
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: ORDINANCE: SPECIAL USE PERMIT FOR CATERING FACILITY (60 MAPLE STREET)
AGENDA: JUNE 2, 2020 VILLAGE BOARD REGULAR MEETING
DATE: MAY 28, 2020

ISSUE

Shall the Village Board approve an Ordinance granting a Special Use Permit for a catering facility at 60 Maple Street.

DISCUSSION

The Applicant desires to establish a catering kitchen facility in the former Catering Gourmet building at 60 Maple Street.

The Village Board previously granted a Special Use Permit to Catering Gourmet in November 2006. Catering Gourmet ceased operations in or around 2012 and the building has been unoccupied since and due to the discontinuation of the use the Special Use Permit has since expired.

The Applicant proposes to use the building as a catering kitchen to support several area restaurants, as well as serve their catering business customers. Despite speculation on social media, the Applicant has no immediate plans to operate a restaurant open to the public from the building. Be advised, a restaurant is a permitted use in the underlying zoning district and can be established without further action by the Village Board.

The Planning Commission held the requisite public hearing on May 20, 2020 via the internet and the public participated. No objectors were present. The Planning Commission recommends approval of the Special Use Permit request, subject to a number of conditions.

Ordinarily, the Village Board would discuss the item before directing staff to prepare the necessary Ordinance. In this instance, Village staff is recommending expediting a final decision as the Applicant has lost their lease on their present location and time is of the essence, and the proposed Special Use is not materially different than the previous Special Use in the same location.

ATTACHMENTS

- PC Recommendation 20-009
- Ordinance Granting a Special Use Permit for a Catering Facility (60 Maple Street)

COSTS

There is no cost associated with the approval of the Ordinance.

RECOMMENDATION

That Board approve an Ordinance granting the Special Use Permit for a catering facility (60 Maple Street).

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

R E C O M M E N D A T I O N
PC20-009

TO: Village President and Board of Trustees
FROM: Planning Commission
DATE: Meeting of May 20, 2020
PETITION: 20-009
Special Use (Catering Facility)
60 Maple Street

PROPOSAL

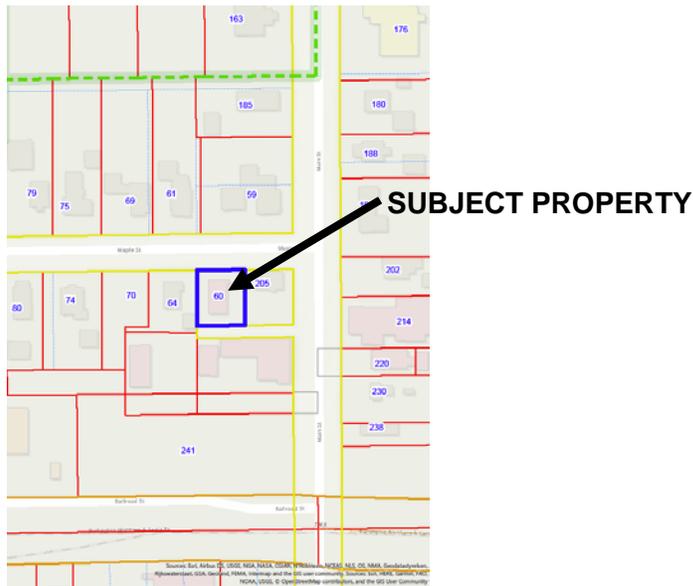
The applicant, Joshua Sowers, is requesting a Special Use Permit for a catering facility located at 60 Maple Street. The applicant is looking to create a high quality private commercial kitchen work space for meal prep and catering services. Food produced at the facility will be sold off-site at local farmers markets, local businesses and special events. The catering facility is the primary use and will not be open to the public at this time, but the applicant would like to eventually offer very limited retail sales of products such as eggs.

BACKGROUND & HISTORY

The subject property is zoned B-1 District. It is surrounded on the east, south and west by B-1 District. Across Maple Street on the north lies R-2 District. The property is improved with a commercial building and off-street parking.

Originally a post office facility, the premises most recently was the location of The Catering Gourmet, a catering kitchen. The previous catering kitchen was issued a Special Use Permit in November 2006, but the previous use has been dormant for so long that the Special Use has expired. The property is zoned B-1; a catering facility is permitted in this zoning district as a Special Use.

LOCATION MAP



PUBLIC RESPONSE:

After due notice, a public hearing was held via electronic means on May 20, 2020. No objectors were present.

DISCUSSION:

Parking, building appearance, and hours of operation were discussed. For the primary use, a catering facility, it was determined that the property had adequate parking. The applicant has no plan to change the appearance of the exterior of the building, he is keeping the same exterior colors and only changing the name on the sign on the front of the building. Hours of operation were brought up as a concern, however, it was determined that the operation itself would not be a disturbance to the surrounding businesses and residents. A time limit on the hours of deliveries, incoming and outgoing, was decided that it would be best for those to occur only between the hours of 9:00 a.m. and 9:00 p.m. Monday through Saturday.

The applicant is currently leasing a catering kitchen elsewhere and has lost the lease. His catering business provides food that is sold at local farmers markets, special events, and local businesses, such as Rustic Road Farm in Elburn. The catering kitchen is not a restaurant, but the applicant stated they would like to host small closed dining events for staff and colleagues.

A resident who lives across the street from the business was in attendance of the meeting and stated interest in being able to eventually be able to purchase items from the business.

FINDINGS OF FACT:

When considering special use requests, the Zoning Ordinance provides certain standards to be considered. The Planning Commission hereby finds that the proposed Special Use:

1. Will be harmonious with and in accordance with the general objectives of the Comprehensive Land Use Plan and/or this zoning ordinance.

The proposed catering facility is consistent with the objectives of the Comprehensive Plan, the Zoning Ordinance, and the Downtown Plan. The proposed use and the scale of the use is considered compatible with planned uses for the area.

2. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not alter the essential character of the same area.

The use would be operated and maintained to be harmonious with the area. The use would be a commercial use and there will be no changes to the building. The Applicant is proposing no changes to the exterior of the building.

3. Will not be hazardous or disturbing to existing or future neighborhood uses.

There has been no evidence presented to indicate the proposed use is hazardous or disturbing to existing or future neighboring uses of land.

4. Will be adequately served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The site is an established building within an established commercial area with essential public facilities that can adequately serve the proposed use. No evidence has been provided to indicate the existing public facilities cannot accommodate the proposed Special Use.

5. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village.

There has been no evidence presented to indicate that the proposed use will create excessive additional public cost. The use is expected to contribute to the economic welfare of the Village.

6. Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

There has been no evidence presented to indicate that the proposed use will produce excessive or detrimental traffic, noise, smoke, fumes, glare, or odors.

7. Will have vehicular approaches to the property which shall be so designed as to not create an undue interference with traffic on surrounding public streets or highways.

The site has adequate existing access and approaches to the property that will allow the proposed Special Use to not interfere with traffic on surrounding public streets or highways, and there has been no evidence submitted to indicate that the proposed Special Use will increase traffic or parking needs in the vicinity.

8. Will not increase the potential for flood damage to adjacent property, or require additional public expense for flood protection, rescue or relief.

There are no proposed changes to the subject property, therefore there will be no increase in the potential for flood damage to adjacent property, or require additional public expense for flood protection, rescue or relief.

9. Will not result in the destruction, loss or damage of natural, scenic or historic features of major importance to the Village.

There will be no impacts to natural, scenic, or historic features of importance in the Village surrounding the subject property. The proposed Special Use will activate a long vacant commercial building in the neighborhood.

RECOMMENDATION

After carefully considering the facts and public comments, the Planning Commission recommends the Village Board **approve** Petition #20-009 Special Use for a catering facility at 60 Maple Street subject to the following conditions:

1. That all incoming and outgoing deliveries shall be limited to the hours between 9:00 a.m. and 9:00 p.m. Monday through Saturday.
2. That the applicant shall apply for a building permit through the Building Division prior to any interior or exterior modifications.
3. That the applicant shall apply for a sign permit through the Building Division prior to any exterior sign painting or modification.

AYES: Irv Ochenschlager, James White, Jim Eckert, John Guddendorf, Rebecca Sabo,
Larry Jones

NAYES: *None*

ABSENT: Greg Wilson

MOTION PASSED



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

ORDINANCE NO. 20200602C

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO
ESTABLISH AND OPERATE A CATERING FACILITY
AT 60 MAPLE STREET**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 2nd day of June 2020

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove
this 2nd day of June 2020

ORDINANCE NO. 20200602C_

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO
ESTABLISH AND OPERATE A CATERING FACILITY
AT 60 MAPLE STREET**

WHEREAS, the Village of Sugar Grove (the “Village”) 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 5/1-1 *et seq.*; and,

WHEREAS, the Joshua Sowers, (the “Applicant”) has requested a Special Use Permit to establish and operate a catering facility on the subject property located at 60 Maple Street and legally described in Exhibit A, attached hereto and made a part hereof by this reference; and,

WHEREAS, after due notice, the Planning Commission held a public hearing on May 20, 2020, via electronic means, and at which no objectors were present, and in their Recommendation PC20-009 recommended approval of the Special Use Permit subject to certain conditions; and,

WHEREAS, the Village Board reviewed the request and the Planning Commission’s findings and recommendation and deemed that approval of the Special Use would be in compliance with the Village Zoning Ordinance.

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: SPECIAL USE

A Special Use Permit to establish and operate a catering kitchen on the subject property legally described in Exhibit A be and it is hereby granted subject to the following conditions:

1. That all incoming and outgoing deliveries shall be limited to the hours between 9:00 a.m. and 9:00 p.m. Monday through Saturday.
2. That the applicant shall apply for a building permit through the Building Division prior to any interior and exterior modifications.
3. That the applicant shall apply for a sign permit through the Building Division prior to any exterior sign painting or modification.

SECTION TWO: GENERAL PROVISIONS

REPEALER: That all ordinances or portions thereof in conflict herewith are hereby repealed to the extent of any such conflict.

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 2nd day of June 2020.

ATTEST:

P. Sean Michels,
President of the Board of Trustees

Alison Murphy,
Village Clerk

	Aye	Nay	Absent	Abstain
Trustee Sean Herron	___	___	___	___
Trustee Ted Koch	___	___	___	___
Trustee Jen Konen	___	___	___	___
Trustee Heidi Lendi	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee Ryan Walter	___	___	___	___

Exhibit A

Legal Description

Parcel 1: The west 1/2 of Lot 1 in Block 4 of the Village of Sugar Grove, Kane County, Illinois.