

**VILLAGE of SUGAR GROVE
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of MARCH 15, 2006 MEETING**

1. CALL TO ORDER

The regular meeting of the Sugar Grove Plan Commission/Zoning Board of Appeals (ZBA) was called to order by Chairman Irv Ochenschlager at 7:00 p.m. in the Village Hall Boardroom.

2. ROLL CALL

Plan Commission/ZBA Members Present
Steve Benesch, Bob Dray, Irv Ochenschlager, Ryan Reuland
Absent: Ed Saloga, Brian Schiber
Quorum present

Also Present

Scott Buening, Community Development Director; Mike Ferencak, Village Planner;
Nancy Zak, Recording Secretary

3. MINUTES of the SEPTEMBER 21, 2005 MEETING

Dray made a motion to approve the minutes of the September 21, 2005 Plan Commission/ZBA meeting as presented. Benesch seconded the motion. The motion carried unanimously by voice vote.

4. MINUTES of the DECEMBER 21, 2005 MEETING

Dray made a motion to approve the minutes of the December 21, 2005 Plan Commission/ZBA meeting as presented. Benesch seconded the motion. The motion carried unanimously by voice vote.

5. PUBLIC HEARINGS None

6. OLD BUSINESS None

7. NEW BUSINESS

a. Petition 05-018: Sugar Grove Research Park First Resubdivision Preliminary Plat, Final Plat (Triumph Development, Petitioner)

The petitioner proposes subdividing Lot #2, 8.26 acres, into two lots; Lot 21, 3.66 acres and Lot 32, 4.60 acres. The subject property is located within the Sugar Grove Research Park, on the east side of Heartland Drive, south of the future Cardinal Drive. The current zoning is M-1 Limited Manufacturing District.

Since it is a single lot resubdivision within an approved subdivision Preliminary Plat and Final Plat is going through the process concurrently.

Staff's only comment at this point in time is that a PIN number listed be updated. The lot was given a new PIN number after the Village took ownership.

Ochsenschlager asked about the improvement of Cardinal Drive? Buening said the owner of the subject property will improve Cardinal Drive as it runs along his property and would be reimbursed for the expense. The Village owns the property designated for Cardinal Drive.

Dray questioned how long the petitioner owned the lot? Russell Scurto, the Petitioner, said he has owned it for four years and is not the original developer. Dray asked if there was a reason this 8 acre lot was created? Benesch said he recalled when the original petitioner came to the Village, he wanted to have two big lots for future subdivision.

With no further discussion, questions or comments,

Reuland made a motion to approve the Preliminary Plat and Final Plat for the Sugar Grove Research Park First Resubdivision, subject to Staff's conditions listed in its report dated March 15, 2006, page 3, briefly summed up, that the Final Plat substantially conforms to the Final Plat last revised January 10, 2005, the change of the PIN and the developer submits a letter from the surveyor granting the Village authorization to record the Final Plat. Benesch seconded the motion.

Roll Call Vote on the Motion:

Ayes: Benesch, Dray, Ochsenschlager, Reuland

Nays: None

Absent: Schiber and Saloga

Motion carried

**b. Petition 06-004: Subdivision Regulations (Escrow Deposits)
Subdivision Ordinance Text Amendment
(Village of Sugar Grove, Petitioner)**

The request is for a Subdivision Ordinance Text Amendment to amend Section 12-3-1: Fees.

Developers are required to maintain an escrow account to cover the cost of consultant services. The existing ordinance specifies that a subdivision of less than ten acres shall maintain a \$2,500 minimum, and that a subdivision of ten acres or more shall maintain a \$5,000 minimum.

Staff has found the ordinance does not practically maintain the amounts necessary to cover the cost of professional services for the subdivisions and proposes changes as follows:

0 -99 acres	\$25,000.00
100-499 acres	\$50,000.00
500 + acres	\$100,000.00

Staff also proposes: drawing upon the deposit until the deposit reaches 50 % or less of the initial deposit, then the subdivider shall replenish the deposit at or before the 50% level is reached and for fees that are not paid within thirty days after the date they become due and payable shall bear interest at the rate of eighteen percent per annum and the Village would not be obligated to continue work or progress on any project on which fees are not paid. Upon recording of the final plat and final plat fee, any remaining amounts in the escrow account will be credited towards any future Village or consultant costs.

Dray asked if it was typical to charge interest? Buening responded yes, that it was. Reuland felt it was ridiculous not to refund any monies remaining in the developer's account once the project has gone through.

Dray questioned if the Village was taking a loss on the expenses incurred in processing developments? Buening said the subdivider pays the Village 3-1/2% and the Village doesn't know if it is covering all costs.

Reuland asked if these proposed deposit requirements and replenishment levels are similar to what other communities ask for? Buening answered; yes many other towns have comparable requirements.

Dray wondered if the Village had gotten any feedback from developers about these changes being proposed to the Subdivision Ordinance?

With no further discussion, questions or comments

Benesch made a motion to recommend amending Section 12-3-1: Fees of the Sugar Grove Subdivision Ordinance as proposed.

Dray seconded the motion.

Roll Call Vote on the Motion

Ayes: Benesch, Dray, Reuland, Ochsenschlager

Nays: None

Absent: Saloga, Schiber

Motion carried

8. PLAN COMMISSIONER COMMENTS, PROJECT UPDATES AND MISCELLANEOUS INFORMATION

a. 489 N. Illinois Route 47

The Village Board approved the Chase Bank petition for a bank on Lot 6 in the Sugar Grove Center. There was concern regarding the excessive number of parking spaces. There has been a resolution to this issue. The Petitioner gained

two parking spaces in front of the store by shifting the drive slightly to the south and changing eight parking spaces on the south side to parallel spaces. If the petitioner requests more parking, approval will have to be given by Staff at a later time to change these landbanked spaces from landscaping to paved parking spaces. Even after the landbanking, they had about 50% in excess of what was required. Benesch questioned if a bank was slated to be in that center. Ferencak said, yes and there is still one more to come besides the one within Jewel.

b. 515 N. Illinois Route 47

This project has not moved anywhere as yet. It was an inline store development north of the Jewel. The developer has indicated he may withdraw the petition for this particular development, hoping to get a larger user on the site.

c. Aldi

This project, on the northwest corner of Illinois Route 47 and Park, is close to going to Committee. Ferencak said he was working on a report. A number of issues have been resolved regarding architecture and landscaping. Other site issues have yet to be resolved. This matter will not go through the Plan Commission/ZBA for it is locked in with the PUD. It will go to the Village Board for review. Benesch expressed his feelings that the Village should encourage the project, for another grocery store is needed in the Village. Some of the issues revolved around the prototype architecture Aldi uses, however this store will be constructed entirely of full brick and have a raised roof to hide the equipment on the roof. Also Staff has requested that they provide additional foundation landscaping to soften the amount of brick.

d. Black Walnut Trails Unit 5

The Final Plat has been approved and recorded. This is the five or six subdivision plat that was not developed until recently. Construction of homes has started on the site.

e. Meadowridge Villas

This development is nearing final plat approval. Work still has to be done and agreed upon on the landscaping plan.

f. Settler's Ridge

A number of homes are being constructed on the site, so it is moving along well.

g. Timber Crest

The annexation agreement has been approved but still has to be recorded. In regard to a proposed road leading to Golfview that the developer was to provide, because the cost to accomplish that was going to be extremely high, the Village did not think it was fair to require this developer to bear the brunt of the cost. Instead they will dedicate a right-of-way to build the improvements associated with extending the road which includes the expansion of the bridge. The Timber Crest developer will, however contribute a portion of his road impact fee towards

the improvements. They will also post a sign that the road would be extended in the future.

h. Promenade Development

The developer has withdrawn the petition for the development. It was the developer's opinion the Village was asking for too much towards its development. Buening indicated the requirements Promenade needed to comply with were the same, as other developers in the Village were required to provide.

i. Sheds in Easements

The decision was made that permission to allow a shed to be constructed in an easement would be determined by a Village Hearing Officer. The appointment of such an officer is yet to be determined. The Hearing Officer will judge each petition by the Variance criteria and forward a recommendation to the Village Board. The Village Board will have the final decision.

j. Mailbox Requirements

A proposal has been drafted for allowing masonry mailboxes to be constructed in the right-of-way. The draft will be reviewed by the Village Board at its April 4 Committee of the Whole meeting. Masonry mailboxes would be allowed under certain parameters. Those existing would be grandfathered in. A possible fee for a building permit for the mailboxes could be \$50 or \$55. The Village would require the resident constructing a masonry mailbox to enter into a hold harmless agreement in light of possible damage by snowplowing, etc.

k. Prestbury Annexation

A final report has been prepared on this annexation. Negotiations continue back and forth, however. A referendum must be arranged for the November elections for annexing the area. Only those residents involved with their properties being annexed would vote on the issue.

l. Vacant Plan Commission ZBA Position

Buening indicated appointment of a new Plan Commission/ZBA member is still under consideration. Several appointments must be made regarding renewal of terms and the Village Board will speak to these appointments and reappointments at its April meeting.

8. ADJOURNMENT

Benesch made a motion to adjourn the meeting. Reuland seconded the motion. The motion carried by unanimous voice vote.
The meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Village of Sugar Grove
Plan Commission/ZBA Meeting Minutes
March 15, 2006

Nancy Zak, Recording Secretary