



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

### **Meeting Agenda**

**March 21, 2018**

7:00 P.M. Village Hall, 10 S Municipal Drive

---

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

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

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

- a) February 21, 2018 Meeting

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

- a) Petition #18-004 Comprehensive Plan Amendment – Land Use Map  
Applicant: Village of Sugar Grove
- b) Petition #18-005 Zoning Ordinance Text Amendment – Liquor Uses  
Applicant: Village of Sugar Grove

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

- a) Petition #18-004 Comprehensive Plan Amendment – Land Use Map  
Applicant: Village of Sugar Grove
- b) Petition #18-005 Zoning Ordinance Text Amendment – Liquor Uses  
Applicant: Village of Sugar Grove

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

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

#### **VIII. ADJOURNMENT**

**VILLAGE of SUGAR GROVE  
PLANNING COMMISSION/ZONING BOARD of APPEALS  
MINUTES of February 21, 2018 REGULAR MEETING**

1. **CALL TO ORDER**

The meeting of the Sugar Grove Planning Commission / Zoning Board of Appeals was called to order at 7:00 p.m. by Chairman Ochsenschlager in the Board Chambers of the Village of Sugar Grove Municipal Center.

2. **ROLL CALL**

Planning Commission/Zoning Board of Appeals members present:

Irv Ochsenschlager, Jim Eckert, John Guddendorf,  
Gregory Wilson, and Rebecca Sabo

Absent: Larry Jones and James White

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

3. **APPROVAL OF MINUTES**

Commissioner Eckert moved, Commissioner Guddendorf seconded, to approve Minutes of the January 25, 2018 Special Meeting of the Planning Commission/Zoning Board of Appeals.

*Motion passed by unanimous voice vote.*

4. **PUBLIC HEARING;**

**a. Petition 18-003: Zoning Ordinance Text Amendment—Cleanup Amendment**

Applicant: Village of Sugar Grove

Chairman Ochsenschlager called the public hearing to order at 7:05 p.m. Administrator Hanlon provided a summary of the proposed text amendment. She explained that four (4) of the changes constitute a regulatory change: prohibiting the use of screening slats or screening fabric around contractor's yards and outdoor storage areas, prohibiting materials and equipment storage at a height greater than the screening fence around contractor's yards and outdoor storage areas, changing the size requirement for the public notice sign posted on properties being considered for zoning change, and eliminating the fifteen (15) percent cap on commercial property within a planned development district. Plan Commissioners questioned staff about these changes.

After opening the floor to public comment and receiving no public comment, Chairman Ochsenschlager closed the public hearing at 7:25p.m.

5. **NEW BUSINESS:**

**a. Petition 18-003: Zoning Ordinance Text Amendment—Cleanup Amendment**  
Applicant: Village of Sugar Grove

Commissioners discussed the regulatory changes for commercial outdoor storage and contractor's yards. Commissioner Sabo spoke to the maintenance problems which are inherent with the type of screening that this amendment will prohibit. Commissioners Eckert and Guddendorf stated their concern that many properties will be made legal nonconforming as a result of this change; however, each concluded that the regulation is necessary going forward. Commissioners also discussed the size of public notice signs. Commissioners concluded that the signs in use now are of an adequate size and the ordinance should be amended to reflect that size.

Commissioner Sabo moved, Commissioner Guddendorf seconded, to recommend the Village Board approve Petition 18-003 Comprehensive Cleanup Amendment to Title 11 Zoning.

*Motion passed by unanimous voice vote.*

**b. Planning Commission/Zoning Board of Appeals Meeting Guide**  
**Discussion**

Director Magdziarz presented draft materials establishing public hearing guidelines and by laws of the commission. Commissioners agreed that the Meeting Guideline Brochure should be available at all future meetings. Commissioners agreed to take the idea of creating by laws into consideration and will discuss adopting by laws at a future meeting.

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

Community Development Director Magdziarz provided an update on development projects throughout the village.

**7. ADJOURNMENT**

Commissioner Sabo moved, Commissioner Wilson seconded, to adjourn.

*The motion passed by unanimous voice vote.*

The meeting was adjourned at 7:55 p.m.

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/Zoning Board of Appeals  
FROM: Walter Magdziarz, Community Development Director  
Renee Hanlon, Planning and Zoning Administrator  
DATE: March 21, 2018  
CASE FILE: 18-004 Comprehensive Plan Amendment—Land Use Plan Map

---

### **PROPOSAL**

The current Land Use Plan Map was adopted in 2005 and amended as recently as 2014. This amendment proposes changing the designation to *Business Park* from *Single Family Residential* on a 260 acre portion of property commonly referred to as the Crown property.

### **GENERAL INFORMATION**

HEARING DATE: March 21, 2018  
PROJECT NAME: Comprehensive Plan Amendment—Land Use Plan  
PETITIONER: Village of Sugar Grove  
ATTACHMENTS: Proposed Land Use Plan Map Amendment  
Proposed Comprehensive Plan Text Amendment  
Ordinance 2014-1118D Amendment to 2005 Comprehensive Plan

### **BACKGROUND & HISTORY**

The Village adopted a Comprehensive Plan in April, 2005 (Ordinance 2005-0405). The purpose of this plan is to guide land use decisions. A component of the Comprehensive Plan is the Land Use Plan map. This map divides the Village and Planning Area into future land use categories. The subject property was designated *Estate Residential* and *Corporate Campus* on that map (see below). The Comprehensive Plan includes written descriptions of planned land use patterns and trends of development. The 2005 Comprehensive Plan states the following with respect to *Corporate Campus* development policies:

- *New corporate campus areas should be located along the East-West Tollway (I-88). This not only*

*maximizes viability and exposure for new business uses, but also provides convenient access to visitors and employees.*

- *New corporate campus uses should emphasize office/research development. There is a national trend toward such developments within planned business environments, and the locational assets afforded by I-88 suggest significant potential in this area.*

The 2005 Comprehensive Plan establishes the following goal with respect to *Corporate Campuses*: *Develop a business park and corporate campus base, in campus-like settings, that ensures a diversified economy; complements other types of locate development; strengthens the Village's tax base and provides employment opportunities for Village residents.* Among the objectives listed as a means of meeting this goal is the following: *Corporate campus areas should be located along the north and south sides of I-88 near the Route 47 overpass, which maximize access, viability, and exposure for new office and corporate uses.*

*Business Park* is a complimentary land use designation to *Corporate Campus*. Although many uses would fit into both designations, the *Business Park* designation is more inclusive of light industrial, warehousing and distribution uses. The 2005 Comprehensive Plan located these future land uses west of the Aurora Municipal Airport.

A few things changed which prompted an amendment to the Comprehensive Plan in 2014. After the economic downturn of 2008, the demand for office parks basically dried up. The demand for light industrial and warehousing uses maintains and continues to grow. Although the 2005 Comprehensive Plan had designated adequate land as *Business Park*, most of that land has been annexed by the Village of Big Rock. Recognizing the need to establish more *Business Park* on the Land Use Map, the Village Board adopted an amendment to the 2005 Comprehensive Plan in November, 2014. As part of that amendment, the subject property was designated *Single Family Residential* on the amended Land Use Plan map (see below). The reason for this change is found in the text of that amendment: *The land use plan amendment also removes Business Park land use from the south side of the Tollway thereby using the Tollway as a physical barrier between the residential uses and character of development lying south of the Tollway and the non-residential land uses north of the Tollway.*

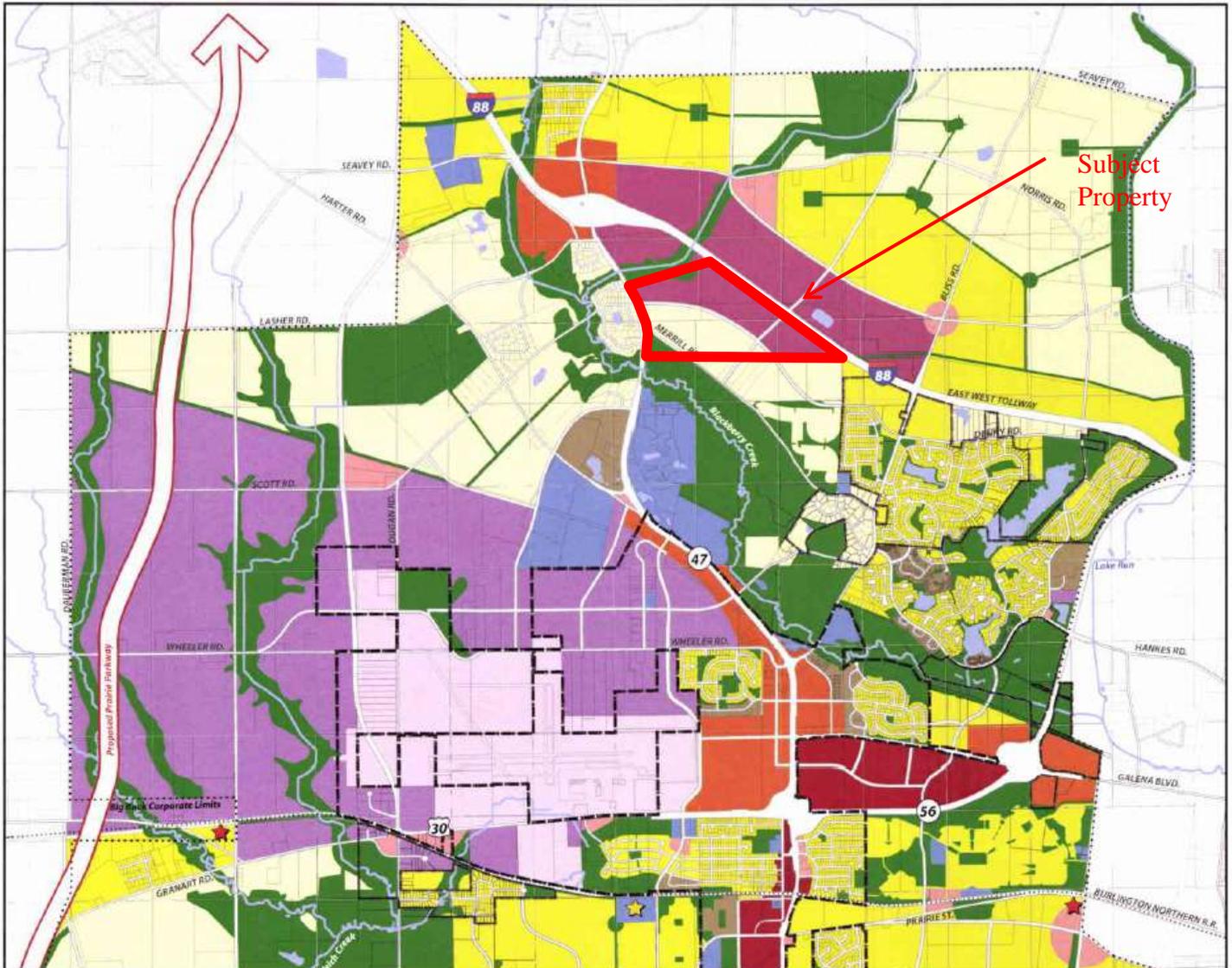
Now, with the full interchange in the immediate future, the Village is re-thinking land uses in the vicinity, particularly the *Single Family Residential* south of the tollway. Given the economic development implications of the interchange improvements, the Village is determined to exploit the interchange for economic development purposes and *Single Family Residential* land uses are inconsistent with that vision.

The proposed land use plan amendment envisions the *Business Park* land use south of the tollway to the Commonwealth Edison power line right-of-way. What this accomplishes is meeting the objective of the 2005 Comprehensive Plan in establishing an I-88 commercial corridor. This amendment leaves the land area south of the Commonwealth Edison power lines designated *Single Family Residential*. What this accomplishes is allowing property along the I-88 corridor which is ready for development to be utilized for *Business Park* uses while moving the physical barrier between commercial and residential uses to the Commonwealth Edison power line. Maintaining this physical barrier between land uses meets the objective established by the 2014 Comprehensive Plan amendment.

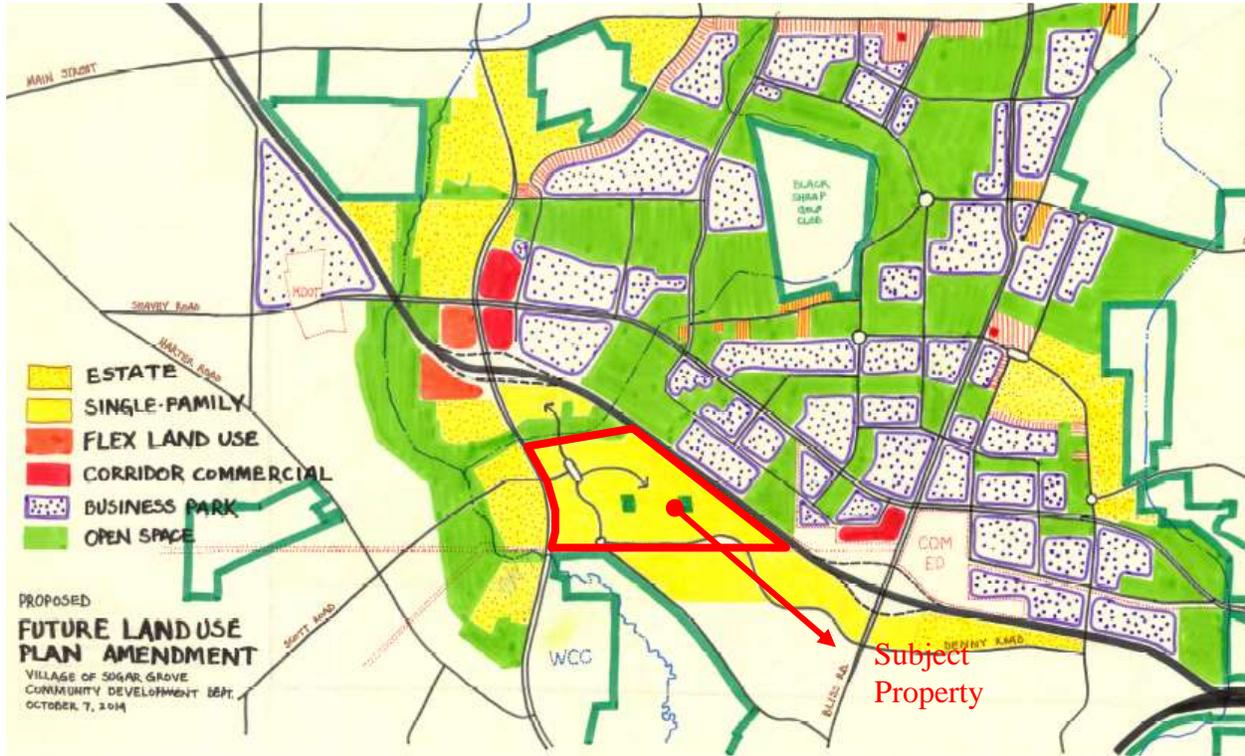
# 2005 COMPREHENSIVE LAND USE PLAN

- |                           |                    |                                      |
|---------------------------|--------------------|--------------------------------------|
| Estate Residential        | Corporate Campus   | Stream/Watercourse                   |
| Single Family Residential | Business Park      | Village of Sugar Grove Planning Area |
| Multi-Family Residential  | Open Space         | Existing Corporate Limits            |
| Neighborhood Commercial   | Public/Semi-Public | Metra Station                        |
| Town Center Commercial    | Airport            | Alternate Metra Stations             |
| Corridor Commercial       |                    |                                      |

## Land Use Plan



## **2014 COMPREHENSIVE LAND USE PLAN AMENDMENT**



### **PUBLIC RESPONSE**

The public hearing has been properly noticed.

### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission/Zoning Board of Appeals recommend approval of Petition #18-004 Amendment to Land Use Plan of the Village of Sugar Grove Comprehensive Plan to the Village Board.

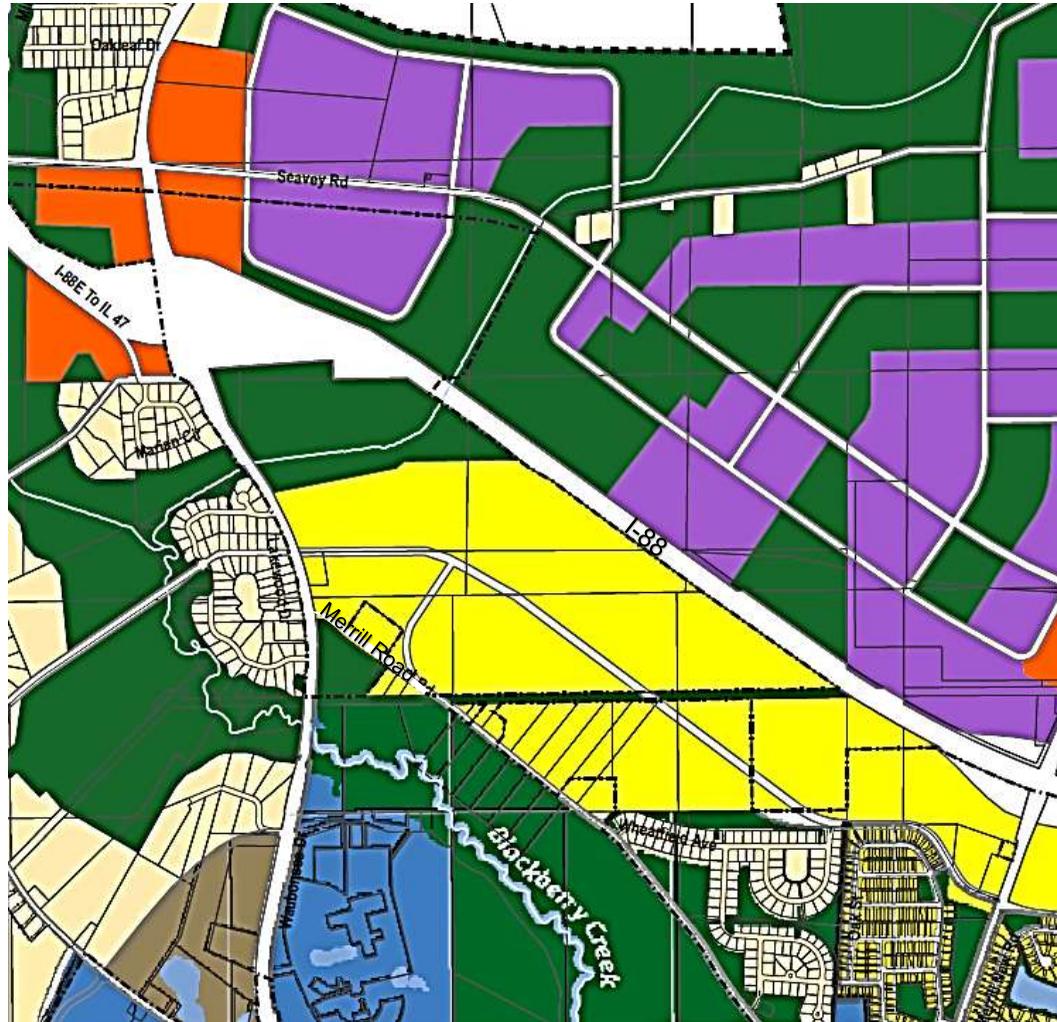
### **SAMPLE MOTION**

I move that the Planning Commission/Zoning Board of Appeals recommend to the Village Board approval of Petition #18-004 amending the Land Use Plan of the Village of Sugar Grove Comprehensive Plan.

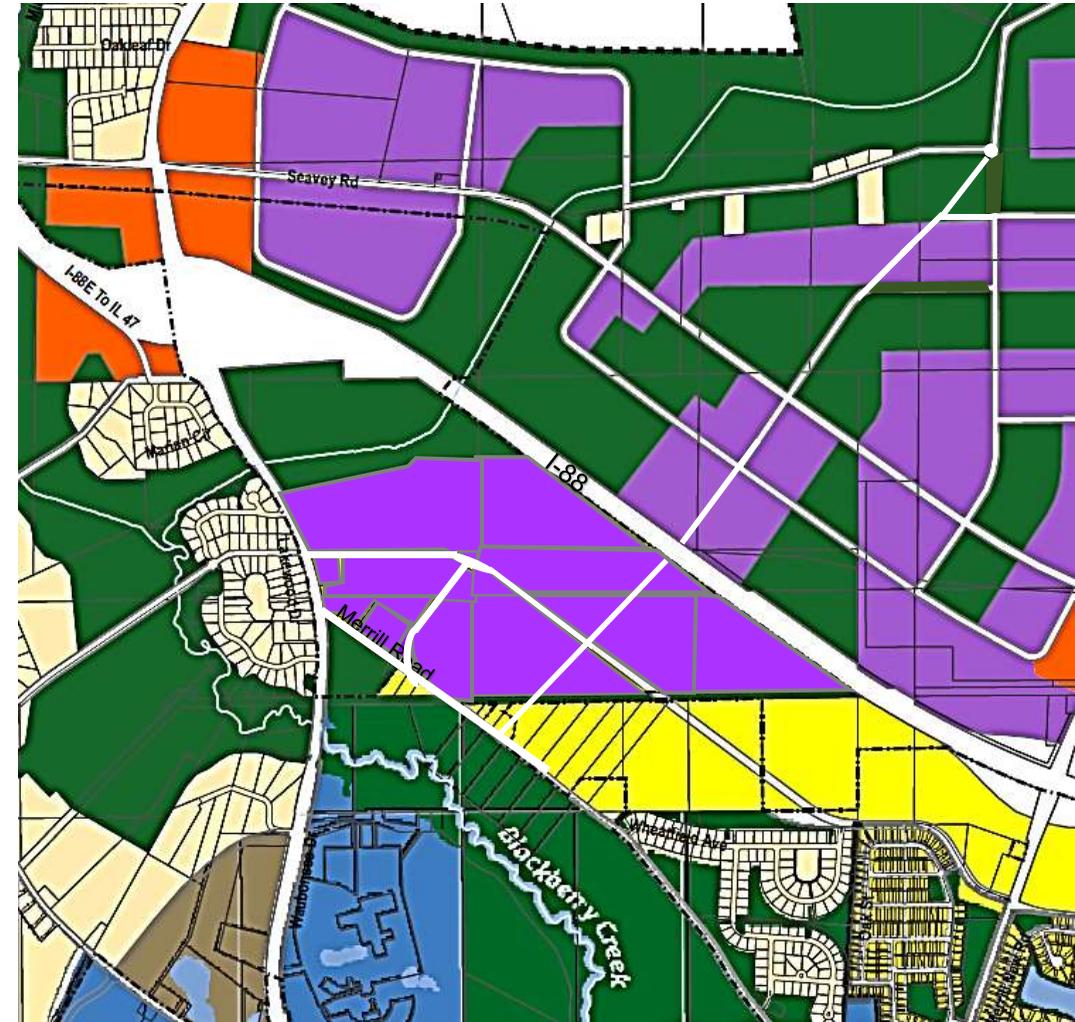
# Petition #18-004 Comprehensive Plan Amendment

- Estate Residential
- Single Family Residential
- Multi-Family Residential
- Neighborhood Commercial
- Town Center Commercial
- Corridor Commercial
- Corporate Campus
- Business Park
- Open Space
- Public/Semi-Public
- Airport

## 2015 Land Use Plan



## Proposed Land Use Plan



## **Sugar Grove Land Use Plan 2018 Crown Property Amendment**

This amendment to the 2005 Village of Sugar Grove Land Use Plan and subsequent 2014 amendment is limited to the approximate 260 acre property located, generally, north of the Commonwealth Edison powerline, west of the I-88 Tollway, south of Blackberry Creek , and east of Sugar Grove Parkway. In order to exploit the infrastructure investment in the I-88 Tollway and the immediacy of the construction of the full interchange at I-88 and Sugar Grove Parkway, this amendment removes the *Single Family Residential* land use designation of the subject property and replaces it with a designation of *Business Park*.

The current economic reality and the desire to make land use decisions that result in an efficient use of existing infrastructure establish the necessity of this amendment. The amendment redraws the 2014 amendment's identified physical barrier between residential and nonresidential land uses from the I-88 Tollway south to the Commonwealth Edison power line.

All other Land Use Recommendations remain unchanged.



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

**ORDINANCE NO. 2014-1118D**

---

**AN ORDINANCE APPROVING AN AMENDMENT OF THE VILLAGE COMPREHENSIVE PLAN  
(TOLLWAY CORRIDOR)**

---

Adopted by the  
Board of Trustees and President  
of the Village of Sugar Grove  
this 18<sup>th</sup> day of November, 2014.

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County,  
Illinois, this 18<sup>th</sup> day of November, 2014.

**VILLAGE OF SUGAR GROVE**

**ORDINANCE NO. 2014-1118D**

**AN ORDINANCE APPROVING AN AMENDMENT OF THE VILLAGE COMPREHENSIVE PLAN  
(TOLLWAY CORRIDOR)**

**BE IT ORDAINED** by the 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 5/1-8 *et seq.*; and,

**WHEREAS**, after due notice the Plan Commission held a public hearing on October 22, 2014 to consider the proposed Comprehensive Plan Land Use Plan amendment, similar in form and substance to the land use plan and text attached hereto; and,

**WHEREAS**, the corporate authorities have determined that amending the Comprehensive Plan Land Use Plan is in the best interests of the future growth and development of the Village; and,

**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: COMPREHENSIVE PLAN LAND USE PLAN AMENDMENT**

That the Village of Sugar Grove Comprehensive Plan previously adopted by the Village of Sugar Grove be, and it is hereby, amended by approving the land uses in the locations shown in Exhibit A, attached hereto and made a part hereof by this reference, and approving the written description of the land use recommendations in Exhibit B, attached hereto and made a part hereof by this reference, as an addendum to said Comprehensive Plan.

**SECTION TWO: GENERAL PROVISIONS**

REPEALER: All ordinances or portions thereof in conflict with this annexation ordinance are hereby repealed.

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.

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 18<sup>th</sup> day of November, 2014.

*P. Sean Michels*

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

ATTEST:

*Cynthia L. Galbreath*

Cynthia L. Galbreath  
Clerk, Village of Sugar Grove

	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>	<b>Abstain</b>
Trustee Robert E. Bohler	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Kevin M. Geary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Sean Herron	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Mari Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Rick Montalto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee David Paluch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President P. Sean Michels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Exhibit A**

*(Land Use Plan)*

## Exhibit B

# **Sugar Grove Future Land Use Plan Tollway Corridor Amendment**

The Tollway Corridor amendment changes the predominant land use in the Tollway corridor from Lorang Road on the west to Lake Run on the east from Single-Family and Estate Residential to Business Park in order to exploit the infrastructure investment embodied in the Reagan Tollway (I-88) and the imminent expansion of the IL 47 interchange, and to respond to changing dynamics in the office and industrial real estate market in the I-88 corridor. The land use plan amendment also removes Business Park land use from the south side of the Tollway thereby using the Tollway as a physical barrier between the residential uses and character of development lying south of the Tollway and the non-residential land uses north of the Tollway.

The land use categories used in the proposed amendment are consistent with the land use descriptions provided in the Comprehensive Plan, except as described below. The land use and transportation network recommendations of the 2004 Future Land Use Plan prevail except where the amendment recommends a different land use or transportation network improvement.

The key features of the Tollway Corridor amendment include the following:

- Open Space land use appears to be the dominant land use in the area north of the Tollway which is a result of mapping floodplain, open water, forested lands and wetlands and providing a realistic vision of developable land. Additionally, the Open Space land use recommendation accounts for locations of future storm water management facilities so that this function is incorporated in the open space system as an amenity, not a utility function, complementing the environmental features in the landscape.
- The Com Ed property and future substation at Bliss Road and I-88 are identified on the plan within the Business Park land use.
- The Corridor Commercial land use at IL 47 and Seavey Road may need to be thought of as flexible land use. The property on the west side of IL 47 could be commercial but there may be access and visibility challenges with these two tracts of land and an alternate land use such as Multiple Family may be considered here.

- With the exception of Seavey-Healy Road, Green Road, Norris Road, and Bliss Road, the thoroughfares shown in the Business Park land use on the plan are flexible and may be removed or relocated without materially affecting circulation in the Business Park.
- A 200-foot buffer is recommended along Green Road, Norris Road and Main Street to maintain the character of these corridors. Uses such as agriculture, farmsteads and large estate lots would be appropriate uses within this buffer. Wherever possible, storm water detention facilities are recommended as part of this buffer requirement. The buffer is generally shown as Estate Residential on the Land Use Plan amendment.

### Land Use Recommendations

The Open Space land use shown on the plan represents environmental features such as wetlands, floodplain, open water and storm water management facilities and is ownership neutral and need not be publicly owned. However, the placement of storm water management areas adjacent the wetlands and floodplain provides the opportunity to create continuous and contiguous environmental corridors enabling landscape restoration and rehabilitation, and an extensive trail system to be developed in the midst of all the workspace in the business park. The Land Use Plan amendment assumes a regional or master planned approach to storm water management within the territory north of the Tollway. When the storm water management functions are organized in a coherent system, rather than the isolated bathtubs we are accustomed to, the open space benefits are multiplicative. The end result is a utility function transformed into an amenity. The actual amount of land devoted to storm water management may be more or less than indicated on the Land Use Plan but the concept remains.

The proposed storm water management system and environmental corridors permit connection of the County's various Forest preserves adjacent the study area: Blackberry Maples, Dick Young/Nelson Lake, and Lake Run. A trail along Seavey Road Run with a pedestrian bridge over the Tollway would provide a connection to the Hannaford Woods/Nickels Farm Forest Preserve.

The Business Park land use aims to achieve the type of development described in the Comprehensive Plan. The development blocks depicted on the plan can accommodate any Business Park building typology. Office buildings, office-warehouse, warehouse, corporate campuses, and manufacturing buildings will fit and block sizes can be varied depending on building footprints, as well. It is not unreasonable to expect a small

amount of commercial land uses to materialize in the Business Park land use to support the needs of employees and businesses in the Business Park land use area.

Where Business Park land uses are adjacent Green Road and Norris Road or Estate Residential land uses along these roads a significant transition yard, exclusive of parking and outdoor storage, should be provided. Uses such as agriculture, farmsteads and large estate lots would be appropriate uses within this buffer. Storm water management facilities could occupy these transition yards if topography permits. The buffer is generally shown as Estate Residential on the Land Use Plan amendment.

While not specifically identified in the amendment, it is conceivable that nodes of mixed-use development could appear in the Business Park land use in the future. These mixed-use development areas would need to be compact high density multiple-family and commercial uses usually in mixed-use buildings with structured parking and organized around intersections along the arterial roadways.

#### Road Network Recommendations

The amendment recommends the creation of a new arterial roadway, Seavey-Healy Road that would extend from Harter Road on the west to Orchard Gateway in Aurora on the east. This alignment replaces the disjointed connection in the current Comprehensive Plan Thoroughfare Plan and avoids a direct connect to Tanner Road. While outside the limits of the study area, the amendment also recognizes a planned re-alignment of Bliss Road and Fabyan Parkway at Main Street, along with the extension of Bunker Road to Bliss Road to provide convenient connection to the La Fox commuter rail station.

The thoroughfare plan, or road network, that is married to the plan shows re-connecting Seavey Road and Norris Road where they are separated by I-88. This is not a new idea since both re-connections were included in the Transportation Plan component of the 2004 Comprehensive Plan. Future land uses west of the Tollway are directly influenced by the realization of this improvement. Without reconnection of Seavey Road development of the territory west of I-88 for Business Park land uses is doubtful and the land use may remain agriculture well into the future. For the time being, the Future Land Use Plan recommends Business Park north and south of Seavey Road and west of the Tollway. Re-connection of Norris Road is not critical to the development of the Business Park land use but would provide a convenient alternative for crossing the Tollway for Village residents.

While the 2004 Thoroughfare Plan referenced an interchange at Bliss Road and I-88, the amendment shows the interchange. Access and circulation to the Business Park land uses north of the Tollway would benefit greatly by the presence of a Bliss Road interchange. This interchange also would benefit traffic volumes at the Orchard Road and IL 47 interchanges once it becomes operational.

On the south side of the Tollway the amendment recommends realigning Merrill and Denny Roads to converge on property via a series of roundabouts providing traffic calming and access to IL 47 at Scott Road.

Intersection spacing along Seavey-Healy Road and Bliss Road is between 1/3 and 1/2 mile intervals. The Plan assumes these thoroughfares will be classified as arterial roadways and will be treated as limited or controlled access thoroughfares and they are identified as divided highways on the Plan. The final design of the thoroughfares on the Plan will be determined at a later date.

Seavey-Healy Road and Bliss Road are assumed to be limited access arterial thoroughfares and a parallel thoroughfare is envisioned along these arterial roads to provide direct access to land uses along the arterial thoroughfares. It is also envisioned that these thoroughfares will be designed as parkways with copious amounts of landscaping and parallel off-street trails for pedestrians and bicyclists. An off-street path system along the primary thoroughfares would complement a path system that could be developed in the open space system represented on the Plan.

The road network in the Business Park land use is disconnected from Green Road, Norris Road and Seavey Road adjacent the Black Sheep Golf Club. This is accomplished by providing a road network in the Business Park land use that functions independently of these roads. The intention behind disconnecting these roads from the Business Park land use is to retain their present road cross section and character of development along the road frontages, e.g. agriculture lands, farmsteads, estate lots. Storm water detention facilities designed as wet prairies also could occupy the frontage of these roads where topography dictates. By segregating the Business Park land uses from these roads the potential for mixing Business Park traffic with local traffic is greatly reduced. And without direct access to these roads the Business Park land uses are not inclined to develop the frontage of these roads, thereby contributing to the preservation of the character of these roads.

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/Zoning Board of Appeals

FROM: Walter Magdziarz, Community Development Director  
Renee Hanlon, Planning and Zoning Administrator

DATE: March 16, 2018

FILE: 18-005 Zoning Ordinance Text Amendment—Liquor Related Uses

---

## **PROPOSAL**

The proposed text amendment revises Zoning Ordinance Section 11-4-22 *Table of Permitted Uses* to allow uses that sell and/or serve alcohol by right in the business zoning districts. Currently these uses are allowed by Special Use in the business zoning districts.

## **GENERAL INFORMATION**

HEARING DATE: March 21, 2018

PROJECT NAME: Zoning Ordinance Text Amendment—Liquor Related Uses

PETITIONER: Village of Sugar Grove

ATTACHMENTS: Proposed Text Amendment

## **BACKGROUND & HISTORY**

The Zoning Ordinance requires a Special Use Permit for any business that sells and/or serves alcohol. Given that a liquor license is also required, staff believes the requirement for a special use permit is overly burdensome. In order to remove the special use requirement, the permitted use table must be amended to allow the following uses by right in the business zoning districts:

- Package liquor or wine, retail
- Restaurant, alcohol service
- Drinking establishment

Title 3, Chapter 2 of the Municipal Code regulates liquor related uses within the Village. The Village has established a Liquor Control Commission which reviews applications for and issues liquor licenses. This code section contains many conditions that must be met prior to acquiring and to maintaining a liquor license.

## **EVALUATION**

The Village of Sugar Grove Zoning Ordinance provides the following standards for determining the appropriateness of a text amendment:

1. The amendment promotes the public health, safety, comfort, convenience and general welfare of the village, and complies with the policies and comprehensive land use plan and other official plans of the village.
  - *The public health, safety, comfort, convenience, and general welfare of the village shall be met through Title 3, Section 2 Liquor Control of the Municipal Code. The Special Use process shall provide no added benefit to the community relevant to regulating liquor related uses.*
2. The trend of development in the area of the subject property is consistent with the amendment.
  - N/A
3. The requested zoning permits uses which are more suitable than the uses permitted under the existing zoning classification.
  - N/A
4. The amendment, if granted, will not alter the essential character of the neighborhood, and will not be a substantial detriment to adjacent property.
  - N/A

## **PUBLIC RESPONSE**

The public hearing has been properly noticed.

## **STAFF RECOMMENDATION**

Staff recommends the Plan Commission/Zoning Board of Appeals approve Petition #18-005 Amendment to the Village of Sugar Grove Zoning Ordinance—Liquor Related Uses.

## **SAMPLE MOTION**

Based on the finding of fact, I move that the Planning Commission/Zoning Board of Appeals recommend to the Village Board approval of Petition #18-005 amending Section 11-4-22 Table of Permitted Uses to allow the following uses by right in the B-1 community shopping district, B-2 general business district, B-3 general business district, and BP business park district: 1) Drinking establishment, 2) Package liquor or wine retail, and 3) Restaurant with alcohol service.

The Village Code of Ordinances, Section 11-4-22: *Table of Permitted Uses*, shall be amended as following:

Use	A1	E1	R1	R2	R3	SR	B1	B2	B3	BP	OR	M1	I1
<b>Commercial Uses:</b>													
Drinking establishment							<del>S</del> -P	S P	S P	S P			
Package liquor or wine retail							<del>S</del> -P	<del>S</del> -P	<del>S</del> -P	<del>S</del> -P			
Restaurant, alcohol service							<del>S</del> -P	<del>S</del> -P	<del>S</del> -P	<del>S</del> -P			

(Key: ~~Delete~~ Add)