

**VILLAGE of SUGAR GROVE
REGULAR MEETING of the
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of April 15, 2015**

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, Gregory Wilson, Jim Eckert, Rebecca Sabo, and Heidi Lendi

Absent: Mary Heineman

Also present: Mike Ferencak, Village Planner and Walter Magdziarz, Community Development Director, Jerry Trachsfer, Steven Kaminski – Mackie Consultants and James McDonagh

- 3. APPROVAL OF MINUTES of the April 23, 2014 MEETING
APPROVAL OF MINUTES of the May 28, 2014 MEETING
APPROVAL OF MINUTES of the July 16, 2014 MEETING
APPROVAL OF MINUTES of the August 20, 2014 MEETING
APPROVAL OF MINUTES of the September 17, 2014 MEETING
APPROVAL OF MINUTES of the October 1, 2014 MEETING
APPROVAL OF MINUTES of the October 15, 2014 MEETING
APPROVAL OF MINUTES of the October 22, 2014 MEETING
APPROVAL OF MINUTES of the December 17, 2014 MEETING**

Motion made by Commissioner Guddendorf and seconded by Commissioner Eckert to approve the minutes of the April 23, May 28, July 16, August 20, September 17, October 1, October 15, October 22 and December 17, 2014 Plan Commission meetings as presented with one correction to the July 16 minutes on page 2, under Petition 13-004 motion request was by Acting Chairman Eckert, not Chairman Ochsenschlager.

The motion carried by unanimous voice vote.

4. PUBLIC HEARING

- a. Petition 15-003: Window Signs – Text Amendment (Village of Sugar Grove)

Chairman Ochsenschlager called the public hearing to order. No public were in attendance.

Petitioners' Request: Staff informed the Commission that the Village has chosen to propose the text amendment to help out a few businesses. There are several window signs advertising a permanent business name not just for items for sale which is what the current code allows. Currently the code allows without a permit temporary signs that don't cover more than 40% of the window area, but there are no provisions for permanent type window signs that advertise the businesses name. Staff is proposing an amendment that allows these window signs in addition to the normal wall signs or projecting or canopy type signs on a building. The square footage allowed would be included in the total permitted with the other signs. The proposed text amendment defines them as a type of wall sign and makes some corrections with temporary and permanent signs with regards to lighting and some other factors.

Commissioner Sabo questioned the verbiage of requiring an electrical permit for a prewired/cord with plug. The point of it was discussed, whether it was to deter the sign or the electrical use for it.

Petitioner Presentation: None

Public Comments/Questions: None

Chairman Ochsenschlager closed the public hearing.

James McDonagh asked if the apartments being built on Galena Blvd. were section 8 housing. **Mr. Magdziarz** stated that they are not, they are market rate but there are some tax credits being extended to the developer from the State. Mr. McDonagh asked why the Village would allow the apartment building to be placed in the path of airplanes. He commented on the TIF District, that the land abutting Windsor West be zoned commercial not industrial. He also requested the area in Windsor West that is supposed to be prairie grass be changed because it's nothing but a large weed patch and he doesn't like it.

5. **OLD BUSINESS**
None

6. **NEW BUSINESS**

- a. **Petition 15-003: Window Signs – Text Amendment (Village of Sugar Grove)**
Commissioners discussed section E, awnings or canopies and the point where they are signs because of their colors and look. Signs are defined as an attention getting device so a colored canopy is considered a sign. The concern was for the smaller non-national-chain type businesses that put up an awning with no name on it and get penalized that it is a sign. The national chains are recognized by their overall design, coloring, look, etc., but small businesses may need the awnings for advertising and recognition. National chain stores request deviations to have the large colored canopies so this only seems to impede the small business owner. However, a small business owner could also apply for a deviation or variance.

Complexity and enforcement were discussed. Different specific situations were reviewed with staff.

The wall signs and window signs were being proposed together to allow businesses the flexibility of how they wanted to split up the total square footage amount allowed.

Staff will clean up the paragraph regarding gasoline station canopies.

Commissioners said that the ordinances passed should be enforced and not deviated as common practice.

Flashing signs would not be permitted. Visibility into the businesses needs to be kept clear and open. Open / closed and store hour signs are exempt from window sign regulations. Lottery signs count with the products for sale / advertising signs that must be kept to 40% or less area of each window.

Commissioner Guddendorf made a motion seconded by Commissioner Eckert to recommend approval to the Village of the proposed amendment of Section 11-14 of the Village's sign regulations as they pertain to the use of window signs in non-residential zoning classifications as presented in the advisory report dated April 8, 2015 and the items listed in red be added to that ordinance.

Motion carried by unanimous voice vote.

- b. Petitions 15-004: Prairie Glen Office Park – 2nd Minor PUD Amendment (Village of Sugar Grove)

Commissioner Guddendorf asked why the Village can't follow their own rules. If they aren't working for the Village then they can't work for anyone else. The Village should be setting the example not being the example. **Mr. Magdziarz** explained the background information regarding the two previous sign plans. **Commissioner Sabo** stated that she felt that the Village is just exercising their right, as do others, to request a deviation or variance.

Mr. Magdziarz stated that the Village is proposing smaller development signs for the Prairie Glen Office Park than what was approved in the PUD plan. The proposed signs are technically just address signs which may be exempt, but the Village took the approach that it would send the wrong message for us to just put up 32 sf address signs, which we don't really want everyone to do. Leasing information would be a temporary sign panel changed in and out. Staff Recommendation #2 should be changed from repealed to amended.

Without requesting any deviation from the Village Ordinance, this development could have 2 signs, one on Bastian and one on Municipal which could say the Subdivision

name, Prairie Glen Office Park and that would be it.

Commissioner Guddendorf made a motion seconded by Commissioner Eckert to recommend approval to the Village of the proposed amendment of an approved PUD development plan (Ordinance 2007-0320C, and Ordinance 2009-1103CDA) specifically as it relates to signs based on the staff recommendations on page 4 of the Advisory Report dated April 8, 2015 with item 2 being changed from repealed to amended.

Motion not carried by voice vote of 2 ayes and 3 nays.

- c. Petition 15-005: Settlers Ridge Northwest and Commercial Subdivisions – Preliminary / Final Plat (LCP SLJV 2008-1 IL-1, LLC)
Bernard Citron representing the owners Coast Oak and **Don Carroll** of Coast Oak spoke regarding their request to subdivide the property due to the way the annexation agreement states, otherwise moving forward many different parties would need to be a part of the process to amend the annexation agreement. Right now there are eight separate parcels in the subject area and this would create one big lot. Everything else moving forward is intended to be done in the normal process. There would be a new PUD and new plans which will deal with everything else. The proposed subdivisions currently would not allow Coast Oak to build one building on the property without coming in and obtaining further approvals. All these requests do is allow us to take the next steps in moving forward. **Commissioner Eckert** asked if they would still notify the other property owners of any amendment to the agreement, but wouldn't need other property owners consent. No amendments to the agreement that affect the other parcels can be processed. Anything to do with the development process will require all nearby owners to be notified and given an opportunity to comment. The staff recommendation of removal of the IDOT certificate was discussed. That means IDOT would not have to sign off on the plat. The only area that currently has a final plat is the area that has the lots. The rest only has a preliminary plat. The proposed plat areas cover a meets and bounds legal description not lot by lot. When they start subdividing this land IDOT will have to give approval. Utilities aren't signing off on this plat either because there are no easements being granted with this plat. All that's happening is that this will provide for one large non-buildable lot instead of several existing parcels. EEI didn't have any major comments, just some small details to clean up. The modification to the landscape easement at Gordon Road and Settlers Boulevard is to add the wording "sign easement". Comment 2 under staff recommendation is to make sure that the necessary right of way land is given to the Village for future street improvements at the intersection of Galena Boulevard and Gordon Road. The street improvement configuration is unknown at this time. The State won't take right of way until it needs it and this is not that time. The Village wants to be in a position to give it to the State when it's needed. The triangle property south of the BNSF RR is not proposed to be platted at this time. Developer will come back for approval of each neighborhood or pod. The Developer's goal is to

bring in a group of builders that will build quality homes for the long term in this quality subdivision.

Commissioner Sabo made a motion and Commissioner Lendi seconded to recommend to the Village to approve the Preliminary and Final Plat to create Settlers Ridge Northwest Subdivision, a proposed one lot subdivision, from eight existing parcels, pursuant to Section 12-4-3 and 12-4-5 of the Sugar Grove Subdivision Ordinance and to incorporate the staff recommendations in the Advisory Report dated April 8, 2015.

The motion carried by unanimous voice vote.

Commissioner Guddendorf made a motion and Commissioner Wilson seconded to recommend to the Village to approved the Preliminary and Final Plat to create Settlers Ridge Commercial Subdivision, a proposed one lot subdivision, from two existing parcels, pursuant to Section 12-4-3 and 12-4-5 of the Sugar Grove Subdivision Ordinance and to incorporate the staff recommendations in the Advisory Report dated April 8, 2015.

The motion carried by unanimous voice vote.

- d. Petition 15-006: Permitted Uses – Text Amendment (Village of Sugar Grove)

Commissioner Guddendorf stated that the Commission reviewed permitted uses in 2013 and was wondering whether all the past notes were incorporated into this proposal. Staff explained that was accessory uses. The p=permitted use and the s=special use. This is being introduced for future discussion and includes what is in the current zoning ordinance in a new format without any changes for familiarity. This is just to start the process of clean up for uses that should be removed, changed, reformatted or are missing from the list. There are similar sounding uses repeated in different districts. Staff asks the Commission to review the zoning districts and uses to see if they are accomplishing what the Commission wants them to in order to achieve the overall goals and expectations for the community. Also, identify terms that need definition or refined definition and possible changes to the p's or s's.

A commissioner asked about beehives and chicken coops. These were previously discussed with the Village Board and the Board chose not to consider allowing them in the residential districts.

7. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

163 Meadows Court - This was approved by the Village Board with quite a bit of discussion and the permit has been issued.

Janik's Resubdivision – Mr. Janik has the plat but has not brought it back in with signatures yet.

Prairie Pointe Assisted Living Center - They are still active and are working on their own timeline. They're finalizing construction drawings.

Senior Apartment – They are working on the interior. Planning for end of July occupancy. Each tenant is notified of the flight paths and noise notification before signing a lease.

Dunkin Donuts – The owner is not willing to proceed with only that one tenant. He's trying to get another tenant before starting construction.

TIF District – Public hearing is next Tuesday. Other taxing districts have voiced opposition. The reality is that the industrial developer has people interested in locating on the property but can't make the numbers work without some financial assistance and the type of assistance they're looking for the Village can't provide. Because it's industrial there's no sales tax, so the Village has nothing to give back. The timeline of gaining any increment was reviewed. Since it's a pay as you go proposition it will be a limited incentive. The TIF district, even though very helpful, will be limited in its effectiveness early on. As properties get developed within the district, income will grow logarithmically. The key is getting the first few in to pay for the infrastructure.

Prairie Glen – Not sold out yet, but at the pace they're going, could be done this year. Orleans approached the owner of the land to the south and there is no deal.

US Highway 30 – Construction should be starting within the next week.

8. **ADJOURNMENT**

A motion was made by Commissioner Sabo and seconded by Commissioner Wilson that the meeting be adjourned at 9:00 p.m.

The motion carried by unanimous voice vote.

Respectfully submitted,
Holly Baker
Substitute Recording Secretary