

**VILLAGE of SUGAR GROVE  
PLAN COMMISSION/ZONING BOARD of APPEALS  
AUGUST 16, 2006 MEETING MINUTES**

**1. CALL TO ORDER**

Chairman Irv Ochsenschlager called the regular meeting of the Plan Commission/Zoning Board of Appeals (ZBA) to order at 7:00 p.m. in the Village Boardroom. On August 1, the Village Board ratified the appointment of two new Plan Commission/ZBA members; James Eckert and Barbara Manzanares. Chairman Ochsenschlager welcomed and introduced the new members to Plan Commission/ZBA members now sitting on the Commission.

**2. ROLL CALL**

Plan Commission/ZBA members present:  
Steve Benesch, Bob Dray, Ryan Reuland, Ed Saloga, Irv Ochsenschlager, James Eckert, Barbara Manzanares.  
Quorum present.

Also present:  
Mike Ferencak, Village Planner

**3. APPROVAL of the MINUTES OF THE JULY 19, 2006 PLAN COMMISSION/ZBA MEETING**

**Benesch made a motion, seconded by Reuland that the minutes of the July 19, 2006 Plan Commission/ZBA meeting be approved as presented. The motion carried unanimously by voice vote.**

(Note: After the meeting Eckert noted a typographical error on page 4, paragraph two. The sentence in question should read, "Ferencak answered that it is the Route 47 bikepath that ~~would~~ would connect down to the Jewel path . . .")

**4. PUBLIC HEARING**

**PETITION 06-014: 2 YORKSHIRE COURT - REZONING ( upon Annexation)**

Petitioners: Wesley and Janet Ludwig

**Opening of the Public Hearing:**

Ochsenschlager opened the Public Hearing at 7:02 p.m. He then swore in those persons that planned to testify and read the Petitioners' request. The Petitioners notified surrounding property owners via certified U.S. mail, posted a notice and published a notice of the public hearing in the newspaper as required.

**Petitioners' Request**

The Ludwigs are requesting rezoning from R-1 Low Density Residential District (upon Annexation) to R-2 Single-Family Detached Residential District. The subject property is located in the Prestbury Subdivision in unincorporated Kane County.

Ochsenschlager then explained the reason for the request as being that the Ludwigs plan to build a single-family home on this vacant site. In order to obtain water and sewer services from the Village of Sugar Grove, they are required to sign an annexation agreement. Since the property would be zoned R-1 Low Density Residential District automatically upon annexation, one of the terms of the agreement would be to rezone the property to R-2 Single-Family Detached Residential after annexation. Annexation is not contemplated at this time since the property is not contiguous to the Village limits. But, in order for the annexation agreement to be ratified by the Village Board, a public hearing before the Plan Commission is required on the proposed rezoning.

**Petitioner Presentation**

The Petitioners were invited to make a presentation of their request, however felt the explanation given sufficiently stated their case. They did express their hope that the Plan Commission/ZBA would recommend approval of the rezoning.

**Public Comments/Questions**

No public comments were forthcoming at the hearing.

**Staff Comments**

Ferencak indicated the request was straightforward. The Petitioners came to the Village with a plan. They were aware of and made efforts to abide by the Village requirements for setbacks as well as other requirements in order to avoid requesting variances. Staff recommends approval of the proposed Rezoning to R-2.

**Close of Public Hearing**

With no further comments, questions forthcoming, Ochsenschlager closed the Public Hearing on Petition 06-014 at 7:05 p.m.

**5. OLD BUSINESS**

None

**6. NEW BUSINESS**

**b. \* PETITION 06-014: 2 YORKSHIRE COURT - REZONING (upon Annexation)**

Wesley and Janet Ludwig, Petitioners

**Plan Commission/ZBA Discussion of Petition 06-014**

Benesch had a concern that if the proposed home to be built on the subject property was to be situated according to the Village setback rules as opposed to Prestbury's rules, their home would be set too far back. Benesch liked the home further back because the lot is bigger farther back. He was just concerned that neighboring homes would be sitting closer to the front and the Ludwigs' would look strange set farther back than the others. Ferencak said the Petitioners could place the proposed home 6' closer to the front and still meet Village setback requirements. The Petitioners indicated they went by the stricter of two sets of setback requirements.

Eckert questioned the difference between square footage of the subject property noted on the staff review (17,284 S.F.) and the Plat of Survey (17, 286 S.F.) Ferencak explained the difference as possibly just a rounding error and would not effect the lot coverage regulations.

Eckert noted that the rear setback was not in evidence on the (Site) Grading Plan. Ferencak agreed that the rear setback was indeed absent. The Village usually required all the setbacks to be shown and the Petitioner could be required to have a plan drawn showing those measurements, if it was felt to be necessary. Staff measured the rear setback and it was met though.

Eckert asked where the sanitary sewer would come in for it was not indicated on the (site) Grading Plan. Mr. Ludwig said all of the utilities were located in the back, except the water was located in the front.

Eckert wondered why the amended application indicates the subject property as being, on one document in Aurora and on another in North Aurora. Ferencak explained that the U.S. postal service is making postal district changes in the whole of the Prestbury Subdivision, and that the change will encompass Prestbury as being a Sugar Grove address.

With no further questions or comments forthcoming, Ochsenschlager asked for a motion taking action on Petition 06-014.

**Dray made a motion, seconded by Saloga that the Plan Commission/ZBA recommend to the Village Board approval of Petition 06-014 that requests a rezoning from R-1 Low Density Residential District (upon Annexation) to R-2 Detached Residential District.**

**Roll Call Vote on the Motion:**

**Ayes: Benesch, Dray, Saloga, Reuland, Eckert, Manzanares, Ochsenschlager**

**Nays: None**

**Motion carried by unanimous vote.**

- For the sake of continuity, Petition 06-014 was placed before Item a. of New Business.

**a. PETITION 06-008: SUGAR GROVE RESEARCH PARK 2<sup>ND</sup>  
RESUBDIVISION - PRELIMINARY AND FINAL PLAT**  
Petitioner: Triumph Development

The subject property, Lot 32, 4.60 acres in size, is located on the East Side of Heartland Drive, close to Wheeler Road. This is a proposed Resubdivision of Lot 32 into two lots, Lot 33 (2.00 acres) and Lot 34 (2.60 acres). Since this is a single lot Resubdivision within an approved subdivision, the Preliminary and Final Plat are going through the process concurrently.

The Village has received no public comment or inquiries regarding this proposal.

In its review, Staff recommends approval of the proposed Preliminary and Final Plat subject to certain conditions being met.

Ochsenschlager asked if anyone in the audience was present representing this resubdivision? Russ Scurto of Triumph Development stood and said he thought it was a pretty simple process, but he was in attendance to answer any questions the Plan Commission/ZBA might pose.

Eckert did have a comment regarding the drainage easement requirement. Was it 20' with 10' on each side of the property line, he asked? Ferencak said it was actually 5' on each side. This original subdivision was approved some time ago and it states the easement as being 5' on each side specifically in the Annexation Agreement, which was drawn up following the old Zoning Ordinance. The old ordinance having less stringent standards overall. When Eckert questioned the easements further, Ferencak indicated he would confirm the easements with the Village consulting engineer. If it is found that an adjustment has to be made, it will be made, providing the Plan Commission/ZBA agrees to that.

With no further comments or questions, Ochsenschlager asked for action on the request for approval of the resubdivision.

**Saloga made a motion, which Benesch seconded, to recommend to the Village Board approval of Petition 06-008 the Sugar Grove Park 2<sup>nd</sup> Resubdivision Preliminary Plat and Final Plat subject to the Staff conditions on pages 3 and 4 in its report dated August 16, 2006.**

**Roll Call Vote on the Motion:**

**Ayes: Benesch, Dray, Reuland, Saloga, Eckert, Manzanares, Ochsenschlager**

**Nays: None**

**Motion carried by unanimous vote.**

**b. PETITION 06-015: HANNAFORD FARM - MINOR PUD AMENDMENT**

Petitioner: Ed Saloga

Commissioner Saloga recused himself from any participation on this petition.

Ferencak explained that a minor amendment to a PUD is one where a public hearing is not required. When the Hannaford Farm development was annexed and approved, the annexation agreement contained a page, Exhibit 4, listing specific architectural design guidelines. The Petitioner wishes to amend number 3, 7 and 8 of that exhibit. The minor changes asked for are ones that both Staff and the developer thought would make the architectural standards clearer in the future for this subdivision. In amending that annexation agreement, the PUD must be amended as well.

Tim Lunn of the Hannaford Farm Partnership was present and stated they would like to clear up some gray areas of the Architectural Design Guidelines for the long-term process of the subdivision's development. In a memo to Scott Buening, Community Development Director, Lunn spoke to the pre-fab fireplace chases not being allowed (Item 3). It was the developer's intention that an exterior fireplace chase is a chase that is built on the outside wall of the home and would not be allowed. A prefab fireplace chase that comes up through the roof to minimize the impact of the chase is allowed. Prefab fireplaces with exterior chases of masonry would also be allowed.

Regarding Item #7, Lunn indicated it was the developer's intention that this would not be necessary at masonry transitions.

Item #8 concerned fences and the developer requests that the change to the recorded document to read "Fences must be no taller than 4' tall. No chainlink or privacy fences."

Staff's report recommends that the minor amendments read as follows:

- 3) Pre-fab fireplace chases are only allowed if they pass through the roof and are not allowed if they are on the outside wall of the home. Direct vent fireplace chases must be reviewed by the architectural standard committee.
- 7) Trim boards (4" minimum) on all windows and on all elevations, but not on masonry transitions.
- 8) Fences must not exceed 4' in height. Absolutely no chainlink or privacy fences allowed.

The Plan Commission/ZBA understanding the Petitioner's request for the minor amendments and having no opposition to the changes put forth a motion for action.

**Reuland made a motion, which was seconded by Benesch that the Plan Commission/ZBA recommend to the Village Board approval of Petition**

**06-015, the request for Minor PUD Amendment for Hannaford Farm (Ordinance 2004-0525D).**

**Roll Call Vote on the Motion:**

**Ayes: Benesch, Dray, Eckert, Manzanares, Reuland, Ochenschlager**

**Nays: None**

**Recused: Saloga did not participate in the deliberation of the petition nor cast a vote on the motion.**

**Motion carried.**

**7. PLAN COMMISSIONER/ZBA COMMENTS, PROJECT UPDATES and MISCELLANEOUS INFORMATION**

Ferencak gave an update on the following:

**A. VILLAGE PROPERTY**

This matter regarded rezoning of Village property just south of the Windsor West Subdivision from an M-1 designation to a B-3 designation. The Plan Commission/ZBA recommended approval of the rezoning. The petition came before the Village Board and received approval of the rezoning.

**B. HEARTLAND LOT 21 AND LOT 8 RESUBDIVISION**

These resubdivisions were similar to the one brought before the Plan Commission/ZBA at this meeting. In this case there were two lots, Lot 21 and Lot 8 that were divided into four lots. The Plan Commission/ZBA recommended approval and the Village Board Committee of the Whole (COW) was in favor and forwarded it with a recommendation that they be approved at a regular Village Board meeting.

**C. PRESTBURY ANNEXATION**

Ferencak reported that he believed the Prestbury Citizens Association met to discuss this annexation with the residents. Many of the residents initially were not in favor of annexing to the Village because of the up front costs of doing so. He believed the Prestbury Citizen Association plans to continue to further explain to the residents the benefits and costs of doing one or the other. If they don't annex, they will have to deal with road costs and other infrastructure costs in the future. If they chose to go forward with an annexation, a referendum would have to be held.

**D. DUNTEMAN-BRUNDIGE PROPERTY**

Ferencak explained that this property was located along the County Main Street further north of Sugar Grove limits. It is between Bliss Road and Route 47 and is approximately one square mile in size. Benesch questioned if the infrastructure needed would be at the developer's expense. Ferencak thought so, but was not certain how that would be worked out. Dray asked if the developer had first

approached Batavia and may have been rejected? Ferencak did not think the developer had sought out another community other than Sugar Grove.

The developers are proposing a subdivision. At this point in time it is in a conceptual state and no formal applications to the Village have been submitted. Thus far Staff and the Village Board have provided comments to the developer. Two major issues arise out of this proposal: how would an annexation corridor be achieved, and how would utilities be extended to the site? The Village Board had mixed opinions whether they would like to see that development come in as Sugar Grove or not. Many of the Board comments were in regard to road layouts the developer's initial plans depicted. There were numerous cul-de-sacs and circle streets, which the Staff and Board preferred be more connected. This proposal may come up at some time in the future on a Plan Commission/ZBA agenda.

Dray asked if the plans called for estate-type lots. Ferencak said the concept plan called for roughly 500 lots on approximately 400 acres. Eckert asked a question regarding the amount of commercial development within the site was being proposed? Ferencak said the Village does have a requirement that 5% of the development be commercial. If the developer does not meet that requirement, then a cash in lieu of would have to be donated.

**E. 447 NORTH ILLINOIS ROUTE 47**

This matter is in regard to the Village Bible Church's' petition for a Special Use for expanding its facilities in an R-1 Single Family Residential District. The Plan Commission/ZBA had recommended approval of the petition to the Village Board. Since the hearing the expansion plans went through the Village's architectural review committee and recommendations were made which were forwarded to the Petitioner. The architect working with the Church is working at incorporating as many of the recommendations as is possible. At the COW meeting the project received a favorable reception, however the matter would not be brought up for formal approval until architectural and landscaping issues have been satisfied.

**F. TOWN CENTER/FOREST CITY PROPOSED DEVELOPMENT**

A Citizen that had recently moved into the Windsor West Subdivision and new to the area in general had questions about the Town Center development being proposed at the intersection of Galena Boulevard and Illinois Route 47. She had particular concerns about the heights that buildings might be permitted to build up to for she had moved to Sugar Grove to enjoy the open space and to be able to see the sky.

She was given some information as to the early concept of the development and assured that because of Village and airport restrictions on heights, the buildings probably would not exceed four or five stories.

She also questioned if the airport had plans to expand? Ferencak said the airport boundaries are not anticipated to expand. They are making improvements within the boundaries and their services are now private and corporate.

**8. ADJOURNMENT**

**Benesch made a motion, which was seconded by Saloga, that the meeting be adjourned.**

**The motion carried unanimously by voice vote.**

The meeting was adjourned at 7:36 p.m

Respectfully submitted,

Nancy Zak  
Recording Secretary