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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  
DANIELLE MARION, PLANNING & ZONING ADMINISTRATOR  
**SUBJECT:** DISCUSSION: ZONING ORDINANCE AMENDMENT  
(TRANSPORTATION USES: LOCAL TRUCKING, COURRIER SERVICES, PASSENGER  
TRANSPORTATION)  
**AGENDA:** MARCH 1, 2022 VILLAGE BOARD MEETING  
**DATE:** FEBRUARY 24, 2022

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**ISSUE**

Shall the Village Board discuss a proposed Zoning Ordinance amendment add “transportation services” as a permitted use, with conditions, in the M1 and I1 districts in the Permitted Use Table, along with additional standards and criteria for the use and other related text amendments.

**DISCUSSION**

The proposed zoning amendment is a direct result of interest by a business considering locating on Heartland Drive. This particular business is not comfortable with a simple interpretation that the use is permitted in the M1 District and requested the Village amend the Zoning Ordinance to specifically identify local trucking as a permitted use. The business has a property under contract which is subject to approval of the Zoning Ordinance amendment.

Village staff investigated the request more closely and concluded there are many sub-categories of transportation services, many of which are inappropriate and incompatible for Sugar Grove. Village staff recognized this amendment as an opportunity to clarify and legitimize already existing similar businesses in the community. The amendment identifies the preferred transportation services types (local trucking without storage, courier services, and passenger transportation) and includes additional standards and criteria unique to these uses.

The local trucking without storage accommodates the business in question as well as several current businesses in the Village. This use is not a truck terminal, such as Old Dominion in Montgomery, nor is it a warehouse since storage is not permitted with this use. The only trucks that will be parked or stored on the premises are the vehicles in the business’ fleet. By definition, trucks may include box trucks and semi-trucks and low boys, all of which already populate Heartland Drive.

Courier services specifically exclude the US Postal Service and delivery services using air transportation (Fed Ex, UPS, DHL, etc.). This will accommodate the existing courier services operating out of Sugar Grove.

Passenger transportation accommodates limousine services, medical transportation, passenger vans, charter bus services, and taxi services. While there are no businesses in this classification currently operating out of Sugar Grove, these uses are compatible with uses already established in Sugar Grove.



School bus and public transportation (Pace) are specifically excluded from this classification as these are very intensive uses and would require a much higher level of scrutiny in order to be established in the Village.

The amendment includes additional standards and criteria for transportation services with particular attention given to local trucking without storage. The key criteria is no on-site storage, processing or transfer of cargo is permitted on the premises. This will help to ensure the premises is used only for the parking of fleet vehicles and accessory maintenance facilities for fleet vehicles. Another characteristic we want to ensure is that the premises is essentially a parking lot for the fleet, not a storage yard for trailers or inoperable vehicles. It is this characteristic that caused the most discussion among the Planning Commissioners.

Commissioners wanted to better define "short-term storage" and eventually recommended 48 hours as the limitation. Village staff is of the opinion this is too restrictive since any weekend would exceed this timeframe once you include the end of business on a Friday and reopening on the following Monday. Village staff agrees with the Planning Commission's concern but recommends a longer time frame, perhaps 72-hours. But even this timeframe fails to accommodate instances where the business may not have enough demand to utilize its entire fleet every day. We recommend 14 days as the limit for idle fleet vehicles.

While it was not discussed by the Planning Commission, Village staff recommends the amendment include a prohibition on parking and storing shipping containers on the premises.

Revised standards and criteria are attached for your consideration.

#### **COSTS**

There is no cost to discuss the matter.

#### **ATTACHMENTS**

- Planning Commission Recommendation PC22-001

#### **RECOMMENDATION**

The Village Board provide input and direction to Village staff in order to prepare the necessary Ordinance for approval at the next meeting.



**VILLAGE PRESIDENT**

Jennifer Konen

**VILLAGE ADMINISTRATOR**

Brent M. Eichelberger

**VILLAGE CLERK**

Alison Murphy



**COMMUNITY DEVELOPMENT**

**VILLAGE TRUSTEES**

Matthew Bonnie

Sean Herron

Heidi Lendi

Michael Schomas

Ryan Walter

James F. White

# **R E C O M M E N D A T I O N**

## **PC22-001**

TO: Village President and Board of Trustees  
FROM: Zoning Board of Appeals  
DATE: Meeting of February 16, 2022  
PETITION: 22-001 Text Amendment: Transportation Uses

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**PROPOSAL**

Amend the Zoning Ordinance to add Transportation Uses as a permitted use in section 11-4-22 (Permitted Use Table); amend section 11-4-23 to add additional standards for Transportation Services; and add definitions of the various types of Transportation Services.

**BACKGROUND & HISTORY**

The Village has been approached by a business that provides power-only trucking services desiring to locate their business to a lot located on Heartland Drive. With this request, it was brought to our attention that trucking services is not a permitted use anywhere within the Village. Currently, there are similar businesses established and operating in the Village. Looking further into this request the Village feels that Local Trucking Without Storage use would be a good fit in the M1 and I1 zoning district. Many of the businesses that are currently operating along Heartland Drive are, in fact, local trucking businesses.

The proposed text amendment will allow for this type of business to locate within the Village with limitations on the types of transportation services that are permitted. The amendment identified other transportation services/uses that either currently exist in the Village or would be compatible with the character of the industrial districts. It is important to note that the proposed amendment specifically



distinguishes "local trucking" from truck terminals and warehouse uses. It is recognized that a local trucking business is not a "contractor's yard" as described in the Zoning Ordinance.

#### **DISCUSSION**

The Planning Commission discussed the proposed text amendment. The definition of "short-term storage" that was used in the definitions relating to transportation uses was discussed. Commissioners recommended to add "short-term storage" as a definition and define it as 48 hours or less. Onsite fuel and fencing were discussed, but determined this was already addressed in zoning ordinance.

#### **PUBLIC RESPONSE**

After due notice, the Planning Commission held a public hearing on February 16, 2022. No objectors were present.

#### **RECOMMENDATION**

After carefully considering the facts, the Planning Commission recommends the Village Board **approve** the proposed text amendment attached as Exhibit A, with the addition of adding to the list of definitions "Short-term Storage: is defined as no more than forty-eight hours in length".

AYES: Jones, Eckert, Guddendorf, Bieritz, Sabo, Ochsenschlager

NAYES: None

ABSENT: Wilson



## Exhibit A

### 11-4-22: TABLE OF PERMITTED USES:

Add the following:

Use	A-1	E-1	R-2	R-3	SR	B-1	B-2	B-3	BP	OR-2	M-1	I-1
<b>Transportation Uses:</b>												
Type 1 – (Passenger Transportation)											P*	P*
Type 1 – (Passenger Transportation) with 20 or more vehicles											S*	S*
Type 2 – (Courier Services)											P*	P*
Type 2 – (Courier Services) with 20 or more vehicles											S*	S*
Type 3 – (Local Trucking Without Storage)											P*	P*
Type 3 – (Local Trucking Without Storage) with 20 or more vehicles											S*	S*

### 11-4-23: ADDITIONAL STANDARDS FOR SPECIFIC USES:

Transportation Uses:

- A. Premises may be used only for parking and short-term storage of vehicle fleet. A building having a minimum floor area of 1,200 square feet shall be provided on the premises for office purposes and functions.
- B. Fleet vehicles shall be parked in an enclosed building or on a paved parking lot behind building, no trailers shall be parked or stored in the front yard



- C. Must have a means to capture and properly dispose of hazardous material, i.e.: transmission fluids, lubricants, hydraulics, etc.
- D. On-site vehicle maintenance facilities may be located on the premises and shall be used only to service fleet vehicles
- E. Additional standards and criteria for Type 3 Transportation Uses (Local Trucking With No Storage):
  - 1. Premises may be used only for parking and short-term (48 hours or less) storage of truck fleet, including trailers. A building having a minimum floor area of 1,200 square feet shall be provided on the premises for office purposes and functions.
  - 2. Cargo may not be stored, repackaged or sorted on the premises
  - 3. Semi-trailers are permitted on the premises at a 1:1 ratio, that is, one semi-trailer is permitted for each semi-tractor parked on the premises.
  - 4. Fleet vehicles shall be parked in an enclosed building or on a paved parking lot behind building, no trailers shall be parked or stored in the front yard
  - 5. If storing any type of trailer on lot, must be stored in rear yard with a privacy fence.
  - 6. Must clear all over weight vehicles with the Village Police Department

#### **DEFINITIONS:**

**Local Trucking Without Storage:** An establishment that provides local trucking services to move goods from one location to another without on-site storage for freight. The local trucking service supplies the power, typically in the form of trucks (and trailers) and drivers, and is contracted to move someone else's trailers or goods. The establishment may include a maintenance garage component. This use does not include taxis, buses or medical transportation vehicles.

**Courier Services:** Establishments primarily engaged in the delivery of individually addressed letters, parcels, and packages, except by means of air transportation or by the United States Postal Service. Delivery is usually made by street or highway within a local area or between cities.

**Passenger Transportation:** Establishments primarily engaged in furnishing miscellaneous passenger transportation, e.g. taxis, passenger vans, limousines, medical transport, and charter buses, where such operations are primarily within a municipality, contiguous municipalities, or a municipality and its suburban areas.



## Village staff response to Planning Commission recommendation

### **11-4-23: ADDITIONAL STANDARDS FOR SPECIFIC USES:**

#### Transportation Uses:

- A. Premises may be used only for parking and short-term storage of vehicle fleet. A building having a minimum floor area of 1,200 square feet shall be provided on the premises for office purposes and functions.
- B. Fleet vehicles shall be parked in an enclosed building or on a paved parking lot behind building, no trailers shall be parked or stored in the front yard
- C. Must have a means to capture and properly dispose of hazardous material, i.e.: transmission fluids, lubricants, hydraulics, etc.
- D. On-site vehicle maintenance facilities may be located on the premises and shall be used only to service fleet vehicles
- E. Additional standards and criteria for Type 3 Transportation Uses (Local Trucking With No Storage):
  - 1. Premises may be used only for parking and short-term **(14 consecutive days** or less) storage of truck fleet, including trailers. A building having a minimum floor area of 1,200 square feet shall be provided on the premises for office purposes and functions.
  - 2. Cargo may not be stored, repackaged or sorted on the premises
  - 3. Semi-trailers are permitted on the premises at a 1:1 ratio, that is, one semi-trailer is permitted for each semi-tractor parked on the premises.
  - 4. Fleet vehicles shall be parked in an enclosed building or on a paved parking lot behind building, no trailers shall be parked or stored in the front yard
  - 5. If storing any type of trailer on lot, must be stored in rear **yard and screened from view** with a privacy fence.
  - 6. Must clear all over weight vehicles with the Village Police Department.
  - 7. **Shipping containers shall not be permitted on the premises.**