

**VILLAGE of SUGAR GROVE  
PLAN COMMISSION/ZONING BOARD of APPEALS  
MINUTES OF JANUARY 17, 2007 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 Board Room.

**2. ROLL CALL**

Plan Commission/ZBA Members present:

Steve Benesch, Bob Dray, James Eckert, Barbara Manzanaras, Irv Ochsenschlager,  
Ryan Reuland, Ed Saloga

Quorum present

Also present:

Scott Buening, Community Development Director

Mike Ferencak, Village Planner

Mike Hoffman, Teska & Associates, Planning Consultant

**3. APPROVAL of MINUTES**

**NOVEMBER 15, 2006 MINUTES**

**Benesch made a motion to approve the minutes of the November 15, 2006 Plan Commission/ZBA meeting as corrected. Manzanaras seconded the motion.**

**Motion carried unanimously by voice vote.**

Corrections: pages 2, 4<sup>th</sup> paragraph, 2<sup>nd</sup> line correct to read, ". show the front fence on **Lot 31-33** setback 30 feet from the property line instead of 20'." , 7<sup>th</sup> paragraph, second line correct to read, ". The Sugar Grove site is an ideal location and showplace for Yamaha ~~go~~ golf carts." Page 4, 1<sup>st</sup> paragraph line 5, correct to read, " the front fence on Lot ~~31-33~~ be moved to a setback. .",

**DECEMBER 20, 2006 MINUTES**

**Reuland made a motion to approve the minutes of the December 20, 2006 Plan Commission/ZBA meeting as corrected. Saloga seconded the motion.**

**Motion carried unanimously by voice vote.**

Corrections: Page 2, last line corrected to read, "(New Channels Realty, LLC, Petitioner) Page 8, 2<sup>nd</sup> paragraph, line 2 correct to read, ". . Is the stairwell **foundation** to the back yard made out of crushed stone.."

**4. PUBLIC HEARINGS**

Buening informed those present that the public hearing regarding the Northwest corner of Municipal Drive and Route 30 that was published would not be held at this meeting. One of the time requirements had not been met regarding mail notification of the hearing. Instead the hearing will take place at the Plan Commission/ZBA special meeting that will take place on January 31, 2007.

**a. Petition 06-028: Prairie Glen Office Park  
Major PUD Amendment, Final PUD, Preliminary and Final Plat  
(The Windham Group, Inc. Petitioner - Continued)**

**Opening of continued hearing**

Ochsenschlager recapped that the public hearing for this petition had been opened at the December 20, 2006 meeting. The hearing was continued to this meeting. He then called to order the public hearing, swore in those intending to give testimony and opened the floor for further testimony at 7:09 P.M. Quorum present as at roll call.

**Petitioner's testimony**

James White, Attorney representing the Petitioner, took the floor and said the Petitioner, since the last hearing, had revised the plans to be more consistent with the changes the Staff and Plan Commission/ZBA desired. These changes included reconfiguration of the parking. However, the issues remain regarding the setbacks.

**Public Comments (continued)**

Joanne Crawford of 356 Bastian, said she had researched and found within Village ordinances information to backup the concerns she had expressed at the December hearing. She was concerned about the driveway being on Bastian Drive and the traffic it would generate by her home. She reviewed the uses that could be allowed in the B-2 Zoning District and thought that some of them, i.e. trade schools, currency exchanges, would create constant traffic.

Another of her concerns was the lighting that would be on the site. She thought that with public parking on the site lights would be on 24 hours a day, 7 days a week. She did not want these lights shinning into her home.

She asked that the Plan Commission/ZBA (and the Village): not allow any variances for this development from the lighting requirements set down in Village ordinances, not allow the driveway on Bastian as was now indicated in the plans, have all the buildings in the proposed development face Municipal Drive, and require berming between the proposed development and her home. She was of the opinion that five buildings on the subject site were excessive for the area.

Mr. Keith of 340 Bastian Drive said he was in agreement with the concerns raised by Mrs. Crawford.

A resident of Snow Street also was concerned about the uses that would go into the subject development. He asked that a dialog be kept open with the developer to negotiate for daytime use of the property.

White responded to the public's expressed concerns. He said that within the PUD agreement for the subject site there was not allowance for B-1 uses. So the Petitioner asked for B-2 zoning with B-1 standards. The subject site in essence has B-1 zoning. The Village created a list of uses for this site that it thought to be more appropriate for its surroundings. A number of permitted uses were cut back from this list.

Speaking to lighting, White said the lighting plan proposed meets the Village ordinance. They do not believe the lighting would be obtrusive.

The density, White said, was lower than the density of other developments within the area for an office park.

The landscaping planned also meets the Village ordinance. There will be a 20' landscape buffer provided which will provide screening of the subject site from residential neighbors.

White went on to explain, the driveway by Bastian Drive is not itself a street. Municipal Drive is eventually going to be a through street. He believed there would be a stopsign on Bastian Drive at the intersection of Bastian Drive and Municipal Drive. Also, it has always been the intention to have two points of access into the subject site, which is a necessity for the Fire Department as well.

White said he understood that the proposed development would mean a change for the neighbors, who had the view up to this point of the open space of the cornfield. But it wasn't their open space. He thought the plans for the site were done very well.

The remaining issue of setbacks was the next item White spoke to. He said the Village had actually moved Municipal Drive 26'. That 26' greatly impaired the building and development of the subject property as it was originally intended. That was an accommodation the developer made to the Village. He felt they had shown ample support for allowing the setback variance from 50' to 30'. This setback is consistent with setbacks that are further down Municipal Drive.

Saloga asked if, on the list of allowable uses, currency exchanges had been eliminated. Buening indicated that use had been eliminated. However, there is still a long list of uses that would be allowed. Kelly Knierim of the Windham Group, said their intent is to have the development be a professional office park. Hoffman said the manner in which the proposed development is laid out, with the front facing away from Municipal Drive would discourage gift and retail shops from coming in. They would not have visibility from the main road.

Saloga asked if any kind of berm was planned? Knierim had some doubt that a berm could be built along the buffer area from residential. She thought a force main utility easement might be along that line. However, they would look at that

possibility when the final engineering plans are drawn up. Dray questioned the need for a berm since the landscape buffering was quite dense.

Eckert asked if signs would be allowed on the roof? Ferencak said signs would not be allowed to be installed above the roof line.

Ellen Keith of 340 Bastian Drive, said her concern was that if an entrance was allowed on Bastian Drive, a lot of traffic noise would be created. She thought an entrance/exit should only be on Municipal Drive.

Quite a bit of discussion took place on the placement of drives into the subject property.

Crawford said that in the Village Commercial PUD code there was a standard to meet that any development was to aid and stabilize property values. She did not believe the proposed development would increase or stabilize her property value.

A resident, who said she did not live in the immediate vicinity of the proposed development, rose to speak. She said even when the Village had an industrial zoning in this particular area, it allowed for three homes to be built next to it, which it should not have. It was her opinion that the Village now has some responsibility to minimize the impact of the proposed development to these three homeowners as much as possible.

With no further comment or questions regarding the petition, Chairman Ochsenschlger moved to new business for Plan Commission/ZBA discussion and possible action on Petition 06-028.

## 7. NEW BUSINESS

### a. **Petition 06-028: Prairie Glen Office Park Major PUD Amendment, Final PUD, Preliminary and Final Plat** (Windham Group, Inc., Petitioner)

Dray thought Building 1 was isolated as far as having access and parking. It did not seem to be functional within the development. This was not only a parking issue but also one of safety. A good deal of discussion took place regarding either eliminating, turning, downsizing or reconfiguring this building on the site. Knierim and White believed Building 1 to be functional. However, Knierim said they would have engineering take a look at turning the building to determine if it would fit. White emphasized that they were operating under the Village zoning ordinance guidelines when laying out the plan.

White said this property has been planned for two years to be commercial. He did not think the petitioner should be revising an entire office complex so cars don't

come down next to one of the houses. Crawford feels it would be a nuisance to her home, but that should not drive the rest of the development.

Eckert suggested eliminating tree planting in some of the islands; in front of Building 3, two near Building 2 and Building no. 4. He thought the trees would restrict the view of people walking or pulling out of parking spaces. Hoffman explained that the trees would be pruned so people would have a clear view underneath the branches. Hoffman said he put a note on the landscape plans that the Sumacs listed should be of the low-gro variety.

Eckert also questioned if the placement of the trash enclosures on the south side of the site would allow for waste trucks to get in the site to empty them. Buening said in all probability the trash receptacles would be rolled out and be lifted by forklift for emptying.

Eckert also asked for clarification on the number of parking spaces planned for the site and if they met Village requirement. Ferencak said 86 spaces are required in the current ordinance and that requirement was met.

Eckert brought up discussion with regard to the staff memo on page 9, item 8, the first line, indicating there should be a sidewalk connection in the landscape island between Buildings 4 and 5. After deliberation, it was decided to delete that item from the conditions.

Ferencak explained to Eckert that the internal sidewalks adjacent to parking were shown as 5' or 6' on the plans. When they are next to parking the Village wants them to be 7' in case the cars overhang the sidewalk. After the parking lot they can be reduced to the normal standard. The plans actually show 7' on all sidewalks.

Benesch said he liked the driveway set up the way it is. The two entrances into the site should come off two different streets.

Benesch also questioned if building owners/renters would be permitted to install signs on the backs of the buildings? Buening said yes, as long as they were not above the roofline. Eckert asked if building owners/renters would be permitted to install signs on the roofs of the buildings? Ferencak said no, not above the roof line. The Plan Commission/ZBA and Staff talked about control of signage on the site. The Village has a sign ordinance, which would govern the signage on this site.

White said the open issues remaining to the petitioner were in regard to setbacks; Front parking setback of 45' and front building setback 50'. They are asking for front parking and building setbacks of 30'. These are more likely considered exceptions to the PUD than variances.

The other item they find issue with is that the second access drive be installed when the second building is constructed. (Page 10, Item 17. in the staff recommendations.) They are asking that the second access be installed when the **third** building is constructed. After discussion, it was agreed to change the requirement to the construction of the third building.

With no further discussion or questions Ochsenschlager called for a motion.

**Saloga made a motion that the Plan Commission/ZBA recommend to the Village Board approval of Petition 06-028 which requests a Major PUD Amendment,, approval of the Final PUD, and for approval of the Preliminary and Final Plat, subject to the staff recommendations as amended on pages 8 through 10 of the Staff Report dated January 17, 2007. Amended was Item 8, deleting the first sentence, "~~A 5' sidewalk connection should be added in the landscape island between Buildings 4 and 5 on all applicable plans~~ and Item 17 which then would read, "The second access drive shall be installed when the third building is constructed on this property."**

**Dray seconded the motion.**

**Roll call vote on the motion:**

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

**Nays: None**

**Motion carried.**

The petition is to move forward to the Village Board.

## **5. PUBLIC HEARINGS**

### **b. Petition 06-033: Medical and Dental Parking - Text Amendment (Village of Sugar Grove, Petitioner)**

Ochsenschlager opened the public hearing on Petition 06-033 at 8:01 P.M. Quorum of Plan Commission/ZBA present as at roll call. Ochsenschlager swore in all those who intended to give testimony.

Ferencak explained the Village's request, that being a Zoning Ordinance Text Amendment to amend Section 11-12-5: Schedule of Off-Street Parking Requirements. This refers specifically to the requirements for offices. The Village has had several developments that may include medical and dental offices. It has been ascertained that medical and dental and other similar offices actually need more parking than generic professional or governmental offices. Staff has surveyed surrounding towns to assist in determining how much more space these uses require. The results were that 5 spaces per 1,000 S.F. of floor area were necessary. Teska's report was attached to the Plan Commission/ZBA's packet as well as the wording to amend the text. The wording would be amended for offices and clinics, medical and dental and ophthalmologists, to 5 spaces per 1,000 S.F. of floor area. This amendment would have an effect on parking requirements for all future developments (including the Sugar Grove Center Lot 13, King Professional Center development).

**Public Comment**

Perry Clark, Executive Director of the Economic Development Corporation, voiced some opposition to the increase in required parking spaces. He thought the increase would be a factor in reducing and limiting the Villages competitiveness in attracting those types of businesses. They would choose to go elsewhere where the requirements for parking were not as high.

It was Clark's thinking that very large developments coming in with potential medical offices be required to have the 5 parking spaces per 1,000 S.F. However, smaller developments, as are coming into the Village, be required only to have 3 parking spaces per 1,000 S.F. Maybe a compromise could be arrived at possibly 4 spaces per 1,000 S.F.

Recommending that developments coming in only be comprised of 50% medical uses is something that can't be dictated. It is market driven.

Clark asked that the hearing on this text amendment be continued. He would like to have time to review and research the subject.

Buening explained that Staff had garnered a great deal of information from municipalities that have had experience with the actual usage required for parking for various offices. Based upon what they learned, the Village requirements in regard to parking spaces are deficient. The Village wants to be certain that there is adequate space for clients and users to park in these developments. It is well known that medical offices do require more parking.

Hoffman said in addition to the survey taken of other municipalities, Staff did look at the Institute Transportation Engineers Standards. Their surveys also indicate a higher parking demand for medical and dental and those types of uses from a range of from 5 to 6 spaces per 1,000 S.F. floor area. However, Village Staff feels that 5 are sufficient. Ferencak noted that it would only be a policy to assume 50% of the development is medical. The developer could provide information on what the percentage actually will be and the numbers could be adjusted based on that.

Ochsenschlager put Clark's suggestion to continue the hearing to Plan Commission/ZBA members. Eckert wondered if delaying the passage of the amendment would impact decisions that have to be made on future developments that might strike ground before the amendment was adopted? Buening responded that it potentially could. Staff knows that another development is going to probably be approved on the 23<sup>rd</sup> of the month. When they submit for building permits, they would fall under the old standard.

Saloga expressed his concern that he didn't want to see the Village create fields of asphalt throughout the community by increasing parking space requirements.

Buening also noted that the Plan Commission/ZBA had a special meeting scheduled for January 31<sup>st</sup>. The Text Amendment hearing could be continued to that time. Clark agreed that date would give him adequate time to do the research. There was no objection to the hearing being continued.

**Reuland made a motion that the public hearing on Petition 06-033 requesting a Zoning Ordinance Text Amendment for the Schedule off-street parking, be continued to the Commission/ZBA meeting scheduled for 7:00 p.m. January 31, 2007.**

**Dray seconded the motion.**

**Roll call vote on the motion**

**Ayes: Reuland, Dray, Eckert, Manzanaras, Ochsenschlager, Saloga**

**Nays: Benesch**

**Motion carried.**

6. **OLD BUSINESS - None**

7. **NEW BUSINESS**

b. **Petition 06-033: Medical and Dental Parking - Text Amendment**  
Hearing continued to January 31, 2007.

8. **PLAN COMMISSION COMMENTS, PROJECT UPDATES and MISCELLANEOUS INFORMATION**

a. **Heartland Drive**

Outdoor storage area Waubensee Corporate center. That petition went to the Village Board Committee of the Whole (COW) on the 9<sup>th</sup> and was recommended for approval with the conditions the Plan Commission/ZBA had attached.

b. **Sugar Grove Center Lot 13**

The Petition is being brought forward, with attached Plan Commission/ZBA conditions, to the Village Board for the 23<sup>rd</sup> meeting.

c. **Harter Road School Site**

That Petition will be going before the Village Board for a public hearing on February 6<sup>th</sup>.

d. **Sugar Grove Center Lot 3**

This item will be on the Village Board meeting agenda for its next meeting. Ferencak worked on the report for the Board which contained only a couple conditions.

e. **515 Willow Street**

This Petition will also be on the Village Board next week.

Buening informed the Commission that Village Engineer Dave Burroughs wife and son had been in a serious automobile accident on Hughes Road. They are making a good recovery. His son is back home now from Loyola Hospital and Mrs. Burroughs is making progress at an intermediary care facility.

Ochsenschlager asked that Buening tell Dave when he next speaks with him that the members of the Plan Commission extend their concern and that their thought and prayers are with them.

**9 ADJOURNMENT**

**Saloga made a motion that the meeting be adjourned. Benesch seconded the motion.**

**Motion carried by unanimous voice vote.**

The meeting was adjourned at 8:21 P.M.

Respectfully submitted,

Nancy Zak  
Recording Secretary