

**VILLAGE of SUGAR GROVE
PLAN COMMISSION/ZONING BOARD OF APPEALS
SPECIAL MEETING JANUARY 31, 2007 MINUTES**

1. CALL TO ORDER

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

2. ROLL CALL

Plan Commission/ZBA members present:

Steve Benesch, Bob Dray, Jim Eckert, Barbara Manzanares, Irv Ochsenschlager, Ryan Reuland

Absent: Ed Saloga

Quorum present

Also present:

Scott Buening, Community Development Director

Mike Ferencak, Village Planner

Pamela Hirth, Teska & Associates, Planning Consultant

3. APPROVAL OF MINUTES OF JANUARY 17, 2007

Dray made a motion, which was seconded by Reuland, to approve the minutes of the January 17, 2007 Plan Commission/ZBA meeting as corrected.

The motion carried unanimously by voice vote.

Corrections were as follows:

Page 5, third paragraph from the bottom should read, "Benesch also questioned if building owners/renters would be permitted to install signs on the ~~roof~~ **backs of the buildings?**

Page 7, first line should read, "Perry Clark ~~Chairman~~ **Executive Director** of the Economic Development Corporation,"

Page 8, second paragraph, vote on the motion; Reuland voted "Aye". It was Benesch that voted "Nay".

4. PUBLIC HEARINGS

**a. Petition 06-033: Medical and Dental Parking - Text Amendment Continued
Village of Sugar Grove, Petitioner**

Ochsenschlager opened the continued hearing at 7:06 p.m. and swore in those intending to give testimony. Quorum was present as at roll call.

Economic Development Corporation Testimony

Perry Clark then testified. He said he had researched parking space requirements for medical and dental developments since the previous meeting. He presented Exhibit A, Communities Codes and Ordinances to be included in the record of the hearing.

Upon research of ten neighboring communities it was found the data to range from 3 - 5 spaces per 1000 square feet for medical and dental parking. Bill Grieve, of Gewalt

Hamilton Associates, Inc. (traffic consultant) was consulted asking that he render his opinion regarding the subject parking space requirements. Grieve's response was that standing by the ruling on the field, 5.0 - 5.5 parking spaces for medical uses should be required. He added that medical is dependent upon the use. For some uses appointments are spaced farther apart and will generate fewer spaces. Others could exceed 5.5 spaces per 1000 S.F.

Clark proposed a four-category system that could be enforced by the planning department as follows:

1. Medical Space (less than 6,000 S.F.) = 4 spaces per 1000 S.F.
2. Medical Space (greater than 6,000 S.F.) = 5 spaces per 1000 S.F.
3. Office Space (less than 10,000 S.F.) = 3 spaces per 1000 S.F.
4. Office Space (greater than 10,000 S.F.) = 4 spaces per 1000 S.F.

Clark, in his letter to Buening, received January 28, 2007, stated the Village is competing more and more with surrounding communities on retail, industrial and commercial businesses. If the Village stays competitive in regards to parking space requirements that is one less battle that has to be fought. He also reminded the Village of its concern expressed at one time of having too many parking spaces when it is trying to promote green space.

Public Comments

There was no testimony given by the public at the hearing. Staff had no input from the public regarding the proposal at this time.

Close of Public Hearing

With no further testimony, Ochsenschlager closed the public hearing on Petition 06-033 at 7:08 p.m.

5. NEW BUSINESS

a. Petition 06-033: Medical and Dental Parking - Text Amendment

Plan Commission/ZBA Consideration of Petition

Clark again stated that it would be hard to know what uses are going into these buildings. The Village should want to be in line with its competition. Some mention was made of land banking should there be a need for additional parking. Land banking would provide more green space and render the site competitive. He thought it would be unfair for the developer to build x amount of parking if he doesn't know what use will go in. Eckert thought, on the other hand, if their parking space was inadequate, potential medical and dental uses could be lost.

Dray asked Buening what he thought of bundling parking spaces with the units? He questioned what would happen if an original owner sells to someone with a different use. Buening said it was difficult to know what use will be going in. The Village wants to have a little more parking space available than the bare minimum. The Village staff would have to monitor the uses actually going in to keep track of the number of parking spaces and if they are adequate. Uses proposing to come in would have to be considered on a case by case basis.

In the Staff report dated January 31, 2007, it is stated that Staff and Teska Associates have prepared a memo that finds that most of the communities in the Chicagoland area

that have heavy concentration of office development use an almost universal standard of 5 parking spaces per 1,000 S.F. of floor area. Adding this standard to the Zoning Ordinance would not only improve the parking availability at these developments but also help to limit the number of buildings or total amount of building square footage that can be placed on a given site. As a policy, Staff would assume all office developments to be 50% general office and 50% medical office for the purposes of planning. The burden would be on the developer to provide information that there will be less than 50% medical offices. This would be a consistent policy Staff would use for evaluation of parking requirements in new office developments.

In a memo dated January 30, 2007 to the Plan Commission from Buening, Staff comments on its review of Clark's research and recommendation submittal. Staff is cognizant of the need to keep asphalt to a minimum and maximize green spaces. However, there is also concern about under parking uses and the negative effect they will have on on-street parking and overflow parking into adjacent commercial uses and in some cases residential neighborhoods. Staff feels that a single, simple square foot based ratio makes the most sense and is easy to administer across the board like other parking ratios.

In the memo, Staff continues, saying it is aware of the competition factor. However, most offices are not competition based, but rather are locationally based.

With no further comments or questions, Ochsenschlager called for a motion.

Benesch made a motion, which was seconded by Reuland, that the Plan Commission/ZBA recommend to the Village Board approval of Petition 06-033 regarding a Medical and Dental Parking text amendment, as presented requiring 5 parking spaces per 1,000 S.F. of floor area.

Roll call vote on the motion:

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

Nays: None

Absent: Saloga

Motion carried. Recommendation to be forwarded to the Village Board

4. PUBLIC HEARINGS

**b. Petition 06-013: SWC Illinois Route 47 and Park Avenue
Rezoning B-3, Preliminary Plat, Preliminary PUD
Sugar Grove Holdings, LLC, Petitioner**

Ochsenschlager open the public hearing on Petition 06-013 at 7:26 p.m. Quorum was present as at roll call. Those intending to give testimony were sworn in.

Requests:

Rezoning a portion of the site from M-1 Limited Manufacturing District to B-3 Regional Business District (the remainder is already zoned B-3).

Approval of a Preliminary Planned Unit Development (PUD) for a proposed multiple office building development and commercial development

Approval of a Preliminary Plat to resubdivide the two existing lots into eight lots

Presentation:

Those representing the Petitioner, Sugar Grove Holdings, were Tom Skofield of Royal Assets, Ari Rosenthal, Gary Weber of Gary Weber Landscape Design and Rich Olson also of Weber Landscape Design.

Olson presented a slide summary of the site and landscape plans for the proposed project. The site is approximately 16 acres in size. The site is currently zoned in two categories, B-3 and M-1. The future land use plan for the Village shows the site as Corridor Commercial. They would like to rezone the M-1 portion to a business district as part of a PUD. Given its proximity to residential they think its a good idea to move toward the business category.

They are proposing an office park on the west boundary of the site; transitioning from the single-family with seven retail/commercial outlots along Park Avenue and Illinois Route 47. Proposed are one-story low profile office buildings with centralized parking. The design goal is to minimize the unsightly parking lot that would normally be seen in a general business outlot situation. They believe the plan would reduce vehicular noise and headlights to the adjacent property and minimize the parking lot streetscape. Bringing the architecture closer to the road strengthens it.

The landscaping required by Village code, if adhered to, they believed would restrict views of the commercial development and signs along Route 47 and cause an unsuccessful commercial development. They are proposing instead a combination of low berms, deciduous shrubs and shade trees grouping them in a way to open up the view into this retail/commercial site.

They are proposing a development monument sign, located at the corner of Route 47 and Park Avenue, secondary smaller signs located at the right-in/right-out of Route 47, outlot signs at each outlot and individual business signs.

The developer would like to move forward on a more creative sign and business park area and will work further with Staff to create a business park design with appropriate setbacks and building separation. They would also like to work with Staff on the landscape issues related to the buffering along Route 47.

Discussion, Questions, Comments:

Dray asked what types of tenants were expected to populate the business park? Rosenthal said a mixture of professional, lawyers, accountants, real estate, insurance agents and probably some medical type uses. Dray asked how the proposed plan meshed with the Villages' position of protection of those corridor commercial areas for entities that generate sales tax? Buening responded that this site is platted by an existing right-of-way for Division Drive. It's not there as yet, but dedicated. That creates some limitations. There's water and sewer there, so to relocate it, would be costly to make this one unified site. In addition the Village wants the ability to extend Division Drive south to Galena. The proposal with the outlots fronting Route 47 could generate sales tax with some uses, whether they be restaurants or any type of retail use.

Buening noted that one of the main issues related to this proposed development is that the Petitioner is asking for deviations from the B-3 setbacks on proposed Lot 8. Approval of the plan for Lot 8 would not be made at this point however. Approval would come with

the Final PUD approval. The Petitioner gave explanation for requesting the setback variation saying they flipped the concept of parking external to the buildings. Ferencak said they could still have the layout they wish and meet the setbacks required.

Another issue was the required landscaping, with the Petitioner feeling if they met the requirements, particularly the planting along Route 47 the view of the buildings and signs would be blocked. When tenants and buyers are looking to buy outlots, they are looking from a commercial standpoint and what they want is visibility on Route 47.

Dray initiated discussion about the possibility of clumping/clustering the landscaping along Route 47. Ferencak said the Village has allowed buffer landscaping to be clumped, while parkway trees usually maintain the formal arrangement. But he added the landscape plan presented is lacking a number of trees, both in the buffer and entirely in the parkway. Buening noted that the Village adopted a Route 47 corridor plan and one of the things that was emphasized is that Route 47 is the entrance to the Village and the main commercial area. The Village wants it to look aesthetically pleasing. Substantial landscaping is a key component to achieving that. Ferencak noted that when the landscaping is young it does not block visibility and when it gets older not only can you see under the trees with proper trimming, but the entire corridor will be more of a destination by that time. A good deal of discussion ensued regarding the landscaping.

Another facet of the landscaping issues was that of replacement trees. The developer had taken out some trees and shown the replacements in the parking lot. Ferencak said the Village code does not allow replacement trees to be counted towards areas except the buffer. Staff then agreed to allow the replacements in the parking islands, but only in addition to the required parking island trees.

The Petitioner explained they were approaching the development as a PUD. The idea being that there would be some variations and creativity allowed. What they are proposing, taking industrial and putting something else in that would be more fitting with the rest of the corridor the Village is looking for, would be a great benefit for the Village.

With no further testimony or discussion, Ochsenschlager closed the public hearing on Petition 06-013.

6. NEW BUSINESS

b. Petition 06-013: SWC Illinois Route 47 and Park Avenue Rezoning to B-3, Preliminary Plat, Preliminary PUD Sugar Grove Holdings, LLC, Petitioner

Plan Commission/ZBA Discussion and Consideration of Petitioner's Request

Eckert expressed concern about the Lot 4 entrance being close to Route 47, competing with the Aldi turn in. Buening said the Village Engineer looked at that entrance and did not have any objections to the location of that entrance because it would not cause any significant traffic conflicts. He explained the reasoning behind the Engineer's opinion.

Eckert also was very concerned about the hazard of the Route 47 and Park Avenue intersection. He stressed that an installation of a traffic signal was a necessity. Buening said there is a recapture agreement that passed when the Jewel development was approved. Each corner of that intersection would be required to pay 25% of that signal once the traffic warrants are met, those properties will be obligated to pay for a portion.

Discussion then took place regarding access to the proposed development from Route 47. At the time of the review of the Final PUD, detailed issues such as the access and parking configuration and building layout would be addressed.

Buening, speaking for Perry Clark, Executive Director of the Economic Development Corporation (who had left the meeting) said that one of the things lacking in the Village's market was smaller platted lots. Some of the smaller users aren't likely to take down and try to do a resubdivision themselves. There is a market for these smaller outlots. Prices would still be high because of the Route 47 location, but they would probably be reasonable for some of these small users.

Eckert asked what the setback was on the existing bikepath to the west and if there were plans to extend it? Ferencak said the bikepath was on its own lot and zoned R-1. Buening explained the subdivision adjacent to the proposed development was now in the process of being accepted. One of the outstanding items is to finish the bikepath to the south property line.

At this point, Ochsenschlager reviewed the requests under consideration by the Plan Commission/ZBA.

The first issue being the request for rezoning a portion of the site from M-1 Limited Manufacturing District to B-3 Regional Business District.

Reuland made a motion, which was seconded by Eckert, that the Plan Commission/ZBA recommend to the Village Board approval of Sugar Grove Holdings, LLC's request to rezone the westerly lot at the southwest corner of Illinois Route 47 and Park Avenue from M-1 Limited Manufacturing District to B-3 Regional Business District.

Roll call vote on the motion:

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

Nays: None

Absent: Saloga

Motion carried.

Reuland made a motion, which was seconded by Eckert, that the Plan Commission/ZBA recommend to the Village Board approval of the Preliminary Plat to resubdivide the two existing lots into eight lots, the subject property being located at the southwest corner of Illinois Route 47 and Park Avenue.

Roll call vote on the motion:

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

Nays: None

Absent: Saloga

Motion carried

When it came time to take action on the third request related to the Petition, that being the request for approval of the Preliminary Planned Unit Development, the Plan Commission/ZBA concluded that there were a number of outstanding issues whose resolutions did not rest with the Plan Commission/ZBA. The Commission preferred tabling action on this request so that the Petitioner and Staff could work together to negotiate and resolve those outstanding issues.

Staff's recommendation was that if the Preliminary PUD Plan was recommended for approval, it would be subject to the 21 conditions set down in Staff's report of January 31, 2007, pages 8, 9 and 10. The Plan Commission/ZBA did however review and discuss those conditions.

Condition number 11, trees located where Building 3 is shown shall be preserved was stricken.

Condition number 12 was amended to read, "Replacement trees shall only be placed in the overall development landscape buffers or in parking lot islands in addition to required parking lot island trees."

The main issues needing further discussion between the Petitioner and Staff were:

The parkway trees being installed along all rights-of-way (particularly along Route 47).

That all minimum required setbacks per the Zoning Ordinance be met and shown on the plan, including on Lot 8.

That the signage shall meet the requirements of the Zoning Ordinance. Ferencak noted that the signage being proposed by the Petitioner, in particular the structure around the signs was so massive, that it completely conflicts with the Petitioner's comments about parkway trees blocking their buildings. The signage is not in compliance with the code requirements.

The Petitioner responded that the total sign square footage allowed for the development would be about 800 S.F. They added square footage to the entrance sign and took some square footage away from the smaller signs, so they believed they were meeting the code requirements. Ferencak responded that this calculation is not what the code allows.

Hirth said for the Petitioner to say they would be entitled to 100 S.F. signs on each of the outlots and the bigger lot 8 might be what the code says, but when viewed from an overall perspective it is overkill. The ordinance indicates the maximum square footage for a sign is 100 S.F. The Petitioner is proposing the community sign at 225 S.F. For the secondary signs 150 S.F. is proposed. Clearly those signs are over what code would allow.

Buening noted that condition 11 was eliminated. There have been amendments to conditions 7, 12 and 15. Condition 16 will need to be clarified.

Benesch stressed that he did not want to stray too far from what the village had agreed on for the subdivisions along Route 47. He was willing to make some concessions with the setbacks and some of the landscaping. The signage issue needs to be resolved too.

Reuland made a motion, which was seconded by Dray, to table consideration of the Petitioner's request for approval of the Preliminary PUD Plan to the next Plan Commission/ZBA Meeting, February 21, 2007.

Roll call vote on the motion:

Ayes: Dray, Manzanares, Reuland, Ochsenschlager

Nays: Benesch, Eckert

Absent: Saloga

Motion carried by a 4 to 2 vote.

4. PUBLIC HEARINGS

c. Petition 06-032: Village Police Headquarters - Rezoning to B-2. Text Amendment Village of Sugar Grove, Petitioner

Chairman Ochsenschlager opened the public hearing for Petition 06-032 at 9:11 p.m.

Quorum was present as at roll call.

Presentation of Petition:

Ferencak explained the request. The subject property proposed to be rezoned is located at the Northwest corner of US Route 30 and Municipal Drive. The Village acquired the subject property for the purpose of locating the future Sugar Grove Police Headquarters on the site. The proposed Text Amendment would allow Village buildings to be considered a permitted use in most zoning districts. As the Zoning Ordinance is currently written a police building would be required to receive Special Use approval.

Staff has had no input from the public regarding this proposal at this time. Neither was any member of the public present at the hearing to voice opinion either for or against.

Staff recommends approval of the Rezoning and proposed Text Amendment.

With no further testimony forthcoming, Ochsenschlager closed the public hearing on Petition 06-032 at 9:14 p.m.

6. NEW BUSINESS

c. Petition 06-032: Village Police Headquarters - Rezoning to B-2, Text Amendment Village of Sugar Grove, Petitioner

Plan Commission/ZBA Discussion, Consideration/Action

Benesch had concerns about the difficulty he perceived in Police staff getting out of the site, considering its location. In the Staff report dated January 31, 2007, it is stated that an extension of Municipal Drive north would be constructed as part of the police facility construction. Widening of US Route 30 and traffic signals at Municipal Drive would be constructed, all of which would enable safe and expedient entrance and exit from the site.

The Plan Commission/ZBA for the most part was in agreement with the necessity of the rezoning and text amendment.

Benesch made a motion, which was seconded by Manzanares, that the Plan Commission/ZBA recommend to the Village Board the approval of Petition 06-032: which requests the Rezoning from A-1 Agricultural District to B-2 General Business District for the property located at the Northwest corner of US Route 30 and Municipal Drive.

Roll call vote on the motion:

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

Nays: None

Absent: Saloga

Motion carried.

Benesch made a motion, which was seconded by Reuland, that the Plan Commission/ZBA recommend to the Village Board the approval the Petition 06-032:

which requests a Text Amendment to allow Village Municipal Buildings, including Village Halls, Police Stations, Governmental Services and Public Works Buildings and facilities as permitted uses in the R-1, R-2, R-3, B-1, B-2, B-3 and M-1 zoning districts.

Roll call vote on the motion:

Ayes: Benesch, Reuland, Ochsenschlager, Manzanares

Nays: Dray, Eckert

Absent: Saloga

Motion carried by a 4 to 2 vote.

7. PLAN COMMISSIONER COMMENTS, PROJECT UPDATES and MISCELLANEOUS INFORMATION

Ferencak gave the following updates on matter that had previously come before the Plan Commission/ZBA:

- a. 549 Heartland Drive:** Outdoor storage area in Waubensee Corporate Center. The Village Board approved the request subject to conditions, including locating the entrance drive at the south end of the site along Heartland Drive.
- b. Sugar Grove Center Lot 13:** The Village Board approved the petition subject to several conditions.
- c. Sugar Grove Center Lot 3:** The Village Board approved the petition subject to some conditions.
- d. 515 Willow Street:** The Village Board approved the two variances, but with stipulations that the wall in the east easement be removed. Pavers will continue to be considered as part of the lot coverage ratio, but they will be required to receive a permit starting in the next few months.
- e. Aldi:** The construction of the Aldi food store is coming along well. The entire building material will be brick.

8. ADJOURNMENT

**Dray made a motion, which was seconded by Reuland to adjourn the meeting.
The motion carried by voice vote.**

The meeting was adjourned at 9:24 p.m.

Respectfully submitted,

Nancy Zak
Recording Secretary