



## **Planning Commission/Zoning Board of Appeals**

### **Meeting Agenda**

December 20, 2017

7:00 P.M.

---

#### **I. CALL TO ORDER**

#### **II. ROLL CALL**

#### **III. APPROVAL OF MINUTES**

- a) November 29, 2017 Special Meeting

#### **IV. PUBLIC HEARING**

- a) Petition #17-027 Major Amendment to The Landings Planned Unit Development Ordinance 2010-0907 to include "Tattoo and Body Piercing Studio" as a permitted use.  
*Location: 522 N Sugar Grove Parkway*  
Applicant: Nita Estates, LLC (Param Vijay)

#### **V. NEW BUSINESS**

- a) Petition #17-027 Major Amendment to The Landings Planned Unit Development Ordinance 2010-0907 to include "Tattoo and Body Piercing Studio" as a permitted use.  
*Location: 522 N Sugar Grove Parkway*  
Applicant: Nita Estates, LLC (Param Vijay)

#### **VI. OLD BUSINESS**

#### **VII. COMMISSIONER COMMENTS AND MISCELLANEOUS INFORMATION**

#### **VIII. ADJOURNMENT**

**VILLAGE of SUGAR GROVE  
PLANNING COMMISSION/ZONING BOARD of APPEALS  
MINUTES of November 29, 2017 SPECIAL MEETING**

1. **CALL TO ORDER:**

The meeting of the Sugar Grove Planning Commission / Zoning Board of Appeals (ZBA) was called to order at 7:10 p.m. by Chairman Ochsenschlager in the Village Hall Board Room.

2. **ROLL CALL:**

Planning Commission/ZBA members present:

Chairman Irv Ochsenschlager, Jim Eckert, John Guddendorf, Becky Sabo, Larry Jones, James White and Gregory Wilson

Absent: None

Also present: Walter Magdziarz, Community Development Director  
Renee Hanlon, Planning & Zoning Administrator

3. **APPROVAL OF MINUTES:**

Motion was made by Commissioner Guddendorf to approve Minutes of the October 15, 2017 Meeting of the Planning Commission/Zoning Board of Appeals. The motion was seconded by Commissioner Sabo.

**Motion passed by unanimous voice vote.**

Motion was made by Commission Eckert to approve Minutes of the November 16, 2017 Special Meeting of the Planning Commission/Zoning Board of Appeals. The motion was seconded by Commissioner Jones.

**Motion passed by unanimous voice vote.**

4. **PUBLIC HEARING:**

Petition 17-022: Rezoning to M-1 Limited Manufacturing District with a Special Use for Mining, Reclamation, and Clean Construction Debris Processing.

Applicant: Heartland Recycling Sugar Grove CCDD, LLC

Chairman Ochsenschlager called the public hearing to order at 7:14p.m. The Chairman administered the oath to all in attendance who wished to speak. He then invited the applicant to the podium.

John Savage, Heartland Recycling, began his comments by explaining that this is a land reclamation project not a CCDD business operation. The end goal is to develop the property not to run a disposal business. He provided examples of properties that had undergone this same type of fill operation. He further explained that the southern portion of the Waubensee Community College campus is built on land similarly reclaimed. He explained that using clean construction debris for fill is safer than ordinary fill operations because the fill materials are highly regulated by state agencies and, in this case, the Annexation Agreement with the Village will set additional site specific regulations. Next, Mr. Savage stated that Heartland Recycling has decided to amend their operations plan by eliminating concrete crushing and by not accepting asphalt as fill material at this location. He also acknowledged the neighbor's concerns about flooding in this area. He stated that Heartland Recycling is willing to participate in repairing existing field tiles to improve existing conditions of the area.

Commissioner White asked for clarification on the changes that Heartland will make to their operations plan and the change to the underlying zoning request from M-1 to A-1.

Mr. Savage responded that Heartland will not process concrete on the property; however, they will accept concrete block as clean construction debris. He explained that he is amenable to either underlying zoning designation as they recognize this is the first step in the zoning process and they understand that additional zoning action will be necessary before the reclaimed property can be developed.

James Leader, 43W555 Old Oaks Road, delivered a video presentation. He presented photographs of the Heartland Recycling facility in Aurora. Mr. Leader had previously presented the same photographs to the Planning Commission via his laptop computer. He continued his presentation with two (2) videos of truck noise and concrete crusher noise and dust at the Aurora facility. Mr. Leader concluded his remarks by stating that his nose and hands felt gritty when he left the Aurora facility and that he finds locating such a facility a couple of hundred yards from a school and his back door is awe inspiring.

Mr. Savage responded to the presentation by reiterating that the Sugar Grove site and the Aurora site are very different. He explained that the Sugar Grove site has berms around the property so that the fill operation will not be as visible from the street or adjacent property as the Aurora operation. He also reiterated that Heartland will not be operating concrete crushing equipment on this property making the video of the concrete crusher irrelevant.

Joe Szelag, 749 Ridgeview Lane, asked Mr. Savage if he lived near a landfill.

Mr. Savage responded in the negative.

Aaron Leuer, 219 St James Parkway, stated that he works across the street from the Ozinga concrete operation in Montgomery. He stated this in his experience concrete crushing creates massive amounts of dust. He continued by stating that truck traffic is a larger concern for him and that he has an asthmatic child who will attend Harter Middle School in a few years. He stated that any additional revenue from this operation will be offset by the need for an air filtration system installed at Harter Middle School. He concluded his comments by stating that no one wants to see this site developed and by asking the following questions:

Does the village have a plan for this property that this project will promote?

Are any school board members in the audience? The crowd responded that two (2) school board members were present.

Aaron Lawler, 1936 Cassidy Lane, stated that he is a school board member; however, he was speaking as a private citizen when he stated that this project is a bad idea.

Sakina Bajowala, 1715 Hannaford Drive, stated that she is a medical doctor with the Kaneland Asthma Center. She explained that she previously practiced in the City of Chicago and saw many children and elderly with respiratory problems due to traffic related air pollution. She stated that she believes the increase in diesel trucks created by this operation will have a negative impact on the air quality which will result in more children and elderly having respiratory problems. She explained that she hospitalized half as many patients here as she did when she practiced in Chicago. She believes the difference is explained by the cleaner air in Sugar Grove. If this project is allowed, it will diminish that air quality and result in more hospitalizations. She concluded by stating that she believes this a bad location due to the close proximity of the school and senior living facilities in Sugar Grove.

Tom Wascher, 4S064 Hazelcrest, stated that he believes this project will diminish property values in the immediate area and questioned how this project fits the Village Comprehensive Plan.

Dave Blankenship, 4S800 Sugar Grove Parkway, held up a copy of the November Daily Herald article which had been previously presented to the Planning Commissioners and asked that the Commissioners read the article.

Mike Coghlan, 1203 S 2<sup>nd</sup> Street, Dekalb, introduced himself as an attorney representing objectors to this petition. Mr Coghlan reiterated his complaint that due process is not being afforded to his clients. He further stated that evidence has been presented as to the potential health risks associated with this type of operation. He repeated his assessment that if the Commissioners recommend approval of this project, they will be liable for any damage incurred by any member of the public that is caused by this operation. He, again, pointed to the Rachel Barton case as an example of legal precedent. Mr. Coghlan presented written materials to the Commissioners which are attached.

Dave Blankenship addressed the audience and asked that they continue involvement in the public process through additional dates of public hearing.

Mary Kramer, 4S065 Hazelcrest Drive, stated that she has concerns about the traffic conflict between trucks, school buses, and young drivers going to the high school.

Amy Krause, 263 Capitol Drive, explained that she is concerned that the EPA is responsible for protecting the public, because that agency is loosening their regulations daily.

Stephen Halm, 737 Ridgeview Lane, questioned the petitioner about how they intend to protect area groundwater. He stated that he feared Sugar Grove could turn into another Flint, Michigan.

Tom Enno, Alpha Environmental, answered Mr. Halm's questions on behalf of Heartland Recycling. He explained that soil entering the site has to be certified that it contains no contaminants that exceed contaminate levels safe for drinking water. The tests cost \$1,500 each and are taken seriously by Heartland Recycling. Once the dirt enters the Heartland site, Heartland does additional testing to insure that the dirt is clean. Lastly, he explained that the IEPA will conduct quarterly inspections of the site and will cite owners if they find violations. IEPA also has the authority to shut down operations that are in violation of standards. He further explained that IEPA also regulates noise and that this facility will be limited to a maximum noise level of 65 db at all property lines. He explained that noise level is similar to the noise level currently produced by traffic on Sugar Grove Parkway. He concluded by stating that it is his belief that this facility can and will be a good neighbor.

Mike Coghlan addressed the group to remind them that the promises made by Heartland are meaningless unless the Village Board includes them in the Annexation Agreement.

Aaron Lawler, 1936 Cassidy Lane, pointed out that the IEPA regulations referenced by Mr. Enno are the same regulations that resulted in the contamination of 4 out of 5 CCDD sites as reported in the previously referenced Daily Herald article.

Tom Enno responded to Mr. Lawler's comment by stating that he is involved with five (5) of the sites listed in the article and that upon further testing all five (5) were cleared of any violation.

Dolores Krick, 233 Caukins, asked Mr. Enno if he lives near a CCDD site. She also stated that she, like most of those in attendance, want to keep Sugar Grove clean.

Mr. Enno responded that he lives in Streamwood about two (2) miles from a quarry that began a fill operation in 1985.

Brandon Matthews, 4S916 Sugar Grove Parkway, stated that he had spoken at the previous hearing and did not want to be repetitive. He focused his comments on truck maintenance issues. He stated that as a mechanic for ComEd, he knows that trucks often have oil leaks which can cause groundwater contamination. He stated that one (1) gallon of oil making contact with groundwater has the potential of contaminating one (1) million gallons of water. He concluded by stating that he has great concern about trucks in bad condition entering the site and contaminating the site with leaking fluids.

Gloria Krecl, 815 Maple Street, stated concerns about the Village's capacity to oversee this operation.

Sandra Clutterbuck, address not provided, stated her concern over the drivers delivering materials to the site. She explained that there are regulations that drivers must adhere to and questioned who would be responsible for enforcing those regulations.

Tom Mepyans, 4 Winthrop New, explained that he drove for a roll off company for twenty (20) years. During that time, he drove trucks which were intentionally overloaded. He stated his concern that the trucks entering this site will be overloaded and will result in excessive wear and tear on village roadways.

Victoria Delmer, 4S501 Harter Road, stated that she has met with experts in the field since the previous hearing. She explained that she sees no benefit to this proposal and believes the property should be filled with materials which exist on the site. She took issue with Mr Savage's opening statement in which he stated that the purpose of the project was to reclaim the property not to operate a long term clean construction debris disposal site.

Ken Ireland, 43W439 Old Oak Road, took down the framed copy of the Village of Sugar Grove mission statement and read it aloud. He followed by asking the Planning Commissioners to uphold the mission statement.

Tiffany Musial, 175 Cobbler Court, asked the petitioner why they chose this site and if they had ever been turned down by other municipalities for similar proposals.

Mr. Savage replied that he had stated numerous times throughout these proceedings that they selected the site due to its close proximity to the tollway which makes the reclaimed site very marketable. He further answered that they had not requested similar zoning in any other municipality.

Robbin Kaifesh, 150 Park Avenue, asked why this property has to be developed. She also took issue with Mr. Enno's testimony, dismissing his statements about soil testing by stating that tests can be manipulated.

Jim Martin, 43W432 Old Oaks Road, asked the petitioner if Heartland Recycling gave the City of Aurora \$1.25 million in order to operate their existing facility in Aurora.

Mr Savage responded that the property was owned by the City of Aurora and they purchased the property from the City.

Lisa Legorreta, 260 Chatsworth, stated that the changes Heartland Recycling has made to their operations plan almost changed her mind about the project. She stated that she remains concerned about the addition of diesel trucks in the area and the addition of airborne particulates they will contribute to the air. She concluded by explaining that she grew up in West Chicago where an industrial user contaminated the area so badly that it became a superfund cleanup site. She does not want that to happen to Sugar Grove.

Matty, no sir name nor address given, stated that she is an eighth grader at Harter Middle School. She explained that her teachers often open the windows and they often hold class outside during warm weather. She is concerned that the teachers will have to keep the windows closed and they will have to remain indoors if this project creates bad air quality and/or a lot of noise.

Walt Zimmer, 4S245 Wiltshire, stated that the property should remain as a natural area.

The audience erupted in sustained applause.

Robbin Kaifesh asked a series of questions about the annexation agreement.

Chairman Ochsenslager explained the zoning process and pointed out that it is a separate process from the annexation process.

Lisa Legaretta stated that she believes in offering a solution instead of only opposing the proposal. Her solution is to make this site a public recreation area.

Tom Mepyans stated that Sugar Grove has maintained a strict code for commercial development and that this project is not in keeping with the strict code the village has successfully maintained.

After repeatedly being asked if and how much Heartland Recycling will be contributing to the Village, Mr. Savage responded that Heartland Recycling is proposing to give two percent (2%) of their proceeds back to the Village. He estimates this will yield between 10,000 and 20,000 dollars of revenue for the Village annually.

Mr. Ireland stated that he and others in the audience are willing to increase their tax contribution by \$1000 annually in order to offset the lost revenue if the Village Board will turned down this proposal.

Chairman Ochsenslager polled the Commissioners about closing the public hearing.

Mr Coghlan interjected that he needs a minimum of three (3) weeks to vet information that staff had provided to the Planning Commissioners immediately prior to the hearing. He intends to present contrary testimony to the Planning Commission.

Chairman Oschenslager agreed to a continuation of the public hearing until January 10, 2018, giving Mr Coghlan the time he requires to prepare his summary testimony. Given the number of people in attendance, Chairman Ochsenslager directed staff to find a larger venue for the next date of hearing.

Director Magdziarz announced that the meeting location will be posted on the Village website.

5. **NEW BUSINESS:**

None.

6. **OLD BUSINESS**

None.

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

Next meeting will be December 20, 2017.

8. **ADJOURNMENT**

Commissioner Wilson made a motion to adjourn the meeting at 9:10 p.m. Commissioner Sabo seconded the motion.

**Motion unanimously passed by voice vote.**

Respectfully submitted,  
Renee Hanlon  
Recording Secretary

**VILLAGE PRESIDENT**

P. Sean Michels

**VILLAGE ADMINISTRATOR**

Brent M. Eichelberger

**VILLAGE CLERK**

Cynthia Galbreath



**VILLAGE TRUSTEES**

Sean Herron  
Mari Johnson  
Ted Koch  
Heidi Lendi  
Rick Montalto  
David Paluch

**COMMUNITY DEVELOPMENT DEPARTMENT**

**A D V I S O R Y  
R E P O R T**

TO: Planning Commission  
FROM: Walter Magdziarz, Community Development Director  
Renee Hanlon, Planning and Zoning Administrator  
DATE: December 15, 2017  
PETITION: 17-027

**PROPOSAL**

The applicant is requesting a major amendment to The Landings Planned Unit Development Ordinance (Ordinance 2007-0503B amended by Ordinance 2010-0907). The purpose of this major amendment is to add "Tattoo and Body Piercing Studio" as a permitted use on lots 1-7.

**GENERAL INFORMATION**

HEARING DATE: December 20, 2017  
PROJECT NAME: The Landings Major PUD Amendment  
PETITIONER: Nita Estates, LLC (Param Vijay)

**LOCATION MAP**





**EXISTING LAND USE/FUTURE LAND USE PLAN**

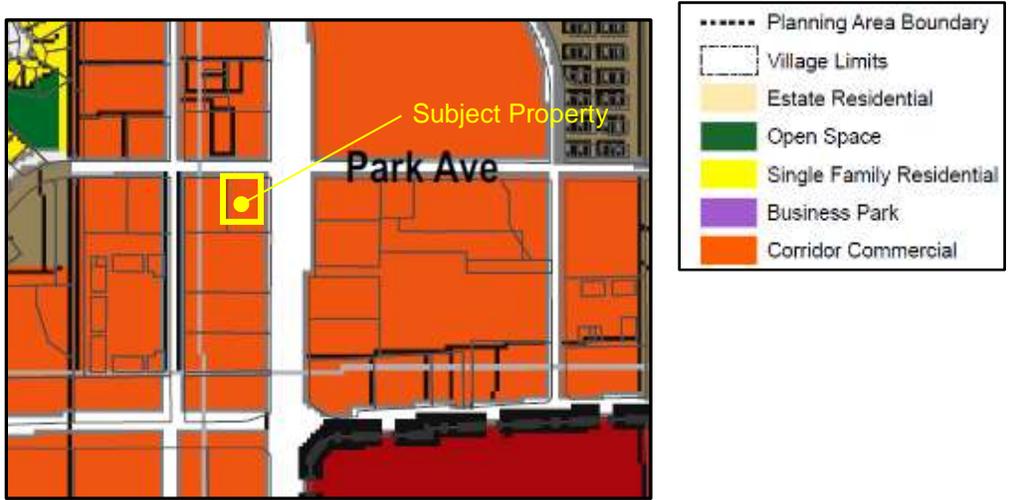
Subject Property: Multi-Tenant Building/Corridor Commercial

North: Aldi/Corridor Commercial

South: Multi-Tenant Building/Corridor Commercial

East: McDonald's/Corridor Commercial

West: Vacant/Corridor Commercial



**EVALUATION**

Since Planned Unit Developments are Special Uses, the Zoning Ordinance standards for special use must be considered. Each standard is addressed below.

1. *How will the special use be harmonious with and in accordance with the general objectives of the Comprehensive Land Use Plan and the Zoning Ordinance?*

The inclusion of "Tattoo and Body Piercing Studio" as a permitted use on lots 1-7 of The Landings PUD is in keeping with both the Comprehensive Land Use Plan and the Zoning Ordinance. The Comprehensive Land Use Plan designation of Corridor Commercial contemplates uses allowed in the B-3 zoning district of the Village of Sugar Grove Zoning Ordinance. This use is allowed by right in the B-3 zoning district.

2. *How will the special use be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and will not alter the essential character of the area?*

This business will be located in an existing tenant space. The business will be subject to the same aesthetic controls as all other businesses in The Landings.

3. *Will the special use be hazardous or disturbing to existing or future neighborhood uses?*

This business operation will create no nuisances nor will it impede future neighborhood development.

4. *Will the special use be adequately served by essential public facilities and services such as highways,*

*streets, police and fire protection, drainage structure, refuse disposal, water, sewers and schools or will the persons or agencies responsible for the establishment of the proposed use be able to provide such services?*

The business will occupy existing space which is well served. No additional village services will be needed.

*5. Will the special use create excessive additional requirements, at public cost, for public facilities and services, and be detrimental to the economic welfare of the village?*

Adequate public facilities exist to serve this use.

*6. Will the special use involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors?*

This use is consistent with surrounding uses and carries no risk of creating a nuisance.

*7. Will the special use have vehicular approaches to the property which shall be so designed as to not create an undue interference with traffic on surrounding public streets and highways?*

The street system in this area is designed to handle regional traffic, and no changes to the existing access and circulation is proposed or contemplated with the requested amendment.

*8. Will the special use increase the potential for flood damage to adjacent property, or require additional public expense for flood protection, rescue or relief?*

No portion of this property is designated as a flood hazard area.

*9. Will the special use result in the destruction, loss or damage of natural, scenic or historic features of major importance to the village?*

There are no natural, scenic or historic features on this lot.

### **PUBLIC RESPONSE**

The public hearing has been properly noticed. The Community Development Department has received no public comment.

### **STAFF RECOMMENDATION**

Staff recommends approval of Petition #17-027; Major Amendment to Ordinance 2010-0907.

### **SAMPLE MOTION**

Based on the presented testimony and finding of facts, I move that the Planning Commission recommend to the Village Board approval of Petition #17-027 Amending Ordinance 2010-0907 Exhibit Z *Allowed Uses List (lots 1-7)* by adding "Tattoo and Body Piercing Studio".

### **ATTACHMENT**

- Ordinance #2010-0907 An Ordinance Granting a Major PUD Amendment for a Modification to the Lot 1-7 Use List in The Landings PUD Ordinance 2007-0403B (Health Clubs in The Landings Lots 1-7)

**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2010-0907**

---

**An Ordinance**

**Granting a Major Planned Unit Development Amendment  
for a modification to the Lot 1-7 use list in The Landings PUD Ordinance 2007-0403B  
(Health Clubs in The Landings Lots 1-7)**

---

Adopted by the  
Board of Trustees and President  
of the Village of Sugar Grove  
this 7th day of September, 2010.

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County,  
Illinois, this 7th day of September, 2010.

**ORDINANCE NO. 2010-0907**

**AN ORDINANCE GRANTING  
A MAJOR PLANNED UNIT DEVELOPMENT  
FOR A MODIFICATION TO THE LOT 1-7 USE LIST  
IN THE LANDINGS PUD  
IN THE VILLAGE OF SUGAR GROVE  
(HEALTH CLUBS IN THE LANDINGS LOTS 1-7)**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

**WHEREAS**, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

**WHEREAS**, The Landings Planned Unit Development was approved by Ordinance 2007-0403B; and,

**WHEREAS**, the Village of Sugar Grove has requested a Major Planned Unit Development Amendment to amend the use list for lots 1-7 (Exhibit Z) as set in Ordinance 2007-0403B, as required by Ordinance 2007-0403B and Section 11-11-7 of the Sugar Grove Zoning Ordinance; and,

**WHEREAS**, a public hearing has been conducted on the requests by the Planning Commission of the Village of Sugar Grove on August 25, 2010, and the Commission recommended 5-0 approval of the Major Planned Unit Development Amendment; and

**WHEREAS**, the Village Board has reviewed the request and has deemed that the approval of the Major Planned Unit Development Amendment would be in compliance with the Comprehensive Plan and all Ordinances of the Village of Sugar Grove.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

**SECTION ONE: MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT**

The subject property described in **Exhibit A** is hereby granted a Major Planned Unit Development Amendment, pursuant to Ordinance 2007-0403B.

**SECTION TWO: MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT**

Exhibit Z of Section One of Ordinance 2007-0403B is hereby repealed and replaced in its entirety as attached.

**SECTION THREE: REPEALER**

That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

**SECTION FOUR: SEVERABILITY**

Should any provision of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this ordinance.

**SECTION FIVE: EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 7<sup>th</sup> day of September, 2010

P. Sean Michels  
P. Sean Michels  
President of the Board of Trustees  
of the Village of Sugar Grove, Kane  
County, Illinois

	Aye	Nay	Absent
Bohler	<u>✓</u>	—	—
Geary	<u>✓</u>	—	—
Montalto	<u>✓</u>	—	—
Johnson	<u>absent</u>	—	—
Renk	<u>✓</u>	—	—
Taylor	<u>✓</u>	—	—

ATTEST: Cynthia L. Galbreath  
Cynthia L. Galbreath  
Clerk, Village of Sugar Grove

**EXHIBIT A- LEGAL DESCRIPTION**

THE LANDINGS RESUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 2007 AS DOCUMENT 2007K122721, IN KANE COUNTY, ILLINOIS.

AND

THE RESUBDIVISION OF LOT 8 IN THE LANDINGS RESUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 19, 2008 AS DOCUMENT 2008K012966, IN KANE COUNTY, ILLINOIS.

**EXHIBIT Z**  
**ALLOWED USES LIST (Lots 1-7)**

Permitted Uses (including uses listed as Special Uses in the Sugar Grove Municipal Code that are hereby approved as Permitted Uses under this Development Ordinance):

1. Retail

- Antique shops
- Appliance, sales & service (repair services must be accompanied by sales in order to be permitted hereunder)
- Art and school supplies
- Art galleries
- Bakeries in which the manufacture of goods is primarily retailed on the premises
- Battery stores (sales only, no service)
- Bicycle sales and repair
- Bookstores
- Bridal shops
- Butcher shops
- Camera stores
- Candle shops
- Candy and confectionary stores
- Card shops
- Cellular Telephone stores
- Children's apparel shops
- China and glassware stores
- Christmas shops
- Compact disc, cassette tape and phonograph record stores
- Computer sales and service
- Drug stores and pharmacies, excluding drive-thru
- Florist shops
- Food stores including grocery, convenience and specialty (coffee, fudge, health)
- Furniture Sales
- Gift shops
- Handmade crafts
- Hardware stores
- Hearing aid stores
- Herb, spices and kitchen specialties
- Hobby shops
- Ice cream stores and stands
- Jewelry stores
- Ladies apparel stores

Leather goods and luggage stores  
Linen and bath shops  
Men's apparel stores  
Millinery and haberdasheries  
Musical instrument sales and repairs  
Office supply stores  
Orthopedic and medical appliance stores  
Paint and wallpaper stores  
Pet Stores  
Pewter and silver stores  
Pottery shops  
Retail, mail-order stores  
Sewing machine sales and service  
Shoe stores  
Special import stores  
Sports and card shops  
Sporting goods  
Tack shops  
Toy stores  
Variety and notion stores (dime stores)  
Woodcraft shops  
Yarn and needlework shops

## 2. Business Services

Animal hospital if incidental use to a pet store, provided that no overnight stay of animals are permitted  
Art and design studios  
Automobile driving instruction  
Beauty and barbershops  
Blue print and photocopy shops  
Brokerage houses  
Business schools  
Chambers of commerce  
Charitable organizations (only if all activities relating to said use are conducted indoors)  
Civic associations  
Clothing and costume rental stores  
Coin and philatelic sales  
Commercial or trade schools (dance studios, music schools or martial arts)  
Credit agencies  
Data processing centers

Daycare centers and nursery schools  
Delicatessens  
Dry-cleaning shops  
Employment agencies  
Furrier shops, storage and conditioning  
Gift-wrapping and mailing services  
Health clubs  
Hotels  
Interior decorating shops  
Laundries  
Locksmiths  
Mailing services  
Merchants' associations  
Newspaper offices  
Pet Grooming facilities if an incidental use to a pet store, provided that no overnight stay of animals are permitted  
Photocopying and printing  
Photographic and art studios  
Picture framing  
Real estate offices  
Recording studio  
Restaurant, without drive-through, entertainment or dancing  
Security and commodity brokers  
Sign contractor  
Shoe repair shops  
Swimming pool sales and service  
Tailor and dressmaking shops  
Travel agency  
Video rentals

### 3. Professional Offices

Accounting, auditing and bookkeeping offices  
Attorney and law offices  
Business and management consultants  
Engineering and architectural services  
Insurance agencies  
Investment companies  
Land surveyors  
Landscape architects  
Professional consultants

#### 4. Medical Offices

- Chiropractors' offices
- Dentists' offices
- Doctors' surgeons' and/or physicians' offices
- Ophthalmologists
- Opticians

Special Uses (No entitlement to these Special Uses. Each use is subject to required Village approvals and conditions per all applicable ordinances):

- Animal hospital (but permitted if incidental to use as a pet store, provided no overnight stay of animals are permitted)
- Automobile gas station (together with mini-marts and car washes deemed similar in nature and clearly compatible with an automobile gas station by zoning officer pursuant to Section 11.4.05 of the zoning ordinance) (One only and only if a bank or financial institution has not been approved)
- Automobile Repair Facility (One only on either Lot 5 or Lot 6)
- Banks and financial institutions (including drive-up) (One only and only if an automobile gas station has not been approved)
- Catering services
- Clubs and lodges, private fraternal or religious
- Commercial greenhouses
- Drug stores and pharmacies, including drive-thru
- Electrical and household appliance sales and repair (repair services must be accompanied by sales in order to be permitted hereunder)
- Furnace sales and repair (repair services must be accompanied by sales in order to be permitted hereunder)
- Furniture repair (repair services must be accompanied by sales in order to be permitted hereunder)
- Game room
- General repair shops
- Lawn mower repair, with inside storage only
- Libraries
- Motorcycle sales, service and repair (repair services must be accompanied by sales in order to be permitted hereunder)
- Nurseries
- Package liquor sales
- Pet grooming facilities (but permitted if incidental to use in a pet store, provided no overnight stay of animals permitted)
- Physical culture and health services
- Plumbing and heating shops

Radio and television: service, repair and studios  
Restaurants with drive-in or drive-through service  
Restaurant and eating places with live entertainment or dancing  
Snowmobile sales, service & repair (repair services must be accompanied by sales in order to be permitted hereunder)  
Taxidermists  
Theaters and auditoriums, indoor only  
Tobacco shops  
Upholstery shops  
Water softening service  
Wholesale Direct Selling Establishments (where products are stored and distributed)  
Window cleaning firm

**EXHIBIT Z-1**  
**ALLOWED USES LIST (Lot 8)**

Permitted Uses (including uses listed as Special Uses in the Sugar Grove Municipal Code that are hereby approved as Permitted Uses under this Development Ordinance):

1. Retail:

- Antique shops.
- Appliance stores.
- Art and school supplies.
- Art galleries.
- Bakeries, in which the manufacture of goods is primarily retailed on the premises.
- Bicycle sales and repairs.
- Bookstores.
- Bridal shops.
- Butcher shops.
- Camera stores.
- Candle shops.
- Candy and confectionery stores.
- Card shops.
- Cellular Telephone Stores
- Children's apparel shops.
- China and glassware stores.
- Christmas shops.
- Compact disc, cassette tape and phonograph record stores.
- Computers, sales and service.
- Drugstores and pharmacies.
- Florist shops.
- Food stores, including grocery, convenience and specialty (coffee, fudge, health, etc.).
- Gift shops.
- Handmade crafts.
- Hardware stores.
- Hearing aid stores.
- Herbs, spices and kitchen specialties.
- Hobby shops.
- Ice cream stores or stands.
- Jewelry stores.
- Ladies' apparel stores.
- Leather goods and luggage stores.
- Linen and bath shops.
- Men's apparel stores.

Millinery and haberdasheries.  
Musical instrument sales and repairs.  
Office supply stores.  
Orthopedic and medical appliance stores.  
Paint and wallpaper sales.  
Pet Stores  
Pewter and silver stores.  
Physical culture and health services.  
Pottery shops.  
Retail, mail order stores.  
Sewing machine sales and services.  
Shoe stores.  
Special import stores.  
Sporting goods.  
Sports card stores.  
Tack shops.  
Tobacco shops.  
Toy stores.  
Variety and notion stores (dime stores).  
Woodcraft shops.  
Yarn and needlework shops.

2. Business services:

Artist and design studios.  
Beauty and barber shops.  
Chambers of commerce.  
Charitable organizations.  
Civic associations.  
Clothing and costume rental stores.  
Clubs and lodges, private, fraternal or religious.  
Daycare Centers & Nursery Schools (with indoor play areas only)  
Delicatessens.  
Dry cleaning shops.  
Employment agencies.  
Furniture repair.  
General repair shops.  
Interior decorating shops.  
Laundries.  
Lawn mower repair, with inside storage only.  
Libraries.  
Locksmiths.

Mailing services.  
Newspaper offices.  
Photocopying and printing.  
Photographic and art studio.  
Picture framing.  
Real estate offices.  
Shoe repair shops.  
Tailor or dressmaker shop.  
Travel agency.

3. Professional offices:

Accounting, auditing, and bookkeeping offices.  
Attorney and law offices.  
Business and management consultants.  
Engineering and architectural services.  
Insurance agencies.  
Investment companies.  
Land surveyors.  
Landscape architects.  
Professional consultants.

4. Medical offices:

Chiropractors' offices.  
Dentists' offices.  
Doctors', surgeons' and/or physicians' offices.  
Ophthalmologists.  
Opticians.

Special Uses (No entitlement to these Special Uses. Each use is subject to required Village approvals and conditions per all applicable ordinances):

1. Governmental/institutional:

Chambers of commerce.  
Churches, temples, mosques or synagogues.  
Civic buildings, including governmental, police and fire.  
Community center buildings.  
Libraries.  
Museums and galleries.  
Post office and post office substations.  
Public or municipal garages.  
Public utilities as defined in subsection 11-8-1G of this chapter.

Restaurant (with or without drive-through).

Schools: boarding.

Schools: high school, college, university and trade, public or private.

**2. Residential apartments:**

Apartments above the ground floor.

**3. Business services:**

Banks and financial institutions.