wheeler Road.

Wording for item 20, 21, 22 and 36 were discussed.

Commissioner Eckert made a motion seconded by Commissioner Reuland to recommend approval of the Preliminary PUD for the proposed subdivision of 18.64 acres called Hampstead Court, pursuant to Section 11-11 of the Sugar Grove Zoning Ordinance and Ordinance 2007-0515G (existing Annexation Agreement) including the findings of fact on pages 5 through 7 and incorporating the staff recommendations paragraphs 1-42 as presented in the Staff report dated 3/21/12 along with revisions of staff recommendations: #20 on page 19 of the staff report to say move the side path from Route 47 to Hampstead Drive and the bicycle and pedestrian path shall be provided along the south side of Wheeler Road crossing at Hampstead Drive and continue along the east side of Hampstead Drive. Sidewalks shall be provided connecting both buildings to Route 47 and Wheeler Road. A bike rack shall be provided and located at both buildings, #21 will read: Bicycle and pedestrian path easements shall be provided along the north side of Wheeler Road and east side of Hampstead Drive extended. These will need to be shown on the plans and plat, #22 to read: The plans shall be revised to show a drive aisle connected to Wheeler Road and if the Hampstead Drive extension exists at the time of phase 2 then the developer will be required to connect to the Hampstead Drive extension as a part of the phase 2 development and also remove the temporary Wheeler Road access point that's being provided as part of phase 1, and #36 to read: Decorative light poles with

metal halide lighting meeting dark sky standards with dark bronze colored poles shall be provided.

The motion carried unanimously by voice vote.

Commissioner Heineman made a motion seconded by Commissioner Sabo to recommend to the Village Board approval of the Final PUD for development of Lot 1 (7.89 acres) of the proposed subdivision as an assisted living facility serving adults with physical disabilities, pursuant to the Preliminary PUD to-be-created including the findings of fact on pages 5 through 7 and incorporating the staff recommendations paragraphs 1-42 as presented in the Staff report dated 3/21/12 along with revisions of staff recommendations: #20 on page 19 of the staff report to say move the side path from Route 47 to Hampstead Drive and the bicycle and pedestrian path shall be provided along the south side of Wheeler Road crossing at Hampstead Drive and continue along the east side of Hampstead Drive. Sidewalks shall be provided connecting both buildings to Route 47 and Wheeler Road. A bike rack shall be provided and located at both buildings, #21 will read: Bicycle and pedestrian path easements shall be provided along the north side of Wheeler Road and east side of Hampstead Drive extended. These will need to be shown on the plans and plat, #22 to read: The plans shall be revised to show a drive aisle connected to Wheeler Road and if the Hampstead Drive extension exists at the time of phase 2 then the developer will be required to connect to the Hampstead Drive extension as a part of the phase 2 development and also remove the temporary Wheeler Road access point that's being provided as part of phase 1, and #36 to read: Decorative light poles with metal halide lighting meeting dark sky standards with dark bronze colored poles shall be provided.

The motion carried unanimously by voice vote.

Commissioner Guddendorf made a motion seconded by Commissioner Meisinger to recommend to the Village Board approval of the Preliminary and Final plat to create Hampstead Court Subdivision, a proposed two lot subdivision, from two existing parcels, pursuant to Section 12-4-3 and 12-4-5 of the Sugar Grove Subdivision Ordinance, including the findings of fact on pages 5 through 7 and incorporating the staff recommendations paragraphs 1-42 as presented in the Staff report dated 3/21/12 along with revisions of staff recommendations: #20 on page 19 of the staff report to say move the side path from Route 47 to Hampstead Drive and the bicycle and pedestrian path shall be provided along the south side of Wheeler Road crossing at Hampstead Drive and continue along the east side of Hampstead Drive. Sidewalks shall be provided connecting both buildings to Route 47 and Wheeler Road. A bike rack shall be provided and located at both buildings, #21 will read: Bicycle and pedestrian path easements shall be provided along the north side of Wheeler Road and east side of Hampstead Drive extended. These will need to be shown on the plans and plat, #22 to read: The plans shall be revised to show a drive aisle connected to Wheeler Road and if the

Hampstead Drive extension exists at the time of phase 2 then the developer will be required to connect to the Hampstead Drive extension as a part of the phase 2 development and also remove the temporary Wheeler Road access point that's being provided as part of phase 1, and #36 to read: Decorative light poles with metal halide lighting meeting dark sky standards with dark bronze colored poles shall be provided.

The motion carried unanimously by voice vote.

7. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

Settlers Ridge NW, Triangle and Commercial Subdivisions revisions have been received via email and will be reviewed by staff and then will be brought forward for recommendation and ultimately, approval.

Settlers Ridge Amendments is still being worked on by the applicant.

Walgreens should break ground next month.

Jimmy Johns is open.

Honda Jet has been delayed due to their choice.

8. ADJOURNMENT

A motion was made by Commissioner Heineman and seconded by Commissioner Meisinger that the meeting be adjourned at 9:30 pm.

The motion carried unanimously by voice vote.

Respectfully submitted,
Holly Baker
Substitute Recording Secretary