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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** PUBLIC HEARING: AMENDING SETTLERS RIDGE ANNEXATION AGREEMENT AMENDMENT  
**AGENDA:** JANUARY 4, 2022 VILLAGE BOARD MEETING  
**DATE:** DECEMBER 30, 2021

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**ISSUE**

Shall the Village Board hold a public hearing to consider an amendment of the Settlers Ridge Annexation Agreement Amendment.

**DISCUSSION**

In 2014, the Village and Land Cap, a/k/a Coast Oak, the investor-owner of Settlers Ridge following the Great Recession, entered into an Annexation Agreement Amendment prior to Land Cap preparing the subdivision lots for sale to Pulte Homes. Among the many items in the Annexation Agreement Amendment is a provision that the Village and Land Cap would adopt land development regulations for the future development of Settlers Ridge (north of Prairie Street).

The deadline for completing this task has past and Coast Oak has sold all of the remaining future development areas to other parties. The other parties have no immediate plans to develop the remainder of Settlers Ridge. Village staff agrees with Coast Oak and the other parties that adopting land development standards when no one knows what will be constructed in the future is a futile exercise. Instead of developing land development regulations, the parties wish to simply acknowledge that prior to developing any of the undeveloped parts of Settlers Ridge the Village and the respective property owner will agree to amend the Annexation Agreement Amendment by adopting new land development regulations specific to the property.

The proposed amendment obligates the respective owners and the Village to approve land development regulations prior to any development commencing on the undeveloped portions of Settlers Ridge north of Prairie Street.

The Village Board discussed this item at its December 21, 2021 meeting at which time it was noted that the trigger event was not specified in the proposed amendment. The trigger event has been identified in the revised draft being presented, that being upon request of the Owner. Thus, when the Owner is ready to commence development of its property they will notify the Village and within 120 days have approved the land development regulations.

**COSTS**

Other than the nominal cost of publishing the notice, there is no cost to hold the public hearing.

**ATTACHMENTS**

1. Public hearing notice for Settlers Ridge Annexation Agreement Amendment
2. Proposed amendment

**RECOMMENDATION**

That public comment be accepted on the proposed Annexation Agreement Amendment, and the public hearing then be closed.

## **PUBLIC HEARING NOTICE**

Notice is hereby given to all interested persons that the Sugar Grove Village Board will hold a public hearing at 6:00 pm., or as soon after as possible, on January 4, 2022 in the Village Hall Boardroom, 10 S. Municipal Drive, Sugar Grove, Illinois for the purpose of considering and hearing testimony as to an amendment to the Annexation Agreement dated June 28, 2005, document number 2005K081146 and the subsequent amendments to said Annexation Agreement, between the Village of Sugar Grove, LCP SLJV 2008-1 IL-1, LLC, and LCP Settler's Ridge Development, LLC. The property subject to the annexation agreement is generally bounded by Gordon Road on the east, Galena Boulevard and IL Route 56 on the north, the Chelsea Meadows subdivision on the west and Prairie Street on the south. The subject property is commonly known as Settlers Ridge.

All interested persons are invited to attend and to be heard. Interested persons may present either written or verbal comment at the Public Hearing. You are further advised the Public Hearing may be adjourned to dates certain without further notice.

A copy of the annexation agreement amendment is available for public inspection at the Village Clerks' office or the Community Development Department office. If you have questions concerning this matter you may direct them to the Community Development Department, 601 Heartland Drive, Sugar Grove, Illinois 60554. Normal business hours are between the hours of 8:00 am and 4:30 pm. Monday through Friday.

Alison Murphy,  
Village Clerk  
Village of Sugar Grove

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### Proposed amendment

- I (c) The Parties hereto acknowledge and agree at such time as there is proposed development for the Northeast Parcel or the Landcap Commercial Parcel, the PDD ordinance currently pertaining to the Property (the "Current PDD Ordinance") shall be revised to conform the PDD ordinance (the "Revised PDD Ordinance") with the Amended Agreement. The Village agrees to approve a Revised PDD Ordinance for the Northwest Parcel or the Landcap Commercial Parcel within 120 days of request of the owner of the applicable parcel. Development of the Northwest Parcel and Landcap Commercial Parcel shall be in conformance with the applicable Revised PDD Ordinance, provided, however, that in the event of any conflict between this Amended Agreement and the Revised PDD Ordinance (or the Current PDD Ordinance) for the Affected Property, this Amended Agreement will control.