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## **VILLAGE OF SUGAR GROVE BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** DANIELLE MARION, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** DISCUSSION: MAP AMENDMENT PDD: THE GROVE  
**AGENDA:** AUGUST 20, 2024 VILLAGE BOARD MEETING  
**DATE:** AUGUST 18, 2024

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### **ISSUE**

Shall the Village Board discuss approving a planned development district to include subdivision ordinance variances for approximately 760 acres for a mixed use development subject to annexation.

### **DISCUSSION**

The Plan Commission held a public hearing on August 12, 2024 that was continued to August 13, 2024 for the proposed planned development district and subdivision ordinance regulations.

The applicant is requesting approval of a planned development district to include subdivision ordinance variances for approximately 760 acres of vacant land located at the northeast, northwest and southeast quadrants of the I-88 and Route 47 interchange. The proposal aligns with the Villages Comprehensive Plan.

Commissioners listened to the public comments and discussed the proposal in great detail. The public expressed concerns that included:

- Traffic
- Air Pollution, light pollution
- Soil Quality and the Kane DuPage Soil and Water Report
- Water Usage and Wells
- The Proposed Standards for Rezoning
- Noise

The Plan Commission's discussion included the history and background of Crown Community Development, previous developments Crown has done. Commissioners requested that Crown provide their studies they had done privately on the soil conditions to ensure it was safe to build on prior to any permits, Crown agreed to this. The soils and process to stabilize them was further discussed as well as if a field tile study was done and if there were any that were not working, as well as next steps if approved. Commissioners inquired if the Villages current population and proposed population would be enough to support the amount of commercial being proposed in the PDD. Crown stated they feel comfortable with it, but cannot predict what will happen and that is the reason for the request for a portion of the commercial to be able to flex to residential.

The elements of transition from the existing border of the Village into the Crown property was discussed and if there would be any transitional elements provided from the north side of the Crown property. Crown stated there will be no transitional elements on the north side of the property.

The request for reduction in setbacks from the Village Code was discussed, Crown stated this was the trend in residential development currently. Commissioners expressed concerns about this development becoming stagnant and what will happen with the development if the economy goes sideways. They discussed the process of establishing the HOAs throughout the development. The possibility of a gas station was discussed and what conditions could be added to ensure that it did not become a truck stop. Crown agreed to add additional conditions that would include no showers or repair services.

Landscaping requirements and the berming in Area 4 was discussed. Commissioners want to see this reflect the business park area at Sullivan and Orchard in Aurora. Crown stated they based their regulations off of this area. The issue of the utility boxes in rear yards was discussed, commissioners stated they wanted to see this be a requirement to match the Villages ordinance, Crown stated the cost to do this would be 1.7 million dollars just for Area 1 alone. Commissioners requested that additional standards be added to the PDD for accessory dwelling units, the Village Code states that occupants must be related by blood, Crown agreed to add this standard.

It was requested by Commissioners that recycling facility be changed to a special use, Crown agreed to this. Heavy manufacturing was also requested by the Plan Commission to be a special use, Crown agreed to this. The Commissioners discussed the proposed Subdivision Ordinance variances, it was determined that most of the requested variances were due to the Villages Ordinance being out of date and in need of being updated. Commissioners questioned the request in the subdivision ordinance variances item 12-5-8 G., reducing the access to a park or open space easement from 75' wide to 25' wide. Crown agreed to remove this from the variances. The entire meeting recordings are available on the Village of Sugar Grove website.

Staff included a list of 38 items that staff felt needed to be addressed as part of the staff recommendation. Crown discussed some but not all of the recommendations with the Planning Commission. Crown has responded to those items, their responses are attached to this report along with the list of items that the Plan Commission brought up during the meeting that were mutually agreed upon in the meeting.

The Plan Commission recommended approval of the proposed PDD and subdivision ordinance variances with the following conditions:

1. Incorporate the 38 staff recommendations (attached)
2. Substantial compliance with the following submitted plans and documents:
  - Proposed Planned Development District Regulating Plan
  - Concept Plan Prepared by Crown Community Development and Norris Design
  - Concept Landscaping and Hardscaping Plans Prepared by Crown Community Development and Norris Design
  - Proposed Trails and Enhancements Prepared by Crown Community Development and Norris Design
  - Signage Plan Prepared by Crown Community Development and Norris

### Design

3. Incorporate the following items that were agreed upon during the meeting:
  - Add additional conditions for fueling stations that include no showers, and no repair services.
  - Add additional standard to accessory dwelling unit: occupants must be related by blood to property owner.
  - Change recycling facility to a special use.
  - Change heavy manufacturing to a special use.
  - Item 12-5-8 G. Access Provided be removed as agreed upon during the meeting.

In the staff recommendations outlined in the Plan Commission Advisory report, there is language that states that between the PDD and the Village Code, the less restrictive shall apply. The staff recommendation was to remove this language and that the PDD is the governing document. In the response letter from Crown regarding the staff recommendations, it states that they will clarify which items were added to be more restrictive in the PDD and that in Areas 3 and 4, the PDD shall govern. Staff feels that this language needs to be removed, as there is no underlying zoning to a PDD, PDD is the zoning classification, therefore, in the event that there is a use or regulation that may be less restrictive in the Villages code, there is not a specific zoning district that would apply to the PDD.

### **ATTACHMENTS**

- Plan Commission Recommendation PC 24-12
- Responses to Staff Recommendations from Crown
- Items agreed upon during the public hearing
- Advisory Report to the Planning Commission from staff

### **COSTS**

All costs associated with the subdivision plat review are borne by the Applicant.

### **RECOMMENDATION**

That the Village Board discuss the proposed PDD and Subdivision Ordinance Variances and provide staff with direction on preparing the ordinance for approval.

**VILLAGE PRESIDENT**

Jennifer Konen

**VILLAGE ADMINISTRATOR**

Scott Koeppel

**VILLAGE CLERK**

Tracey Conti



**COMMUNITY DEVELOPMENT**

**VILLAGE TRUSTEES**

Matthew Bonnie

Sean Herron

Heidi Lendi

Sean Michels

Michael Schomas

James F. White

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

## **PC24-12**

TO: Village President and Board of Trustees  
FROM: Zoning Board of Appeals  
DATE: Meeting of August 12, 2024  
PETITION: 24-013 PDD: The Grove

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**PROPOSAL**

The petitioner is seeking a map amendment from F (farming district) Kane County to PD Planned Development District subject to annexation. The proposed PD district will allow for a mix of uses on the property including but not limited to: detached single-family residential, attached single-family residential, age targeted residential, multi-family residential, commercial, retail, office, business park, and civic.

The property is approximately 760 acres and is located at the intersection of I-88 and Sugar Grove Parkway (IL 47). The property extends north and south of I-88. The development plan proposes a multi-year build out of the property with site preparation beginning in the spring of 2025.

The purpose of this zoning map amendment request is to establish the Planned Development District. The petitioner is not submitting detailed site plans for approval at this time. As each phase of the project is developed, subdivision plats and specific building plans will be prepared for further review and approval by the Village Board.

In addition to the PDD approval the petition is requesting approval of several variances to the Villages subdivision ordinance regulations.

## LOCATION MAP



## BACKGROUND & HISTORY

The property is in active agricultural production. There is an environmental corridor along the Seavey Road Run which crosses the property south of the tollway and along the far west end of the property where Seavey Road crosses Blackberry Creek. The environmental corridors are highly regulated by other agencies and are largely free of encroachment by the proposed development.

This property was originally annexed into the Village in 2013, but was de-annexed in 2020 after Crown Community Development withdrew their previous application for a Planned Development on this property. The applicants have submitted application for annexation to the Village in conjunction with the request for approval of the Planned Development District. The current zoning on the property is F (farming district) in Kane County.

The new proposal from Sugar Grove, LLC is vastly different from the previous proposal that was withdrawn in 2019. While the proposal has changed, the Village's desire to extend utilities and unlock the complete full access interchange for economic development purposes has not changed.

The petitioner is seeking, subject to annexation, to rezone the property to Planned Development (PD) District. All of the newly annexed acres will be included in the requested PD District. Planned Development District zoning was added to the Village's Zoning Ordinance in 2005. The purpose of this district is to allow flexibility of land use and development standards beyond those provided through traditional Planned Unit Development (PUD) zoning. The PD District is not synonymous with a Planned Unit Development. It is effectively a custom designed zoning district that will have its own unique regulations pertaining to: permitted uses, accessory structures, landscaping, bulk regulations, lot development standards, appearance standards, parking regulations, etc. The Grove PD District may have similarities with existing zoning districts, but in reality is a standalone zoning district. There are land uses permitted in various zoning districts that the Village considers undesirable on this Property and the PD District approach allows the Village to cherry-pick permitted uses for the Property. The Village's zoning regulations do not adequately address the current trend in residential developments, applying the Grove PD District approach allows for more variations in the type of residential development for this project.

Planned Development District zoning is available only for unified developments consisting of at least two hundred (200) acres and containing at least two (2) principal uses. This project meets these requirements in that it consists of over seven hundred (700) acres and includes the following contemplated uses: detached single-family residential, attached single-family residential, age targeted residential, multi-family residential, commercial, retail, office, business park, and civic.

The difference between traditional PUD zoning and PD District zoning is that there is no underlying zoning designation assigned to property within a PD District. In other words, a PD District has no relevance to zoning districts established by the Village's Zoning Ordinance. For this reason, all land uses and development standards must be specified within the PD District establishing ordinance. The PD District under consideration is proposed as follows.

#### **PUBLIC RESPONSE**

After due notice, the Zoning Board of Appeals held a public hearing on August 12, 2024 and continued the meeting to August 13, 2024. Several attendees spoke against the proposal. Concerns raised included: traffic, soil stability, air pollution, water contamination, light pollution, noise, and not keeping with the character of the area. The entire meeting recordings are available on the Village of Sugar Grove website.

#### **DISCUSSION**

Commissioners discussed the proposed Planned Development District in great detail, along with the proposed subdivision ordinance variances. Discussion included the history and background of the Crown company, previous developments Crown has done. Commissioners requested that Crown provide their studies they had done privately on the soil conditions to ensure it was safe to build on prior to any permits, Crown agreed to this. The soils and process to stabilize them was further discussed as well as if a field tile study was done and if there were any that were not working, as well as next steps if approved. Commissioners inquired if the Villages current population and proposed population would be enough to

support the amount of commercial being proposed in the PDD. Crown stated they feel comfortable with it, but cannot predict what will happen and that is the reason for the request for a portion of the commercial to be able to flex to residential. The elements of transition from the existing border of the Village into the Crown property was discussed and if there would be any transitional elements provided from the north side of the Crown property. Crown stated there will be no transitional elements on the north side of the property. The request for reduction in setbacks from the Village Code was discussed, Crown stated this was the trend in residential development currently. Commissioners expressed concerns about this development becoming stagnant and what will happen with the development if the economy goes sideways. They discussed the process of establishing the HOAs throughout the development. The possibility of a gas station was discussed and what conditions could be added to ensure that it did not become a truck stop. Crown agreed to add additional conditions that would include no showers or repair services. Landscaping requirements and the berming in Area 4 was discussed. Commissioners want to see this reflect the business park area at Sullivan and Orchard in Aurora. Crown stated they based their regulations off of this area. The issue of the utility boxes in rear yards was discussed, commissioners stated they wanted to see this be a requirement to match the Villages ordinance, Crown stated the cost to do this would be 1.7 million dollars just for Area 1 alone. Commissioners requested that additional standards be added to the PDD for accessory dwelling units, the Village Code states that occupants must be related by blood, Crown agreed to add this standard. It was requested by Commissioners that recycling facility be changed to a special use, Crown agreed to this. Heavy manufacturing was also requested by the Plan Commission to be a special use, Crown agreed to this. The Commissioners discussed the proposed Subdivision Ordinance variances, it was determined that most of the requested variances were due to the Villages Ordinance being out of date and in need of being updated. Commissioners questioned the request in the subdivision ordinance variances item 12-5-8 G., reducing the access to a park or open space easement from 75' wide to 25' wide. Crown agreed to remove this from the variances.

#### **FINDINGS OF FACT:**

When considering map amendment requests, the Zoning Ordinance provides certain standards to be considered. The Zoning Board of Appeals hereby finds that the proposed map amendment:

1. *Will this rezoning change promote the public health, safety, comfort, convenience and general welfare of the village and comply with the policies of the comprehensive land use plan and other plans adopted by the village?*

Petitioner Response: The requested rezoning of the property is in conformance with the current Village Comprehensive Lane Use Plan. The development will diversify the Village's tax base and provide significant employment opportunity, as well as provide a variety of housing options and recreational opportunities to the Village and area residents.

2. *Is the trend of development in the area consistent with this request?*

Petitioner Response: This type of development has not been constructed in the Village previously due to the lack of connectivity along the I-88 corridor. The direct access to I-88 as a result of the completion of the full interchange in 2019 positioned the property well for residential, commercial and business park use.

3. *How are the permitted uses allowed by the rezoning more suitable for the property than the permitted uses allowed by the current zoning designation?*

Petitioner Response: The property is not currently annexed or zoned in the Village of Sugar Grove. The current land use is agricultural, which is not the highest and best use of the property given its

proximity to the I-88 and Route 47 full interchange. The proposed uses are consistent with the Village's Comprehensive Land Use Plan.

4. *Will this rezoning alter the character of the neighborhood or be detrimental to adjacent property?*

Petitioner Response: The proposed plan will provide a transition of uses within the Village. The proposed residential south of the interchange will be adjacent to the existing residential within the Village and will provide transition areas to higher density residential and commercial and business park uses. The remaining adjacent surrounding areas consist of residential and agricultural lands located in unincorporated Kane County. The proposed uses will provide direct access to commercial and recreational opportunities for all surrounding residents. The completion of the interchange altered the character of the area and we are proposing land uses which are appropriate at a full access interchange along a desirable corridor, consistent with the Village's Comprehensive Land Use Plan for this area.

When considering variance requests, the Zoning Ordinance provides certain standards to be considered. The responses to the following are that of the petitioner, the Commission chose to accept. The Planning Commission/Zoning Board of Appeals hereby finds that the proposed variances:

1. *Physical Peculiarities: Because of the shape, topography or other physical conditions of the proposed subdivision or its surroundings: 1) a hardship or practical difficulty would be caused by strict compliance with these requirements, and/or 2) the purposes of these requirements would be served to a greater extent by an alternative design.*

Petitioner Response: The size and scope of the Grove development is such that the plan for the development can only be implemented by the incorporation of unique subdivision requirements designed to promote the overall scope of the development and would pose a practical difficulty if existing subdivision requirements are not varied. The alternate design elements made possible by the unique subdivision variances requested will better achieve the goals of the Village subdivision ordinance, namely, to ensure orderly growth and development, the conservation, protection and proper use of land and adequate provisions for traffic circulation, utilities and services and public improvements, as well as to provide for the orderly and harmonious development of the subject property.

2. *Unique Conditions: That the conditions upon which the request for a variation is based are unique to the subject property and have not been created by the applicant or any other person having an interest in the subject property.*

Petitioner Response: The condition of the subject property which forms the basis of this request is a function of the subject property's size, location and the scope of the Planned Development District within which it will be located. The condition of the subject property was not created by the applicant.

3. *Harmless: That granting the variation will not be detrimental to the public health, safety and welfare and will not be injurious to other property or improvements in the neighborhood in which the subject property is located.*

Granting the variations requested will better control the development of the area, increase the taxable value of the property within the Village, and will promote the sound planning and development of the Village and otherwise enhance and promote the general welfare of the Village and realization of the comprehensive plan. It will not be detrimental to the public health, safety and welfare and will not be injurious to other property or improvements in the neighborhood in which the subject property is located.





**Area 1 and Area 2 (Residential)**

Areas 1 and 2 of the property are planned to be residential. The proposed single-family residential requirements of the project most closely align with the standards established for R-3 zoning by the Village's Zoning Ordinance. This property WILL NOT be assigned the R-3 zoning designation; however, the standards of R-3 zoning are a good comparison to aid in understanding the unique development standards being proposed for the Grove PD District. Bear in mind, these regulations apply only to Areas 1 and 2 in the Regulating Plan. The following table compares the standards for the PD District with the R-3 zoning District. The items in red are variations or departures from the representative zoning district standards.

	R-3 Zoning	Area 1 (Single-Family Detached only)	Area 2
Lot Size	Single-family detached: 10,000 SF Two-family dwellings: 6,000 SF	7,500 SF	Single-family detached: 4,950 SF Paired Villas: 5,400 SF Cottages: 3,500 SF
Lot Width	Single-family detached: 75 feet Two-family dwellings: 75 feet	60 feet	Single-family detached: 45 feet Paired Villas: 54 feet Cottages: 35 feet
Lot Depth	No standard	125 feet	Single-family detached: 110 feet Paired Villas: 100 feet Cottages: 100 feet
Minimum Floor Area	No standard	One-story w/ basement: 1,200 SF One-story w/o basement: 1,400 SF More than one story – 1,000 SF	Single-family detached: 1,100 SF Paired Villas: 950 SF Cottages: 900 SF
Lot Coverage	60%	65%	Single-family detached: 75% Paired Villas: 85% Cottages: 85%
Front Yard Setback	Single-family detached: 30 feet Two-family dwellings: 30 feet	25 feet	Single-family detached: 20 feet Paired Villas: 20 feet Cottages: 20 feet
Interior Setback	Single-family detached: 10 feet Two-family dwellings: 10 feet	5 feet	Single-family detached: 5 feet Paired Villas: 5 feet Cottages: 5 feet
Rear Setback	Single-family detached: 30 feet Two-family dwellings: 30 feet	25 feet	Single-family detached: 20 feet Paired Villas: 20 feet Cottages: 20 feet

While this table provides a comparison of some of the standards for Areas 1 and 2, it is important to note that Area 1 is planned to be single-family detached residential only, while Area 2 offers a variety of housing typologies that include: Single-family detached, Paired Villas (including active adult attached dwellings), Active Adult (age restricted), Cottages, and Townhomes. The proposed development standards for the lots in Area 2 are denser than what the Village has allowed in the past, however, this is the trend that the housing market is taking and it aligns with zoning recommendations in the 2023 Comprehensive Plan, specifically page 81 of the plan.

The Village Zoning Ordinance does not establish architectural standards for residential buildings. The Village has established architectural standards for many subdivisions through the PUD process. The

following table compares the standards established by the Hannaford Farm and Prairie Glen neighborhoods to the proposed architectural standards for Areas 1 and 2 in the Grove PD District. The comparison is provided only for information purposes.

	<b>Hannaford Farm</b>	<b>Prairie Glen</b>	<b>Area 1</b>	<b>Area 2</b>
<b>Architectural Standards</b>				
Wall Materials	No aluminum or Vinyl	Natural wood, natural or cultured stone, brick, stucco, high quality aluminum or vinyl no less than .0423" gauge. EFIS as an accent only. 57 homes must have at least 130 sf of brick or stone on the front elevation.	The following are permitted: cement board, face brick, stone (cultured permitted), vinyl siding, shake, or trim (Vinyl is not located on homes located in Area 1 that are directly adjacent to Hannaford Farms, Denny Road, or Merrill Road), horizontal wood, wood shakes, stucco, EIFS	The following are permitted: cement board, face brick, stone (cultured permitted), vinyl siding, shake, or trim (Vinyl is not located on homes located in Area 1 that are directly adjacent to Hannaford Farms, Denny Road, or Merrill Road), horizontal wood, wood shakes, stucco, EIFS
Chimneys	Prefab fireplace chases must pass through the roof. Chases are not allowed on the exterior wall.		Direct vent chase may be installed on the exterior of the building but must be encompassed by brick, stone, or other complimentary materials. A chimney chase shall have 6" trim on all 4 corners where	Direct vent chase may be installed on the exterior of the building but must be encompassed by brick, stone, or other complimentary materials. A chimney chase shall have 6" trim on all 4 corners where

			masonry does not exist.	masonry does not exist.
Trim	Four inch (4") trim boards on windows and trim on all elevations with the exception of masonry transitions	Trim amenities re required on front and some rear facades. Amenities include: window trim boards, shutters, frieze and band boards, corner trim and other molded millwork, window grills	All trim shall be either: black, white, brown, gray, cream, or beige. Door and window openings on all facades shall have a minimum of six inch (6") wide corner board, where masonry does not exist. Garage openings shall be trimmed with materials that match or compliment the home trim, or masonry.	All trim shall be either: black, white, brown, gray, cream, or beige. Door and window openings on all facades shall have a minimum of six inch (6") wide corner board, where masonry does not exist. Garage openings shall be trimmed with materials that match or compliment the home trim, or masonry.
Roofing	Wood, slate, or 30 year architectural shingles	Wood shake, architectural, or metal standing seam. No tile.	Architectural shingles, standing seam metal, cedar shake, slate, wide overhanging eaves with a minimum overhang of 12 inches, Single story homes must include a minimum roof pitch of 6:12 on the primary roof structure. Decorative buckets, decorative	Architectural shingles, standing seam metal, cedar shake, slate, wide overhanging eaves with a minimum overhang of 12 inches, Single story homes must include a minimum roof pitch of 6:12 on the primary roof structure. Decorative buckets, decorative

			moldings are encouraged.	moldings are encouraged.
Articulation		Generally: front and rear façade. No more than 40' without 4' offset on front and 2' offset on rear		Single family attached: At a minimum, the building face or roofline must articulate every 2 units.
Windows		Openings shall be no more square than square, no more vertical than triple square.	Window openings shall be finished with a minimum six inch (6") wide trim, where masonry does not exist. Vinyl windows shall be permitted.	Window openings shall be finished with a minimum six inch (6") wide trim, where masonry does not exist. Vinyl windows shall be permitted.
Monotony	Same exterior elevation shall not be utilized on lots next to, across from or diagonal each other which front on the same street		The same elevation shall not be utilized on lots next to and directly across the street from each other on the same street frontage. The same elevation shall be separated by a minimum of two homes on the same side of the street.	The same elevation shall not be utilized on lots next to and directly across the street from each other on the same street frontage. The same elevation shall be separated by a minimum of two homes on the same side of the street.
Primary Entrance			The primary entrance shall be located on a street façade. The primary entrance shall be covered.	Single-family detached: The primary entrance shall be located on a street façade. The primary entrance shall be covered.

Garages	<p>Side load garage is first choice. Setback front load garage beyond living space 2 car front load garage at least a 2' offset and shall not exceed 50% of the elevation. Decorative door required.</p>	Minimum 2 car	<p>Minimum two-car garage required. The use of garage doors other than the standard 5 panel style, is encouraged. Windows are encouraged as well, so long as windows are consistent with the overall architectural style of the home.</p>	<p><i>Single-family detached:</i> two car garages are required for all single family detached homes constructed on lots that are 45' wide or greater. The use of garage doors other than the standard 5 panel style, is encouraged. Windows are encouraged as well, so long as windows are consistent with the overall architectural style of the home. No garages are permitted to be flush with the 2<sup>nd</sup> story without a roofline break or articulation in building face.</p> <p><i>Single-family attached:</i> Two car garages are required for all townhomes. The use of garage doors other than the standard 5 panel style, is encouraged. Windows are encouraged as</p>
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				well, so long as windows are consistent with the overall architectural style of the home. No front load garages are permitted to be flush with the 2 <sup>nd</sup> story without a roofline break or articulation in building face.
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Please see The Grove PDD (attached) for a complete list of the development standards.

The way in which the proposed Grove PD District is structured means, in the case of Areas 1 and 2, that a residential builder who submits building plans that meet the standards included in the above referenced document will be issued a building permit without additional review by the Planning Commission or the Village Board. In other words, the standards listed will be enforced administratively by Village staff through the building permit process. The Village Board will approve the Final Plat of Subdivision.

***Area 3 and Area 5 (Commercial, Retail, Office, Civic, Residential)***

Area 3 is planned to be a mix of uses to include: commercial, retail, Office, Civic, and Residential. Area 3 is divided into two sub-areas, 3A and 3B. Area 3A will be the focal point of Area 3 and will have a publicly accessible and activated square/green/plaza and a publicly accessible and activated “main street” at least one block in length. It is anticipated to have a combination of the following: Buildings facing the Village Green with entries / pedestrian access oriented onto the space or street and incorporating typical urban design elements such as on-street parking, street trees for shade, decorative/enhanced paving, lighting/street furnishings, and other elements to help establish and define the public realm of the place/street. This mixed-use area is categorized as a pedestrian oriented activity area and has the potential to include a pedestrian-oriented cluster of uses and will provide opportunities to shop, work, live, dine, and recreate. Area 3B will be a mixed-use area that is centrally positioned for convenience of access for both local residents and regional visitors. Area 5 is also planned to be a mix of uses to include: commercial, retail, office, civic, and residential.

Area 3 and Area 5 would most closely compare to the Villages B3 – Regional Business District. In order to best illustrate these guidelines, the following table compares elements of the PD District guidelines to the standards for B3 Regional Business District. Please be reminded that this property WILL NOT be assigned a B3 zoning classification as an underlying zoning designation. The following table compares the PD District standards for Area 3 and Area 5 to the Villages B3 zoning district standards.

	<b>B3 District</b>	<b>Area 3</b>			
		Commercial	Office	Residential	Civic
Lot Size	40,000 SF	6,000 SF	40,000 SF	40,000 SF	20,000 SF
Lot Width	100 feet	50 feet	150 feet	150 feet	100 feet
Lot Coverage	70%	100%	75%	90%	100%
Front Yard Setback	60 feet	25 feet	25 feet	25 feet	25 feet
Interior Setback	10 feet	0 feet	0 feet	10 feet	0 feet
Rear Setback	30 feet	0 feet	0 feet	25 feet	0 feet
Structure Height	35 feet	40 feet	40 feet	40 feet	40 feet

	<b>B3 District</b>	<b>Area 5</b>				
		Commercial	Office	Residential	Civic	Transportation
Lot Size	40,000 SF	20,000 SF	40,000 SF	40,000 SF	20,000 SF	20,000 SF
Lot Width	100 feet	100 feet	150 feet	150 feet	100 feet	100 feet
Lot Coverage	70%	75%	75%	85%	75%	75%
Front Yard Setback	60 feet	25 feet	50 feet	25 feet	25 feet	25 feet
Interior Setback	10 feet	25 feet	50 feet	10 feet	25 feet	25 feet
Rear Setback	30 feet	25 feet	50 feet	25 feet	25 feet	25 feet
Structure Height	35 feet	40 feet	40 feet	60 feet	40 feet	40 feet



The following table compares the appearance standards of the Villages B3 District and Area 3 of the PD District. This table is for informational purposes only. The PD District Regulating Plan has appearance standards that apply to all Areas of the development. Areas 1 and 3 have additional requirements. To view all of the requirements see the Grove PDD (attached to this document).

	B3 District	Area 3	Area 5
Building Height	35 feet	40 feet	40 feet except 60 feet for residential
Building Materials	Masonry, wood, brick, stone, EIFS, or decorative concrete block (excluding plain concrete block), architectural steel and glass, or precast panels. Aluminum or vinyl siding shall not be allowed as a primary building material.	<p>Cement Board, Face Brick, Stone/Masonry, Decorative Concrete Block, Architectural Steel and Glass, Insulated Metal Panel (industrial only), EIFS/Stucco, Wood, Wood Shakes (residential only), Horizontal Wood, Vinyl (residential only).</p> <p><i>Additional Standards:</i>  <i>Non-Residential:</i> All buildings shall use the same material on all four sides of a structure so that, no matter what vantage point it is viewed from, the design is never interrupted, and all the parts are perceived as part of a unified whole. All building fixtures shall be compatible with the overall architecture of the building. Rooftop decks shall be allowed.  <i>Residential:</i> cement board, face brick, stone (cultured permitted), Vinyl siding, shake or trim is permitted in Area 3B only, horizontal wood , wood shakes, stucco, EIFS.</p>	Cement Board, Face Brick, Stone/Masonry, Decorative Concrete Block, Architectural Steel and Glass, Insulated Metal Panel (industrial only), EIFS/Stucco, Wood, Wood Shakes (residential only), Horizontal Wood, Vinyl (residential only).

Please see The Grove PDD (attached) for a complete list of the development standards.

**Area 4 (Business Park)**

Area 4 is planned to be comprised of business park type uses. This Area would most closely compare to the Villages BP-Business Park zoning district. This is the only Area that does not allow any form of residential development. The following table is a comparison of Area 4 and the Villages BP district standards.

	<b>BP District</b>	<b>Area 4</b>				
		Commercial	Office	Industrial	Civic	Transportation
Lot Size	87,120 SF	20,000 SF	40,000 SF	40,000 SF	20,000 SF	20,000 SF
Lot Width	200 feet	100 feet	150 feet	150 feet	100 feet	100 feet
Lot Coverage	70%	75%	75%	90%	75%	75%
Street Lot Line	50 feet	25 feet	50 feet	Seavey ROW 75 feet I-88 ROW 50 feet	25 feet	25 feet
Other Lot Line	25 feet	25 feet	50 feet	50 feet	25 feet	25 feet
Structure Height	35 feet 50 feet when more than 150 feet from property planned, zoned or used for residential purposes	40 feet	40 feet	Data Center: 65 feet All other: 60 feet	40 feet	40 feet

**Landscaping**

The following table compares the landscape standards of the BP District to the landscape guidelines of Area 4 of the proposed PD District.

	<b>BP District</b>	<b>Area 4</b>
Street Lot Line	Earthen berm + 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per 50 feet.	Seavey Road right-of-way: earthen berm with an average height of four feet (4'), where site conditions permit, plus the following plant materials: 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per one hundred (100) linear feet.
Other Lot Lines	1 tree and 6 shrubs per 50 feet	<i>Lots with Office or Industrial Uses:</i> Lot Lines, Public Drives, Private Drives (excluding Seavey Rd): 1 shade tree and 6 shrubs per seventy-five (75) linear feet.

		<i>Lots with all other uses except Office or Industrial:</i> Private and Public Drives within Interior lots: One (1) tree per seventy-five (75) linear feet and can be clustered as needed to provide enhanced screening of buildings Lot Lines: No required landscape materials
Building Foundation Plantings	1 tree and six shrubs per 20 feet in an 8 foot wide planting bed.	If ten-foot (10') minimum deep landscaped area: One (1) ornamental tree, three (3) columnar evergreens, and fifteen (15) shrubs (or grasses) per one hundred (100) linear feet. If five-foot (5') minimum to ten-foot (10') deep landscaped area: five (5) columnar evergreens and fifteen (15) shrubs (or grasses) per one hundred (100) linear feet.

### **Open Space and Tree Preservation**

Section 11-16-2-1 (A) 1 of the Village of Sugar Grove Zoning Ordinance provides the following.

*"Unless otherwise reviewed by the planning commission/zoning board of appeals and approved by the village board, not less than forty percent (40%) of the land within a planned development district shall be reserved and designated as open space, greenbelt and/or recreational facilities."*

As proposed, the PDD falls below the minimum forty percent (40%) open space requirement. According to the PDD Summary table submitted by the petitioner, a total open space percentage of 30.9% is being proposed. The percentage of the property devoted to each open space category breaks down as follows:

<b>Site total</b>	<b>Stormwater Facility</b>	<b>Green Space</b>	<b>Private Park</b>	<b>Total Open Space</b>
761.1 Ac	83.1 Ac	143.4 Ac	9.0 Ac	235.5 Ac (30.9%)

The petitioner is proposing to construct a total of 4,300 linear feet of soft surface trail and a total of 21,300 linear feet of hard surface trail. This will provide active open space for the development. Petitioner will be required to deliver a combined total of no less than 10 acres of improved parks collectively within the property. No individual park shall be less than 1 acre. Please see the attached trails and open space exhibit for details.

To the extent practicable, healthy and mature trees will be preserved. When preservation is not achievable the following shall apply:

- a. Where it is deemed that trees twelve inches (12") dbh or greater must be removed to allow for proposed development, mitigation tree replacement will be required as follows:

- (1) Not less than one (1) 2.5-inch caliper tree shall be required for each 12 inches (12") of tree diameter, as measured at breast height, proposed to be removed that requires mitigation.

However, in no instance shall more than three (3) 2.5-inch caliper replacement trees be required for any tree removed for mitigation. Street, Open Space, Park, Buffer, Stormwater Management Facility and Lot trees shall count towards all mitigation requirements.

- (2) Tree replacement will be handled on a project wide basis for the entire 760 acre development. An inventory of removed and replaced trees will be kept on file with the Owner and provided to the Community Development Department when requested.
- (3) A tree inventory and condition assessment must be performed by a certified arborist on all trees proposed to be removed. Any tree rated 4-5 (very poor to dead) shall be excluded from the tree replacement requirements. Furthermore, invasive trees and undesirable tree species as recommended by a certified arborist and reasonably agreed upon by the Village shall not be required to be replaced.

### ***Landscape Requirements***

The landscape requirements that are being proposed in the PDD and outline much different than how the Village code outlines the landscape requirements, therefore a comparison between the two is difficult to make. The below table outlines the Village's current landscape requirements and the landscape requirements in the PDD document that are being proposed by the applicant.

<b>Village of Sugar Grove Ordinance Landscape Requirements</b>					
<b>Zoning District</b>	<b>Street Yard</b>	<b>Interior Yard</b>	<b>Rear Yard</b>	<b>Transition Yard</b>	<b>Primary Road</b>
R-1/R-2/R-3 Residential District and SR type 1 residential	n/a	n/a	n/a	n/a	n/a
SR Senior Residential District Type 2	1 evergreen tree, 1 shade tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	Solid screen	Berm, 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per 50 linear foot
B-1 Community Shopping District	1 evergreen tree, 1 shade tree and 6 shrubs per 50 linear feet	n/a	n/a	Solid screen	Berm, 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per 50 linear feet
B-2 General Business District & B-3	1 evergreen tree, 1 shade tree and 6	1 tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	Solid screen	Berm, 1 evergreen tree, 1 shade

Regional Business District & BP Business Park District	shrubs per 50 linear feet				tree, 1 ornamental tree and 12 shrubs per 50 linear feet
M-1 Limited Manufacturing District	1 evergreen tree, 1 shade tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	Solid Screen	Berm, 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per 50 linear feet

Crown PDD Landscape Requirements				
Area 1	Area 2	Area 3	Area 4	Area 5
Street Tree Quantity: One (1) 2 ½-inch caliper shade tree for every forty (40) linear feet of roadway shall be installed, except where utilities, driveways and streetlights make it impractical, in the interior roadway rights-of-way.	Street Tree Quantity: One (1) 2 ½ -inch caliper shade tree for every forty (40) linear feet of roadway shall be installed, except where utilities, driveways and streetlights make it impractical, in the interior roadway rights-of-way.	Minimum Planting Standards: (i) Plant materials shall be spaced appropriately to allow adequate room for root zone and vegetation at maturity. (ii) a minimum distance of ten (10) feet shall be provided between large canopy trees and buildings or trees and fences. Space provided must allow adequate room for mature trees.	Street Trees: One (1) 2 ½ -inch caliper shade tree for every seventy-five (75) linear feet of roadway shall be installed within the interior roadway rights-of-way, where feasible and can be clustered. Trees installed on any berm (located both inside and/or outside of the right-of-way) along Seavey Road shall count towards this requirement.	Street Trees: One (1) 2 ½ -inch caliper shade tree for every seventy-five (75) linear feet of roadway shall be installed in the interior roadway rights-of-way and can be clustered.
		Minimum amount Planting Standards: (i) tree requirements	Within yards created by Vehicle Use Area Setbacks the following	Within yards created by Vehicle Use Area Setbacks the following

		<p>cannot be exchanged for other types of plant material. Fifty (50) percent of the gross site area tree requirement must include large canopy deciduous shade trees.</p>	<p>minimum landscape materials are required. All required plant materials to be planted using appropriate design patterns, including clustering of plants: (a) Seavey Road Right-of-Way: earthen berm with an average height of four feet (4'), where site conditions permit, plus the following plant materials: 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per one hundred (100) linear feet. Street trees required in Section III.1.b. shall count towards this requirement. (b) Earthen berms shall be designed and installed in an undulating and meandering natural manner, where site conditions permit. Earthen</p>	<p>minimum landscape materials are required. All required plant materials to be planted using appropriate design patterns, including clustering of plants: (a) Seavey Road Right-of-Way: One (1) tree per seventy-five (75) linear feet and can be clustered as needed to provide enhanced screening of buildings.</p>
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			berms slopes shall not exceed 2:1.	
		Street Tree Quantity: One (1) 2 ½ -inch caliper shade tree for every forty (40) linear feet of roadway shall be installed in the interior roadway rights-of-way and can be clustered.	Lots with Office or Industrial Uses: Lot lines, Public drives, Private drives (excluding Seavey Rd): 1 shade tree and 6 shrubs per seventy-five (75) linear feet.	Lots with Office Uses: (a) Lot lines, public drives, private drives (excluding Seavey Rd): 1 shade tree and 6 shrubs per one hundred (100) linear feet.
			Lots with all other uses except Office or Industrial: (a) Private and Public drives within Interior lots: One (1) tree per seventy-five (75) linear feet and can be clustered as needed to provide enhanced screening of buildings. (b) Lot lines: No required landscape materials.	Lots with all other uses except Office: (a) Private and public drives within Interior lots: One (1) tree per one hundred (100) linear feet and can be clustered as needed to provide enhanced screening of buildings. (b) Lot lines: No required landscape materials

*The above table is for reference to compare the landscape requirements to the Villages current landscape requirements, however, there are additional landscape requirements such as foundation plantings within the PDD document.*

### **Traffic Impact**

Attached is a Traffic Impact Study prepared by Kimley-Horn. The traffic study describes the roadway improvements planned for the southern portion of the planned development. Denny Road currently

terminates east of this property. The petitioner is proposing to extend Denny Road through the property to provide both a local east/west connection between Norris Road and Sugar Grove Parkway south of the Tollway in accordance with the Village's Comprehensive Plan and Transportation Plan and to provide access to future residential and commercial areas immediately south of I-88. Seavey Road would be reconstructed to provide a three-lane cross-section with a single travel lane in each direction and a center two-way left-turn lane. Seavey Road would provide access to the business park north of I-88. Merrill Road would continue to operate as a two-lane roadway.

The traffic study provides information about additional roadway improvements based on anticipated traffic volumes generated by this project. Please be reminded that the assumptions of this traffic study are based on the maximum use of the property according to the petitioner. It should be understood, however, that without a commitment from the developer to the density and exact uses developed on the property, any conclusion drawn from this study is speculative. As each parcel develops, a traffic impact study may be required.

No formal application has been submitted to the Illinois Department of Transportation (IDOT) for access to IL 47 at the proposed locations. The proposed access points are reflective of best practices, conversations the petitioner has had with IDOT officials, and recommendations from the traffic study concerning the proposed development and IL 47 access, and of the direction given by IDOT officials

### **RECOMMENDATION**

Commissioner Guddendorf made a motion to recommend the Village Board approve petition 24-013 for a Planned Unit Development and incorporate the presented findings of fact subject to the following conditions:

1. Incorporate the 38 staff recommendations (attached)
2. Substantial compliance with the following submitted plans and documents:
  - Proposed Planned Development District Regulating Plan
  - Concept Plan Prepared by Crown Community Development and Norris Design
  - Concept Landscaping and Hardscaping Plans Prepared by Crown Community Development and Norris Design
  - Proposed Trails and Enhancements Prepared by Crown Community Development and Norris Design
  - Signage Plan Prepared by Crown Community Development and Norris Design
3. Incorporate the following items that were agreed upon during the meeting:
  - Add additional conditions for fueling stations that include no showers, and no repair services.
  - Add additional standard to accessory dwelling unit: occupants must be related by blood to property owner.
  - Change recycling facility to a special use.
  - Change heavy manufacturing to a special use.

Commissioner Wilson provided a second.

Ayes: Guddendorf, Jones, Wilson, Speciale, Ochsenschlager

Nays: Sabo, Bieritz



**Motion PASSED**

Commissioner Jones provided a motion to recommend the Village Board approve the requested Subdivision Variations (exhibit F) and incorporate the presented findings of fact (standards) with the following condition:

- Item 12-5-8 G. Access Provided be removed as agreed upon during the meeting.

Commissioner Speciale provided a second.

AYES: Speciale, Wilson, Jones, Guddendorf, Ochsenschlager

NAYES: Bieritz, Sabo

**Motion PASSED**



Village of Sugar Grove  
Danille Marion  
Community Development Director  
601 Heartland Drive  
Sugar Grove, IL 60554  
Phone 630-391-7220

Dear Danielle,

We have prepared responses to the Staff Recommendation provided in the Advisory Report for Petition 24-013. See below for our response to each item. Please note our responses are to the proposed concepts and remain subject to agreement on acceptable language to be incorporated into the applicable documents.

1. The document contains language that states “where any Village ordinance is less restrictive than the requirements provided herein, the least restrictive requirement shall apply”. This language should be removed throughout the document, there are instances where there may be something in the Village code that is less restrictive than this document, but we have added additional restrictions to this document for a specific reason and these need to be able to remain in effect.

**Response: Where additional restrictions were added for a particular reason, we can specify the instances where the more restrictive provisions in the PDD will apply. Please note that we have already specified that the more restrictive requirement in the PDD shall apply for Area 3 and Area 4.**

2. The following language should be added to the PDD, “where the document is silent the Village of Sugar Grove Zoning ordinance shall apply”. This needs to be in the PDD document as there are items that may not be addressed and there may be additional standards for certain uses that need to also apply to the uses in this document.

**Response: Where the PDD is silent, the Village Zoning Regulations in effect as of the date of enacting the PDD shall apply, utilizing the regulations and requirements of the District that most closely provides for uses similar to those contemplated in the PDD.**

3. Light pole maximum heights. There are areas that the regulations permit 40 foot tall light poles. The night sky is a very important thing to the Village and these 40 foot tall light poles will have a negative effect on this. The Village has spoken to brokers that are knowledgeable on what is need to keep a parking lot safe for security, the pole does not have to be 40 foot high to secure an area. The information we received is contradictory of that, stating that the taller the light pole the more intense the light needs to be to reach the ground. The Village feels that the maximum light pole heights in the industrial and commercials areas do not need to exceed 25 feet.

**Response: We've consulted with Data Center and Industrial users who advised that the minimum light pole height needed to provide for adequate security is 35'. We can lower the pole height for Office uses to 25'.**

4. Interior side yard setbacks. In a few of the area standards, the interior side yard setback minimum is 5 feet, staff feels that this should be 7.5 feet minimum. The 5 feet interior side yard setback is too tight.

**Response: The 5' side yard setbacks have become the industry standard and supports consolidation of residential homes, which maximizes connected open spaces for public enjoyment and enhances affordability with lower housing costs. As it's commonplace in the industry, we've done this in multiple communities throughout the US, and it has worked well.**

5. Screening of utility boxes and transformers: There is language in the PDD document about screening of in the front yard. This language should be revised as staff feels that utility boxes and transformers shall not be permitted in front yards, unless the rear of the property is part of a conservation easement. The Village passed an ordinance in 2020 that requires utility boxes to be installed in rear yards.

**Response: ComEd policy requires all transformers and utility boxes to be located in the front yard for enhanced access. ComEd may grant an exception and allow them in the rear yards, but there are significant additional costs for the necessary conduit. Such additional costs would ultimately be passed on to homeowners, estimated to be approximately \$8,000 per home, further worsening affordability. To mitigate the appearance, we are requiring that utility boxes and transformers be screened with landscaping. We can provide images depicting the landscape screen and add language requiring the landscaping to be similar in character.**

6. Wherever Minor and Major Changes are mentioned it should reference section 11-11-7 of the Village Code.

**Response: We have followed Village guidance and included the process for major and minor changes within the PDD ordinance as this must be a standalone ordinance and avoids referencing specific Village Ordinance sections that may change.**

7. Item 7(b)(i) is the asphalt cross section (heavy trucks) calling for 2" of surface, 2.5" of binder, and 10" of aggregate base course. That pavement cross section equates to a structural number of 2.925 and our Code calls for a minimum structural number of 3.65. A higher structural number is recommended.

**Response: We incorporated this information directly from Village Ordinance and note that those numbers are reflected as a minimum. Our pavement section structural number is in excess of the 3.65 structure number you've referenced.**

8. Page #40 item (2) in the Section III AREA SPECIFIC STANDARDS is talking about both sidewalks and paths. This info is basically repeated in several pages #45, 52, 53, 57, and 59. These clauses all describe the widths of the sidewalks/paths, but none of them describe

the sidewalk/path materials or thicknesses. Staff recommends that we insert “All sidewalks and paths shall meet the Village Code of materials and minimum thicknesses.” at all of these clauses.

**Response: We've worked with the Village Engineer and Village's outside consultant on all cross sections, and they are specifically provided for in the Annexation Agreement, which we can incorporate into the PDD as well. Sidewalks will be 5" PCC on 6" base, Trail sections are added to the variances table as well as sidewalks material and thickness.**

9. Zoning Administrator: Anywhere in the document that states Zoning Administrator should be changed to Village Administrator to remain consistent with the Annexation Agreement.

**Response: Agreed.**

10. Anywhere in the document that states “can be granted administratively” should be change to “administratively by the Village Administrator” to clarify.

**Response: Agreed.**

11. Anywhere in the document that states “approval of the Director of Community Development” shall be changed to “Village Administrator”.

**Response: Agreed**

12. Permitted Uses- Accessory Structures: There is no language that addresses how to process uses not named. Staff recommends adding clarifying language that states Zoning Official has discretion for similar uses, any uses not similar and expressly not listed in the table must be processed as a major change.

**Response: This is addressed in the Annexation Agreement and can be incorporated into the PDD. Should a proposed use not be specifically described or assigned a classification under the PDD or the Village Zoning Regulations, the owner may request that it be designated a “Similar Use.” Any request for a use to be classified a Similar Use shall be submitted to the Village Administrator who shall select a use within the PDD or the Village Zoning Regulations which most closely approximates the proposed use using criteria such as the nature of the use, conformance with the purpose of the Area in which it is proposed, aesthetics, traffic characteristics, and potential nuisance effects (noise, vibration, dust, smoke, odor, glare, hours of operation). Once a Similar Use is determined, the proposed use shall comply with any conditions and review procedures that may apply to that use. If the Village Administrator determines that the**

**proposed use is not a Similar Use, it shall be deemed a minor change according to the Village's Zoning Ordinance.**

13. Off-street parking- Loading area and loading docks: If use not listed, Community Development Director shall determine loading requirements of said use by comparing with a listed similar use. Remove this language as uses not listed are not permitted.

**Response: See "Similar Use" provision in No. 12 above.**

14. Off-street parking – loading area and loading docks- design: A variance may be allowed by administrative staff approval. Denials may be appealed as a minor change per zoning regulations. Staff suggests changing administrative staff to Village Administrator.

**Response: Agreed**

15. Area 1 Bulk Restrictions – building height variances over 10% are not addressed as how to process them. Add clarifying language of how to address variances over 10% for building height must be processed as a major change.

**Response: Agreed**

16. Anywhere in the document that states "may be allowed by administrative staff approval" shall be changed to Village Administrator".

**Response: Agreed**

17. Additional Building Appearance Standards- Entryways- The Village may grant an administrative variance if entryway is not planned to be adjacent to Seavey Rd. etc. Add clarifying language as to who is "The Village", change to Village Administrator.

**Response: Agreed**

18. Anywhere in the document that states "administrative variances may be allowed" add clarifying language stating "granted by the Village Administrator".

**Response: Agreed**

19. Section II.1.a (Permitted Uses) How to address uses not included in the Permitted Use Table (pgs. 1-6). The draft currently states that if the use is not named, it is prohibited. Add

language that allows the discretion of the Village Administrator to permit uses for similar uses. Also add language that states if the use is not expressly listed and there is no similar use it must be processed as a major change.

**Response: See “Similar Use” provision in No. 12 above.**

20. Additional Standards (pg. 7) Entertainment Gathering Venue: states that “use of fireworks, searchlights, strobes, and laser lights in connection with any event.. shall not be allowed unless authorized by the Village Board”. Change Village Board to Village Administrator.

**Response: Agreed**

21. Section II.2 (Permitted Uses- Accessory Structures). The draft currently does not provide guidance for how to process uses that are not expressly named. Add language that states Village Administrator has discretion for similar uses, any uses not similar and expressly not listed in the table must be processed as a major change.

**Response: See “Similar Use” provision in No. 12 above.**

22. In the PDD Regulating Plan under I revise the second paragraph to read as follows:

This ~~Regulating Plan~~ establishes a development plan for the Property as set forth on Exhibit \_\_\_, attached hereto and incorporated herein by reference, and establishes controls and regulations applicable thereto. ~~To the extent this Regulating Plan or the Annexation Agreement (“Agreement”) address an aspect of the development of the Property, no other Village ordinance, regulation or policy shall apply to that aspect of development. To the extent any provision of the Village Zoning Regulations conflicts with this Regulating Plan or the Agreement, the Regulating Plan and the Agreement shall control.~~ After this Plan is so approved, to the extent that any provision of this Plan conflicts with the provisions of other Village ordinances affecting the zoning and development of the Property, the provisions and standards contained in this Plan and in the ordinances annexing and zoning the Property shall control. Notwithstanding, the foregoing, nothing in this Plan is intended to exempt the Property from generally applicable Village ordinances that are not expressly addressed in this Plan.

**Response: Agreed, this is already specified in the Annexation Agreement.**

23. In the PDD Regulating Plan Under II revise a. to read as follows:

PERMITTED USES:

Use of a building, structure or land shall be allowed only in the Areas indicated and for the purposes specified in the following table of permitted uses. A principal use listed in

the table in any Area denoted by the letter "P" is permitted by right in the identified Area, provided that all other requirements of State law, this ~~title~~ Plan, and all other applicable ordinances and regulations of this Code have been satisfied. A principal use listed in the table of permitted uses in any Area denoted by the letter "S" is a special use and permitted only subject to the provisions of Section 11-13-12 of the Village Zoning Ordinance, as may be amended from time to time. A use of building, structure or land not expressly indicated by either "P" or "S" is not allowed in that Area. Also add the following: "New Uses: The zoning official may allow a land use to be considered as a permitted or special use which, though not identified by name in the PDD list of permitted or special uses, is deemed to be similar in nature, and clearly compatible with the listed uses. The official shall consult the Standard Industrial Classification (SIC) Code to determine similarity or compatibility. However, such unlisted uses shall not be approved until the application for such use has been reviewed by the Village Attorney."

**Response: Agreed, with the exception of referencing the specific Village Ordinance section. We will add general language that relates back to the Village Ordinance's process for Special Uses**

24. Additional Standards for Laundry Service: add additional standards for Laundry service: No drycleaning processing allowed in Area 3.

**Response: Agreed**

25. Additional Standards for Package liquor or wine retail: add additional standards: Uses involving the sale and/or consumption of alcohol are required to obtain a liquor license from the Village Board prior to establishing the use or occupying any space.

**Response: Title 3 in the Village Code would apply, which is not being amended by this PDD.**

26. Under the Definitions on pg. 6 add language stating the following: "Any term not expressly defined herein shall be given the meaning set forth in the Village Zoning Ordinance and/or Village Code, and if not defined in said ordinances, then by its plain meaning as specified in Webster's New Collegiate Dictionary (most recent edition).

**Response: Agreed, as such terms are defined in the current Village Ordinance**

27. Additional Standards for Transportation Uses: under a. change forbidden to prohibited.

**Response: Agreed**

28. Revise number 2. Accessory Uses heading to state: Accessory Uses, Structures, and Buildings. Also, Revise this section on pg. 11 to read as follows:

- a. All accessory uses, accessory structures, and accessory buildings shall comply with the requirements of the Area in which they are located. No accessory use, accessory structure, or accessory building shall be established or erected on a lot or zoning lot prior to the establishment or erection of the principal use or principal building to which it is accessory.
- b. Where an accessory building is structurally attached to a principal building it shall conform to all regulations of this PD District and the Area ~~applicable to the~~ in which the principal building is situated.
- c. All accessory uses, accessory structures, and accessory buildings may require a building permit depending on the work involved. The below is not to be used to determine whether or not a building permit is required.
- d. Table of Permitted Accessory Uses and Structures: The following are permitted and special accessory uses, accessory structures, and accessory buildings when located in compliance with this PD District regulations of the Area in which they are located.

**Response: Agreed**

29. Under performance standards for hazardous materials. Remove the following:” b. Nonconforming Uses That Involve Hazardous Substances. Non-conforming uses are prohibited from increasing the quantities of hazardous substances use or produced on the premises.” There are currently no current non-conforming uses on the property.

**Response: Agreed**

30. Pg. 19 of the PDD, letter o. shall be amended as follows: Violations. Established uses found to be in noncompliance will be liable for inspection fees and costs as well as penalties imposed by the Village, the administrative hearing officer, or a court. ~~In the event no due cause is found, the challenger will be liable for the fees and costs.~~

**Response: The addition is acceptable, but not the strike out. The stricken portion is in the current Village ordinance.**

31. Pg. 19 of the PDD 5. Off-Street Parking. Civic and Transportation uses are not addressed. These need to be added.

**Response: Agreed**



32. Pg. 30 of the PDD, surfacing standards. Need to add office, civic, and transportation uses.

**Response: Agreed**

33. Pg. 34 of the PDD c. General standards. Language stating the less restrictive shall apply shall be removed.

**Response: Agreed**

34. Pg. 40 of the PDD e. Photometric Plans address Residential, Commercial, Civic, or Industrial but do not reference office or transportation. These need to be added.

**Response: Agreed.**

35. Shipping Container shall be added as a special use to the accessory uses, structures and buildings table.

**Response: Agreed**

36. Pg. 34 b. (1) – add language stating “must be extinguished/turned off at the end of the event”.

**Response: Agreed**

37. Pg. 39 d. Roofing. Remove the following “The following roofing materials are permitted:”

**Response: Agreed**

38. Under the permitted uses in the PDD also add language from section 4.4 Interpretation in the Annexation Agreement.

**Response: Agreed.**

Additionally, we offer the following modification to the PDD and the Subdivision Regulation at the request of the Planning Commission.

PDD Regulating Plan Changes:

1. Additional Restrictions to Motor Vehicle Fueling Stations to restrict a “truck stop”. The following restrictions were added:
  - a. Overnight parking is prohibited.
  - b. Shower facilities are prohibited.
  - c. Mechanical services are prohibited.
2. Adjusted the following uses from Permitted to Special Use
  - a. Manufacturing, heavy
  - b. Recycling facilities
3. Adjustment of the Accessory Dwelling Units (ADU) additional standards to include the following language:
  - a. The unit shall be solely occupied by no more than two (2) persons related by blood or marriage to the owner of the principal residence.

Subdivision Variance Changes:

1. 12-4-5-4 A.3.B Maintenance of Improvements: Removed variance that was related to the Village’s responsibility to snowplow roads before Village acceptance of the road.
2. 12-5-8 G. Access Provided: Removed variance requesting the reduction of the access easement to parks and open space from 75’ wide to 25’.
3. 12-6-9 A. Concrete Sidewalks: Added language clarifying the sidewalk construction details as follows: “Sidewalks shall be constructed with 5" Portland Cement Concrete and a 6" Aggregate Base Course”
4. 12-6-9 B. Trails: Added language clarifying the trails construction details as follows similarly to the Sidewalk section above: “Trails indicated on the Exhibit J in the Annexation Agreement to be hard surface the shall be constructed with 2" Hot Mix Asphalt Surface Course and an 8" Aggregate Base Course. Trails indicated on Exhibit J in the Annexation Agreement to be soft surface the shall be constructed with 4” Decomposed Granite”

**Items agreed upon between Crown and the Plan Commission during the  
Public Hearing:**

1. Additional conditions for fueling stations:
  - a. No showers
  - b. No mechanical services
  - c. No overnight parking
2. Additional condition for accessory dwelling units:
  - a. The unit shall be solely occupied by persons related by blood or marriage to the owner of the principal residence.
3. Change recycling facility to a special use.
4. Change heavy manufacturing to a special use.
5. Remove the request in the subdivision ordinance variances for item 12-4-5-4 A.2.B for the Villages responsibility to snowplow roads before Village acceptance.
6. Remove the request in the subdivision ordinance variances for item 12-5-8 G.
7. Add language to 12-6-9 A of the subdivision ordinance variances clarifying the sidewalk construction details as follows: “sidewalks shall be constructed with 5” Portland Cement Concrete and a 6” Aggregate Base Course”
8. Add language to 12-6-9 B Trails of the subdivision ordinance variances clarifying the trails construction details as follows similarly to the Sidewalk section above: “Trails indicated on the Exhibit J in the Annexation Agreement to be hard surface shall be constructed with 2” Hot Mix Asphalt Surface Course and an 8” Aggregate Base Course. Trails indicated on Exhibit J in the Annexation Agreement to be soft surface shall be constructed with 4” Decomposed Granite”.



# ADVISORY REPORT

Petition 24-013

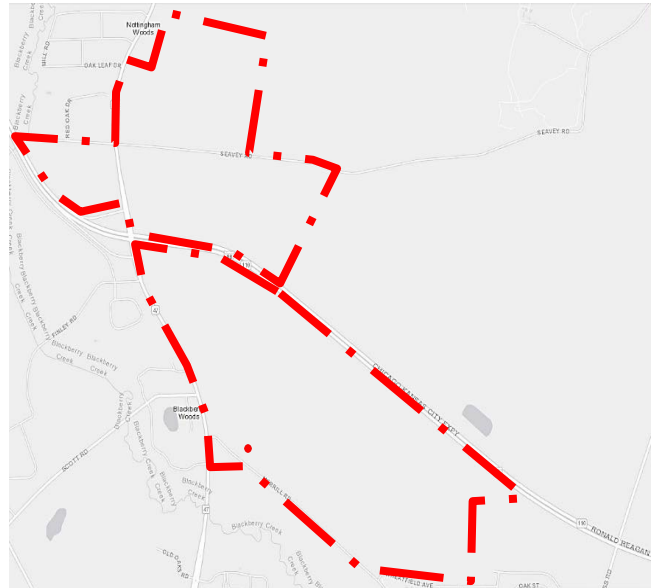
Plan Commission Meeting – August 12, 2024

**Applicant:** Sugar Grove, LLC

**Location:** NW, NE and SE quadrants of I-88 and Route 47

**Application:** Rezoning

**Prepared by:** Danielle Marion,  
Community  
Development Director



## Background & History:

The property is in active agricultural production. There is an environmental corridor along the Seavey Road Run which crosses the property south of the tollway and along the far west end of the property where Seavey Road crosses Blackberry Creek. The environmental corridors are highly regulated by other agencies and are largely free of encroachment by the proposed development.

This property was originally annexed into the Village in 2013, but was de-annexed in 2020 after Crown Community Development withdrew their previous application for a Planned Development on this property. The applicants have submitted application for annexation to the Village in conjunction with the request for approval of the Planned Development District. The current zoning on the property is F (farming district) in Kane County.

The new proposal from Sugar Grove, LLC is vastly different from the previous proposal that was withdrawn in 2019. While the proposal has changed, the Village's desire to extend utilities and unlock the complete full access interchange for economic development purposes has not changed.

The petitioner is seeking, subject to annexation, to rezone the property to Planned Development (PD) District. All of the newly annexed acres will be included in the requested PD District. Planned Development District zoning was added to the Village's Zoning Ordinance in 2005. The purpose of this district is to allow flexibility of land use and development standards beyond those provided through traditional Planned Unit Development (PUD) zoning. The PD District is not synonymous with a Planned Unit Development. It is effectively a custom designed zoning district that will have its own unique regulations pertaining to: permitted uses, accessory structures, landscaping, bulk regulations, lot development standards, appearance standards, parking regulations, etc. The Grove PD District may have similarities with existing zoning districts, but in reality is a standalone zoning district. There are land uses permitted in various zoning districts that the Village considers undesirable on this Property and the PD District approach allows the Village to cherry-pick permitted uses for the Property. The Village's zoning regulations do not adequately address the current trend in residential developments, applying the Grove PD District approach allows for more variations in the type of residential development for this project.

Planned Development District zoning is available only for unified developments consisting of at least two hundred (200) acres and containing at least two (2) principal uses. This project meets these requirements in that it consists of over seven hundred (700) acres and includes the following contemplated uses: detached single-family residential, attached single-family residential, age targeted residential, multi-family residential, commercial, retail, office, business park, and civic.

The difference between traditional PUD zoning and PD District zoning is that there is no underlying zoning designation assigned to property within a PD District. In other words, a PD District has no relevance to zoning districts established by the Village's Zoning Ordinance. For this reason, all land uses and development standards must be specified within the PD District establishing ordinance. The PD District under consideration is proposed as follows.

#### **Proposal:**

The petitioner is seeking a map amendment from F (farming district) Kane County to PD Planned Development District subject to annexation. The proposed PD district will allow for a mix of uses on the property including but not limited to: detached single-family residential, attached single-family residential, age targeted residential, multi-family residential, commercial, retail, office, business park, and civic.

The property is approximately 760 acres and is located at the intersection of I-88 and Sugar Grove Parkway (IL 47). The property extends north and south of I-88. The development plan proposes a multi-year build out of the property with site preparation beginning in the spring of 2025.

The purpose of this zoning map amendment request is to establish the Planned Development District. The petitioner is not submitting detailed site plans for approval at this time. As each phase of the project is developed, subdivision plats and specific building plans will be prepared for further review and approval by the Village Board.

In addition to the PDD approval the petition is requesting approval of several variances to the Villages subdivision ordinance regulations.

#### Location Map:



## Existing Zoning:

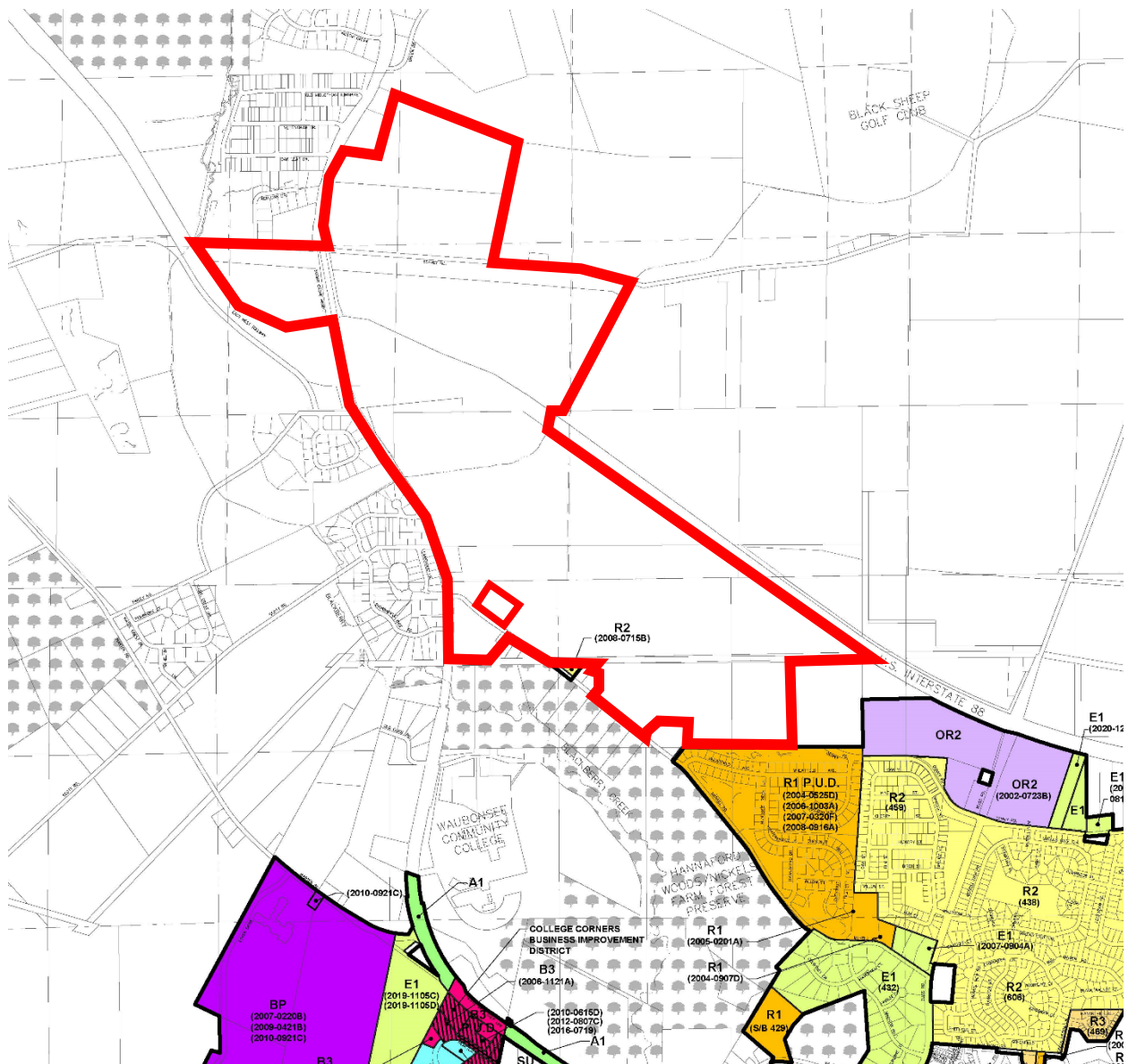
Subject Property: F Farming (Kane County)

North: Unincorporated

South R-1 PUD (Hannaford Farm Subdivision)

East: Unincorporated F Farming (Kane County)

West: Unincorporated F Farming (Kane County) R-1 (Kane County) Forest Preserve





## Future Land Use Plan:

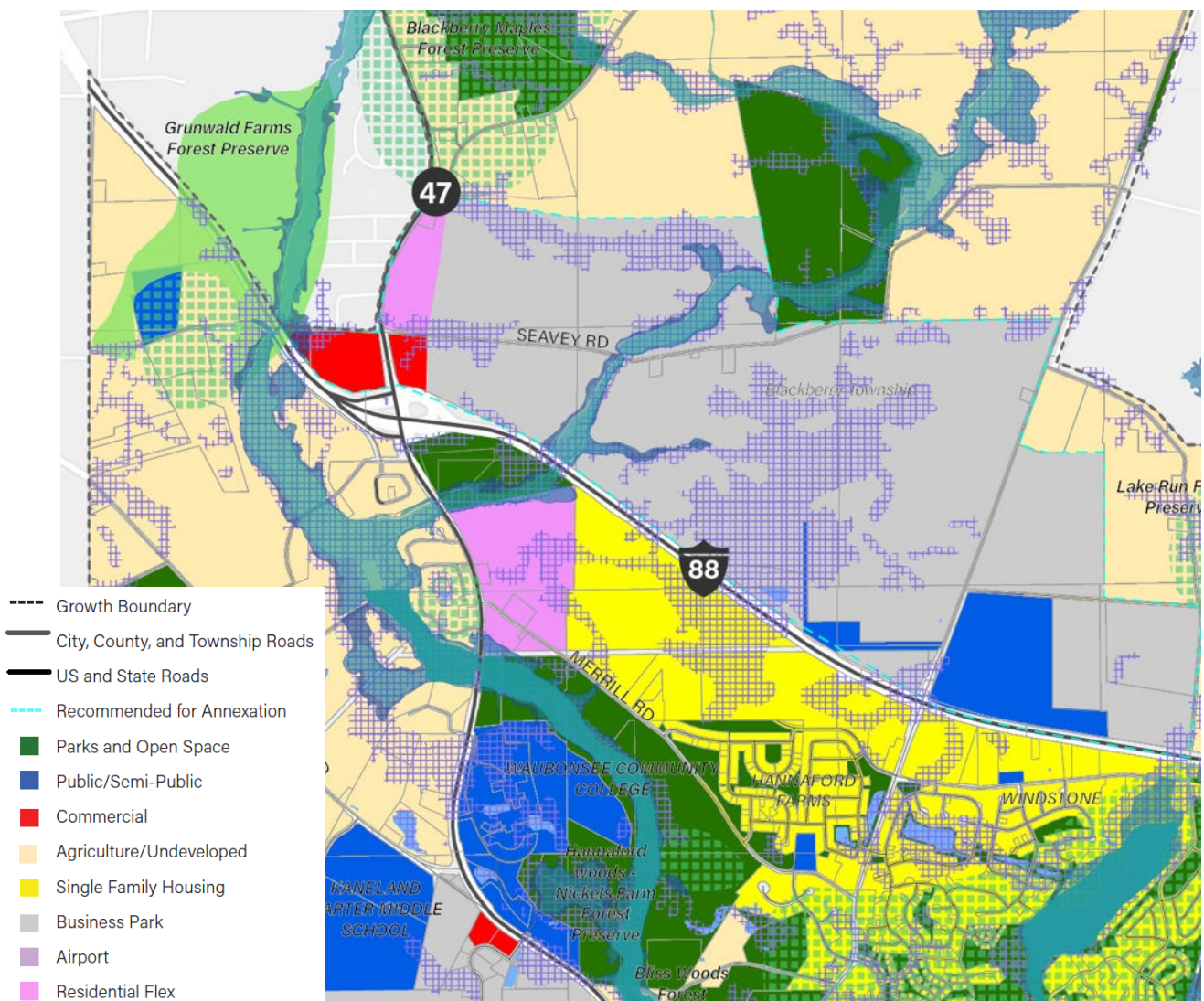
Subject Property: Single Family Housing, Residential Flex, Commercial, Business Park, and Parks and Open Space

North: Agriculture/Undeveloped and Parks and Open Space

South: Single Family Housing

East: Business Park and Agriculture/Undeveloped

West: Agriculture/Undeveloped





Evaluation:

### ***Regulating Plan***



### **Area 1 and Area 2 (Residential)**

Areas 1 and 2 of the property are planned to be residential. The proposed single-family residential requirements of the project most closely align with the standards established for R-3 zoning by the Village's Zoning Ordinance. This property WILL NOT be assigned the R-3 zoning designation; however, the standards of R-3 zoning are a good comparison to aid in understanding the unique development standards being proposed for the Grove PD District. Bear in mind, these regulations apply only to Areas 1 and 2 in the Regulating Plan. The following table compares the standards for the PD District with the R-3 zoning District. The items in red are variations or departures from the representative zoning district standards.

	R-3 Zoning	Area 1 (Single-Family Detached only)	Area 2
Lot Size	Single-family detached: 10,000 SF Two-family dwellings: 6,000 SF	7,500 SF	Single-family detached: 4,950 SF Paired Villas: 5,400 SF Cottages: 3,500 SF
Lot Width	Single-family detached: 75 feet Two-family dwellings: 75 feet	60 feet	Single-family detached: 45 feet Paired Villas: 54 feet Cottages: 35 feet
Lot Depth	No standard	125 feet	Single-family detached: 110 feet Paired Villas: 100 feet Cottages: 100 feet
Minimum Floor Area	No standard	One-story w/ basement: 1,200 SF One-story w/o basement: 1,400 SF More than one story – 1,000 SF	Single-family detached: 1,100 SF Paired Villas: 950 SF Cottages: 900 SF
Lot Coverage	60%	65%	Single-family detached: 75% Paired Villas: 85% Cottages: 85%
Front Yard Setback	Single-family detached: 30 feet Two-family dwellings: 30 feet	25 feet	Single-family detached: 20 feet Paired Villas: 20 feet Cottages: 20 feet
Interior Setback	Single-family detached: 10 feet Two-family dwellings: 10 feet	5 feet	Single-family detached: 5 feet Paired Villas: 5 feet Cottages: 5 feet
Rear Setback	Single-family detached: 30 feet Two-family dwellings: 30 feet	25 feet	Single-family detached: 20 feet Paired Villas: 20 feet Cottages: 20 feet

While this table provides a comparison of some of the standards for Areas 1 and 2, it is important to note that Area 1 is planned to be single-family detached residential only, while Area 2 offers a variety of housing typologies that include: Single-family detached, Paired Villas (including active adult attached dwellings), Active Adult (age restricted), Cottages, and Townhomes. The proposed development standards for the lots in Area 2 are denser than what the Village has allowed in the past, however, this is the trend that the housing market is taking

and it aligns with zoning recommendations in the 2023 Comprehensive Plan, specifically page 81 of the plan.

The Village Zoning Ordinance does not establish architectural standards for residential buildings. The Village has established architectural standards for many subdivisions through the PUD process. The following table compares the standards established by the Hannaford Farm and Prairie Glen neighborhoods to the proposed architectural standards for Areas 1 and 2 in the Grove PD District. The comparison is provided only for information purposes.

	<b>Hannaford Farm</b>	<b>Prairie Glen</b>	<b>Area 1</b>	<b>Area 2</b>
<b>Architectural Standards</b>				
Wall Materials	No aluminum or Vinyl	Natural wood, natural or cultured stone, brick, stucco, high quality aluminum or vinyl no less than .0423" gauge. EFIS as an accent only. 57 homes must have at least 130 sf of brick or stone on the front elevation.	The following are permitted: cement board, face brick, stone (cultured permitted), vinyl siding, shake, or trim (Vinyl is not located on homes located in Area 1 that are directly adjacent to Hannaford Farms, Denny Road, or Merrill Road), horizontal wood, wood shakes, stucco, EIFS	The following are permitted: cement board, face brick, stone (cultured permitted), vinyl siding, shake, or trim (Vinyl is not located on homes located in Area 1 that are directly adjacent to Hannaford Farms, Denny Road, or Merrill Road), horizontal wood, wood shakes, stucco, EIFS
Chimneys	Prefab fireplace chases must pass through the roof. Chases are not allowed on the exterior wall.		Direct vent chase may be installed on the exterior of the building but must be encompassed by brick, stone, or other complimentary materials. A chimney chase	Direct vent chase may be installed on the exterior of the building but must be encompassed by brick, stone, or other complimentary materials. A chimney chase

			shall have 6" trim on all 4 corners where masonry does not exist.	shall have 6" trim on all 4 corners where masonry does not exist.
Trim	Four inch (4") trim boards on windows and trim on all elevations with the exception of masonry transitions	Trim amenities re required on front and some rear facades. Amenities include: window trim boards, shutters, frieze and band boards, corner trim and other molded millwork, window grills	All trim shall be either: black, white, brown, gray, cream, or beige. Door and window openings on all facades shall have a minimum of six inch (6") wide corner board, where masonry does not exist. Garage openings shall be trimmed with materials that match or compliment the home trim, or masonry.	All trim shall be either: black, white, brown, gray, cream, or beige. Door and window openings on all facades shall have a minimum of six inch (6") wide corner board, where masonry does not exist. Garage openings shall be trimmed with materials that match or compliment the home trim, or masonry.
Roofing	Wood, slate, or 30 year architectural shingles	Wood shake, architectural, or metal standing seam. No tile.	Architectural shingles, standing seam metal, cedar shake, slate, wide overhanging eaves with a minimum overhang of 12 inches, Single story homes must include a minimum roof pitch of 6:12 on the primary roof structure.	Architectural shingles, standing seam metal, cedar shake, slate, wide overhanging eaves with a minimum overhang of 12 inches, Single story homes must include a minimum roof pitch of 6:12 on the primary roof structure.

			Decorative buckets, decorative moldings are encouraged.	Decorative buckets, decorative moldings are encouraged.
Articulation		Generally: front and rear façade. No more than 40' without 4' offset on front and 2' offset on rear		Single family attached: At a minimum, the building face or roofline must articulate every 2 units.
Windows		Openings shall be no more square than square, no more vertical than triple square.	Window openings shall be finished with a minimum six inch (6") wide trim, where masonry does not exist. Vinyl windows shall be permitted.	Window openings shall be finished with a minimum six inch (6") wide trim, where masonry does not exist. Vinyl windows shall be permitted.
Monotony	Same exterior elevation shall not be utilized on lots next to, across from or diagonal each other which front on the same street		The same elevation shall not be utilized on lots next to and directly across the street from each other on the same street frontage. The same elevation shall be separated by a minimum of two homes on the same side of the street.	The same elevation shall not be utilized on lots next to and directly across the street from each other on the same street frontage. The same elevation shall be separated by a minimum of two homes on the same side of the street.
Primary Entrance			The primary entrance shall be located on a street façade. The primary	Single-family detached: The primary entrance shall be located on a street façade. The

			entrance shall be covered.	primary entrance shall be covered.
Garages	Side load garage is first choice. Setback front load garage beyond living space 2 car front load garage at least a 2' offset and shall not exceed 50% of the elevation. Decorative door required.	Minimum 2 car	Minimum two-car garage required. The use of garage doors other than the standard 5 panel style, is encouraged. Windows are encouraged as well, so long as windows are consistent with the overall architectural style of the home.	<i>Single-family detached:</i> two car garages are required for all single family detached homes constructed on lots that are 45' wide or greater. The use of garage doors other than the standard 5 panel style, is encouraged. Windows are encouraged as well, so long as windows are consistent with the overall architectural style of the home. No garages are permitted to be flush with the 2 <sup>nd</sup> story without a roofline break or articulation in building face. <i>Single-family attached:</i> Two car garages are required for all townhomes. The use of garage doors other than the standard 5 panel style, is encouraged.

				Windows are encouraged as well, so long as windows are consistent with the overall architectural style of the home. No front load garages are permitted to be flush with the 2 <sup>nd</sup> story without a roofline break or articulation in building face.
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Please see The Grove PDD (attached) for a complete list of the development standards.

The way in which the proposed Grove PD District is structured means, in the case of Areas 1 and 2, that a residential builder who submits building plans that meet the standards included in the above referenced document will be issued a building permit without additional review by the Planning Commission or the Village Board. In other words, the standards listed will be enforced administratively by Village staff through the building permit process. The Village Board will approve the Final Plat of Subdivision.

***Area 3 and Area 5 (Commercial, Retail, Office, Civic, Residential)***

Area 3 is planned to be a mix of uses to include: commercial, retail, Office, Civic, and Residential. Area 3 is divided into two sub-areas, 3A and 3B. Area 3A will be the focal point of Area 3 and will have a publicly accessible and activated square/green/plaza and a publicly accessible and activated "main street" at least one block in length. It is anticipated to have a combination of the following: Buildings facing the Village Green with entries / pedestrian access oriented onto the space or street and incorporating typical urban design elements such as on-street parking, street trees for shade, decorative/enhanced paving, lighting/street furnishings, and other elements to help establish and define the public realm of the place/street. This mixed-use area is categorized as a pedestrian oriented activity area and has the potential to include a pedestrian-oriented cluster of uses and will provide opportunities to shop, work, live, dine, and recreate. Area 3B will be a mixed-use area that is centrally positioned for convenience of access for both local residents and regional visitors. Area 5 is also planned to be a mix of uses to include: commercial, retail, office, civic, and residential.

Area 3 and Area 5 would most closely compare to the Villages B3 – Regional Business District. In order to best illustrate these guidelines, the following table compares elements of the PD District guidelines to the standards for B3 Regional Business District. Please be reminded that

this property WILL NOT be assigned a B3 zoning classification as an underlying zoning designation. The following table compares the PD District standards for Area 3 and Area 5 to the

	<b>B3 District</b>	<b>Area 3</b>			
		Commercial	Office	Residential	Civic
Lot Size	40,000 SF	6,000 SF	40,000 SF	40,000 SF	20,000 SF
Lot Width	100 feet	50 feet	150 feet	150 feet	100 feet
Lot Coverage	70%	100%	75%	90%	100%
Front Yard Setback	60 feet	25 feet	25 feet	25 feet	25 feet
Interior Setback	10 feet	0 feet	0 feet	10 feet	0 feet
Rear Setback	30 feet	0 feet	0 feet	25 feet	0 feet
Structure Height	35 feet	40 feet	40 feet	40 feet	40 feet

Villages B3 zoning district standards.

	<b>B3 District</b>	<b>Area 5</b>				
		Commercial	Office	Residential	Civic	Transportation
Lot Size	40,000 SF	20,000 SF	40,000 SF	40,000 SF	20,000 SF	20,000 SF
Lot Width	100 feet	100 feet	150 feet	150 feet	100 feet	100 feet
Lot Coverage	70%	75%	75%	85%	75%	75%
Front Yard Setback	60 feet	25 feet	50 feet	25 feet	25 feet	25 feet
Interior Setback	10 feet	25 feet	50 feet	10 feet	25 feet	25 feet
Rear Setback	30 feet	25 feet	50 feet	25 feet	25 feet	25 feet
Structure Height	35 feet	40 feet	40 feet	60 feet	40 feet	40 feet



The following table compares the appearance standards of the Villages B3 District and Area 3 of the PD District. This table is for informational purposes only. The PD District Regulating Plan has appearance standards that apply to all Areas of the development. Areas 1 and 3 have additional requirements. To view all of the requirements see the Grove PDD (attached to this document).

	B3 District	Area 3	Area 5
Building Height	35 feet	40 feet	40 feet except 60 feet for residential
Building Materials	Masonry, wood, brick, stone, EIFS, or decorative concrete block (excluding plain concrete block), architectural steel and glass, or precast panels. Aluminum or vinyl siding shall not be allowed as a primary building material.	Cement Board, Face Brick, Stone/Masonry, Decorative Concrete Block, Architectural Steel and Glass, Insulated Metal Panel (industrial only), EIFS/Stucco, Wood, Wood Shakes (residential only), Horizontal Wood, Vinyl (residential only).  <i>Additional Standards:</i> <i>Non-Residential:</i> All buildings shall use the same material on all four sides of a structure so that, no matter what vantage point it is viewed from, the design is never interrupted, and all the parts are perceived as part of a unified whole. All building fixtures shall be compatible with the overall architecture of the building. Rooftop decks shall be allowed. <i>Residential:</i> cement board, face brick, stone (cultured permitted), Vinyl siding, shake or trim is permitted in Area 3B only, horizontal wood , wood shakes, stucco, EIFS.	Cement Board, Face Brick, Stone/Masonry, Decorative Concrete Block, Architectural Steel and Glass, Insulated Metal Panel (industrial only), EIFS/Stucco, Wood, Wood Shakes (residential only), Horizontal Wood, Vinyl (residential only).

Please see The Grove PDD (attached) for a complete list of the development standards.

**Area 4 (Business Park)**

Area 4 is planned to be comprised of business park type uses. This Area would most closely compare to the Villages BP-Business Park zoning district. This is the only Area that does not allow any form of residential development. The following table is a comparison of Area 4 and the Villages BP district standards.

	<b>BP District</b>	<b>Area 4</b>				
		Commercial	Office	Industrial	Civic	Transportation
Lot Size	87,120 SF	20,000 SF	40,000 SF	40,000 SF	20,000 SF	20,000 SF
Lot Width	200 feet	100 feet	150 feet	150 feet	100 feet	100 feet
Lot Coverage	70%	75%	75%	90%	75%	75%
Street Lot Line	50 feet	25 feet	50 feet	Seavey ROW 75 feet I-88 ROW 50 feet	25 feet	25 feet
Other Lot Line	25 feet	25 feet	50 feet	50 feet	25 feet	25 feet
Structure Height	35 feet 50 feet when more than 150 feet from property planned, zoned or used for residential purposes	40 feet	40 feet	Data Center: 65 feet All other: 60 feet	40 feet	40 feet

**Landscaping**

The following table compares the landscape standards of the BP District to the landscape guidelines of Area 4 of the proposed PD District.

	<b>BP District</b>	<b>Area 4</b>
Street Lot Line	Earthen berm + 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per 50 feet.	Seavey Road right-of-way: earthen berm with an average height of four feet (4'), where site conditions permit, plus the following plant materials: 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per one hundred (100) linear feet.
Other Lot Lines	1 tree and 6 shrubs per 50 feet	<i>Lots with Office or Industrial Uses:</i> Lot Lines, Public Drives, Private Drives (excluding Seavey Rd): 1 shade tree and 6 shrubs per seventy-five (75) linear feet.

		<i>Lots with all other uses except Office or Industrial:</i> Private and Public Drives within Interior lots: One (1) tree per seventy-five (75) linear feet and can be clustered as needed to provide enhanced screening of buildings Lot Lines: No required landscape materials
Building Foundation Plantings	1 tree and six shrubs per 20 feet in an 8 foot wide planting bed.	If ten-foot (10') minimum deep landscaped area: One (1) ornamental tree, three (3) columnar evergreens, and fifteen (15) shrubs (or grasses) per one hundred (100) linear feet. If five-foot (5') minimum to ten-foot (10') deep landscaped area: five (5) columnar evergreens and fifteen (15) shrubs (or grasses) per one hundred (100) linear feet.

### ***Open Space and Tree Preservation***

Section 11-16-2-1 (A) 1 of the Village of Sugar Grove Zoning Ordinance provides the following.

*"Unless otherwise reviewed by the planning commission/zoning board of appeals and approved by the village board, not less than forty percent (40%) of the land within a planned development district shall be reserved and designated as open space, greenbelt and/or recreational facilities."*

As proposed, the PDD falls below the minimum forty percent (40%) open space requirement. According to the PDD Summary table submitted by the petitioner, a total open space percentage of 30.9% is being proposed. The percentage of the property devoted to each open space category breaks down as follows:

<b>Site total</b>	<b>Stormwater Facility</b>	<b>Green Space</b>	<b>Private Park</b>	<b>Total Open Space</b>
761.1 Ac	83.1 Ac	143.4 Ac	9.0 Ac	235.5 Ac (30.9%)

The petitioner is proposing to construct a total of 4,300 linear feet of soft surface trail and a total of 21,300 linear feet of hard surface trail. This will provide active open space for the development. Petitioner will be required to deliver a combined total of no less than 10 acres of improved parks collectively within the property. No individual park shall be less than 1 acre. Please see the attached trails and open space exhibit for details.

To the extent practicable, healthy and mature trees will be preserved. When preservation is not achievable the following shall apply:

- a. Where it is deemed that trees twelve inches (12") dbh or greater must be removed to allow for proposed development, mitigation tree replacement will be required as follows:
  - (1) Not less than one (1) 2.5-inch caliper tree shall be required for each 12 inches (12") of tree diameter, as measured at breast height, proposed to be removed that requires mitigation. However, in no instance shall more than three (3) 2.5-inch caliper replacement trees be required for any tree removed for mitigation. Street, Open Space, Park, Buffer, Stormwater Management Facility and Lot trees shall count towards all mitigation requirements.
  - (2) Tree replacement will be handled on a project wide basis for the entire 760 acre development. An inventory of removed and replaced trees will be kept on file with the Owner and provided to the Community Development Department when requested.
  - (3) A tree inventory and condition assessment must be performed by a certified arborist on all trees proposed to be removed. Any tree rated 4-5 (very poor to dead) shall be excluded from the tree replacement requirements. Furthermore, invasive trees and undesirable tree species as recommended by a certified arborist and reasonably agreed upon by the Village shall not be required to be replaced.

### ***Landscape Requirements***

The landscape requirements that are being proposed in the PDD and outline much different than how the Village code outlines the landscape requirements, therefore a comparison between the two is difficult to make. The below table outlines the Village's current landscape requirements and the landscape requirements in the PDD document that are being proposed by the applicant.

<b>Village of Sugar Grove Ordinance Landscape Requirements</b>					
<b>Zoning District</b>	<b>Street Yard</b>	<b>Interior Yard</b>	<b>Rear Yard</b>	<b>Transition Yard</b>	<b>Primary Road</b>
R-1/R-2/R-3 Residential District and SR type 1 residential	n/a	n/a	n/a	n/a	n/a
SR Senior Residential District Type 2	1 evergreen tree, 1 shade tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	Solid screen	Berm, 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per 50 linear foot
B-1 Community	1 evergreen tree, 1 shade tree and 6	n/a	n/a	Solid screen	Berm, 1 evergreen tree, 1 shade

Shopping District	shrubs per 50 linear feet				tree, 1 ornamental tree, and 12 shrubs per 50 linear feet
B-2 General Business District & B-3 Regional Business District & BP Business Park District	1 evergreen tree, 1 shade tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	Solid screen	Berm, 1 evergreen tree, 1 shade tree, 1 ornamental tree and 12 shrubs per 50 linear feet
M-1 Limited Manufacturing District	1 evergreen tree, 1 shade tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	1 tree and 6 shrubs per 50 linear feet	Solid Screen	Berm, 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per 50 linear feet

Crown PDD Landscape Requirements				
Area 1	Area 2	Area 3	Area 4	Area 5
Street Tree Quantity: One (1) 2 ½-inch caliper shade tree for every forty (40) linear feet of roadway shall be installed, except where utilities, driveways and streetlights make it impractical, in the interior roadway rights-of-way.	Street Tree Quantity: One (1) 2 ½-inch caliper shade tree for every forty (40) linear feet of roadway shall be installed, except where utilities, driveways and streetlights make it impractical, in the interior roadway rights-of-way.	Minimum Planting Standards: (i) Plant materials shall be spaced appropriately to allow adequate room for root zone and vegetation at maturity. (ii) a minimum distance of ten (10) feet shall be provided between large canopy trees and buildings or trees and fences. Space provided	Street Trees: One (1) 2 ½ - inch caliper shade tree for every seventy-five (75) linear feet of roadway shall be installed within the interior roadway rights-of-way, where feasible and can be clustered. Trees installed on any berm (located both inside and/or outside of the right-of-way) along	Street Trees: One (1) 2 ½ - inch caliper shade tree for every seventy-five (75) linear feet of roadway shall be installed in the interior roadway rights-of-way and can be clustered.

		must allow adequate room for mature trees.	Seavey Road shall count towards this requirement.	
		Minimum amount Planting Standards: (i) tree requirements cannot be exchanged for other types of plant material. Fifty (50) percent of the gross site area tree requirement must include large canopy deciduous shade trees.	Within yards created by Vehicle Use Area Setbacks the following minimum landscape materials are required. All required plant materials to be planted using appropriate design patterns, including clustering of plants: (a) Seavey Road Right-of-Way: earthen berm with an average height of four feet (4'), where site conditions permit, plus the following plant materials: 1 evergreen tree, 1 shade tree, 1 ornamental tree, and 12 shrubs per one hundred (100) linear feet. Street trees required in Section III.1.b. shall count towards this requirement.	Within yards created by Vehicle Use Area Setbacks the following minimum landscape materials are required. All required plant materials to be planted using appropriate design patterns, including clustering of plants: (a) Seavey Road Right-of-Way: One (1) tree per seventy-five (75) linear feet and can be clustered as needed to provide enhanced screening of buildings.

			(b) Earthen berms shall be designed and installed in an undulating and meandering natural manner, where site conditions permit. Earthen berms slopes shall not exceed 2:1.	
		Street Tree Quantity: One (1) 2 ½ -inch caliper shade tree for every forty (40) linear feet of roadway shall be installed in the interior roadway rights-of-way and can be clustered.	Lots with Office or Industrial Uses: Lot lines, Public drives, Private drives (excluding Seavey Rd): 1 shade tree and 6 shrubs per seventy-five (75) linear feet.	Lots with Office Uses: (a) Lot lines, public drives, private drives (excluding Seavey Rd): 1 shade tree and 6 shrubs per one hundred (100) linear feet.
			Lots with all other uses except Office or Industrial: (a) Private and Public drives within Interior lots: One (1) tree per seventy-five (75) linear feet and can be clustered as needed to provide enhanced screening of buildings. (b) Lot lines: No required	Lots with all other uses except Office: (a) Private and public drives within Interior lots: One (1) tree per one hundred (100) linear feet and can be clustered as needed to provide enhanced screening of buildings. (b) Lot lines: No required

			landscape materials.	landscape materials
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*The above table is for reference to compare the landscape requirements to the Villages current landscape requirements, however, there are additional landscape requirements such as foundation plantings within the PDD document.*

### **Traffic Impact**

Attached is a Traffic Impact Study prepared by Kimley-Horn. The traffic study describes the roadway improvements planned for the southern portion of the planned development. Denny Road currently terminates east of this property. The petitioner is proposing to extend Denny Road through the property to provide both a local east/west connection between Norris Road and Sugar Grove Parkway south of the Tollway in accordance with the Village's Comprehensive Plan and Transportation Plan and to provide access to future residential and commercial areas immediately south of I-88. Seavey Road would be reconstructed to provide a three-lane cross-section with a single travel lane in each direction and a center two-way left-turn lane. Seavey Road would provide access to the business park north of I-88. Merrill Road would continue to operate as a two-lane roadway.

The traffic study provides information about additional roadway improvements based on anticipated traffic volumes generated by this project. Please be reminded that the assumptions of this traffic study are based on the maximum use of the property according to the petitioner. It should be understood, however, that without a commitment from the developer to the density and exact uses developed on the property, any conclusion drawn from this study is speculative. As each parcel develops, a traffic impact study may be required.

No formal application has been submitted to the Illinois Department of Transportation (IDOT) for access to IL 47 at the proposed locations. The proposed access points are reflective of best practices, conversations the petitioner has had with IDOT officials, and recommendations from the traffic study concerning the proposed development and IL 47 access, and of the direction given by IDOT officials.

### **Standards for Rezoning:**

When considering map amendment requests, the Zoning Ordinance provides standards to be considered. Each standard is addressed below.

1. *Will this rezoning change promote the public health, safety, comfort, convenience and general welfare of the village and comply with the policies of the comprehensive land use plan and other plans adopted by the village?*

Petitioner Response: The requested rezoning of the property is in conformance with the current Village Comprehensive Land Use Plan. The development will diversify the Village's tax base and provide significant employment opportunity, as well as provide a variety of housing options and recreational opportunities to the Village and area residents.



2. *Is the trend of development in the area consistent with this request?*

Petitioner Response: This type of development has not been constructed in the Village previously due to the lack of connectivity along the I-88 corridor. The direct access to I-88 as a result of the completion of the full interchange in 2019 positioned the property well for residential, commercial and business park use.

3. *How are the permitted uses allowed by the rezoning more suitable for the property than the permitted uses allowed by the current zoning designation?*

Petitioner Response: The property is not currently annexed or zoned in the Village of Sugar Grove. The current land use is agricultural, which is not the highest and best use of the property given its proximity to the I-88 and Route 47 full interchange. The proposed uses are consistent with the Village's Comprehensive Land Use Plan.

4. *Will this rezoning alter the character of the neighborhood or be detrimental to adjacent property?*

Petitioner Response: The proposed plan will provide a transition of uses within the Village. The proposed residential south of the interchange will be adjacent to the existing residential within the Village and will provide transition areas to higher density residential and commercial and business park uses. The remaining adjacent surrounding areas consist of residential and agricultural lands located in unincorporated Kane County. The proposed uses will provide direct access to commercial and recreational opportunities for all surrounding residents. The completion of the interchange altered the character of the area and we are proposing land uses which are appropriate at a full access interchange along a desirable corridor, consistent with the Village's Comprehensive Land Use Plan for this area.

#### Standards for Subdivision Ordinance Variances:

The applicant has requested several variances to the subdivision ordinance as part of their application. These variances need to be reviewed by the Plan Commission and the standards for them need to be discussed by the Plan Commission. The requested variances are attached to the end of this document.

When considering variance requests to the Villages Subdivision Ordinance, the following standards are to be considered:

1. *Physical Peculiarities: Because of the shape, topography or other physical conditions of the proposed subdivision or its surroundings: 1) a hardship or practical difficulty would be caused by strict compliance with these requirements, and/or 2) the purposes of these requirements would be served to a greater extent by an alternative design.*

Petitioner Response: The size and scope of the Grove development is such that the plan for the development can only be implemented by the incorporation of unique subdivision requirements designed to promote the overall scope of the development and would pose a practical difficulty if existing subdivision requirements are not varied. The alternate design elements made possible by the unique subdivision variances requested will better achieve the goals of the Village subdivision ordinance, namely, to ensure orderly growth and development, the conservation,

protection and proper use of land and adequate provisions for traffic circulation, utilities and services and public improvements, as well as to provide for the orderly and harmonious development of the subject property.

2. *Unique Conditions: That the conditions upon which the request for a variation is based are unique to the subject property and have not been created by the applicant or any other person having an interest in the subject property.*

Petitioner Response: The condition of the subject property which forms the basis of this request is a function of the subject property's size, location and the scope of the Planned Development District within which it will be located. The condition of the subject property was not created by the applicant.

3. *Harmless: That granting the variation will not be detrimental to the public health, safety and welfare and will not be injurious to other property or improvements in the neighborhood in which the subject property is located.*

Granting the variations requested will better control the development of the area, increase the taxable value of the property within the Village, and will promote the sound planning and development of the Village and otherwise enhance and promote the general welfare of the Village and realization of the comprehensive plan. It will not be detrimental to the public health, safety and welfare and will not be injurious to other property or improvements in the neighborhood in which the subject property is located.

4. *Minimum Necessary: The variation granted is the minimum adjustment necessary for the reasonable use of the land.*

The variations requested are the minimum variations necessary to implement the contemplated Planned Development District and are the minimum adjustments necessary for the reasonable and most efficient use of the land.

#### Public Response:

The public hearing has been properly noticed. The Community Development Department has received inquiries about this petition.

#### Staff Recommendation:

There are a number of items in the PDD document that staff feels needs to be addressed.

1. The document contains language that states "where any Village ordinance is less restrictive than the requirements provided herein, the least restrictive requirement shall apply". This language should be removed throughout the document, there are instances where there may be something in the Village code that is less restrictive than this document, but we have added additional restrictions to this document for a specific reason and these need to be able to remain in effect.
2. The following language should be added to the PDD, "where the document is silent the Village of Sugar Grove Zoning ordinance shall apply". This needs to be in the PDD

document as there are items that may not be addressed and there may be additional standards for certain uses that need to also apply to the uses in this document.

3. Light pole maximum heights. There are areas that the regulations permit 40 foot tall light poles. The night sky is a very important thing to the Village and these 40 foot tall light poles will have a negative effect on this. The Village has spoken to brokers that are knowledgeable on what is need to keep a parking lot safe for security, the pole does not have to be 40 foot high to secure an area. The information we received is contradictory of that, stating that the taller the light pole the more intense the light needs to be to reach the ground. The Village feels that the maximum light pole heights in the industrial and commercials areas do not need to exceed 25 feet.
4. Interior side yard setbacks. In a few of the area standards, the interior side yard setback minimum is 5 feet, staff feels that this should be 7.5 feet minimum. The 5 feet interior side yard setback is too tight.
5. Screening of utility boxes and transformers: There is language in the PDD document about screening of in the front yard. This language should be revised as staff feels that utility boxes and transformers shall not be permitted in front yards, unless the rear of the property is part of a conservation easement. The Village passed an ordinance in 2020 that requires utility boxes to be installed in rear yards.
6. Wherever Minor and Major Changes are mentioned it should reference section 11-11-7 of the Village Code.
7. Item 7(b)(i) is the asphalt cross section (heavy trucks) calling for 2" of surface, 2.5" of binder, and 10" of aggregate base course. That pavement cross section equates to a structural number of 2.925 and our Code calls for a minimum structural number of 3.65. A higher structural number is recommended.
8. Page #40 item (2) in the Section III AREA SPECIFIC STANDARDS is talking about both sidewalks and paths. This info is basically repeated in several pages #45, 52, 53, 57, and 59. These clauses all describe the widths of the sidewalks/paths, but none of them describe the sidewalk/path materials or thicknesses. Staff recommends that we insert "All sidewalks and paths shall meet the Village Code of materials and minimum thicknesses." at all of these clauses.
9. Zoning Administrator: Anywhere in the document that states Zoning Administrator should be changed to Village Administrator to remain consistent with the Annexation Agreement.
10. Anywhere in the document that states "can be granted administratively" should be change to "administratively by the Village Administrator" to clarify.
11. Anywhere in the document that states "approval of the Director of Community Development" shall be changed to "Village Administrator".
12. Permitted Uses- Accessory Structures: There is no language that addresses how to process uses not named. Staff recommends adding clarifying language that states Zoning Official has discretion for similar uses, any uses not similar and expressly not listed in the table must be processed as a major change.

13. Off-street parking- Loading area and loading docks: If use not listed, Community Development Director shall determine loading requirements of said use by comparing with a listed similar use. Remove this language as uses not listed are not permitted.
14. Off-street parking – loading area and loading docks- design: A variance may be allowed by administrative staff approval. Denials may be appealed as a minor change per zoning regulations. Staff suggests changing administrative staff to Village Administrator.
15. Area 1 Bulk Restrictions – building height variances over 10% are not addressed as how to process them. Add clarifying language of how to address variances over 10% for building height must be processed as a major change.
16. Anywhere in the document that states “may be allowed by administrative staff approval” shall be changed to Village Administrator”.
17. Additional Building Appearance Standards- Entryways- The Village may grant an administrative variance if entryway is not planned to be adjacent to Seavey Rd. etc. Add clarifying language as to who is “The Village”, change to Village Administrator.
18. Anywhere in the document that states “administrative variances may be allowed” add clarifying language stating “granted by the Village Administrator”.
19. Section II.1.a (Permitted Uses) How to address uses not included in the Permitted Use Table (pgs. 1-6). The draft currently states that if the use is not named, it is prohibited. Add language that allows the discretion of the Village Administrator to permit uses for similar uses. Also add language that states if the use is not expressly listed and there is no similar use it must be processed as a major change.
20. Additional Standards (pg. 7) Entertainment Gathering Venue: states that “use of fireworks, searchlights, strobes, and laser lights in connection with any event.. shall not be allowed unless authorized by the Village Board”. Change Village Board to Village Administrator.
21. Section II.2 (Permitted Uses- Accessory Structures). The draft currently does not provide guidance for how to process uses that are not expressly named. Add language that states Village Administrator has discretion for similar uses, any uses not similar and expressly not listed in the table must be processed as a major change.
22. In the PDD Regulating Plan under I revise the second paragraph to read as follows:  
This ~~Regulating~~ Plan establishes a development plan for the Property **as set forth on Exhibit \_\_, attached hereto and incorporated herein by reference**, and establishes controls and regulations applicable thereto. ~~To the extent this Regulating Plan or the Annexation Agreement (“Agreement”) address an aspect of the development of the Property, no other Village ordinance, regulation or policy shall apply to that aspect of development. To the extent any provision of the Village Zoning Regulations conflicts with this Regulating Plan or the Agreement, the Regulating Plan and the Agreement shall control.~~ **After this Plan is so approved, to the extent that any provision of this Plan**

conflicts with the provisions of other Village ordinances affecting the zoning and development of the Property, the provisions and standards contained in this Plan and in the ordinances annexing and zoning the Property shall control. Notwithstanding, the foregoing, nothing in this Plan is intended to exempt the Property from generally applicable Village ordinances that are not expressly addressed in this Plan.

23. In the PDD Regulating Plan Under II revise a. to read as follows:

PERMITTED USES:

Use of a building, structure or land shall be allowed only in the Areas indicated and for the purposes specified in the following table of permitted uses. A principal use listed in the table in any Area denoted by the letter "P" is permitted by right in the identified Area, provided that all other requirements of State law, this title Plan, and all other applicable ordinances and regulations of this Code have been satisfied. A principal use listed in the table of permitted uses in any Area denoted by the letter "S" is a special use and permitted only subject to the provisions of Section 11-13-12 of the Village Zoning Ordinance, as may be amended from time to time. A use of building, structure or land not expressly indicated by either "P" or "S" is not allowed in that Area. Also add the following: "New Uses: The zoning official may allow a land use to be considered as a permitted or special use which, though not identified by name in the PDD list of permitted or special uses, is deemed to be similar in nature, and clearly compatible with the listed uses. The official shall consult the Standard Industrial Classification (SIC) Code to determine similarity or compatibility. However, such unlisted uses shall not be approved until the application for such use has been reviewed by the Village Attorney."

24. Additional Standards for Laundry Service: add additional standards for Laundry service: No drycleaning processing allowed in Area 3.
25. Additional Standards for Package liquor or wine retail: add additional standards: Uses involving the sale and/or consumption of alcohol are required to obtain a liquor license from the Village Board prior to establishing the use or occupying any space.
26. Under the Definitions on pg. 6 add language stating the following: "Any term not expressly defined herein shall be given the meaning set forth in the Village Zoning Ordinance and/or Village Code, and if not defined in said ordinances, then by its plain meaning as specified in Webster's New Collegiate Dictionary (most recent edition).
27. Additional Standards for Transportation Uses: under a. change forbidden to prohibited.
28. Revise number 2. Accessory Uses heading to state: Accessory Uses, Structures, and Buildings. Also, Revise this section on pg. 11 to read as follows:
- a. All accessory uses, accessory structures, and accessory buildings shall comply with the requirements of the Area in which they are located. No accessory use, accessory structure, or accessory building shall be established or erected on a lot or zoning lot prior to the establishment or erection of the principal use or principal building to which it is accessory.

- b. Where an accessory building is structurally attached to a principal building it shall conform to all regulations of this PD District ~~and the Area applicable to the~~ **in which the principal building is situated.**
  - c. **All accessory uses, accessory structures, and accessory buildings may require a building permit depending on the work involved. The below is not to be used to determine whether or not a building permit is required.**
  - d. Table of Permitted Accessory Uses and Structures: The following are permitted and special accessory uses, accessory structures, and accessory buildings when located in compliance with this PD District regulations of the Area in which they are located.
29. Under performance standards for hazardous materials. Remove the following:” b. Nonconforming Uses That Involve Hazardous Substances. Non-conforming uses are prohibited from increasing the quantities of hazardous substances use or produced on the premises.” There are currently no current non-conforming uses on the property.
30. Pg. 19 of the PDD, letter o. shall be amended as follows: Violations. Established uses found to be in noncompliance will be liable for inspection fees and costs as well as penalties imposed by **the Village, the administrative hearing officer, or a court.** ~~In the event no due cause is found, the challenger will be liable for the fees and costs.~~
31. Pg. 19 of the PDD 5. Off-Street Parking. Civic and Transportation uses are not addressed. These need to be added.
32. Pg. 30 of the PDD, surfacing standards. Need to add office, civic, and transportation uses.
33. Pg. 34 of the PDD c. General standards. Language stating the less restrictive shall apply shall be removed.
34. Pg. 40 of the PDD e. Photometric Plans address Residential, Commercial, Civic, or Industrial but do not reference office or transportation. These need to be added.
35. Shipping Container shall be added as a special use to the accessory uses, structures and buildings table.
36. Pg. 34 b. (1) – add language stating “must be extinguished/turned off at the end of the event”.
37. Pg. 39 d. Roofing. Remove the following “The following roofing materials are pemitted:”
38. Under the permitted uses in the PDD also add language from section 4.4 Interpretation in the Annexation Agreement.

Staff recommends approval of Petition 24-013, subject to the following conditions in addition to the above listed conditions being addressed:

Substantial compliance with the following submitted plans and documents:

- Proposed Planned Development District Regulating Plan
- Concept Plan Prepared by Crown Community Development and Norris Design
- Concept Landscaping and Hardscaping Plans Prepared by Crown Community Development and Norris Design

- Proposed Trails and Enhancements Prepared by Crown Community Development and Norris Design
- Signage Plan Prepared by Crown Community Development and Norris Design

#### Attachments/References:

- Land Development Application prepared by Crown Community Development
- The Grove Planned Development District Regulating Plan
- Concept Plan Prepared by Crown Community Development and Norris Design
- Concept Landscaping and Hardscaping Plans Prepared by Crown Community Development and Norris Design
- Proposed Trails and Enhancements Prepared by Crown Community Development and Norris Design
- Signage Plan Prepared by Crown Community Development and Norris Design
- The Grove Traffic Impact Study Prepared by Kimley Horn
- Kane DuPage Soil and Water Conservation District Land Use Opinion
- Subdivision Ordinance Variances
- Final Plat of Subdivision
- Annexation Plat
- Zoning Exhibit

All above documents are available on the Villages website and were distributed to the Plan Commission.