

**VILLAGE of SUGAR GROVE
PLAN COMMISSION/ZONING BOARD of APPEALS
MINUTES of July 20, 2011**

1. CALL TO ORDER

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

2. ROLL CALL

Plan commission/ZBA members present:

Irv Ochsenschlager, John Guddendorf, Jim Eckert and Don Meisinger

Absent: Mary Heineman, (Ryan Reuland arrived late at 7:21 pm)

Also present: Mike Ferencak, Village Planner and Rich Young, Community Development Director

3. APPROVAL OF MINUTES of the June 15, 2011 MEETING

Motion made by Mr. Guddendorf and seconded by Mr. Meisinger to approve the minutes of the June 15, 2011 Plan Commission meeting as presented. Mr. Eckert asked about the reference to the road running through the airport; is it Village owned? Mr. Young stated that it is not; it's private. The Village doesn't own any roads that run through the airport; the closest one is Municipal Drive. **The motion carried by unanimous voice vote.**

4. PUBLIC HEARINGS

a. Petition 11-008: 104 Maple Street – Variance (Bob & Lori McCaffrey)

Chairman Ochsenschlager opened the public hearing. He then swore in those persons that planned to testify. 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.

Opening of the Public Hearing:

Petitioners' Request

Mr. Ferencak presented an overview of the request. The McCaffreys are requesting a variance to their front and corner side yard setback to allow part of the house (a porch) to encroach. The required setback is 30'. As the house sits currently, it already encroaches into that setback, as do many houses on Maple and Grove Streets. With the porch, it would encroach to the 14' and 10' marks.

Petitioner Presentation

The Petitioners were invited to add to the presentation of their request. Mr. McCaffrey stated that the porch being added is similar in size to the recently removed concrete. They did express their hope that the Plan Commission/ZBA would recommend approval of the rezoning.

Public Comments/Questions

Mr. Hattersly, neighbor to the McCaffreys spoke in favor of their request. He stated that they have done a lot of work on the house and have been working to restore it.

Staff Comments

Mr. Ferencak stated that staff recommends in favor of the variance request. The home was built prior to incorporation of the Village and adoption of the zoning ordinance. Staff hopes to improve the zoning ordinance for the downtown area in the not so distant future.

Close of Public Hearing

With no further comments or questions forthcoming, Mr. Ochsenschlager entertained **a motion made by Mr. Eckert and seconded by Mr. Meisinger to close the Public Hearing on Petition 11-008. The motion carried by unanimous voice vote.**

b. Petition 11-005: Off Street Parking and Loading – Zoning Ordinance Text Amendment (Village of Sugar Grove)

Chairman Ochsenschlager opened the continued public hearing and asked if anyone was there to testify. Mr. Ferencak stated no public comment was received and staff is recommending the public hearing be continued to the next regularly scheduled meeting, August 17, 2011.

No public comment was made. Mr. Ochsenschlager entertained **a motion made by Mr. Eckert and seconded by Mr. Guddendorf to continue the public hearing to the next regularly scheduled meeting, August 17, 2011. The motion carried by unanimous voice vote.**

5. **Old Business**
None

6. **New Business**

a. Petition 11-008: 104 Maple Street – Variance (Bob & Lori McCaffrey)

Mr. Meisinger stated that when he went out to look at the property and area he noticed a large crack in the foundation of the home. He recommended they fix that prior to adding a porch, other than that he had no problems with the request. Mr. Guddendorf asked if adding the porch will aid to the restoration of the home. Mrs. McCaffrey stated that they have tried to do research on the home but have had a hard time. It may be period to the home, it certainly isn't outside what would have been seen during that time. The front yard is always the short side of the lot, so the front yard is along Maple Street. Mr. Eckert clarified frontage, and lot coverage are ok. The current right-of-way on Grove Street and Maple Streets are adequate for expansion of the pavement, if desired in the future. Sewer and water main are not issues with this. Mrs. McCaffrey stated there is no intention of enclosing the porch any time in the future.

Mr. Eckert made a motion, seconded by Mr. Meisinger that the Plan Commission/ZBA recommend to the Village Board approval of the Variance as requested in Petition 11-008, including the findings that the requested Variance meet the requirements of 11-13-10-E of the Zoning Ordinance.

Roll Call Vote on the Motion:

Ayes: Guddendorf, Eckert, Meisinger, Ochenschlager

Nays: None

Absent: Reuland

Motion carried by unanimous vote.

Mr. Young stated that the Village Board meeting will be August 2nd at 6:00 p.m.

c. Petition 11-005: Off Street Parking and Loading – Zoning Ordinance Text Amendment (Village of Sugar Grove)

Mr. Young stated that staff is not ready to make specific recommendations on the parking standards at this time but wanted to present some information to the Commission. Mr. Ferencak has gathered information from many communities regarding medical / dental parking (which was a zoning ordinance update a couple years ago) and restaurant parking. There is also information on parking standards specifically related to barber shops and hair salons being prepared. The purpose of this is to explore how other communities handle determining the parking for buildings where the end users are undetermined and the challenges that go along with them, especially when they start to fill up.

(Ryan Reuland arrived late at 7:21 pm)

Currently the Village applies standards for parking based on the Zoning Ordinance requirements and the developer's proposed uses without knowing for certain who the end users will be. There is at least one site that as the end users were determined, has run short on parking because of the combination of uses. In August or September, a recommendation to the Village Board will be requested from the Commission on the parking standards.

Different examples and scenarios were reviewed and discussed. Naperville was reviewed specifically due to the positive results in that community. Non conforming uses on lots in the older part of town were one of the examples reviewed. When a higher intensity use moves into an existing space, the need for some flexibility of the planning staff in the municipality was also discussed. There can be some shared parking language in the PUD but even then, technically each property owner is responsible for their own property's parking. The alternating operating hours of the businesses can be one factor that allows for shared parking. This would require some addition of shared parking language.

An ordinance update can help by reducing the parking standards for certain uses. A negative example is some of the strip malls on the west side of Orchard Road, north of Indian Trail in Aurora. There are peak hours of the day where navigating those parking lots is dangerous and extremely congested. Not enough parking was

allowed for the combination of high impact uses located in those centers. They've added gravel on a lot across an alley way for overflow parking. That's the type of situation the Village is trying to avoid. It's a balancing act.

Theoretically a tenant could be denied occupancy due to lack of parking. The Village never wants to deny a business who wants to come to town. More business is wanted, but that's why this standard is so important.

Mr. Ferencak reviewed the spreadsheet he distributed. 'GFA' stands for gross floor area (including the walls but not utility rooms or mezzanines, etc.); 'NFA' is for net floor area (not including the walls); and 'FA' is for floor area (undefined). GFA is measured on the outside; brick to brick. Each wall can add or subtract from the square footage for the unit.

In existing developments, changing the use can create a problem, especially from a less intense (office) use to a higher intensity use like bar & grill. The building can't be made smaller once built. There's often no additional land to expand the parking lot, it's built.

The primary things that impact what size building can be placed on a given site are the required minimum building and parking setbacks, the required maximum lot coverage and the minimum parking requirement. The bigger the building, the more parking is typically required. Parking can control the size of the building more than even the setbacks and lot coverage in some cases. Usually though it is a combination of the three. The parking setbacks define the parking area available and the green space created by the parking setbacks can be counted toward the green space needed to meet the maximum lot coverage requirement.

The communities that have updated their ordinances over time have expanded their zoning list of uses far more than their parking list uses. For example, a baseball card store and an antique store may be separated in the zoning use list but are the same use under parking. Some uses need to be separated for zoning but are okay combined for parking.

The Village purchased a book from the Institute of Transportation Engineers to aid and provide information. The handicap parking requirement is included with all of this. It's set by the state and can't be altered by municipalities, but is based upon the required parking as set for each use by the municipality.

Many sites in the Village include extra parking. There's excess capacity. It's often easier in a larger size development to obtain the square footage in the building that the developer wants and still more than meet the square footage for the parking requirements, too.

Whenever there is a loss or remodel of 50% or greater the property is to be brought up to current code standards.

Every problem can't be prevented with an ordinance but the hope is that many can be avoided by it.

The Commissioners were asked to review the charts received showing other communities and provide feedback to staff as to which ones and / or what makes sense. The Village standard for medical / dental parking was created a couple of years ago at 4 spaces per 1,000 sq. ft., which is slightly higher than the typical general office standard (which only requires 3 parking spaces per 1,000 sq. ft.). Staff had recommended going with 5 spaces per 1,000 sq. ft.

Mr. Meisinger asked about the intent of the Village Ordinance for the Route 47 Manual passed 11/17/00 and whether they are required to be adhered to or is it just suggestions. Mr. Young explained that each situation is reviewed individually. The Village Board can vote to choose to allow something different than what is stated in the Ordinance. Mr. Ferencak added that the Route 47 Manual was adopted as part of the Comprehensive Plan and therefore should be viewed as guidelines (like the Comprehensive Plan) adopted by Ordinance. The Village could also choose to write the Route 47 Manual guidelines into the Zoning Ordinance and may do this as part of component updates to the Zoning Ordinance. In some cases there are some conflicts between the two that would need to be resolved.

7. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

Accessory Uses as Temporary Uses – Passed by the Village Board subject to attorney review. Some small corrections will be needed. Sheds in side yards are one issue. Garages would still not be allowed but some sheds as long as it didn't violate the fire separation building code requirement would be allowed on a limited basis.

TIF – Mr. Young stated that the public hearing for the TIF District would be at the Municipal Center Village Board Room on August 16, 2011. The Joint Review Board, which is made up of a representative from each taxing district to review the plan created by the Village's Consultant to determine whether or not that plan meets State Statute. That is their sole responsibility. That Board met last Monday and was continued to this coming Monday July 25th. The process of developing a TIF is started but it won't be known for a couple of months if it's going through. The Village has until the middle of November to establish the TIF District. There has been some negative feedback due to the geographic size and length of time of the TIF District. The Village Board is ultimately the decision maker on this. The Board could decide to end the TIF earlier at any time, but trying to extend time is more complicated. They could also opt to delete some of the properties from the TIF but again it's much more complicated to add properties.

8. ADJOURNMENT

Mr. Reuland made a motion, seconded by Mr. Meisinger, that the meeting be adjourned at 7:51 pm.

Village of Sugar Grove
Plan Commission/ZBA Meeting
Minutes of July 20, 2011

**The motion carried unanimously by voice vote.
Next meeting is scheduled for August 17th, 2011.**

Respectfully submitted,
Holly Baker
Substitute Recording Secretary