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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: SETTLERS RIDGE AREAS 5 & 6 FINAL PLAT OF SUBDIVISION  
**AGENDA:** OCTOBER 15, 2024 VILLAGE BOARD MEETING  
**DATE:** OCTOBER 10, 2024

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### **ISSUE**

Shall the Village Board discuss approving a final plat of subdivision for Settlers Ridge Areas 5 & 6.

### **DISCUSSION**

The applicant, BHMGU Settlers Ridge LLC, is requesting approval of a Final Plat of Subdivision for Areas 5 & 6 in order to be able to begin construction on a new section of Settlers Ridge. Areas 5 and 6 of the Settlers Ridge masterplan are designated to be solely residential. While the original masterplan shows the areas to be developed slightly different than what is being proposed with these final plats of subdivision, they are consistent in the aspect of the areas being residential. The proposed Final Plat of Subdivision is proposing 48 single-family lots in Area 5 and 46 single-family lots in Area 6. This would be an increase in density from what was approved in the original Master Plan of Settlers Ridge. While the original masterplan shows the areas to be developed slightly different than what is being proposed with these Final Plats of Subdivision, they are consistent in the aspect of the areas being residential.

The Planning Commission discussed the proposed Final Plats of Subdivision at the October 8, 2024 special plan commission meeting and had no concerns with the proposal. The Plan Commission made a recommendation that the Village Board approve the proposed Final Plats of Subdivision for Areas 5 & 6 in Settlers Ridge with the following conditions:

- Developer is required to obtain architectural approval from the Village Board prior to issuance of any building permits for the new lots.
- Subject to approval of the PDD amendment for Areas 5 & 6.
- Subject to engineering approval from the Village Engineer.

Members of the public and the HOA were present and expressed concerns over the increase in density and the 5 foot side yard setback of the new phases.

**ATTACHMENTS**

- Final Plat of Subdivision Areas 5 & 6 Settlers Ridge
- Plan Commission Recommendation PC 24-14

**COSTS**

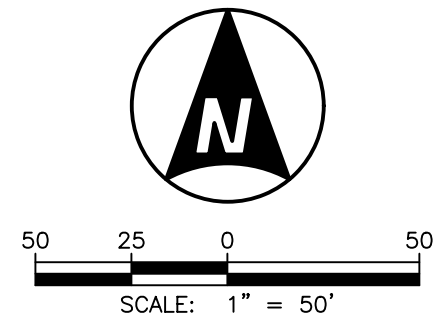
All costs associated with the subdivision plat review are borne by the Applicant.

**RECOMMENDATION**

That the Village Board discuss the Final Plats of Subdivision for Settler's Ridge Areas 5 & 6 and provide staff with direction on preparing the resolution for approval.

BEING A RESUBDIVISION OF LOT 1 IN SETTLERS RIDGE NORTHWEST, IN PART OF THE NORTHEAST 1/4 OF SECTION 22,  
TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS

BEING A RESUBDIVISION OF LOT 1 IN SETTLERS RIDGE NORTHWEST, IN PART OF THE NORTHEAST 1/4 OF SECTION 22,  
TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS



**AREA:**  
PROPERTY CONTAINS 521,833 SQUARE FEET OR 11.980 ACRES, MORE OR LESS



**LEGEND:**

\_\_\_\_\_ BOUNDARY LINE  
 \_\_\_\_\_ PROPOSED LOT LINE  
 \_\_\_\_\_ BUILDING SETBACK LINE (BSL)  
 \_\_\_\_\_ EASEMENT LINE  
 \_\_\_\_\_ EXISTING RIGHT-OF-WAY LINE  
 \_\_\_\_\_ EXISTING LOT LINE  
 PUDE PUBLIC UTILITY & DRAINAGE EASEMENT  
 SUE STORMWATER MANAGEMENT EASEMENT  
 LME LANDSCAPE & MAINTENANCE EASEMENT  
 OSME OPEN SPACE MANAGEMENT EASEMENT  
 L= ARC LENGTH  
 CH= CHORD LENGTH  
 CB= CHORD BEARING  
 (M) MEASURED  
 (R) RECORD

SHEET

1 OF 2

PROJECT NUMBER:	1618E
© MACKIE CONSULTANTS LLC, 2024	
ILLINOIS FIRM LICENSE 184-002694	

**FINAL PLAT OF SUBDIVISION  
SETTLERS RIDGE AREA 5  
SUGAR GROVE, ILLINOIS**

			DESIGNED	
			DRAWN	SMC
			APPROVED	DAG
			DATE	08-14-24
DATE	DESCRIPTION OF REVISION	BY	SCALE	1" = 50'

CLIENT: **BHMGU SETTLERS RIDGE, LLC**  
1 PRIORITY LANE, UNIT 519  
MURRYSVILLE, PENNSYLVANIA 15668  
PHONE: (412) 667-8925



**Mackie Consultants, LLC**  
 9575 W. Higgins Road, Suite 500  
 Rosemont, IL 60018  
 (847)696-1400  
[www.mackieconsult.com](http://www.mackieconsult.com)

8/14/2024 9:36:50 AM  
N:\1618E\Survey\Proposed\Final\1618E Plat of Subdivision Area 5-1.plt

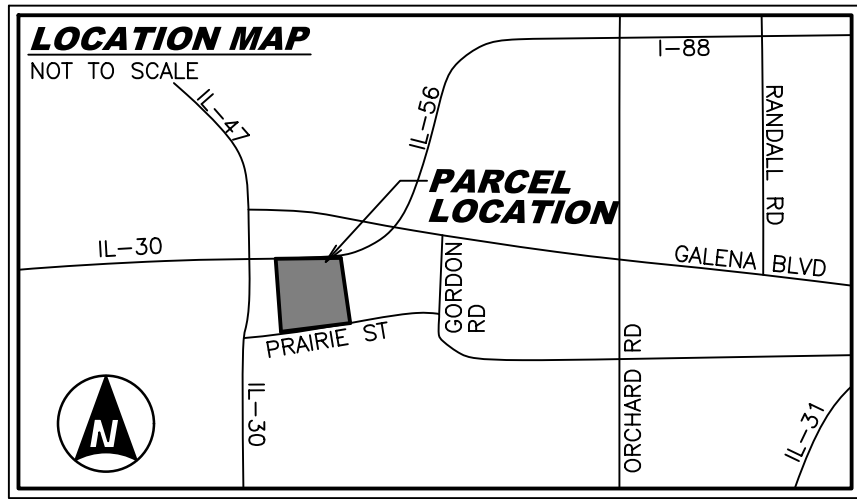






# FINAL PLAT OF SUBDIVISION SETTLERS RIDGE AREA 6

BEING A RESUBDIVISION OF LOT 1 IN SETTLERS RIDGE NORTHWEST, IN PART OF THE NORTHEAST 1/4 OF SECTION 22,  
TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS



## MAINTENANCE EASEMENT (ME)

THE OBLIGATION OF MAINTAINING THE OPEN SPACE PARCELS, PARCEL NUMBERS 8, 9, 10, 11, 12, 13, 14, 15 AND 16 AND THE APPURTENANCES THERETO AS DESCRIBED HEREON SHALL BE THAT OF THE HOMEOWNERS ASSOCIATION OR ITS SUCCESSORS AND ASSIGNS HOLDING TITLE TO SAID MAINTENANCE EASEMENT (ME) OF OPEN SPACE PARCELS. HOWEVER, THE VILLAGE OF SUGAR GROVE SHALL HAVE THE RIGHT PURSUANT TO THIS GRANT OF EASEMENT, BUT NOT THE OBLIGATION TO ENTER THE PREMISES DESCRIBED HEREON AS MAINTENANCE EASEMENT (ME) OF OPEN SPACE PARCELS AT ANY TIME IT DEEMS NECESSARY TO INSPECT, REPAIR OR MAINTAIN THE OPEN SPACE PARCELS WHICH THE ASSOCIATION FAILS OR REFUSES TO MAINTAIN, FOLLOWING WRITTEN NOTICE TO DO SO FROM THE VILLAGE. IN THE EVENT OF PERFORMANCE BY THE VILLAGE OF SUGAR GROVE OR ITS AGENTS OF ANY SUCH REPAIR OR MAINTENANCE WORK, THE COST THEREOF (INCLUDING BOTH DIRECT AND INDIRECT COSTS) SHALL BE PAID BY THE ASSOCIATION OR THE INDIVIDUAL MEMBERS OR SHARE HOLDERS OF THE ASSOCIATION AND SHALL CONSTITUTE A LIEN UPON THE ABOVE DESCRIBED MAINTENANCE EASEMENT (ME) OF OPEN SPACE PARCELS. SUCH LIEN MAY BE ENFORCED BY THE VILLAGE, WHICH MAY ALSO RECOVER ALL REASONABLE COSTS AND ENFORCEMENT AND FORECLOSURE OF LIENS.

## OPEN SPACE MANAGEMENT EASEMENT (OSME)

THE OBLIGATION OF MAINTAINING PARCELS 8, 9, 10, 11, 12, 13, 14, 15 AND 16 AS OPEN SPACE PARCELS AND THE APPURTENANCES THERETO AS DESCRIBED HEREON SHALL BE THAT OF THE OWNER, ENTITY OR ITS SUCCESSORS AND ASSIGNS HOLDING TITLE TO SAID PARCELS. HOWEVER, THE VILLAGE OF SUGAR GROVE SHALL HAVE THE RIGHT PURSUANT TO THIS GRANT OF EASEMENT, BUT NOT THE OBLIGATION TO ENTER THE PREMISES DESCRIBED HEREON AS OPEN SPACE PARCELS AT ANY TIME IT DEEMS NECESSARY TO INSPECT, REPAIR OR MAINTAIN THE OPEN SPACE PARCELS AND THE APPURTENANCES THERETO, WHICH THE OWNER OR ASSOCIATION FAILS OR REFUSES TO MAINTAIN, FOLLOWING WRITTEN NOTICE TO DO SO FROM THE VILLAGE. IN THE EVENT OF PERFORMANCE BY THE VILLAGE OF SUGAR GROVE OR ITS AGENTS OF ANY SUCH REPAIR OR MAINTENANCE WORK, THE COST THEREOF (INCLUDING BOTH DIRECT AND INDIRECT COSTS) SHALL BE PAID BY THE OWNER OR ASSOCIATION OR THE INDIVIDUAL MEMBERS OR SHARE HOLDERS OF THE ASSOCIATION AND SHALL CONSTITUTE A LIEN UPON THE ABOVE DESCRIBED OPEN SPACE PARCELS AND THE ADJACENT ENTIRE REAL ESTATE WHICH MAY ALSO RECOVER ALL REASONABLE COSTS AND ATTORNEY'S FEES IN DOING SO, IN THE MANNER PROVIDED BY LAW OR ENFORCEMENT AND FORECLOSURE OF LIENS.

## STORMWATER MANAGEMENT EASEMENT

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF SUGAR GROVE AND TO ITS SUCCESSORS AND ASSIGNS, OVER ALL OF THE AREAS MARKED STORMWATER MANAGEMENT EASEMENT (ABBREVIATED SME) ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE, AND AUTHORITY TO SURVEY, CONSTRUCT, RECONSTRUCT, REPAIR, MAINTAIN AND OPERATE STORM SEWERS AND THE STORMWATER MANAGEMENT AREA TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, SANITARY SEWERS, WATER MAINS, ELECTRIC AND COMMUNICATION CABLES, CONNECTIONS, DITCHES, SWALES, AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE, OVER, UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT. NO CHANGE TO THE TOPOGRAPHY OR STORMWATER MANAGEMENT STRUCTURES WITHIN THE EASEMENT AREA SHALL BE MADE WITHOUT EXPRESS WRITTEN CONSENT OF THE VILLAGE ENGINEER. THE SAME MAY BE USED FOR PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. THE OWNER OF THE PROPERTY SHALL REMAIN RESPONSIBLE FOR THE MAINTENANCE OF THE STORMWATER MANAGEMENT AREA AND APPURTENANCES. THE VILLAGE OF SUGAR GROVE WILL PERFORM ONLY EMERGENCY PROCEDURES AS DEEMED NECESSARY BY THE VILLAGE ENGINEER OF THE VILLAGE OF SUGAR GROVE.

## NOTES:

- NO COMMITMENT FOR TITLE INSURANCE WAS SUPPLIED FOR USE IN THE PREPARATION OF THIS PLAT. THIS PLAT IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
- BEARINGS BASED ON NAD83 (2011) ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE.
- ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
- NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENT.
- UPON COMPLETION OF CONSTRUCTION, 5/8" REBAR SHALL BE PLACED AT ALL CORNERS OF THE LOT CORNERS, UNLESS NOTED OTHERWISE.
- ALL EASEMENTS SHOWN HEREON ARE HEREBY GRANTED UNLESS SHOWN OTHERWISE.
- PARCELS 8, 9, 10, 11, 12, 13, 14, 15 AND 16 ARE HEREBY GRANTED TO THE HOMEOWNERS ASSOCIATION.
- THE VILLAGE OF SUGAR GROVE SHALL HAVE THE OPTION TO OBTAIN PARCELS 8, 9, 10, 11, 12, 13, 14, 15 AND 16.
- FOR ADDITIONAL INFORMATION PERTAINING TO DEFINITIONS/USES OF EASEMENTS, SETBACKS AND OTHER MATTERS SEE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED BY SEPARATE DOCUMENT.
- ALL AREAS ARE MORE OR LESS.

LOT 1  
SETTLERS RIDGE NORTHWEST  
RECORDED JUNE 25, 2015  
AS DOCUMENT 2015K033015

R=100.00'  
L=53.13'  
CB=N74°46'43"E

N90°00'00"E 167.92'

N59°33'26"E  
16.58'

SETTLERS BOULEVARD  
66' R.O.W. HERETOFORE DEDICATED

SETTLERS BOULEVARD  
66' R.O.W. HEREBY DEDICATED

107.00' N90°00'00"W

PARCEL 13  
LME & OSME  
5278 SF  
S90°00'00"W  
132.00'

54  
8184 SF  
S90°00'00"W  
132.00'

53  
8184 SF  
S90°00'00"W  
132.00'

52  
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S90°00'00"W  
132.00'

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S90°00'00"W  
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S90°00'00"W  
132.00'

48  
8184 SF  
S90°00'00"W  
132.00'

47  
8184 SF  
S90°00'00"W  
132.00'

PARCEL 14  
LME & OSME  
3169 SF  
N90°00'00"W  
107.00'

PARCEL 15  
LME & OSME  
3169 SF  
N90°00'00"W  
107.00'

GEORGE STREET  
66' R.O.W. HEREBY DEDICATED

PARKSIDE DRIVE  
66' R.O.W. HEREBY DEDICATED

PART OF VILLAGE  
UTILITY EASEMENT  
RECORDED AS  
DOCUMENT  
2015K033015  
HEREBY VACATED

PARKSIDE DRIVE  
66' R.O.W. HERETOFORE DEDICATED

PARCEL 10  
LME & OSME  
3169 SF  
N90°00'00"W  
107.00'

PARCEL 7

PARKSIDE DRIVE  
66' R.O.W. HERETOFORE DEDICATED

PARCEL 11  
LME & OSME  
3169 SF  
N90°00'00"W  
107.00'

PARCEL 6

PARCEL 5

PARCEL 4

PARCEL 3

PARCEL 2

PARCEL 1

PARCEL 12

PARCEL 13

PARCEL 14

PARCEL 15

PARCEL 16

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**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**

## **PC24-14**

TO: Village President and Board of Trustees  
FROM: Planning Commission  
DATE: Meeting of October 9, 2024  
PETITION: 24-014 Final Plat of Subdivision: Settlers Ridge Areas 5 & 6

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**PROPOSAL**

The applicants are requesting final plat approval for Areas 5 and 6 of Settlers Ridge.

**BACKGROUND & HISTORY**

Settler's Ridge Subdivision's masterplan includes several acres and phases of land that have yet to be developed. The majority of the existing lots in Settlers Ridge in the current phase have been built out and developers are looking to start a new phase in the project. The masterplan includes a variety of uses that includes single-family residential detached, single-family residential attached, commercial, and civic uses. Areas 5 and 6 of the Settlers Ridge masterplan are designated to be solely residential. While the original masterplan shows the areas to be developed slightly different than what is being proposed with these final plats of subdivision, they are consistent in the aspect of the areas being residential.

**EXISTING ZONING & LAND USE**

The property is zoned PDD- Planned Development District. The subject property is vacant land that has yet to be platted. The Settlers Ridge masterplan distinguishes this area to be residential.

### DISCUSSION

Commissioners discussed the proposed final plat of subdivision and did not express any concerns with the proposal.

### RECOMMENDATION

Commissioner Speciale made a recommendation that the Village Board approve the Final Plat of Subdivision for Settlers Ridge Areas 5 and 6 with the following conditions:

- Developer is required to obtain architectural approval from the Village Board prior to issuance of any building permits for the new lots.
- Subject to approval of the PDD amendment for Areas 5 & 6.
- Subject to engineering approval from the Village Engineer.

Commissioner Sabo provided a second.

AYES: Speciale, Sabo, Guddendorf, Coia, Ochsenschlager

NAYES: None

**Motion PASSED**



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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: SETTLERS RIDGE AREAS 5 & 6 PDD AMENDMENT  
**AGENDA:** OCTOBER 15, 2024 VILLAGE BOARD MEETING  
**DATE:** OCTOBER 10, 2024

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**ISSUE**

Shall the Village Board discuss approving an amendment to the Settlers Ridge Planned Development District for Areas 5 & 6.

**DISCUSSION**

The applicant, BHMGU Settlers Ridge LLC, is requesting approval of an amendment to the Settler's Ridge Planned Development District (for Areas 5 & 6 only) as required by the last Annexation Agreement amending in order to begin the next phases of development.

Permitted Uses include: Single-family detached homes, single family attached dwelling units, and multi-family dwelling units; open space (public and private); stormwater management; accessory buildings; parks; off-street parking facilities; as such are defined by the Village's Zoning Ordinance. Per the PDD Amendment the Petitioner shall be permitted to construct up to two (2) model homes of each home product type.

The Petitioner is proposing to increase the density from what was approved in the original masterplan. The maximum density in Development Area 5 shall be increased from 35 to 48 units. The maximum density in Development Area 6 shall be increased from 40 to 46 units.

Modifications from the Preliminary Plat of Subdivision include: access to all residential units shall be front loaded; side yard setback shall be reduced from 7.5' to 5', streets layout shall be modified and removed/realigned as reflected in the new final plat of subdivisions, all residential units shall be single-family detached (however, changes to the housing type may be approved by the Village Board without requiring formal amendment to the Plan).

The Petitioner shall also be required to obtain approval from the Village Board for all architectural elevations and standards and landscaping standards prior to issuance of a building permit.



	Existing Settlers Ridge	Areas 5 & 6
Min. Interior Side Yard Setback	7.5 ft	5 ft
Max. Density	Area 5: 35 lots Area 6: 40 lots	Area 5: 48 Lots Area 6: 46 lots
Model Homes	15 model homes permitted	2 model homes of each model
Housing Typologies	Single-Family attached; Single-Family detached alley loaded: Single-Family detached front loaded	Single-Family detached front loaded

Overall, the proposed PDD amendment aligns with the original intent of the Settlers Ridge Development and masterplan. In some instances, the Village would require the Petitioner to prepare a revised masterplan for the remainder of the development prior to approving a PDD amendment for a portion such as this. However, staff is of the opinion that the proposed changes from the masterplan for Areas 5 & 6 still substantially align with the original plan and that an amended masterplan should not be required at this time. Staff is recommending that the Petitioner be required to revise the masterplan for any future development beyond Areas 5 & 6. The original annexation agreement requires that a connection be made when Areas 5 & 6 are developed to the west to Arbor Ave, but staff is of the opinion that this connection is not necessary at this time. The Petitioner is also proposing an interior side yard setback of 5 feet. The existing portion of Settlers Ridge currently has a 7.5 foot interior side yard setback. While staff does not see this as an issue, we do feel that it should be noted and reviewed based on recent Village Board discussions over this requirement.

In the proposed PDD amendment there is a requirement that a connection from Areas 5 & 6 be made to Arbor Ave at this time. This is something that is in the original agreement but states that the Village Board may defer this requirement, Village Staff does not want this connection to be made at this time and is requesting that the Village Board defer this and require a the developer to provide a bond in place of the connection at this time.

**It should be noted that staff is still working with the developer on engineering concerns.**

The Settlers Ridge Annexation Agreement is written as such that the PDD may be amended without having to also amend the Annexation Agreement. Section I(c) of the Amendment to Annexation Agreement (Document No. 2017K000658) states *“the Village agrees to approve a revision to the PDD ordinance within 120 days of the effective date of the Amended Agreement”*. Accordingly, there was no PDD attached as an exhibit to the Amended Agreement. There is a “Northwest Plan” (Exhibit G), and as we discussed, the Annexation Agreement allows for certain changes to be made to that Exhibit without requiring further amendment to the Amended Agreement. Also note that this Amended Agreement completely replaced the original annexation agreement, so only this amended agreement (and any subsequent amendments to it) control (see Section I(a) of the Amended Agreement). The PDD was not amended in that 120 day period. Instead, the Amended Agreement was further amended in 2022 (Third Amendment) to allow the PDD to be revised at the time of development for a particular area. This is what is triggering this request.



The Planning Commission held the requisite public hearing for the proposed PDD on October 8, 2024 and discussed the proposal in great detail. There were members of the public in attendance in opposition to the proposal. The public expressed concerns over the increase in density and how the increased population of the subdivision would affect the HOA owned areas and amenities. The Plan Commission discussion included concerns over the existing amount of storage available in the detention ponds, dust control during construction, and the 5 foot side yard setback request. Ultimately, the Plan Commission made a recommendation that the Village Board approve the proposed PDD amendment for Areas 5 & 6 with a 4 to 1 one vote.

## **ATTACHMENTS**

- Amended Plan Description (PDD Amendment)
- Plan Commission Recommendation PC 24-15

## **COSTS**

All costs associated with the Planned Development District amendment review are borne by the Applicant.

## **RECOMMENDATION**

That the Village Board discuss the proposed PDD amendment for Settler's Ridge Areas 5 & 6 and provide staff with direction on preparing the ordinance for approval.



Original Plan for Areas 5 & 6



**New Proposed Plan for Areas 5 & 6**





## **EXHIBIT B**

### **AMENDED PLAN DESCRIPTION FOR CERTAIN PROPERTY WITHIN SETTLERS RIDGE PLANNED DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 16 OF THE VILLAGE OF SUGAR GROVE ZONING ORDINANCE (SETTLER'S RIDGE DEVELOPMENT AREAS 5 AND 6)**

#### **I. QUALIFYING STATEMENTS**

- a. Purpose.** This Planned Development District has been created to assist the Sugar Grove Planning Commission and Village Board in governing their recommendations and actions on the development of certain Property as it relates to both existing and contemplated land uses in the area. The Property currently consists of undeveloped residential as defined in the amended annexation agreement recorded as Document Number 2017K000658 in the Office of the Kane County Recorder.
- b. Intent.** This Plan Description and the Planned Development District described herein are intended to promote the public health, safety, morals, comfort, and general welfare of the area; to provide for the orderly, balanced, and efficient growth and development of the Village through the positive integration of land use patterns, functions, and circulation systems; to protect and enhance those assets and values that establish the desirable quality and general livability of the Village; to encourage new development contiguous to existing development; to guide and promote development to areas where public utilities, public roads, and municipal services are either available or planned; to encourage residential development in close proximity to places of work, shopping, and recreation; to guide development into energy efficient land use patterns; to insure the provisions of decent housing and a quality living environment for every resident of the Village; to promote access to housing opportunities for all economic, racial, religious, ethnic, and age groups; to promote a variety of housing types; to encourage quality design and practicable innovations in both housing structures and in site development; to promote the provision of paved roads, sidewalks, utilities, and other public works and improvements to each residence within the Village through subdivision requirements or special assessments; to work toward accomplishing complete utilities, including water mains and separated storm and sanitary sewer in all parts of the Village; and to encourage the provision of underground utility lines.

#### **II. GENERAL CHARACTER**

- a. Existing Conditions.** The Property lies within the boundaries of the Sugar Grove Park District and the Kaneland Community Unit School District No. 302.

- b. **Existing Zoning Classification.** The Property is currently zoned Planned Development District under Village of Sugar Grove Ordinance No. 2005-0628D, as amended by Ordinance No. 2006-0620F and Ordinance No. 2007-0821C.
- c. **Comprehensive Plan.** The Village contemplates the development of the Property as residential flex.

### III. DEVELOPMENT STANDARDS FOR THE PROPERTY (DEVELOPMENT AREAS 5 AND 6)

- a. **Zoning.** A Planned Development District (“PDD”) is the preferred zoning designation for the Property because it will provide maximum flexibility for a broad mix of residential use types and commercial uses, without the necessity of otherwise voluminous variations from normal zoning classifications. The PDD is intended to apply to Development Areas 4 and 5 as designated in **Exhibit G** of the amended annexation agreement adopted pursuant to Ordinance No. 2016-1213E. The remaining Development Areas and any other land subject to said amended annexation agreement not described herein shall be subject to future PDD amendments at such time as said areas are developed.

The characteristics, intent, general provisions, use restrictions and bulk regulations applicable to the Property are set forth in this Section III.

#### b. General Regulations.

- i. **Permitted Uses.** Single-family detached homes, single family attached dwelling units, and multi-family dwelling units; open space (public and private); stormwater management; accessory buildings; parks; off-street parking facilities; as such are defined by the Village’s Zoning Ordinance.
- ii. **Final Plat Approval.** Prior to construction within the applicable development area, Developer shall be required to submit a final plat of subdivision as required by Chapter 16 of the Village’s Zoning Ordinance.
- iii. **Architectural and Landscaping, Bulk Restrictions.** The Village Board, in its absolute discretion, shall have the right to approve all architectural elevations and standards and landscaping standards prior to the issuance of a building permit.
- iv. **Signs.** All signs shall be pursuant to the Village of Sugar Grove Sign Ordinance, except as amended by the Amendments.
- v. **Parking and Loading.** Parking and loading shall be regulated by Section 11-12-1 *et seq.* of the Sugar Grove Zoning Ordinance.
- vi. **Nonconforming Buildings and Uses.** Nonconforming buildings and uses shall be regulated by Section 11-5-3 of the Village’s Zoning Ordinance.



- vii. **Special Uses.** Special Uses pursuant to Section 11-13-12 of the Village's Zoning Ordinance shall be established in accordance with Chapter 13 of the Village's Zoning Ordinance.
- viii. **Accessory Buildings and Uses.** Accessory buildings and uses may be established in accordance with Section 11-4-7 of the Village's Zoning Ordinance.
- ix. **Bulk Restrictions.** The Village shall approve bulk restrictions in conjunction with the approval of architectural standards.

**c. Public Improvements.**

- i. **Off-site Road Requirements.** Off-site Road Improvements, including a road connection to Arbor Avenue, shall be required in connection with development, as set forth in the Amendments. The required timing for such improvements shall be based upon either the number of residential building permits issued, the required date of completion, or some combination thereof, based on the nature of the improvement, as set forth in the Amendments.
- ii. **Development Area Roads within Development Areas.** Development Area roads within Development Areas shall only be required to be constructed at the time of development of that Development Area. The roads that connect to the Development Area shall be required to be constructed by the Northwest Parcel Developer at a time approved by the Village with the first Subdivision Approval for a Development Area. There shall be required two access points (either temporary or permanent) for each Development Area for emergency access purposes.

**IV. MODIFICATIONS AND EXCEPTIONS TO ORDINANCES, REGULATIONS, AND STANDARD SPECIFICATIONS.**

- a. **Applicability of Village Ordinances.** The Village of Sugar Grove Zoning Ordinance, Building Code, and Subdivision Regulations shall govern the development of the Property, except to the extent they are modified by the terms of the Amendments or this Plan Description, which modification or exceptions are hereby accepted and approved.
- b. **Model Homes and Sales Trailers/Construction Office.**
  - i. **Model Homes.** Developer shall be permitted to construct up to two (2) model homes of each home product type. Model homes may be constructed upon completion of a binder base road, and may not be issued a temporary certificate of occupancy until temporary water and sanitary sewer facilities are available for the model homes which meet the Village's requirements

for public health standards. At the time of completion and opening of model homes, a binder course pavement shall be completed on the street the model homes are fronting, unless otherwise prevented by the weather or the timing restrictions imposed pursuant to the Amendments. Model homes will not be used to market other developments outside the Development Area and the use thereof will be discontinued when 95% of the occupancy permits for a particular Development Area have been issued. Notwithstanding the foregoing sentence, one Area Developer or Homebuilder may use its model homes in one Development Area to market another Development Area until 95% of all occupancy permits are issued for all development areas under that Developer's control. The Village Board may waive this provision.

**ii. Sales Trailers/Construction Offices.** A sales trailer area shall be approved and allowed to be constructed at such time as utilities are available to the sales trailer area and a gravel road able to support emergency vehicles is available along with a parking lot for potential home buyers in accordance with Village Ordinances or otherwise as approved with each Subdivision Approval.

**c. Signs.** The following signage may be used only on private property as approved by the Village:

**i.** Development signage shall be in accordance with Section 11-14-10 of the Village's Zoning Ordinance.

**d. Density.**

**i.** The maximum density in Development Area 5 shall be increased from 35 to 48 units

**ii.** The maximum density in Development Area 6 shall be increased from 40 to 46 units

**e. Modifications from Preliminary Plat of Subdivision Recorded as Doc. No. 2005K081146.**

**i.** Access to all residential units shall be front loaded

**ii.** Side yard setbacks shall be reduced from 7.5' to 5'.

**iii.** Streets layout shall be modified and removed/realigned as reflected on Exhibit \_\_\_\_.

**iv.** All residential units shall be single-family detached. However, changes to the housing type may be approved by the Village Board without requiring formal amendment to this Plan.



**V. GENERAL PROVISIONS RELATING TO THE PLANNED DEVELOPMENT DISTRICT**

- a.** The intent of this Planned Development District is to reproduce exactly the requirements and entitlements of the Property pursuant to the Amended Annexation Agreements. To the extent of a conflict between the two documents, the Amended Annexation Agreement shall control. The terms of this plan and the Amended Annexation Agreements shall continue to govern the land notwithstanding the eventual expiration of the Amended Annexation Agreement, as said regulations are incorporated herein as part of the Plan Description.
- b.** This Plan Description may be amended pursuant to the provisions of Chapter 16 of the Zoning Ordinance. An amendment of the Plan Description applicable to the Property may be applied for and processed by the Village without requiring further amendment to the Amendments. This decision to allow such amendment shall rest in the sole and absolute discretion of the Village.
- c.** If any section subsection, or paragraph of this Plan Description shall be held invalid, the invalidity of such section, subparagraph, or paragraph shall not affect any of the other provisions of this Plan Description.
- d.** The provisions of this Plan Description shall apply to the owner(s) of the Property and to their respective successors and assigns.
- e.** Except as specifically modified herein, nothing in this amended Plan Description shall supersede or replace the terms of the Annexation Agreement or Amendments, which shall continue to apply to this Property. All remaining requirements of the Amendments, except as specifically modified herein, shall be incorporated herein without requiring further amendment to this Plan Description.

**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**

## **PC24-15**

TO: Village President and Board of Trustees  
FROM: Planning Commission  
DATE: Meeting of October 9, 2024  
PETITION: 24-015 PDD Amendment Settlers Ridge Areas 5 & 6

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**PROPOSAL**

The petitioner is seeking an amendment to the Settlers Ridge Planned Development District as required by the last Annexation Agreement Amendment in order to begin the next phases of development. Permitted Uses include: Single-family detached homes, single family attached dwelling units, and multi-family dwelling units; open space (public and private); stormwater management; accessory buildings; parks; off-street parking facilities; as such are defined by the Village's Zoning Ordinance. Per the PDD Amendment the Developer shall be permitted to construct up to two (2) model homes of each home product type.

The Developer is proposing to increase the density from what was approved in the original masterplan. The maximum density in Development Area 5 shall be increased from 35 to 48 units. The maximum density in Development Area 6 shall be increased from 40 to 46 units.

Modifications from the Preliminary Plat of Subdivision include: access to all residential units shall be front loaded; side yard setback shall be reduced from 7.5' to 5', streets layout shall be modified and removed/realigned as reflected in the new final plat of subdivisions, all residential units shall be single-family detached (however, changes to the housing type may be approved by the Village Board without requiring formal amendment to this Plan).

The Developer is required to obtain approval from the Village Board for all architectural elevations and standards and landscaping standards prior to issuance of a building permit.

### **BACKGROUND & HISTORY**

The Settlers Ridge Planned Development District was approved in 2005. The PD District applies to the entirety of Settlers Ridge, including property south of Prairie Street that was not included in the approved preliminary plat, which also was included in the PD Ordinance. Only Units 1A and 1B were constructed prior to the Great Recession in 2008. The Great Recession paused the development, the original developer, Kimball Hill Homes, declared bankruptcy, since then the development of the community has re-started with new owners involved to include Pulte and Ryan Homes. The current phases are almost fully built out and the developer is looking to begin Areas 5 and 6. In 2022 an amendment to the Settlers Ridge Annexation Agreement by Ordinance 2022-0104A, was made that requires any future phases of development to amend the PDD at the time of new development.

### **PUBLIC RESPONSE**

After due notice, the Planning Commission held a public hearing on October 8, 2024. Objectors were present. Many residents of Settlers Ridge and the Settlers Ridge HOA President spoke out against the increased density for Areas 5 & 6. Majority of residents who spoke did state they were in support of Ryan Homes and the quality they have been building in Settlers, but were not in support of the increase in density. Residents also expressed concerns as to if the new area would be required to be part of the existing HOA and how the up keep of the existing HOA areas would be affected with more residents.

### **DISCUSSION**

Commissioners discussed the proposed PDD amendment for Areas 5 & 6 of Settlers Ridge. Commissioners expressed concerns over the condition and amount of available storage with the existing detention ponds, dust control during construction, and if the existing access road running from the west along the railroad tracks would remain open to the public to ride their bikes. Commissioners also inquired if the homes proposed would have basements. They also discussed concerns for the density increase and the 5 foot sideyard setback request.

### **RECOMMENDATION**

Commissioner Speciale made a recommendation that the Village Board approve the PDD Amendment for Settlers Ridge Areas 5 and 6. Commissioner Guddendorf provided a second.

AYES: Speciale, Guddendorf, Coia, Ochsenschlager



NAYES: Sabo

**Motion PASSED**