

**VILLAGE of SUGAR GROVE  
PLAN COMMISSION/ZONING BOARD of APPEALS  
MINUTES OF JULY 19, 2006 MEETING**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Plan Commission/ZBA members present:

Steve Benesch, Ryan Reuland, Bob Dray, Irv Ochsenschlager

Absent: Ed Saloga

Quorum present

Also present:

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

**3. APPROVAL of MINUTES OF THE JULY 6, 2006 PLAN COMMISSION/ZBA MEETING**

**Benesch made a motion, seconded by Reuland that the minutes of the July 6, 2006 Plan Commission/ZBA meeting be approved as corrected. The motion carried unanimously by voice vote.**

The correction made was to eliminate Brian Schiber from the roll call as being present. Schiber had resigned from the Commission prior to that meeting.

**4. PUBLIC HEARING**

**a. Petition 06-010: 447 North Illinois Route 47 - Special Use  
(Village Bible Church, Petitioner)**

**Hearing Opening**

Quorum present as at roll call.

Ochsenschlager swore in those planning to offer testimony regarding the petition. He then read the Petitioner's request. The Church is asking for a Special Use for an existing and expanded church use in the R-2 Single-Family Detached Residential District.

Ferencak reviewed the history of the property. Village Bible Church is the owner. The site is in Village limits and is zoned properly. However, no Special Use was obtained for the church use. Churches in any residential district require a Special Use. The site has been used as a church for many years. At this time, the petitioner is proposing to expand the facility, which has triggered the requirement

to obtain a Special Use. The public required to be notified of the hearing had received notice and a sign announcing the hearing and date had been posted.

At this time, the petitioner proposes to replace the 5,895 square foot one story metal portion of the facility with a new 17,388 square foot one story brick, stone and siding portion. The new portion would include a 9,660 square foot area for classrooms and offices in brick and stone and a 7,728 square foot area for a gymnasium in vertical siding. This would be an addition to the existing building.

### **Petitioner's Presentation**

Pastor Keith Duff, one of the pastors of the Village Bible Church spoke in regard to what they are proposing. He said several church leaders and consultants were also present should the Commission have questions.

Pastor Duff told of the church history on the site. The church has been on that site for 30 years. When it was evident that expansion was necessary, after some serious consideration, they decided to stay at the site and make improvements rather than seek out acquisition of more land. He went on to say they have three issues before them that resulted in coming before the Village with their request. The first being that the original building, built in 1975 was intended to be a 15-year building. Secondly, there has been a lot of growth and the existing building barely meets their needs now. But they do not feel it will continue to meet the needs with the expected growth. The new section of the church was built in 1991, which is the majority of the building. It is expected to continue to be adequate for quite some time. They know the need to address the needs anticipated within the next ten years, however.

The church would like to continue to grow in membership, but also want continued growth in opportunities to allow for community groups to make use of the building. Conley Outreach (grief counseling) has already begun use of the space. Other programs they feel fit well within the church ministries would be welcomed to use the facilities also.

Regarding the proposed gymnasium, it can't be seen because it would be behind a stand of trees. In addition, they intend to increase and improve the landscaping that is there.

In regard to the bikepath the Village requires, they understand the purpose and it is their hope that someday it would link into other bikepaths and not just serve the church section.

Pastor Duff stated they think they are going to improve the overall aesthetics and services offered to the community. He said it has been good working with Village Staff who lent encouragement and recommendations.

The congregation, Duff said, has raised over 90% of the funds needed to build the building as it is now designed.

Pastor Duff then referred to the conditions Staff recommended should the Plan Commission/ZBA see to recommend approval of the Special Use. Of the sixteen recommendations, there are eight that are easy to agree to. There are three they want to get clarification on, two for which they would like to request a variance for safety issues and two they would like to request variances for for other reasons.

Ochenschlager then asked those attending in the audience if they had any questions, comments or opinion in favor or against the petition. No one expressed opposition. Those present mostly were church members and understood the plans that had been developed, so there were no questions posed and they indicated they all were in favor of the petition

#### **Close of Public Hearing**

Chairman Ochenschlager then closed the public hearing on Petition 06-010 at 7:17 p.m.

5. **OLD BUSINESS** None

6. **NEW BUSINESS.**

A. **Petition 06-010: 447 North Illinois Route 47 - Special Use  
(Village Bible Church, Petitioner)**

#### **Plan Commission/ZBA Discussion of Petition**

Reuland said he would be interested in knowing which of the items the church would be requesting variances from. Pastor Duff distributed copies of the rendering drawings.

Pastor Duff said they needed clarification on items 6, 7 and 9 regarding parking, architectural review and tree mitigation. Item 3, the widening of the drive across the property to a standard 24' width pavement with curbs, was an open issue.

Fox Metro recently was given an easement to put the sewer through the church property that would go to Waubensee College. In doing so, Fox Metro tore up the whole drive and tore out some trees. Duff said Ferencak indicated Fox Metro did not receive Village permits. Fox Metro widened the then 13' drive to a 19' width, but not the standard 24' required by Village code. The church request is not to have to incur the cost to widen that drive to 24'. Ferencak said the Village staff is comfortable with the 19' wide drive for it does create an adequate passing situation. Buening, when asked, said the church would not be required to install curbs that would then require they install a storm sewer system. The site drains to the north and south and drainage is probably fine the way it is. It was then determined that item 3. could be removed from the open issue list.

Pastor Duff then spoke to item 4 on the list regarding the installation of a bikepath along Route 47. A good deal of discussion took place about the placement of the bikepath on the site. There was concern on the Petitioner's part about the safety

of the bikepath being installed in the manner the Village required in regard to safety for the bikers. In its required position, its possible drivers would not see bikers in time to avoid mishaps. One suggestion the Petitioner made was to widen the drive and have the drive painted/marked separately so cars would not go on the bikepath portion.

Ochsenschlager asked what the overall scheme of the bikepath was? Ferencak answered that it is the Route 47 bikepath that would connect down to the Jewel path and continue north to Waubensee and also tie in to the Gilman Trail. Buening's concern about the church plan for the bikepath along the drive was that bike traffic would be mixed with vehicular traffic and with the narrow width of the driveway, he could see cars driving over the bikepath thinking it is a lane. He understood the issue of concern, but thought the issue could be mitigated by have stop signs posted at the bikepath or road crossing signs. Pastor Duff thought that might work. Another thought to consider, Duff said, was if Route 47 does widen, the proximity to the bikepath as required would be even closer. Duff said the Village's plan is less costly.

It was determined that the petitioner and Village Staff and Engineer continue dialog on the bikepath issue.

Moving on to Items 5 and 8, cash in lieu of fees, Pastor Duff was thankful for the opportunity to eliminate the need for water retention, which would allow for salvage of many trees on the site. Duff asked that the Village consider that fees be minimized or waived, for they would like to invest those dollars in other services back to the community. Buening stated he wasn't sure that the Village has the ability to waive cash in lieu of fees for detention. The Village by allowing the church not to put in stormwater detention facilities in itself would be a significant cost savings to it. The Kane County Stormwater Ordinance the Village follows requires collection of these fees and if not used on the site in question, to be used for stormwater detention elsewhere in the Village water shed.

Pastor Duff also asked that the cash in lieu of fees stemming from bikepath on Bliss Road be minimized. Ferencak noted that path travels only a short distance on the church site and wouldn't require much cost.

Pastor then moved on to Item No. 10. which involved signage at the entrance to the church site. After some discussion, it was resolved that the Village could issue a permit for a sign, as it would be legally placed with the existing property line. Then with the Plat of Dedication, the Village would like a letter from the County saying that the church can keep the sign in the County right-of-way. Duff questioned if they needed to apply for that permit from the Village prior to doing the Plat of Dedication. Buening responded, yes they can have it done, but before the Village records it the Village would want to have a permit issued so the church could have the permission to put the sign up.

Item 9 was then addressed regarding tree mitigation. Duff said they are fine with taking down dead trees and replacing them. He said they are not sure they are going to plant trees along the east and south property lines as requested. The Village required them to add 19 trees. Duff wanted to be certain that when those buffer trees are planted along the property they are counted towards the required 19. Ferencak advised that the 19 trees should be specifically identified on the plans.

The final item Pastor Duff wanted to discuss was Item 7. regarding an architectural review. He questioned if the review and comments made from the review committee would be ready by the Village Board's C.O.W. meeting on August 1 and subsequently the August 15 regular board meeting. Ferencak reminded Duff that he had not guaranteed the August 1<sup>st</sup> meeting. When the petition reaches the Village Board depends upon when the architectural group can meet.

Dray asked if the tree mitigation ordinance had been amended since the Kimball Hill development? Buening said the Village is viewing tree mitigation as part of the subdivision ordinance amendments. The church would have had to do much of the required mitigation under the conceptual ordinance anyway.

Dray questioned if any portion of the current building improvements were located in the 100-year floodplain. Ferencak answered that the floodplain is identified on the site plan. Buening said the driveway is just outside the flood elevation.

Dray then asked for further information regarding the vertical siding on a portion of the new addition. Would it be plywood? Duff said it would be on the gymnasium building, which is behind the educational building and can't be seen. They were hoping not to be required to do brick on the gymnasium because of the cost. It is a large surface. The material used would be two-tone to soften the appearance.

Benesch broached the subject of Fox Metro taking down trees to put lines through. Buening said the Village has some documentation from their permit plans and they did spot a number of trees, possibly a dozen. Benesch asked if Fox Metro was going to replace them? Buening said the Village would make them do that. Any properties that are in the Village, the Village would put them on notice that they are required to follow its ordinance.

Benesch brought up the subject of lighting plans for the parking lot. Duff said they would like to increase the lighting for security reasons. Buening told the petitioners they are allowed to have lights in the parking lot. Duff asked if that was something they should do with the current plans or do a lighting plan separately? Buening thought it would be more cost effective for them to do it at the same time for they are going to have electrical contractors out there running wiring and doing upgrades. By doing it simultaneously, they could put everything under one building permit.

Pastor Duff asked if the Village of Sugar Grove allowed for non-profits to apply for a waiver on building permits? Buening said the Village does not waive building permit fees for any non-profit development, except government.

With discussion and questions exhausted, Ochsenschlager called for action on the petitioner's request in the form of a motion.

**Dray made a motion to recommend to the Village Board approval of the Special Use request by the Village Bible Church for the existing expanded church in the R-2 Single-Family Detached Residential District, subject to the 15 conditions set down in Staff report dated 7/19/06 (item 3 having been stricken). It also recommended a modification to item 10 regarding the driveway entrance size to allow a sign to be located on the existing property subject to the existing setbacks and remain once the property is dedicated with the approval of the Kane County Department of Transportation.**

**In addition, the Plan Commission/ZBA recommends acceptance of the Finding of Facts regarding the Special Use as set forth in Staff recommendations.**

**Reuland seconded the motion.**

**Roll call vote on the motion:**

**Ayes: Steve Benesch, Bob Dray, Ryan Reuland, Irv Ochsenschlager.**

**Nays: None**

**Absent: Saloga**

**Motion carried.**

The Petition, along with the Plan Commission/ZBA recommendation, would now be moved to the Village Board (after Architectural Review) for its consideration

**7. PLAN COMMISSIONER COMMENTS, PROJECT UPDATE and MISCELLANEOUS INFORMATION**

**Village Property**

**Heartland Development's Resubdivision of Lot 21**

**Heartland Development's Resubdivision of Lot 8**

The Village Board at its COW meeting reviewed the above and moved them forward to the Village Board meeting for action.

**Prestbury Annexation**

Buening said it is not certain the annexation would be on the November ballot. The matter is still under discussion and review. Many residents in the subject area are greatly concerned about the cost they would incur by annexing to the Village.

**Pending Plats**

Buening said a number of Plats would be completed and ready for signatures in the near future. Buening reported on the permits thus far this year. The economy

is slowing down, but the Village is close to being on target with 162 permits so far as meeting its projected 377 permits for the year. Benesch asked if there was a restriction on the number of building permits Settlers Ridge could pull in a year. Buening said yes, 402.

Commissioners wanted to know if any further action was being taken on the Forest City project. Buening said a lot of discussion continued to take place regarding this development. Forest City developers are working on traffic information with IDOT because they need to get the access points resolved before they can go much further. Hopefully, the Village will see an application by the end of the year. The library and Village Hall will in all likelihood go into the Forest City site.

Reuland questioned why Pulte pulled out of the Timber Crest development? Buening said he thought possibly because of internal finances and the cost of developing in regards to fees and the slow down of the economy may have been a factor that made Pulte decide they could not make a go of it. Pulte did not own the property. They did not close the contract and the property is still owned by Dolan.

Benesch asked if the proposed waterpark developers owned the property they hoped to develop? Buening said they did own it, but were in the process of selling it.

## **8. ADJOURNMENT**

**Benesch made a motion to adjourn the meeting. Reuland seconded the motion. The motion carried unanimously by voice vote.**

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Nancy Zak  
Recording Secretary