
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
RENEE HANLON, ZONING ADMINISTRATOR
SUBJECT: DISCUSSION: AMENDING ZONING ORDINANCE TO ALLOW MOTOR
VEHICLE REPAIRS AS A PERMITTED USE IN CERTAIN DISTRICTS
AGENDA: JULY 18, 2017 VILLAGE BOARD MEETING
DATE: JULY 12, 2017

ISSUE

Shall the Village Board discuss a Zoning Ordinance Amendment to refine the definition of Motor Vehicle Repair Service and to allow Motor Vehicle Repair Service as a permitted use in certain business and industrial zoning districts along with specific performance standards.

DISCUSSION

Currently, Motor Vehicle Repair Service is permitted by Special Use in the B-3 Regional Business and BP Business Park districts. Considering that the Zoning Ordinance allows other uses with a high potential for negative impact by right in certain districts, Motor Vehicle Repair should also be allowed by right in certain districts. This text amendment allows Motor Vehicle Repair Service by right in certain zoning districts in the same manner as uses such as Motor Vehicle Impoundment Yard and Contractor's Yard. Like other potentially negative uses, Motor Vehicle Repair will be allowed upon compliance with specific performance standards.

ATTACHMENTS

- PC Recommendation 17-008
- An Ordinance Amending the Village of Sugar Grove Zoning Ordinance (Motor Vehicle Repair Uses)

COSTS

There are no costs associated with this ordinance amendment.

RECOMMENDATION

That the Village Board provide comment and direction to staff in order to prepare the Ordinance amending certain sections of the Village Zoning Ordinance related to Motor Vehicle Repair Services for the next Board meeting.

VILLAGE PRESIDENT

P. Sean Michels

VILLAGE ADMINISTRATOR

Brent M. Eichelberger

VILLAGE CLERK

Cynthia Galbreath



VILLAGE TRUSTEES

Kevin Geary
Sean Herron
Mari Johnson
Ted Koch
Rick Montalto
David Paluch

COMMUNITY DEVELOPMENT DEPARTMENT

R E C O M M E N D A T I O N

PC 17-008

TO: Village President and Board of Trustees
FROM: Planning Commission
DATE: June 21, 2017
CASE FILE: 17-008 Zoning Text Amendment (Motor Vehicle Repair Services)

PROPOSAL

This text amendment refines the definition of Motor Vehicle Repair Services, provides performance standards for Motor Vehicle Repair Services, and allows for the establishment and operation of Motor Vehicle Repair Services in certain business and industrial zoning districts.

BACKGROUND & HISTORY

Community Development staff have been contacted about the reuse of a currently vacant building zoned M1 Limited Manufacturing. The new use being proposed is Motor Vehicle Repair Service. Currently, Motor Vehicle Repair Service is permitted only by Special Use in the B-3 *Regional Business District* and the BP *Business Park District*. In considering this use in the M1 district, staff realized the compatibility of this use with other uses established and allowed in the M1 zoning district. Contractor’s Yards and Motor Vehicle Impoundment Yards, which are permitted in the M1 district, have at least the same, if not higher, potential for negative impacts as Motor Vehicle Repair Services. This text amendment proposes to treat Motor Vehicle Repair Service similar to Contractor’s Yard and Motor Vehicle Impoundment Yard across all commercial and industrial zoning districts. Although this amendment allows the use by right, specific performance standards for establishing and operating a Motor Vehicle Repair Service are included in this text amendment.

Additionally, the amendment groups motor vehicle repair businesses by level of impact rather than the type of repair service being offered. For example, Class 1 Motor Vehicle Repair Uses have the least visual and environmental impact. Examples would be Jiffy Lube, Grease Monkey, and Oil Express. Class II examples would be Pep Boys, Merlins, Midas, Discount Tires, Firestone, NTB, and the like. Class III examples are Aamco, Maaco, Gerber Collision & Glass, and Safelite Auto Glass. Class IV Motor Vehicle Repair are fleet services, such as the Village Public Works maintenance garage.

The current Zoning Ordinance contains many obsolete or redundant definitions of motor vehicle uses. This amendment deletes obsolete definitions and adds more refined definition associated with motor vehicle uses.

EVALUATION

The Planning Commission generally concurred with the proposed amendment and found the approach logical.

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.
 - *Allowing Motor Vehicle Repair Service in the M1 district increases the potential for adaptive reuse of vacant buildings within the Village. This will enhance the general welfare of the village by providing more economic opportunity and reducing the number of vacant properties. Since it is similar to other uses permitted in the M1 zoning district, the addition of this use in this zoning district should not result in any negative impact to adjacent properties. This text amendment establishes specific standards which must be met prior to the establishment of and the operation of this use.*
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.
 - *Motor Vehicle Repair Service is very similar to many uses currently permitted and established in the M1 zoning district. This use will be compatible with neighborhoods zoned M1 and with adjacent properties.*

PUBLIC RESPONSE

The public hearing was properly noticed. No members of the public attended the public hearing. No objectors were present.

RECOMMENDATION

Based on the finding of facts, the Planning Commission recommends the Village Board amend Title 11 Zoning Regulations to provide for the establishment and operation of Motor Vehicle Repair Services by right in specific zoning districts, as provided in Exhibit A attached hereto and made a part hereof.

A. Delete the following definitions:

~~AUTO BODY SHOPS: Repair shops that provide services limited to automobile body, frame, or fender straightening or repair, and the overall painting of motor vehicles~~

~~AUTOMOBILE REPAIR, MAJOR: Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and the overall painting of vehicles.~~

~~AUTOMOBILE REPAIR, MINOR: Incidental repairs, replacement of parts, and motor service to automobiles, but excluding any operation specified under "automobile repair, major" as defined herein~~

~~AUTOMOBILE SALES: The use of any building, land area, or other premises for the display and sale of new or used automobiles, but which may include light trucks or vans, trailers, or recreation vehicles, and including any vehicle preparation or repair work conducted as an accessory use.~~

~~AUTOMOBILE SALVAGE YARD: Any place where two (2) or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.~~

~~AUTOMOBILE SERVICE STATION, FULL SERVICE: An automobile service station which, in addition to the retail dispensing of vehicular fuels, performs, as an accessory use, automotive maintenance, service, or repair (excluding bodywork) including, but not limited to, the sale and installation of lubricants, tires, batteries, and similar accessories for automotive vehicles.~~

~~AUTOMOBILE SERVICE STATION, MINIMART: An automobile service station which offers or includes, as an accessory use, the retail sale of prepackaged, nonprescription drugs and convenience food items.~~

~~AUTOMOBILE SERVICE STATION, SELF SERVICE: An automobile service station where the dispensing of vehicular fuels is performed primarily by individual patrons and which does not perform any manner of automotive maintenance, service, or repair.~~

~~GARAGE, REPAIR: Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered. See definitions of Automobile Repair, Major and Automobile Repair, Minor.~~

~~REPAIR GARAGE: See definition of Garage, Repair.~~

~~USED CAR LOT: A zoning lot on which used or new cars, trailers or trucks are displayed for sale or trade outside of buildings~~

B. Add the following new definitions:

MOTOR VEHICLE FUEL STATION: An establishment engaged in the retail dispensing of motor vehicle fuels.

MOTOR VEHICLE IMPOUNDMENT YARD: Any place where two (2) or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.

MOTOR VEHICLE PARTS RETAIL: An establishment engaged in selling motor vehicle parts to the general public. Parts installation is prohibited on the same zoning lot as a Motor Vehicle Parts Retail establishment.

MOTOR VEHICLE REPAIR, Class I: Shall mean a business engaged in auto service activities, including, but not limited to, oil and fluid changes, engine and cabin filter changes, audio sound system installation and repair, and car alarms.

MOTOR VEHICLE REPAIR, Class II: Shall mean a business engaged in auto maintenance activities, including, but not limited to, battery charging and replacement, changing tires and rims, wheel balancing and alignment, hearing and air conditioning work, engine coolant systems, radiators, muffler replacement, brakes, spark plugs replacement, replacement of pumps, belts, and hoses, shocks, emission control services, exhaust system repair and replacement, tune-ups, diagnostics. Class II motor vehicle repair also is entitled in engage in Class I motor vehicle repair activities.

MOTOR VEHICLE REPAIR, Class III: Shall mean a business engaged in auto repair activities, including, but not limited to, engine rebuilding, chassis repairs, body repairs, body painting, body work, undercoating of body or chassis, transmission repair, drive train repair, engine overhauling requiring the removal of the cylinder head or crankcase pan, recapping or treading of tires, upholstery, steam cleaning, and similar activities. Class II motor vehicle repair also is entitled to engage in Class I and Class II motor vehicle repair activities.

MOTOR VEHICLE REPAIR, Class IV: Shall mean a place where repair work on the owned fleet motor vehicles of a single commercial or industrial establishment or governmental agency. Class IV motor vehicle repair is entitled to engage in Class I, Class II, and Class III motor vehicle repair activities.

MOTOR VEHICLE SALES: The use of any building, land area, or other premises for the display and sale or lease of new or used motor vehicles, including any vehicle preparation or repair work conducted as an accessory use.

All remaining provisions in 11-3-2 are to remain in full force and effect.

C. Amend Section 11-4-22: Table of Permitted Uses, by adding the following:

Use	A1	E1	R1	R2	R3	SR	B1	B2	B3	BP	OR	M1	I1
Commercial Uses:													
Motor Vehicle Repair, Class I							P*	P*	P*			P*	P*
Motor Vehicle Repair, Class II								P*	P*			P*	P*
Motor Vehicle Repair, Class III												P*	P*
Motor Vehicle Repair, Class IV												P*	P*

*Subject to compliance with the requirements of Section 11-4-23

D. Add a new Section 11-4-23: Additional Standards for Specific Uses, as follows:

Motor vehicle repair, class I, class II, class III, and class IV. The following performance standards must be met:

1. No motor vehicle repair use may be operated or maintained in a such a way that the shop, any vehicle being repaired in the shop, or any materials associated with the shop, are located or placed on a public or private street.
2. No motor vehicle repair use may be located in any building that is used for residential purposes.
3. The motor vehicle repair use shall have a minimum lot frontage of one hundred (100) feet on a public or private street and direct vehicle access to and from the public street through a commercial driveway.
4. A sign identifying the motor vehicle repair use must be displayed on the premises at all times.
5. A valid contract with a tire disposal company is required whenever tires are discarded.
6. A valid contract with a waste recycler for collecting waste oils and motor vehicle fluids is required whenever motor vehicle fluids are collected.
7. No motor vehicle repairs shall be performed before 6:30 AM or after 8:30 PM.
8. Service bays shall not be oriented towards any residential property.
9. All tires, barrels, discarded auto parts, and other outdoor storage of materials used or sold on the premises shall be screened from view from adjacent public or private streets and alleys, and adjoining properties by a solid screen barrier.
10. A vehicle that is not in working order shall not be stored on the premises for more than seventy-two (72) hours.
11. All motor vehicle repair activities shall be performed in a completely enclosed building with no outdoor displays, sales, or storage permitted.
12. Accessory trailer rental is prohibited.

13. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited; except accessory electric charging of vehicles shall be permitted.
14. Outdoor public address or loudspeaker systems are prohibited.
15. Vehicles being serviced or stored for customers shall not be parked on public or private streets, alleys, sidewalks or tree banks.
16. A single bay car wash containing either manual or automatic equipment is permitted as an accessory use subject to compliance with the standards of Section 11-4-23.
17. All outdoor illumination shall comply with the requirements of the Zoning Ordinance.
18. The motor vehicle repair use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either day or night, by the movement of vehicles or the activities of the motor vehicle repair use.
19. The sale of any vehicles on the premises is permitted as an accessory use and is further limited to vehicles that have been repaired on the premises.
20. The premises of a Class I motor vehicle repair use shall not be located adjacent or across the street from any residential zoned lot.
21. The premises of a Class II motor vehicle repair use shall not be located less than one hundred fifty (150) feet from any residential zoned lot.
22. The premises of a Class III and Class IV motor vehicle repair use shall not be located less than six hundred (600) feet from any residential zoned lot.



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

Ordinance No. 2017-0718

**An Ordinance Amending Title 11 (Zoning Regulations) of the Village Code
(Motor Vehicle Uses)**

Adopted by the
Board of Trustees and President of the Village of Sugar Grove
this 18th day of July, 2017

Published in pamphlet form by authority of the Board of Trustees
of the Village of Sugar Grove, Kane County, Illinois
this 18th day of July, 2017

ORDINANCE NO. 2017-0718

**An Ordinance Amending Title 11 (Zoning Regulations) of the Village Code
(Motor Vehicle Uses)**

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 accordingly, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the corporate authorities of the Village of Sugar Grove have proposed an amendment to the Village of Sugar Grove's Zoning Code; and,

WHEREAS, after due notice, a public hearing was held on June 21, 2017, regarding the proposed amendment and all interested parties who were present were allowed to speak and no objectors were present; and,

WHEREAS, the corporate authorities of the Village of Sugar Grove deem it necessary, desirable, and in the Village's best interest to amend the Village of Sugar Grove's Zoning Code to update its regulations regarding motor vehicle uses.

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: AMENDMENT

A. That the Village Code of Ordinances, Section 11-3-2: Definitions, shall be amended to delete the following definitions:

AUTO BODY SHOPS: Repair shops that provide services limited to automobile body, frame, or fender straightening or repair, and the overall painting of motor vehicles

AUTOMOBILE REPAIR, MAJOR: Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and the overall painting of vehicles.

AUTOMOBILE REPAIR, MINOR: Incidental repairs, replacement of parts, and motor service to automobiles, but excluding any operation specified under "automobile repair, major" as defined herein

AUTOMOBILE SALES: The use of any building, land area, or other premises for the display and sale of new or used automobiles, but which may include light trucks or vans, trailers, or recreation vehicles, and including any vehicle preparation or repair work conducted as an accessory use.

AUTOMOBILE SALVAGE YARD: Any place where two (2) or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.

AUTOMOBILE SERVICE STATION, FULL SERVICE: An automobile service station which, in addition to the retail dispensing of vehicular fuels, performs, as an accessory use, automotive maintenance, service, or repair (excluding bodywork) including, but not limited to, the sale and installation of lubricants, tires, batteries, and similar accessories for automotive vehicles.

AUTOMOBILE SERVICE STATION, MINIMART: An automobile service station which offers or includes, as an accessory use, the retail sale of prepackaged, nonprescription drugs and convenience food items.

AUTOMOBILE SERVICE STATION, SELF-SERVICE: An automobile service station where the dispensing of vehicular fuels is performed primarily by individual patrons and which does not perform any manner of automotive maintenance, service, or repair.

GARAGE, REPAIR: Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered. See definitions of Automobile Repair, Major and Automobile Repair, Minor.

REPAIR GARAGE: See definition of Garage, Repair.

USED CAR LOT: A zoning lot on which used or new cars, trailers or trucks are displayed for sale or trade outside of buildings

B. That the Village Code of Ordinances, Section 11-3-2: Definitions, shall be amended to add the following definitions:

MOTOR VEHICLE FUEL STATION: An establishment engaged in the retail dispensing of motor vehicle fuels.

MOTOR VEHICLE IMPOUNDMENT YARD: Any place where two (2) or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.

MOTOR VEHICLE PARTS RETAIL: An establishment engaged in selling motor vehicle parts to the general public. Parts installation is prohibited on the same zoning lot as a Motor Vehicle Parts Retail establishment.

MOTOR VEHICLE REPAIR, Class I: Shall mean a business engaged in auto service activities, including, but not limited to, oil and fluid changes, engine and cabin filter changes, audio sound system installation and repair, and car alarms.

MOTOR VEHICLE REPAIR, Class II: Shall mean a business engaged in auto maintenance activities, including, but not limited to, battery charging and replacement, changing tires and rims, wheel balancing and alignment, hearing and air conditioning work, engine coolant systems, radiators, muffler replacement, brakes, spark plugs replacement, replacement of pumps, belts, and hoses, shocks, emission control services, exhaust system repair and replacement, tune-ups, diagnostics. Class II motor vehicle repair also is entitled to engage in Class I motor vehicle repair activities.

MOTOR VEHICLE REPAIR, Class III: Shall mean a business engaged in auto repair activities, including, but not limited to, engine rebuilding, chassis repairs, body repairs, body painting, body work, undercoating of body or chassis, transmission repair, drive train repair, engine overhauling requiring the removal of the cylinder head or crankcase pan, recapping or retreading of tires, upholstery, steam cleaning, and similar activities. Class II motor vehicle repair also is entitled to engage in Class I and Class II motor vehicle repair activities.

MOTOR VEHICLE REPAIR, Class IV: Shall mean a place where repair work on the owned fleet motor vehicles of a single commercial or industrial establishment or governmental agency. Class IV motor vehicle repair is entitled to engage in Class I, Class II, and Class III motor vehicle repair activities.

MOTOR VEHICLE SALES: The use of any building, land area, or other premises for the display and sale or lease of new or used motor vehicles, including any vehicle preparation or repair work conducted as an accessory use.

All remaining provisions in 11-3-2 are to remain in full force and effect.

C. The Village Code of Ordinances, Section 11-4-22: Table of Permitted Uses, shall be amended to add the following:

Use	A1	E1	R1	R2	R3	SR	B1	B2	B3	BP	OR	M1	I1
Commercial Uses:													
Motor Vehicle Repair, Class I							P*	P*	P*			P*	P*
Motor Vehicle Repair, Class II								P*	P*			P*	P*
Motor Vehicle Repair, Class III												P*	P*
Motor Vehicle Repair, Class IV												P*	P*

*Subject to compliance with the requirements of Section 11-4-23

D. The Village Code of Ordinances, Section 11-4-23: Additional Standards for Specific Uses, shall be amended to add the following:

Motor vehicle repair, class I, class II, class III, and class IV. The following performance standards must be met:

23. No motor vehicle repair use may be operated or maintained in a such a way that the shop, any vehicle being repaired in the shop, or any materials associated with the shop, are located or placed on a public or private street.
24. No motor vehicle repair use may be located in any building that is used for residential purposes.
25. The motor vehicle repair use shall have a minimum lot frontage of one hundred (100) feet on a public or private street and direct vehicle access to and from the public street through a commercial driveway.
26. A sign identifying the motor vehicle repair use must be displayed on the premises at all times.
27. A valid contract with a tire disposal company is required whenever tires are discarded.
28. A valid contract with a waste recycler for collecting waste oils and motor vehicle fluids is required whenever motor vehicle fluids are collected.
29. No motor vehicle repairs shall be performed before 6:30 AM or after 8:30 PM.
30. Service bays shall not be oriented towards any residential property.
31. All tires, barrels, discarded auto parts, and other outdoor storage of materials used or sold on the premises shall be screened from view from adjacent public or private streets and alleys, and adjoining properties by a solid screen barrier.
32. A vehicle that is not in working order shall not be stored on the premises for more than seventy-two (72) hours.
33. All motor vehicle repair activities shall be performed in a completely enclosed building with no outdoor displays, sales, or storage permitted.
34. Accessory trailer rental is prohibited.
35. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited; except accessory electric charging of vehicles shall be permitted.
36. Outdoor public address or loudspeaker systems are prohibited.
37. Vehicles being serviced or stored for customers shall not be parked on public or private streets, alleys, sidewalks or tree banks.
38. A single bay car wash containing either manual or automatic equipment is permitted as an accessory use subject to compliance with the standards of Section 11-4-23.
39. All outdoor illumination shall comply with the requirements of the Zoning Ordinance.
40. The motor vehicle repair use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either day or night, by the movement of vehicles or the activities of the motor vehicle repair use.
41. The sale of any vehicles on the premises is permitted as an accessory use and is further limited to

vehicles that have been repaired on the premises.

- 42. The premises of a Class I motor vehicle repair use shall not be located adjacent or across the street from any residential zoned lot.
- 43. The premises of a Class II motor vehicle repair use shall not be located less than one hundred fifty (150) feet from any residential zoned lot.
- 44. The premises of a Class III and Class IV motor vehicle repair use shall not be located less than six hundred (600) feet from any residential zoned lot.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this 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 on and after its approval, passage 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 18th day of July, 2017.

P. Sean Michels,
Village President

ATTEST: _____
Cynthia L. Galbreath
Village Clerk

	Aye	Nay	Absent	Abstain
Trustee Kevin Geary	___	___	___	___
Trustee Mari Johnson	___	___	___	___
Trustee Sean Herron	___	___	___	___
Trustee Ted Koch	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee David Paluch	___	___	___	___