

**VILLAGE of SUGAR GROVE
SPECIAL MEETING of the
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of October 3, 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, Jim Eckert, Ryan Reuland and Don Meisinger

Absent: Rebecca Sabo

Also present: Mike Ferencak, Village Planner and Richard Young, Community Development Director;
James White and Perry Clark.

3. APPROVAL OF MINUTES of the June 27, 2012 MEETING

Motion made by **Commissioner Eckert** and seconded by **Commissioner Guddendorf** to approve the minutes of the June 27, 2012 Plan Commission meeting as corrected. On page 4 under petition 12-007, Mr. Ferencak clarified the vacant spaces, not Commissioner Eckert and the applicant stated box trucks would make most deliveries.

The motion carried by unanimous voice vote.

4. APPROVAL OF MINUTES of the July 18, 2012 MEETING

Motion made by **Commissioner Reuland** and seconded by **Commissioner Meisinger** to approve the minutes of the July 18, 2012 Plan Commission meeting as presented.

The motion carried by unanimous voice vote.

5. PUBLIC HEARINGS

- a. Petition 12-012: American Heartland Resubdivision – Major PUD Amendment, Preliminary / Final PUD, Special Use for a bank, Preliminary / Final Plat (American Heartland Bancshares, Inc.)

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

Petitioners' Request:

Mr. White, Attorney for the Applicant presented an overview of the request. The affidavit of notices, affidavit of publication, and certified delivery confirmation cards for the public hearing, so all required publications have been met. A sworn and notarized application for Special Use, Preliminary / Final Plat and Preliminary / Final

PUD has been submitted to the Village. Other documents referenced in the Staff Report have been submitted as well and he asked that they be incorporated into their testimony today. This request is due to a desire to relocate their facility to the southwest corner of Wheeler Road and Illinois State Route 47 onto the two small lots proposed to be combined into one lot. They're proposing building a two story 10,000 square foot bank building.

Mr. Ferencak stated that staff reviewed the request and presented the findings of fact in the staff report. Staff recommends approval of this request

Petitioner Presentation:

Mr. White stated that the use is consistent with the other office uses abutting this property and that they are generally in agreement with the staff report written by **Mr. Ferencak**. He referred to the staff report to clarify a few items in the report. On page 9, item 3 architectural elevations are not being submitted at this time. **Mr. White** explained that timing is very tight due to this property being in judgment foreclosure. They have a deadline date in November to get approval for the Special Use for a bank with a drive up facility so they can move forward with buying the property prior to the Sheriff's sale. **Mr. White** is requesting this review be changed to a minor PUD Amendment instead of a Major PUD Amendment which would cut out the Public Hearing.

The second item is on page 10, item number 12. There are a number of exceptions being requested with regards to sidewalks. They're asking that the requirements for sidewalks on the opposite side of the street be waived as well as the sidewalks along Illinois State Route 47. Normally sidewalks are installed in the right of way and they don't want to get IDOT involved and aren't sure that it's in the best interest to have sidewalks there with sidewalks along Division Drive which are a safer path.

Item number 18 regarding the plat, shows a parking island in the east row of parking spaces, staff recommends it be the size of a parking space but the applicant requests it be 9' wide at the widest point.

Item number 22 regarding the plat, staff recommends the bike racks be relocated along the extended sidewalk near its connection with the bike path. The applicant requests that it be relocated between the parking lot and the bike path next to the parking lot.

Item number 26 regarding the landscape plan, will need further discussion. Staff and applicant have discussed some clustering and possibly removing a little landscaping. **Commissioner Meisinger** stated that less trees along Illinois Route 47 is better due to the snow and salt. It can kill the trees. He also recommends less obstructions or shrubs along the building due to visibility for the Police due to it being a banking facility. **Perry Clark** stated that they are willing to pay for additional trees to go somewhere else.

Item 28, regarding the ground sign plan needs further discussion. The applicant is requesting some exceptions including a larger, taller sign (12') and the EMC. A setback exception is being requested due to the placement of the detention pond.

There are 36 current employees company wide; 15 at the Sugar Grove location and three other mortgage offices throughout the area. There is a possibility of keeping the current location in Sugar Grove and moving Naperville out to that location with the rest of the mortgage department. **Commissioner Guddendorf** asked about parking spaces. 40 spaces are shown on the plan and the stated they have 36 employees. **Perry Clark** said that not all employees will be at this location. 60% of the parking will be for the employees and approximately 40% for patrons. Maintaining a 9' width in the drive thru was requested by some of the Commissioners. The center lane is the only lane being requested at a 9' width; the others are already 10'. Cross access has not been discussed with the funeral home yet but the plan is to do so. **Commissioner Guddendorf** would like a second point of access to the bank. **Mr. Young** stated that the Fire District requires a 20' lane all the way around the building. It affects the setbacks not the parking. **Commissioner Guddendorf** confirmed that there will be sufficient setback from the right of way to allow for maximum build out of Illinois Route 47.

Commissioner Meisinger commented on the parking lot lights. Village policy is to use metal halide lighting, which is the white, along the major corridors, like Illinois Route 47 and the high pressure sodium along the transition areas from commercial to residential, along the backside of commercial structures that abut residential areas.

Mr. Ferencak was asked to respond to Mr. White's comments. Comment number 3 will be subject to Village attorney review but staff understands the request being made and has no objections. **Mr. Young** stated that the architectural elevation will still have to go through the committee process.

Item 12 regarding the request to eliminate the sidewalk; **Commissioners Guddendorf and Heineman** both commented that the sidewalk is a benefit; keeping cyclists and pedestrians off of Illinois Route 47 and maintaining the curb appeal with continuity. The sidewalk has not been eliminated for any other development project along Illinois Route 47 to date. The built sidewalks run along the west side of Illinois Route 47 and the path runs along the east side to Bliss and Wheeler Roads then it flips and the path, when constructed, will be located on the west side of Illinois Route 47. On Galena Boulevard the bike path runs along the south side from the west to Illinois Route 47 and then shifts to the north side of Galena Boulevard by the Phillips 66 and runs east. The sidewalk runs just on the inside of private property from Walgreens north to the middle of this proposed Bank property and then would jog out to the right of way. A public access easement would be required anywhere the sidewalk is located on private property. Sidewalk located on private property is usually maintained by the Village but the agreement would clarify that point. Every street is required to have sidewalks along it. There is no sidewalk on the property

south of Healy Chapel on the Division Road side because the Village wasn't requiring it at the time those lots were developed. Those gaps could be filled in by various ways. The Village could enact a SSA or other funding tool. Staff recommends new development put in the sidewalks. **Commissioner Guddendorf** believes that if the pedestrian path / sidewalks are installed up to the intersection of Bliss Road and Illinois Route 47 when the improvements are made to Illinois Route 47 then it's more likely that IDOT will put in a pedestrian crossing. **Commissioner Meisinger** commented that with the College Corner development the sidewalk was brought through the property to Heartland Drive to the sidewalk / path due to the grade of the ditch line.

Item 18 staff is ok with.

Item 22 Staff is ok with changing the wording to 'the bike rack between the parking lot and the bike path'. This is the same as Walgreens and McDonalds.

Item 26 Staff is ok with clustering and possibly removing a little landscaping. **Commissioner Guddendorf** asked that a diverse type of trees be used. **Mr. Young** explained that the Streets and Properties Supervisor has done a good job at diversifying the tree species so that if a disease comes through again it won't wipe out a whole block or neighborhood.

Item 28, Staff stated that it will ultimately be a Village Board decision but several other signs erected with some of the new developments were reviewed for size, height, set back and approval date. All of them meet the new sign code except McDonalds which was an exception. The staff recommendation is go with the consistency of the Village code. The maximum size allowed is 100 square feet. They're proposing a 12x13 sign, approximately 150 square feet. There will be no other electronic or lit sign on the whole lot. The architect would like etching in the stone but no illumination on the building.

Public Comments/Questions: None

Chairman Ochsenschlager closed the public hearing.

6. **OLD BUSINESS**
None

7. **NEW BUSINESS**

- a. Petition 12-012: American Heartland Resubdivision – Major PUD Amendment, Preliminary / Final PUD, Special Use for a bank, Preliminary / Final Plat (American Heartland Bancshares, Inc.)

The Petitioner's request is for five (5) items. **Mr. Young** reiterated the five points that require action in the form of a recommendation to the Village Board.

1. A Major PUD Amendment to add lots 71 and 72 of the Sugar grove Office and Industrial Center to the existing PUD which will create a single lot including the Findings of Fact on page 5 of the Staff Report.
2. Preliminary PUD for the overall zoning including the Findings of Fact on page 5 of the Staff Report.
3. Final PUD for this newly created lot including the Findings of Fact on page 5 of the Staff Report.
4. Special Use to allow a bank / financial institution with a drive thru on this newly created lot.
5. Preliminary and Final Plat to create American Heartland Resubdivision, a proposed 1.62 acre, one- lot subdivision from two existing lots.

These recommendations should include the majority of the staff comments which the Petitioner agrees with. Staff's comment number 12 staff maintains the sidewalks should be installed. Number 18, Staff is ok with the adjustment of 9' wide at the widest point. Number 22, staff is ok with working with the Petitioner on the location of the bike racks. Number 26, staff is ok in working with the Petitioner on the minor reduction of landscape and clustering of shrubs. There is a possible elimination due to utilities at the south property line. And number 28, staff recommends that the sign meet the current Village code.

The fire hydrant will be moved north towards Wheeler Road by where the bike racks are going to go.

Commissioner Eckert referenced the C1.1 print for these comments. Electric is not shown on the plan. There are no overhead lines on this site. ComEd will determine placement of the transformer when they review the plans after Village approval. Staff is requesting curb all along the building. The handicap parking will be changed to have shared stripes in between the two spaces. There will be no added street lights along the bike path, just at both street corners. The requirement is being met and appears to be sufficient for the site. This plan only shows what they will be putting in not what is already there. Staff will review it closer but it appears to be within the requirements. **Perry Clark** stated that a street light will be added to the entrance off of Division Drive. The hours of operation are planned to stay the same as at the current location. The parking lot closest to Division Drive is mainly employee parking and the bank is willing to share parking with Healy Chapel.

The landscape plan with the clustering being requested will not create a security hazard for the employee entrance area. The bank is comfortable with the lighting and visibility provided.

Chairman Ochsenschlager clarified the five points discussed as changes in the staff recommendation section of the staff report. Page 9, item 3 the Petitioner requested that the Major PUD Amendment be changed to a Minor PUD Amendment subject to attorney review is ok with Staff and Commissioners.

Page 10, item 12 the Petitioner requested that the sidewalks be eliminated along the west side of Illinois State Route 47 and the east side of the subject property. All Commissioners want the sidewalk installed when the property is developed except **Commissioner Eckert** who agreed to have it deferred.

Page 10, item 18 the Petitioner requested the size of the parking island in the east row of parking spaces be 9' at the widest point. Staff and Commissioners agreed.

Page 11, item 22 Petitioner requested that the bike racks be located somewhere between the parking lot and the bike path. Staff and Commissioner agreed.

Page 11, item 26 Petitioner requested that the landscaping possibly have a little removed and some clustering would be performed. Staff and Commissioners agreed.

Page 11, item 28 Petitioner requested a taller sign than what the Sign Code allows for, code allows for a maximum of 10' high by 10' wide (100 sq. ft.) and the Petitioner is requesting 12' high by 13' wide. **Commissioner Meisinger** likes the one being suggested. **Chairman Ochsenschlager and Commissioner Reuland** says to stick with Village code. **Commissioner Heineman** feels it should be no larger than 115 square feet and a larger and a smaller sign makes sense with three street fronts especially on the backside of the building. **Commissioner Guddendorf and Eckert** both feel the larger sign is fine but no other signs will be allowed. The recommendation to the Village Board is three to approve the larger sign, **Commissioners Guddendorf, Eckert and Meisinger** and three to restrict it to the Village Code by **Commissioners Ochsenschlager, Reuland and Heineman**.

Commissioner Eckert made a motion seconded by Commissioner Guddendorf to recommend approval of a Major PUD Amendment to add lots 71 and 72 of the Sugar grove Office and Industrial Center to the existing PUD which will create a single lot including the Findings of Fact on page 7 and the Staff recommendation starting on page 9 of the Staff Report.

The motion carried unanimously by voice vote.

Commissioner Heineman made a motion seconded by Commissioner Meisinger to recommend approval of the Preliminary and Final PUD for the overall zoning including the Findings of Fact on page 7 and of the Staff recommendation on page 9 of the Staff Report.

The motion carried unanimously by voice vote.

Commissioner Eckert made a motion seconded by Commissioner Guddendorf to recommend approval of a Special Use to allow a bank / financial institution with a drive thru on this newly created lot including the Findings of Fact on page 5 and the Staff recommendations on page 9 of the Staff Report.

The motion carried unanimously by voice vote.

Commissioner Guddendorf made a motion seconded by Commissioner Meisinger to recommend approval of Preliminary and Final Plat to create American Heartland Resubdivision, a proposed 1.62 acre, one- lot subdivision from two existing lots including the Staff recommendations applicable on page 9 of the Staff Report.

The motion carried unanimously by voice vote.

Mr. Eckert asked about the when the architectural drawings will be ready to view.
Perry Clark explained that by October 9th they should have all the proposals in and in November the drawings should be ready.

8. **PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION**

Assisted Living Center is delayed due to their own situation. They're looking at an alternative management group and additional financial component

Wine Shop apparently lost out on their lease so at least temporarily; it's a sports memorabilia shop.

Ingham Park is constructing a model right now. **Settlers Ridge** is being held up because of the bond court case for the final improvements. The Village has sued the bond company.

Prairie Glen should have a model home going up within the next month. Orleans Homes has purchased 67 lots. Ryland Homes bought the lots from the Developer. Not all of them but many. That Developer's bond company finished a lot of the final improvements. They have sewer and water.

Next meeting will be the regular scheduled meeting for November.

9. **ADJOURNMENT**

A motion was made by Commissioner Guddendorf and seconded by Commissioner Reuland that the meeting be adjourned at 8:16 p.m.

The motion carried unanimously by voice vote.

Respectfully submitted,
Holly Baker
Substitute Recording Secretary