

**VILLAGE of SUGAR GROVE
SPECIAL MEETING of the
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of June 24, 2015**

1. CALL TO ORDER

The meeting of the Sugar Grove Plan Commission / Zoning Board of Appeals (ZBA) was called to order at 7:04 p.m. by Acting Chairman Eckert in the Village Hall Board meeting room.

2. ROLL CALL

Plan commission/ZBA members present:

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

Absent: Irv Ochenschlager

Also present: Mike Ferencak, Village Planner and Walter Magdziarz, Community Development Director and Perry Clark, Top Pick Athletic Co.

3. PUBLIC HEARING

- a. Petition 15-010: 769 N. Heartland Drive – Preliminary PUD, Final PUD (Monterey Enterprises, LLC)

Acting Chairman Eckert called the public hearing to order. No public were in attendance. Staff informed the Commission that the property owner is requesting both a Preliminary PUD and a Final PUD for the lot. The existing non-conforming warehouse building on the site is proposed to be expanded with multiple deviations from the zoning requirements. The building sits on the east, southeast side of the 2.25 acre site. The vacant portion of the site is to west, northwest side of the current building. The applicant chose to go with the PUD procedure as opposed to the requesting variances. The expansion would be to add a building to accommodate 6 tenant spaces which is basically a mirror image of the existing building. There would be 6 tenant spaces but it would initially house a single tenant which is the subject of our next Public Hearing Petition 15-011. The Village Board did approve an at-risk permit to begin construction on this site because of the applicants timeline and an approval to do the Preliminary and Final PUD at the same time on June 16th. The site is part of the Business Park designation on the Comprehensive Plan. This is an expansion of an existing partially developed site, so staff would typically encourage it to be brought into conformance with the Zoning Ordinance throughout. Some of the proposed deviations include: less landscaping at the rear property line within the 5' green space due to the steepness of the land, no landscaping in the Nicor Easement at the east property line, and the building's rooftop equipment on the existing building would not be screened, it would only be screened on the new building. Staff has recommended approval of this proposal with a series of deviations listed in the staff report.

Petitioners' Request: None
Petitioner Presentation: None
Public Comments/Questions: None

Acting Chairman Eckert closed the public hearing on petition 15-010.

- b. Petition 15-011: 769 N Heartland Drive, Special Use (Top Pick Athletic Co.)

Acting Chairman Eckert called the public hearing to order. No public were in attendance. Staff informed the Commission that this is the user that will go into the new space being discussed, units G-L. Perry Clark is in attendance and represents Top Pick Athletic Company. He's proposing to use this space as a gymnasium, more specifically an indoor sports training facility. This use is required to get a Special Use in the M-1 district. Staff lists this use as compatible with the surrounding uses. Basic conditions listed are that the use is limited to the portion of the building proposed and to get any permits necessary for occupancy. Staff recommends approval with the conditions listed.

Petitioners' Request: None
Petitioner Presentation: None

Public Comments/Questions: Acting Chairman Eckert swore in the public, Perry Clark. Perry stated the current location for Top Pick Athletic Company is in the Clock Tower Plaza in North Aurora. This is their 5th year in operation. This location would allow for team training with a ceiling height of 24' open air facility. The owner is in agreement to construct a 15,000 s.f. facility, single occupant with a 10 year lease. The goal is to purchase the condo. This is primarily a baseball/softball training academy which will expand to soccer and lacrosse, not a health club. There will be a 30' x 45' speed and agility training area. 7,500 s.f. is synthetic turf like Waubensee Community College's field house. This is a training academy for primarily children 10-16 years of age. Hours of operation were reviewed, M-F 3pm-10pm, Sat 8am-4pm, Sun 12pm-9 pm. No outside operations. The building will not be air conditioned, but there will be louvres and fans pulling air through the building. The doors have never been opened in the current location. There will be 1 front entrance and 3 overhead doors in the back. Average number of occupants would be approximately 25-30 at a time. Traffic from drop off and pick up of kids will be a constant flow. They feel the traffic flow will work but may propose cross access with American Heartland Bank. Building code requires bathrooms but not locker rooms. Buses may be used with a school on rare occasions but only the 15 passenger bus, no larger. Not requesting any on street parking with this request. A bike path is shown along State Route 47 in the Comprehensive Plan. No feedback was received from any of the notifications sent to neighboring businesses.

Acting Chairman Eckert closed the public hearing on petition 15-011.

c. Petition 15-009: Nonconforming Structures – Text Amendment (Village of Sugar Grove)

Acting Chairman Eckert called the public hearing to order. No public were in attendance. Staff informed the Commission that the Village is requesting a change to the Zoning Ordinance to remove the prohibition for making any modification with a nonconforming structure, as it relates to the nonconformity so that the owner of the building can make improvements to the structure as long as it doesn't increase the degree of nonconformity. So if it's nonconforming as to its height, it can't be made taller, or if it's nonconforming as to its setback, the setback can't be made smaller, but the building could be enlarged in some other way. One of the purposes of the Zoning Ordinance is to remove all the nonconformities but it doesn't even refer to removing nonconforming structures. It's not an objective, we're not out to remove those structures. This allows owners of these types of properties to improve their properties without having to go through the public hearing process for minor things that everyone else can do by right. This has nothing to do with nonconforming uses, this is just for structures. Nonconforming uses need to conform. **Commissioner Guddendorf** asked if this is being brought up because of particular structure. Staff said that the 769 Heartland Dr., building is an example. It's currently a nonconforming structure because of changes made in the Zoning Ordinance. There are also situations with individual homeowners that have had to go thru the variance process to make improvements to their homes. This change would help relieve property owners with improvements to the home.

Petitioners' Request: None
Petitioner Presentation: None
Public Comments/Questions: None

Acting Chairman Eckert closed the public hearing on Petition 15-009.

4. **OLD BUSINESS**
None

5. **NEW BUSINESS**

- a. Petition 15-010: 769 N. Heartland Drive – Preliminary PUD, Final PUD (Monterey Enterprises, LLC)
No Discussion

A motion was made by Commissioner Lendi seconded by Commissioner Sabo to recommend approval of the Preliminary PUD and Final PUD for expansion of the building at 769 Heartland Dr., Lot 10 of the Sugar Grove Research Park 2.25 acres including multiple deviations from the requirements pursuant to section 11-11-6, with the conditions that it shall conform to: the Building Floor Plan, title "Sugar Grove Addition Floor Plan", prepared by Gleason Architects, P.C., Sheet A1, dated May 1, 2015

and, the Building Elevation Plan, titled “Sugar Grove Addition Exterior Elevations”, prepared by Gleason Architects, P.C., Sheet A5, dated May 1, 2015, the Site Landscape Plan, titled “Multi-Tenant Office / Warehouse Expansion Landscape Plan”, prepared by Gleason Architects, P.C. and Heller & Associates, LLC, Sheet L1.0 and L1.1 dated May 27, 2015, the Site Photometric Plan, titled “Sugar Grove – Parking Lot Lighting Layout”, prepared by Villa Lighting, Sheet 1 of 1, dated June 1, 2015, and the Site Engineering Plans, titled “Proposed Building 2 Expansion”, prepared by DJA Civil Engineers & Surveyors, Sheets 1-8 of 8, dated May 28, 2015 along with granting staff the ability to work out the deviations and remaining items with the architect.

AYE:	NAY:	ABSENT:	None
Eckert			
Guddendorf			
Lendi			
Sabo			
	Wilson		

The motion carried by roll call vote 4-1.

- b. Petition 15-011: 769 N Heartland Drive, Special Use (Top Pick Athletic Co.)
 There are only onsite improvements hooking into existing mains along Heartland Drive. They’re showing an additional 2” domestic water line and an additional fire line, normally the Village would only allow one domestic line per building. Only traditional bathrooms are proposed, no locker rooms or showers are proposed. This location could be turned into a health club because the uses are listed together. Remodeling permit would be required and possibly additional infrastructure improvements. No juice bar or protein bars available on site, only a Gatorade cooler. A kitchenette is proposed for the future but only with a refrigerator and microwave, no sink. This is an indoor sports training facility.

A motion was made by Commissioner Guddendorf and seconded by Commissioner Sabo to recommend approval of the Special Use to permit a gymnasium within the multi-tenant building, pursuant to Section 11-10-2-B of the Sugar Grove Zoning Ordinance with the conditions from the staff recommendation limiting the use to the units G, H, I, J, K and L at 769 Heartland Drive, cannot be expanded unless the Special Use is amended, the applicant shall secure all required building permits prior to any interior modifications or exterior sign installation, and the applicant shall secure a certificate of occupancy prior to occupancy.

AYE:	NAY:	ABSENT:	None
			Eckert
Guddendorf			
Lendi			
Sabo			
	Wilson		

The motion carried by roll call vote 3-1.

- c. Petition 15-009: Nonconforming Structures – Text Amendment (Village of Sugar Grove)
 No further discussion.

A motion was made by Commissioner Guddendorf and seconded by Commissioner Wilson to recommend approval of the proposed text amendment to Section 11-5-2-B of the Sugar Grove Zoning Ordinance.

AYE:	NAY:	ABSENT:	None
Eckert			
Guddendorf			
Lendi			
Sabo			
Wilson			

The motion carried by roll call vote 5-0.

6. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

Permitted Uses – This will be discussed at the next meeting.

New Plan Commissioner – A plan commissioner is needed. The Village Board is accepting applications for candidates.

TIF 2 – Approved. Plans should be in before the end of summer for the business park.

Next meeting will be a Regular Meeting July 15, 2014.

7. ADJOURNMENT

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,
 Holly Baker
 Substitute Recording Secretary