



Planning Commission / Zoning Board of Appeals

MEETING AGENDA

JUNE 17, 2020

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

I. CALL TO ORDER:

II. ROLL CALL:

III. APPROVAL OF MINUTES: May 20, 2020 Meeting Minutes

IV. PUBLIC HEARING: None

V. NEW BUSINESS: 20-010- 474 Division Dr. Condo Plat

VI. OLD BUSINESS: None

VII. COMMISSIONER COMMENTS AND
MISCELLANEOUS INFORMATION

VIII. ADJOURNMENT

**VILLAGE OF SUGAR GROVE
PLANNING COMMISSION/ZONING BOARD OF APPEALS
MINUTES of May 20, 2020 MEETING**

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NOTE: The following meeting occurred during the COVID-19 Pandemic. Executive Order 2020-7 (Executive Order in Response to COVID-19/ COVID-19 Executive Order Number 5) issued by the Governor on March 16, 2020, among other things, suspended certain requirements of the Open Meetings Act, including mandatory presence by Commissioners at public meetings to conduct public business. Members of the Planning Commission/Zoning Board of Appeals participated in this meeting via electronic means.

1. CALL TO ORDER

The meeting of the Sugar Grove Planning Commission/Zoning Board of Appeals was called to order at 7:04 p.m. by Chairman Ochsenschlager via electronic means.

2. ROLL CALL

Present: Chairman Irv Ochsenschlager, John Guddendorf, Larry Jones, James Eckert, Rebecca Sabo, and James White participated via electronic means

Absent: Greg Wilson

Also present: Walter Magdziarz, Community Development Director, via electronic means
Danielle Marion, Planning and Zoning Administrator, via electronic means

3. APPROVAL OF MINUTES

Commissioner Sabo moved to approve the March 18, 2020 meeting minutes. Commissioner Guddendorf provided the second.

Motion PASSED by unanimous voice vote

4. PUBLIC HEARING:

Petition 20-009
Applicant: Joshua Sowers
Special Use for a catering facility at 60 Maple

Chairman Ochsenschlager opened the public hearing. Danielle Marion provided a brief explanation of the Special Use request. Chairman Ochsenschlager opened the floor to objectors. None were present. All those who testified were sworn in by Chairman Ochsenschlager. Chairman Ochsenschlager closed the public hearing at 7:18 p.m.

Commissioner White moved to recommend the Findings of Fact so stated in the Advisory Report for Petition 20-009 be accepted and the Village Board approve the Special Use with the condition that all incoming and outgoing deliveries only occur between 9:00 a.m. and 9:00 p.m. Monday through Saturday. Commissioner Sabo provided the second.

NOTE: These minutes are not a verbatim transcription of the comments, statements and discussion that occurred during the meeting. They are intended to make an official record only of the actions taken by the Planning Commission / Zoning Board of Appeals, and may include only a brief description of discussion items. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

**VILLAGE OF SUGAR GROVE
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AYES: L. Jones, J. Guddendorf, J. Eckert, R. Sabo, J. White, and I. Ochsenschlager

NAYES: *None*

ABSENT: G. Wilson

Motion PASSED

5. NEW BUSINESS:

None

6. OLD BUSINESS:

None

7. COMMISSIONER COMMENTS AND MISCELLANEOUS INFORMATION

None

8. ADJOURNMENT

Commissioner Guddendorf moved to adjourn, Commissioner White provided a second.

Motion PASSED by unanimous voice vote

The meeting was adjourned at 7:25 p.m.

Prepared by:
Danielle Marion, Recording Secretary

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VILLAGE PRESIDENT

P. Sean Michels

VILLAGE ADMINISTRATOR

Brent M. Eichelberger

VILLAGE CLERK

Alison Murphy



COMMUNITY DEVELOPMENT

VILLAGE TRUSTEES

Sean Herron
Ted Koch
Jennifer Konen
Heidi Lendi
Rick Montalto
Ryan Walter

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

TO: Planning Commission
FROM: Danielle Marion, Planning and Zoning Administrator
DATE: June 11, 2020
PETITION: 20-010

GENERAL INFORMATION

HEARING DATE: June 17, 2020
PROJECT NAME: 474 Division Condo Plat
PETITIONER: Beatus, LLC
LOCATION: 474 Division Drive
PARCEL NUMBER(S): 14-16-176-017

SPECIFIC REQUEST(S)

The applicant is requesting approval of a condo plat, effectively dividing the existing office building located at 474 Division Drive into fee simple ownership.

CHARACTER OF AREA

The subject property is a multi-tenant building located in the Landings Office Park, a multi-building planned development. Located just west of Sugar Grove Parkway and North of Galena Boulevard.

BACKGROUND & HISTORY

The subject property is zoned B-3 General Business District and is part of the Landings Office Park PUD. The property is a multi-tenant building that is currently occupied by one business, Brightest Stars Preschool. The building was originally only divided between the space that Brightest Stars Preschool occupies and the remainder of the building. The subject property has

not been properly subdivided into a condominium. Creating a condominium will allow for this building to be subdivided into four separate spaces, allowing each space to be sold off to separate entities. The issue of the building not being a proper condominium was brought to the attention of the Village when an interested party wanted to purchase a portion of the undivided building. The division of the building into separate fee simple ownership was originally contemplated with the original Landings Office Park plan. This building represents the implementation of that option.

COMPREHENSIVE PLAN RECOMMENDATIONS

The Village Comprehensive Plan designates the site as "Corridor Commercial". Contiguous properties surrounding the subject property are designated as "Corridor Commercial" as well.

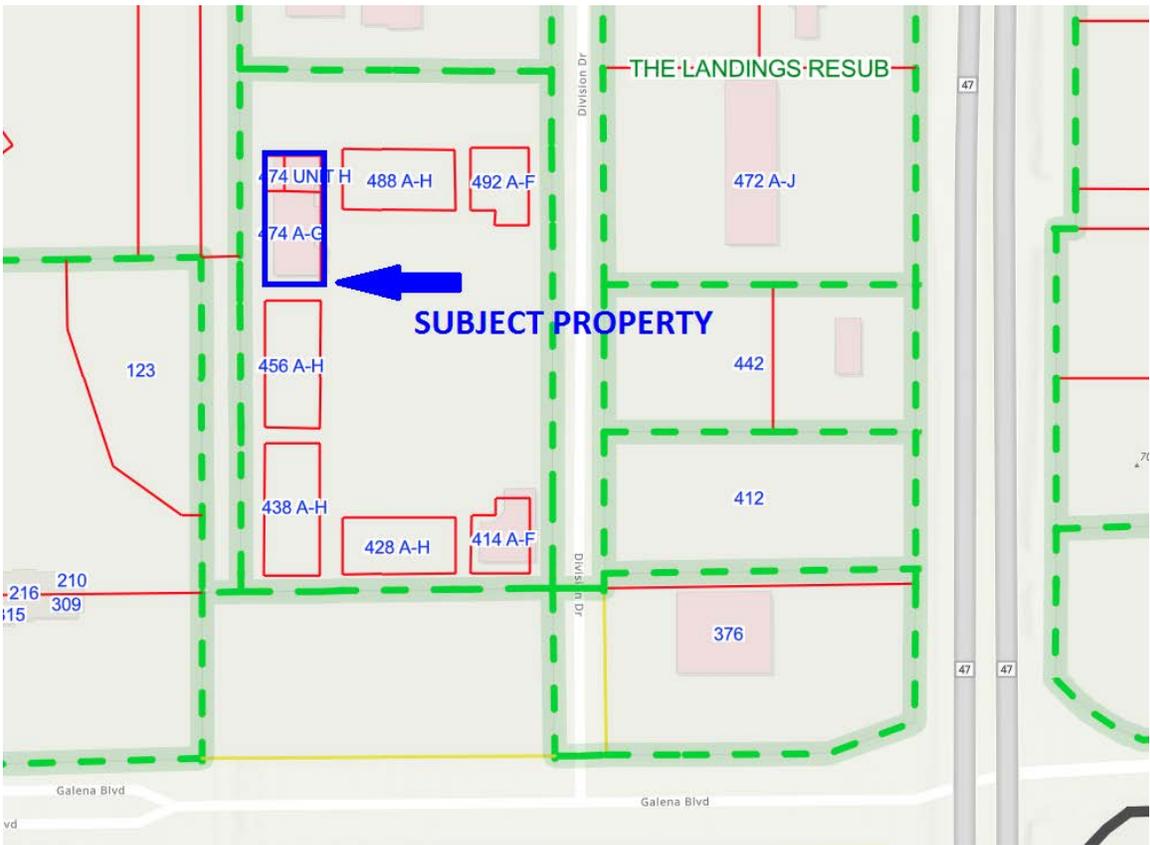
The subject property is in a commercial area and the use of the property is not changing, therefore the approval of the condominium building would remain consistent with the Village's Comprehensive Plan.

EVALUATION

1. Land Use / General – The proposed land use is compatible with the surrounding land uses.
2. Comprehensive Plan – The proposed condominium use is consistent with the Village and County Comprehensive Land Use plans.
3. Lots & Buildings – The proposed use of the property would remain the same. The division of the building into separate ownership is consistent with the approved PUD.
4. Subdivision- While technically the condo-or assessment- plat does not require the usual requirements for a subdivision as there are no public improvements associated with the plat.

STAFF RECOMMENDATION

The proposed request to divide the building located at 474 Division Drive, into a condominium building is merely a house keeping matter. The use of the property is not changing, the division will just allow for the separate spaces in the property to be sold individually. This in return will help to bring more businesses into the Village and occupy the empty spaces in the subject property. Staff recommends that the Planning Commission make a recommendation to the Village Board to approve this condominium plat.



LEGAL DESCRIPTIONS

LOT 1:

THE SOUTH 39.74 FEET OF THE NORTH 85.04 FEET OF LOT 12 (AS MEASURED PERPENDICULAR TO THE NORTH LINE THEREOF) IN THE RESUBDIVISION OF LOT 8 OF THE LANDINGS RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 19, 2008, AS DOCUMENT NUMBER 2008K012966 IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS.

LOT 2:

THE SOUTH 39.74 FEET OF THE NORTH 124.78 FEET OF LOT 12 (AS MEASURED PERPENDICULAR TO THE NORTH LINE THEREOF) IN THE RESUBDIVISION OF LOT 8 OF THE LANDINGS RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 19, 2008, AS DOCUMENT NUMBER 2008K012966 IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS.

LOT 3:

LOT 12 (EXCEPT THE NORTH 124.78 FEET THEREOF AS MEASURED PERPENDICULAR TO THE NORTH LINE THEREOF) IN THE RESUBDIVISION OF LOT 8 OF THE LANDINGS RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 19, 2008, AS DOCUMENT NUMBER 2008K012966 IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS.

OWNER'S CERTIFICATE

STATE OF _____)
) SS
 COUNTY OF _____)

THIS IS TO CERTIFY THAT BEATUS LLC AN ILLINOIS LIMITED LIABILITY COMPANY, IS THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN HEREON AND AS SUCH OWNER, HAS CAUSED THE PROPERTY PLATTED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND SAID LIMITED LIABILITY COMPANY DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

DATED AT _____ THIS ____ DAY OF _____
 A.D., 20 ____

BY: _____

TITLE: _____
 PRINT TITLE

ADDRESS: _____

NOTARY'S CERTIFICATE

STATE OF _____)
) SS
 COUNTY OF _____)

I, _____, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ (PRINT NAME), _____ (TITLE), OF SAID LIMITED LIABILITY COMPANY, IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH _____ RESPECTFULLY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____ A.D., 20____

NOTARY PUBLIC SIGNATURE _____

(PRINT NAME)

ABBREVIATIONS

- (R) = RECORD BEARING OR DISTANCE
- (M) = MEASURED BEARING OR DISTANCE
- (C) = CALCULATED BEARING OR DISTANCE
- (D) = DEED BEARING OR DISTANCE
- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- A = ARC LENGTH
- R = RADIUS
- CH = CHORD
- CB = CHORD BEARING
- S.F. = SQUARE FEET
- PIN = PARCEL INDEX NUMBER

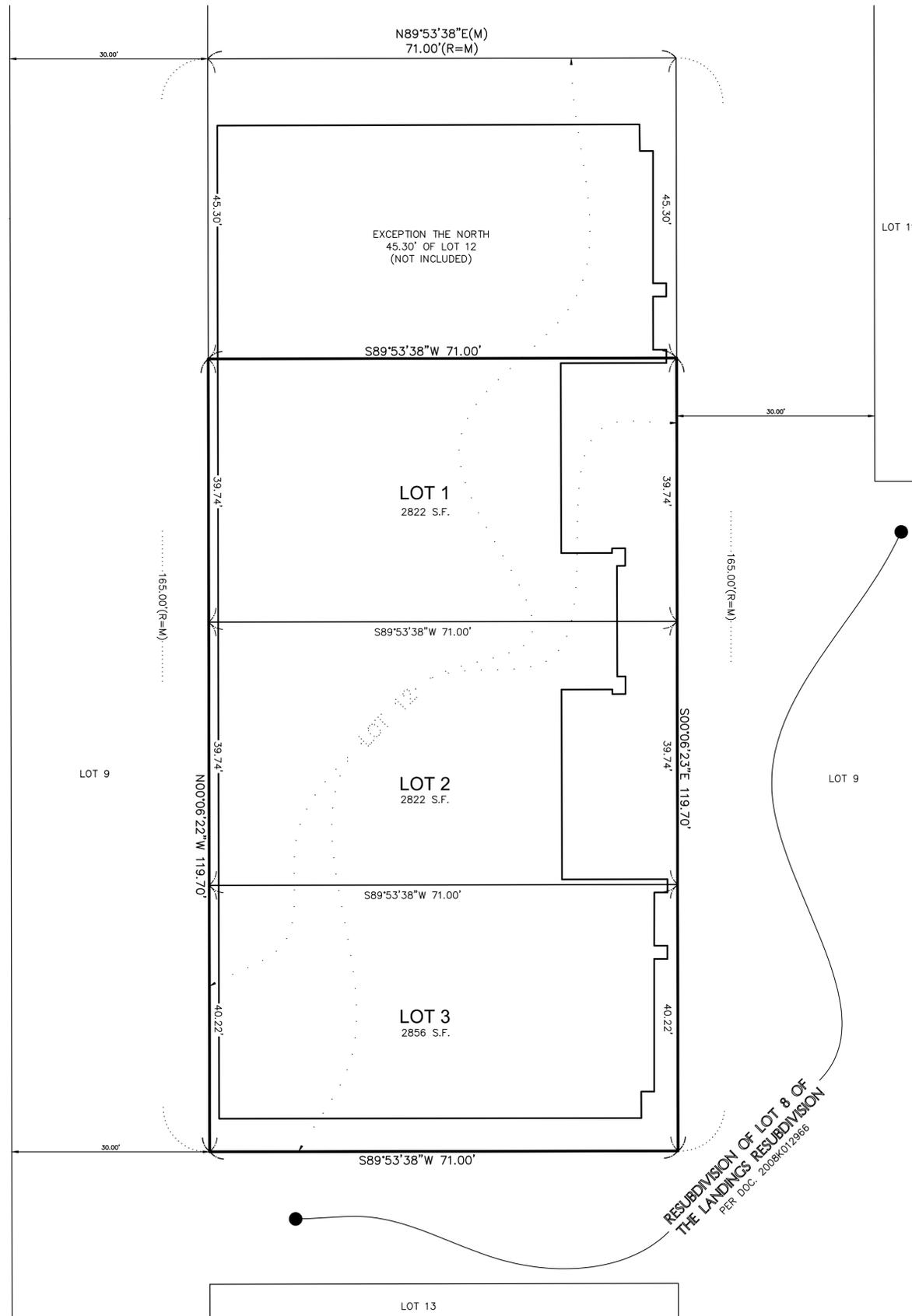
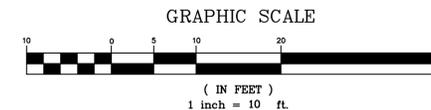
LINE LEGEND

- LIMITS OF LAND PER LEGAL DESCRIPTION
- ADJACENT LAND
- PARCEL LINE

ASSESSMENT PLAT

OF
 LOT 12 (EXCEPT THE NORTH 45.30 FEET THEREOF AS MEASURED PERPENDICULAR TO THE NORTH LINE THEREOF) IN THE RESUBDIVISION OF LOT 8 OF THE LANDINGS RESUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 19, 2008, AS DOCUMENT NUMBER 2008K012966 IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS.

PIN 14-16-176-017



COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
) SS
 COUNTY OF KANE)

THIS IS TO CERTIFY THAT I, _____, COUNTY CLERK IN AND FOR THE COUNTY AND STATE AFORESAID, FIND NO REDEEMABLE TAX SALE, UNPAID FORFEITURE TAXES OR UNPAID CURRENT TAXES AGAINST ANY OF THE REAL ESTATE DESCRIBED HEREON.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT _____, ILLINOIS, THIS DAY OF _____, A.D., 20____

COUNTY CLERK _____

PLAT OFFICER CERTIFICATE

STATE OF ILLINOIS)
)SS
 COUNTY OF KANE)

ACCEPTED AND APPROVED THIS ____ DAY OF _____, A.D. 20____

PLAT OFFICER _____

RECORDER CERTIFICATE

RECORDER CERTIFICATE

STATE OF ILLINOIS)
) SS
 COUNTY OF KANE)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS ON THE _____ DAY OF _____ AT _____ O'CLOCK _____M.,

(COUNTY RECORDER) _____

SURVEYOR'S CERTIFICATION

STATE OF ILLINOIS)
)SS
 COUNTY OF KANE)

I HAVE PREPARED THIS PLAT FROM EXISTING MAPS, PLATS, RECORDS AND FIELD MEASUREMENTS.

COMPASS SURVEYING LTD.
 PROFESSIONAL DESIGN FIRM
 LAND SURVEYOR CORPORATION NO. 184-002778
 LICENSE EXPIRES 4/30/2021

BY: _____ DATE: 05-11-2020

DANIEL W. WALTER
 ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3585
 LICENSE EXPIRES 11-30-20

C:\USERS\LAURENCHA\DESKTOP\COMPASS\20.0127\20.0127-01\20.0127-01 ASSESSMENT PLAT.DWG 5/11/2020 1:08:23 PM

DATE: 05-05-2020	PC RWS	DRAWN BY: CJC	CHECKED BY: DW	BOOK 426 PG 49
NO.	REVISIONS	DATE	BY	
PROJECT: PART OF LOT 12 LANDINGS RESUBDIVISION-SUGAR GROVE				
CLIENT: BEATUS LLC, 2631 GINGER WOODS PARKWAY, STE. 100, AURORA, ILLINOIS 60502, PHONE: (630) 820-9100 FAX: (630) 820-7039 EMAIL: ADMIN@CLSURVEYING.COM				
SCALE: 1" = 10'				
1 OF 1				
PROJ. NO.: 20.0127-01				