

**CITY OF BATAVIA**  
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**PLAN COMMISSION & ZONING BOARD OF APPEALS**  
**AGENDA**

**Wednesday, June 15, 2016**  
**7:00 PM**  
**City Council Chambers - First Floor**

1. Call To Order
2. Roll Call
3. Items Removed/Added/Changed
4. Approval Of Minutes  
May 18, 2016 Plan Commission  
  
Documents: [PC 5-18-16\\_DRAFT.PDF](#)
5. Variance For Deferred Parking: Suncast Building Expansion  
1801 Suncast Lane  
Suncast Corporation - Vista Investments, Applicant  
  
Documents: [ZBA-SUNCAST-06-09-16.PDF](#)
6. Public Hearing: Amendments To The Text Of The Zoning Code  
Chapter 3.1: Planned Development Overlay Zoning District  
Chapter 4.1: Site Regulations  
City of Batavia, Applicant  
  
Documents: [PC-CODEUPDATEMEMO-060916.PDF](#)
7. Administrative Design Review For Changes To The Proposed Dunkin' Donuts Drive Through  
108 N. Batavia Ave., Harry Mehta, applicant  
  
Documents: [PC DUNKIN-SHELL ADRATTACH.PDF](#)
8. Election Of Officers For Plan Commission And Zoning Board Of Appeals  
  
Documents: [PC-ZBA ELECTIONS 06-16.PDF](#)
9. Other Business
10. Adjournment

Plan Commission

Tom Gosselin  
Sara Harms  
Joan Joseph  
Tom LaLonde, Chair  
Sue Peterson  
Gene Schneider, Vice-Chair



**MINUTES**  
**May 18, 2016**  
**Plan Commission**  
**City of Batavia**

PLEASE NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

**1. Meeting Called to Order for the Plan Commission**

Chair LaLonde called the meeting to order at 7:00pm.

**2. Roll Call:**

**Members Present:** Chair LaLonde; Commissioners Gosselin, Joseph, and Peterson

**Members Absent:** Vice-Chair Schneider

**Also Present:** Mayor Schielke (arrived at 7:45pm); Joel Strassman, Planning and Zoning Officer; Jeff Albertson, Building Commissioner; Drew Rackow, Planner; and Jennifer Austin-Smith, Recording Secretary

**3. Items to be Removed, Added or Changed**

There were no items to be removed, added or changed.

**4. Approval of Minutes: May 4, 2016, Plan Commission & Zoning Board of Appeals**

**Motion:** To approve the minutes from May 4, 2016, Plan Commission & Zoning Board of Appeals

**Maker:** Joseph

**Second:** Peterson

**Voice Vote:** 5 Ayes, 0 Nays, 1 Absent  
Motion carried.

**5. Design Review: Suncast Building Expansion -1801 Suncast Lane Mackie Consultants on behalf of Suncast Corporation, Applicant**

Rackow reported that Mackie Consultants has submitted Design Review plans on behalf of Suncast Corporation for a proposed building expansion for the existing warehouse facility on Suncast Lane. The applicant proposes a 308,900 square foot building addition to the south end of the existing 717,000 square foot building. The proposed use is expanded warehousing, with a manufacturing component. The existing pre-cast architecture would be continued with the addition, with increased heights of the structure to allow for the use of cranes within the manufacturing portion of the structure. The applicant proposes landbanking (designed but not constructed for future installation) a significant number of parking spaces that would otherwise be required by the Zoning Code. A total of 13 new parking spaces would be added to the southwest corner of the building. Future landbanked parking would be possible around the

required fire lane around the building. A larger parking field would also be landbanked on the east side of the building.

Rackow stated that staff recommends approval of the Findings of Approval and the Design Review with the following conditions:

1. That building lighting is reduced to 15 feet on building permit drawings, unless a Text Amendment or variance be sought prior to occupancy to allow lighting at the depicted height be granted prior to occupancy.
2. That one of the following occur a) 187 new spaces be constructed prior to occupancy, b) a variance is granted to increase the amount of landbanked parking to 361 spaces (96.5%) prior to occupancy, or 3) that a letter of credit or acceptable surety be submitted guaranteeing the construction of the spaces if zoning relief is not granted prior to occupancy.
3. That the provided parking at the southwest corner of the building be redesigned to comply with 4.203.N of the Zoning Code incorporating separation from the building and islands pursuant to 4.203.N and 4.211.B, which is the required landscape islands

Chair LaLonde asked the Commission if there were any questions for staff at this time. There were none. Chair LaLonde welcomed the applicant to make a presentation to the Commission.

Ryan Martin, Mackie Consultants, addressed the Commission. He had an exhibit to show the Commission titled "Overall Site Exhibit, 1801 Suncast Lane, Batavia Illinois." Martin stated that they would like the option of a variance to increase the amount of landbanked parking to 361 spaces. He stated that Suncast has been moving forward in the way staff recommends. There is no issue of adding new landscaping to the front by the 13 stalls, but in doing so they will likely lose two stalls. Therefore, they would like to add two additional stalls to the variance for the landbank. The proposed expansion was always considered in the initial development. Truck traffic through the site would not be changed drastically. The use of the space would not change from current operations.

LaLonde asked about the expansion and why such a limited addition of parking would be needed. Martin showed the Commission an aerial view of the business during peak business hours. He pointed out that only 30% of the existing parking is filled during peak times. The expansion would only add ten more employees with the expansion and they do not see the need to create more parking at this time. Much of the expansion would be for warehousing and distribution and they also will have cranes for manufacturing. Joseph asked how many employees Suncast has. John Wentz, Mackie Consultants, stated that Suncast is not here tonight and he is not aware of how many employees Suncast has at this location.

Henry Tues, Treasurer for the 1800 Condo Association, noted that their property is at the end of Pierson and the turn of Suncast Lane. He asked if the drive into the Suncast facility was going to change at all or would it stay the same. Martin answered that there will be no changes to that part of the property. There would be no changes to the entrance.

The Commission reviewed the site and the proposed addition. The detention area was discussed.

**Motion:** Approve of the findings of approval  
**Maker:** Peterson  
**Second:** Joseph  
**Roll Call Vote:** **Aye:** Gosselin, Harms, Joseph, LaLonde, Peterson  
**Nay:**  
5-0 Vote, 1 Absent, Motion carried.

**Motion:** Approval of the design review with the three conditions as specified in the May 12, 2016 Staff Memo  
**Maker:** Joseph  
**Second:** Gosselin  
**Roll Call Vote:** **Aye:** Gosselin, Harms, Joseph, LaLonde, Peterson  
**Nay:**  
5-0 Vote, 1 Absent, Motion carried.

#### **6. Administrative Design Review for Tanglewood Hills Unit 5 Landscape Revisions Toll IL IV LP., Applicant**

Rackow reported that staff has been working with the homeowners association and Toll Brothers with concerns of the Homeowners Association (HOA) brought to Toll Brothers for Unit 5. There were a number of items the HOA would like to see changed before the HOA took over open spaces from Toll Brothers. Since there are a number of items the HOA presented, staff decided to bring those to the Commission to have those reviewed. Toll Brothers requested that some modifications be made to the plant species based on availability and what was looking healthy from their suppliers. Staff could otherwise handle the plant species modifications at the staff level. The other changes are to relocate the trees from the common areas on the site plans into the private property backyards of the homes. The other units of Tanglewood do not have much in the form of trees in the common areas. The common areas are mostly just prairie plants. The HOA requested changes to the open space plan to remove certain types of grasses, notably turf grass. They would like turf grass limited to one lawnmower length from the path. They also requested that the prairie species be consistent with how they have handled the other units.

The HOA did not want the paths paved but rather be composed of crushed limestone because that is how the other Tanglewood units have their paths. The connections to the trails to the public rights-of-way would all remain paved under the proposed changes. They also sought removal of a path that connects Mann and Jocelyn to limestone. In response to that, the City would be marking a bike route to connect the Nicor Trail to Deerpath Road. The final item would be to remove a common area fence, which was a staff recommended condition of approval of the Design Review. The fence was to be subject to HOA design approval and the HOA would prefer no fence and have landscaping instead. Rackow noted that a majority of the changes requested are to keep the area in concordance to the other units. Staff is recommending approval of the proposed revisions as presented.

The Commission discussed the planting modifications. Chair LaLonde and Peterson stated that they would like to see the Kentucky Coffee Tree planted. Joseph agreed. Rackow noted that City

Staff selects the parkway trees for new developments, and that Kentucky Coffee are among those typically included in parkway tree selections. The consensus of the Commission was to not make modifications to the proposed list of plantings.

**Motion:** Approve the proposed revisions to the Tanglewood Hills Unit 5 Landscape as presented  
**Maker:** Harms  
**Second:** Gosselin  
**Roll Call Vote:** **Aye:** Gosselin, Harms, Joseph, LaLonde, Peterson  
**Nay:**  
5-0 Vote, 1 Absent, Motion carried.

**7. PUBLIC HEARING – Amendments to the Text of the Zoning Code**  
**Chapter 2.1: Single Family Residential Districts**  
**Chapter 2.2: Multi-Family Residential Districts**  
**Chapter 5.1: Planning Administration**  
**City of Batavia, Applicant**

**Motion:** To open the public hearing  
**Maker:** Peterson  
**Second:** Harms  
**Voice Vote:** 5 Ayes, 0 Nays, 1 Absent  
Motion carried.

Strassman reviewed the proposed amendments to the text of the Zoning Code. Strassman stated that the first two chapters involve residential zoning districts. The R1H District requires interior side setbacks of 10 feet on one side and 5 feet on the other. Staff is proposing to eliminate the difference of the setbacks for principal structures and go with 7.5 feet that retains the existing allowable building width that we have today and distributes the side yards evenly on either side of the house. For corner houses the corner side and interior setbacks would remain the same at 10 and 5 feet respectively. Staff is proposing changes to the accessory structure setbacks in the R1H and R1M single-family districts - generally the smaller lots near the center of town. This code amendment would change the setback from 5 feet to 3 feet, as it was for infill lots in the previous zoning code. This would eliminate many current nonconforming conditions and would help with new accessory structures. In the R2 District, accessory structures would have 5-foot interior side and rear setbacks. The Zoning Code is proposed to be amended in line with the recommended changes to the Zoning Board's terms of office for the officers in their by-laws. The Zoning Board would like to allow the Chair and Vice-Chair to be elected for up to three consecutive two-year terms; the Zoning Code now does not allow for successive terms.

LaLonde asked about the location of the R1H and R1M districts. Rackow showed the Commission on the map projected for their view. LaLonde asked about the election of new officers. Strassman answered that with an amended Zoning Code, the election of new officers could be held as early as June 6<sup>th</sup>.

**Motion:** To close the public hearing

**Maker:** Harms  
**Second:** Joseph  
**Voice Vote:** 5 Ayes, 0 Nays, 1 Absent  
Motion carried.

**Motion:** To approve the amendments to the text of the Zoning Code as presented  
**Maker:** Joseph  
**Second:** Harms  
**Roll Call Vote:** **Aye:** Gosselin, Harms, Joseph, LaLonde, Peterson  
**Nay:**  
5-0 Vote, 1 Absent, Motion carried.

### **8. Other Business**

Peterson asked Mayor Schielke about the appointment of a new Commissioner. Mayor Schielke stated that they usually appoint at the end of May. He has several appointments he is working on and he hopes to have the reappointments all done all at once.

Strassman announced that the owner of the Shell gas station is making progress on the Dunkin Donuts drive through and hopes to submit a building permit application soon.

### **9. Adjournment**

There being no other business to discuss, Chair LaLonde asked for a motion to adjourn the Plan Commission. Peterson moved to adjourn the meeting, Joseph seconded. The meeting was adjourned at 7:51pm.

Minutes respectfully submitted by Jennifer Austin-Smith

# CITY OF BATAVIA

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**DATE:** June 10, 2016  
**TO:** Zoning Board of Appeals  
**FROM:** Drew Rackow AICP, Planner  
**SUBJECT:** Variance for Deferred Parking: Suncast Building Expansion  
1801 Suncast Lane  
Suncast Corporation - Vista Investments, Applicant

## Background and Summary of Information Provided by the Applicant

On May 18<sup>th</sup>, the Plan Commission reviewed and approved design review for a proposed 308,900 square foot addition to the Suncast warehouse building at 1801 Suncast Lane. In their presentation, the applicant noted their intent to request deferral of most of the required parking. The Zoning Code allows an Administrative Use Permit to defer (design, but not construct) up to 50% of the required parking spaces. The current mix of warehouse and manufacturing proposed requires 374 parking spaces. The applicant proposes construction of 13 spaces at the southwest corner of the addition, with the remaining 361 spaces deferred (97%). The applicant's Engineer notes that an abundance of parking exists on site for employees and that existing parking can handle the minor increase of employees expected on site. Typically 60-80 spaces are vacant during operations. The applicant believes that that proposed 13 spaces along with existing parking will address the increase in employment during shifts.

## Staff Analysis

The Zoning Code allows the applicant to seek deferral of up to 187 spaces through an Administrative Use Permit, which is a staff level review of a parking situation. The applicant, rather than requesting a variance from the requirement to construct the required parking has instead designed the required parking but seeks to increase the allowed deferral to 97%. Staff believes this is a far more reasonable variance request that balances the needs of the property owner with the requirements of the Zoning Code. By varying the percentage of deferred parking, room on the site is still reserved to add this parking when shifts in demand require the parking to be installed. The ZBA, like other similar approvals may impose conditions to require construction of spaces if parking issues arise on site.

The proposed variance is an appropriate balance of the parking requirements, which changed since the original development of the property, and the expected ability of existing parking to handle increases of parking activity on site. The previous Zoning Code required 25% of the site be developed for parking and also allowed the ZBA to "liberally" consider variations to the parking regulations. The applicant notes benefits to the community by reducing impervious areas. The original development was designed to handle the stormwater run-off from the future full build out as depicted on plans. The requested variance would allow delay of construction of parking that would otherwise remain vacant according to the applicant.

Staff would recommend a condition that in the event current parking supply does not meet the demand of any existing or future tenant or use, the property owner at that time shall construct a sufficient number of additional stalls to address the demand. Additionally staff recommends that the status of the deferred parking be evaluated with any change of use or tenancy.

### Review of Findings

Staff is supportive of the variance request to increase the amount of parking deferred for the building addition. Staff presents the following Findings, based on this conclusion for the Zoning Board of Appeals (ZBA) to consider.

Under our Code and State Statute, the ZBA is to consider all information submitted by the applicants and provided by staff, together with the information given at the public hearing. The ZBA must determine if the required variance Findings for Approval have been met.

Section 5.503 in Zoning Code Chapter 5.5: Variances establishes Findings the ZBA must reach before voting on a recommendation of approval or denial to the City Council's Committee of the Whole (COW). Below is each of the required findings from Section 5.503 followed by staff analysis.

**Finding A:** There are unique circumstances applicable to the property, including its size, shape, topography, location or surroundings, where strict application of the Zoning Code would create a hardship or other practical difficulty, as distinguished from a mere inconvenience, and deprive the property owner of property rights enjoyed by other property owners in the same zoning district.

The subject parcel conforms to the requirements of the GI, General Industrial District. The large scale of the existing site which is primarily designed for warehouse use would see a marginal increase in employees due to the expansion of the present use. The amount of parking required, based on square feet of the building, is a hardship given the expected increase of staffing, especially when considering the previous more liberal zoning requirements for parking in this district.

**Finding B:** Such unique circumstances were not created by the current or previous owners or applicant.

The change in required parking, and the limitation of 50% of that required parking being deferred was not created by the current or previous owner.

**Finding C:** The property cannot yield a reasonable return or be reasonably used for the purpose intended by the Zoning Code under the regulations in the district in which it is located.

Construction of the full required parking area, or even the reduced number of spaces allowed by an Administrative Use Permit would greatly exceed the amount of parking necessary based on current usage and expected employment counts. The proposed development without such relief may not allow the expansion to yield a reasonable return.

**Finding D:** The variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

The majority of the industrial buildings in this area were constructed prior to current Zoning Code requirements and have fewer parking stalls than may otherwise be required under today's Zoning Code. The proposed variance would not be a special privilege as other locations in the area have fewer parking spaces, and could also seek deferred parking for construction of their own building expansions.

**Finding E:** The variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or the public welfare in general.

The reduction in parking installed should not have a detrimental effect to adjoining properties. The applicant has demonstrated that existing parking stalls will provide sufficient parking for the building addition. The ability to install parking in conformance with the Zoning Code is possible on site and can be imposed if parking demand increases on site to the extent that it impacts other properties.

Staff believes that all five of the required findings are met.

#### Staff Recommendation

Staff recommends that the Zoning Board of Appeals make positive recommendation to the Findings of Fact for the Variance request. Staff recommends that the Zoning Board of Appeals recommend approval of the variance to the City Council, subject to the following conditions:

1. In the event that staff determines that the current parking supply does not meet demand of the use on site, as evidenced by an increase in off-street parking, parking on site in areas other than designated parking spaces, parking on other properties, or other evidence, staff may, through the Administrative Use Permit, require that additional parking be constructed after a review of conditions with the property owner.
2. The property owner shall contact the City to evaluate the status of the deferred parking with any change in the use or tenancy on the property.

Attachment: Variance Application Package

C: Mayor and City Council  
Department Heads  
John Lenz, FCL Builders  
Anthony Martini, Mackie Construction  
Mary Ann Mings, Suncast Corporation



## MEMORANDUM

**Date:** Thursday, May 26, 2016

**To:** Members of the City of Batavia Plan Commission

**From:** Anthony Martini, PE, Mackie Consultants  
Mary Ann Mings, Vice President, Suncast Corporation

**Subject:** Proposed Variance Request  
Proposed Suncast Corporation Building Expansion  
1801 Suncast Lane

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The Suncast Corporation has been fortunate to call the City of Batavia home for decades. Founded in 1984 and headquartered in Batavia, Illinois, the Suncast Corporation manufactures numerous plastic resin household goods and storage products, primarily used for outdoor use. The company offers its products through retail stores in the United States and is one of Batavia's largest employers.

The Suncast Corporation's main manufacturing center is located within their headquarters located on Kirk Road, the company also houses their warehouse facility on 1801 Suncast Lane within the existing Batavia Business Park.

Mackie Consultants has submitted Design Review plans on behalf of Suncast Corporation for a proposed building expansion for the existing warehouse facility on Suncast Lane. Suncast is proposing a 308,900 square foot building addition to the south end of the existing 717,000 square foot building. The proposed use is expanded warehousing, with a small manufacturing component.

The existing pre-cast architecture would be continued with the addition, with increased heights of the structure to allow for the use of cranes within the manufacturing portion of the structure.

Due to large quantity of existing parking currently provided onsite, Suncast proposes landbanking (designed but not constructed for future installation) a significant number of parking spaces that would otherwise be required by the Zoning Code. Suncast and their Engineer, Mackie Consultants, believe the project is uniquely qualified to allow for a variance to allow the parking in a landbank due to the existence of numerous existing parking stalls and the very low parking demand required for the building warehouse addition.

Additional parking spaces would be added to the southwest corner of the building as part of the development, and this parking is expected to provide a stall for each of the additional employees expected to be added with the addition.

Should the use change, additional future landbanked parking has been provided within the Site Plan and could be built to accommodate any future use or ownership change.

*Proposed Landbanking of Required Parking:*

The proposed addition with the mix of manufacturing and warehousing proposed (66,228 square feet of manufacturing space and 242,579 square feet of warehousing/mechanical equipment) would require 374 spaces per the strict interpretation of the Zoning Code.

The existing structure has 285 spaces (127 vehicle stalls, 158 truck parking) plus additional truck bays along the building. The parking at this facility currently provides much more parking than what is required for the current use. Currently the facility provides an average of 60-80 unused employee parking stalls at peak daily use.

As part of this application, we proposed the parking for the existing building may remain as is, and the addition to follow current code requirements. Landbanking, of up to 50% of the required spaces is allowed by Administrative Use Permit and is supported by City of Batavia staff. In an effort to provide additional site green space, reduce impervious area on site, encourage site aesthetic appeal, and to reduce stormwater runoff the applicant proposes to landbank a larger percentage of the required parking. Suncast proposes constructing one additional parking space for each expected new employee (despite the current site surplus) and to landbank the remainder of the parking for the addition (363 spaces).

In addition to the above narrative we offer the following to support the request for the Variance:

- A. *There are unique circumstances applicable to the property, including its size, shape, topography, location or surroundings, strict application of the Zoning Code would create a hardship or other practical difficulty, as distinguished from a mere inconvenience, and deprive the property owner of property rights enjoyed by other property owners in the same zoning district;*

The existing and proposed use of the site provides for unique circumstances which do not require a large parking demand, and request the variance to allow additional landbanked parking is allowed due to the practical difficulty with constructing such a large impervious and unnecessary parking lot. This unique nature of the site is well documented as the current facility has been in operation for 16 years. For those 16 years in operation, the site has consistently provided a surplus of unused existing parking.

In reducing the required parking on the site, the Suncast Corporation can provide additional green space and reduce stormwater runoff which would result in both a local and regional benefit to the immediate neighbors of the property and surrounding City of Batavia residents.

- B. *Such unique circumstances were not created by the current or previous owners or applicant; and;*

The unique circumstance was not created by the applicant but rather is established site condition that has existed since the site's original development in 2000.

- C. *The property cannot yield a reasonable return or be reasonably used for the purpose intended by the Zoning Code under the regulations in the district in which it is located; and*

Constructing unnecessary parking would provide an undue hardship on the development that is not necessary for the business operation and would reduce the potential yield on future development.

- D. The variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located; and*

The requested variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

- E. The variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or the public welfare in general.*

The requested variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or the public welfare in general.

Suncast is one of the City of Batavia's longest standing and largest employers and as such, hopes for a continued partnership with the City of Batavia in meeting mutual goals. We respectfully request the variance described above to continue the company's success in the City and hope that the Board provide approval.



# CITY OF BATAVIA

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**DATE:** June 10, 2016  
**TO:** Plan Commission  
**FROM:** Drew Rackow AICP, Planner  
**SUBJECT: PUBLIC HEARING - Amendments to the Text of the Zoning Code**  
Chapter 3.1: Planned Development Overlay Districts  
Chapter 4.1: Site Regulations

## Background

A Public Hearing is scheduled for the June 15<sup>th</sup> meeting to review two proposed modifications to the Zoning Code. One would allow Planned Developments to grant relief from any Zoning Code requirement, other than allowed uses. The second would allow higher wall-mounted lights in industrial districts in limited circumstances. Regarding lights, this issue has been raised with two building additions in the industrial park. One, Chicago Expert Importers, was granted a variance to allow wall packs to match the existing height of the building. Suncast's addition, approved by the Commission last month, would require a variance to allow building lights to match the the height of those on the existing structure. Staff believes addressing the item through a Text Amendment is the most appropriate solution.

## Summary of Proposed Text Amendments

### **Chapter 3.1: Planned Development Overlay Zoning District**

The proposed revisions would expand allowances for the types of relief that can be sought through a Planned Development Overlay. Currently, regulations that are part of the base district Chapter (landscape setbacks, lot sizes, building height and setbacks) may be modified through a planned development. For other requirements (number of parking spaces, drive through geometry, etc) would require granting of variances. Staff believes it would be simpler and less cumbersome for applicants to allow a Planned Development overlay to include relief from all Zoning Code chapters. Without this change, applicants seeking a Planned Development that needed relief from portions of the Code other than the property's base zoning district, would need to prove the higher standard of the variance, rather than show the benefit of such a request under a Planned Development like other base district modifications. The change would continue to exclude changes from allowed uses as part of the Planned Development process. Staff believes this will help simplify development proposals for applicants, staff, boards, commissions and the City Council moving forward.

### **Chapter 4.1: Site Regulations**

Staff proposes a revision to Section 4.103.A.4, which would address wall packs on additions to existing buildings in the Limited and General Industrial Districts. The revision would allow wall packs to be placed at a height to match the lowest set of existing fixtures that do not meet current requirements. Staff also proposes implementing a wall mounted fixture allowance of 25 feet in the Limited and General Industrial Districts. This would allow wall packs to provide site lighting in industrial districts. This comes into play specifically in illuminating truck docks, for which light poles create navigation challenges. Staff believes this will address issues of uniformity as well as creating more appropriate lighting standards for the industrial districts.

### Staff Recommendation

Staff recommends the Plan Commission open and conduct the public hearing. The Commission should then discuss the proposed amendments after taking testimony. The Commission may provide further direction for staff to research or to prepare additional language for consideration. If the Commission agrees that the amendments are appropriate, the hearing may be closed and a recommendation for approval may be made to the Committee of the Whole.

- c Mayor and City Council
- Department Heads
- Media

Attachment: Excerpts with proposed changes redlined

## **Chapter 3.1: Planned Development Overlay Zoning District**

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### **Sections:**

- 3.101 Purposes
- 3.102 Uses of a Planned Development Overlay Zoning District
- 3.103 Approval

### **3.101 Purposes**

The purposes of the Planned Development Overlay Zoning District (PD) are to:

- A. Modify base district regulations to implement the Comprehensive Plan.
- B. Provide opportunities for unique or mixed-use development.
- C. Provide opportunities for development intensity greater than permitted by base district regulations for affordable housing, senior housing, and congregate living facilities.

### **3.102 Uses of a Planned Development Overlay Zoning District**

- A. **Extent.** A Planned Development Overlay Zoning District (PD) may overlay all or part of any base district or contiguous districts. Base district regulations shall apply except to the extent modified by an overlay district. The Official Zoning Map shall identify the area covered by each PD.
- B. **Use of the PD Zoning District.** A PD may only be adopted for one or more of the following:
  - 1. To modify ~~base district development~~ regulations [of this Title](#) to implement policies in the Comprehensive Plan.
  - 2. To permit unique or mixed-use development.
  - 3. To permit development intensity greater than permitted by base district regulations for affordable housing, senior housing, and congregate living facilities.
  - 4. To permit a concurrent review of structures and neighborhood design, including lot pattern.
- C. **Limitations.**
  - 1. A PD shall not be used to add, eliminate, or restrict uses permitted in the base district regulations.

~~2. A PD shall not be used to modify sign regulations.~~

~~3.2.~~ A PD shall be applied only to contiguous property so as to create a unified and cohesive development.

### 3.103 Approval

A. **Development Plan.** A PD shall include a development plan consisting of a site plan, preliminary landscape plan, preliminary building elevations, design guidelines, residential lot layout, open space plan, or other plan applicable to the project. The use and development of the property in a PD shall substantially conform to the development plan approved by the City Council as an exhibit to the PD zoning ordinance.

B. **Conditions.** The Plan Commission may recommend, and the City Council may impose conditions of approval including, but not limited to, the following:

1. Timing or phasing of development.
2. Off-site and on-site improvements.
3. Development standards.
4. Creation of design guidelines.
5. Conditions of use.
6. Dedication of land for public purposes, including rights-of way.
7. Granting of utility easements.
8. Granting of cross-access easements.
9. Granting of easements for public use of trails and open space areas.
10. Requirements for establishment of a homeowners or property owners association or other mechanism to assure continued maintenance of commonly owned land and facilities.
11. A requirement for cooperation in the establishment of a back-up Special Service Area to maintain commonly owned land and facilities.
12. Reservation of land for future public acquisition.

C. **Amendments to an Approved Development Plan.**

1. *Major Amendments.* A Major Amendment to an Approved Development Plan shall be considered via the same process as the original approval.
2. *Minor Amendments.* A Minor Amendment to an Approved Development Plan may be approved by the Director. Denial of a proposed Minor Amendment to an Approved Development Plan may be appealed to the Plan Commission.

buildings.

- E. Flagpoles, pursuant to Section 4.402.G: Flagpoles.
- F. Wireless communications facilities, pursuant to Chapter 4.7: Wireless Communication Facilities.
- G. Over-the-Air Reception Devices, Large Satellite Dish Antennas and Amateur Radio Facilities pursuant to Chapter 4.8: Over-The-Air Reception Devices, Large Satellite Dishes, Satellite Earth Stations, and Amateur Radio Facilities.

### 4.103 Lighting Standards

A. **Applicability.** Parking lot, security, soffit, common open space, and wall mounted lighting, other than on single family residences, shall be located, developed, and operated in compliance with the following regulations:

- 1. All outdoor fixtures, other than bollard or decorative lighting, shall be set back from all rights of way and property lines of parcels designated for residential use in the Comprehensive Plan by a minimum of:
  - a. 10 feet; or
  - b. a distance equal to the height of the fixture.
- 2. The only permitted outdoor light fixtures within required perimeter landscape areas separating nonresidential uses from residential uses and separating multi-family residential uses from single family residential uses shall be bollard lighting.
- 3. Parking lot and pole mounted security lighting shall not exceed a maximum height of 15 feet within:
  - a. 100 feet of a residential district boundary; or
  - b. 100 feet of land designated for residential use in the Comprehensive Plan.

In all other areas, parking lot and security lighting shall not exceed a maximum height of 25 feet, except in the GI District storage area lighting shall not exceed a maximum height of 30 feet.

- 4. Wall-mounted fixtures shall be a maximum height of 15 feet above grade, as measured from grade to the bottom of the light source. In the LI Light Industrial and GI General Industrial districts, such lights on walls not facing property currently used or designated in the Comprehensive Plan as Residential may be a maximum of 25 feet above grade. Where all existing lights are located above this limit and an addition to the building is to be constructed, lights proposed on the addition may match the height of the

lowest existing lights above the height limits. Wall-mounted security fixtures shall be full cutoff type, with the bottom of the light source being parallel to the ground.

5. Pole-mounted fixtures shall be full cutoff type only, with the bottom of the light source being parallel to the ground. Semi-cutoff pole-mounted fixtures are prohibited.
6. All lighting under fueling facility canopies, drive-through canopies, customer loading canopies, and similar structures shall be fully recessed. No portion of the fixture shall project below the ceiling or soffit of the canopy structure.

B. **City Code Compliance.** Additional light and glare regulations are set forth in the City Code.

#### **4.104 Outdoor Business Property Storage**

The purpose of this section is to regulate outdoor storage of business property. This section does not apply to Outdoor Personal Property Storage. Unless otherwise provided for in a specific base zoning district, outdoor storage shall comply with the following requirements:

- A. Business property storage shall be limited to inventory, stock, supplies, equipment, and similar material not displayed for sale, rental, or lease.
- B. The maximum percentage of a lot that may be used for outdoor storage is set forth in each base zoning district.
- C. Outdoor storage areas shall be enclosed by a solid fence or wall, except that the fence need not be solid in Industrial districts on a property where the an interior side or rear setback area abuts an interior side or rear setback area of a lot in an Industrial district.
- D. The height of the fence or wall is set forth in each base zoning district.
- E. Stored materials shall not exceed the height of the fence or wall, except in the General Industrial and Public Facilities/Institutional zoning districts.
- F. Outdoor storage areas in all districts shall not be located in a required landscape area.
- G. Outdoor storage areas are prohibited in building setback areas in all zoning districts, except in the Light Industrial and General Industrial districts.
- H. Outdoor storage areas shall be surfaced with concrete, asphalt, gravel, or other approved dust free surface.
- I. Unless otherwise required by the Fire Marshal, access aisles to outdoor storage

# CITY OF BATAVIA

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**DATE:** June 9, 2016  
**TO:** Plan Commission  
**FROM:** Joel Strassman, Planning and Zoning Officer  
**SUBJECT:** Administrative Design Review for Changes to the Proposed Dunkin' Donuts Drive Through 108 N. Batavia Ave., Harry Mehta, applicant

## Background

In March, the City Council approved [Ordinances 16-09 and 16-10](#) to allow a Dunkin' Donuts drive through to be added to the Shell Gas Station at 108 North Batavia Avenue. On April 6, the Plan Commission approved the [design review](#) subject to additional landscaping added near the southeast corner of the retaining wall and wall-top metal panel height specification.

While preparing final engineering for submission of a building permit, the applicant determined that the proposed retaining wall may conflict with the below grade portion of the existing retaining wall that would remain in place. To remedy this, the new retaining wall must be moved to the east and south, and landscaping in the vicinity must be adjusted. The space between the drive through pavement and the new wall location will be planted with ground cover. Approved elm trees along the east property line have roots that could damage the wall, therefore, they are to be replaced by crab apple trees. The relocated retaining wall will not be able to shield vehicle headlights; a solid wood fence is now proposed. A guard rail along the edge of the drive through pavement will protect the fence and keep vehicles away from the adjacent slope. The west ends of the proposed retaining wall that will be less than 3 feet in height will be constructed of concrete block.

## Staff Analysis

Staff understands and accepts the issues leading to the proposed changes. The proposed fence height can provide the same headlight screening as the approved wall/metal panel. The solid wood fence will need HPC approval at its June 13 meeting. Replacement of the elm trees with crab apple trees having less invasive roots is reasonable. Ivy and additional shrubs required by the Commission's previous design review approval are included on the revised plan. To soften the appearance of the change in retaining wall material, a solid evergreen hedge, planted at 3 feet in height, should be added in front of the sections of the block retaining wall. Staff notes that final engineering design is on-going and the plans may be subject to additional minor adjustment and/or subsequent administrative design review approval.

## Staff Recommendation

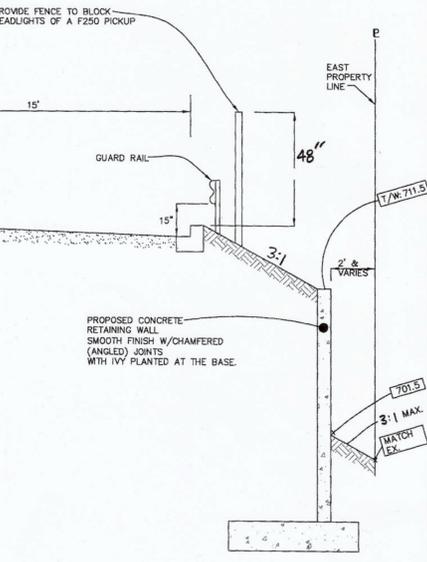
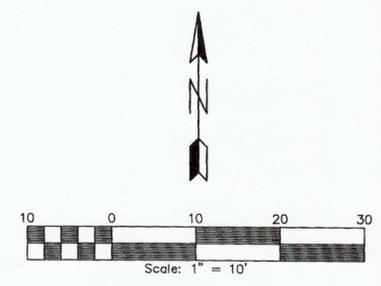
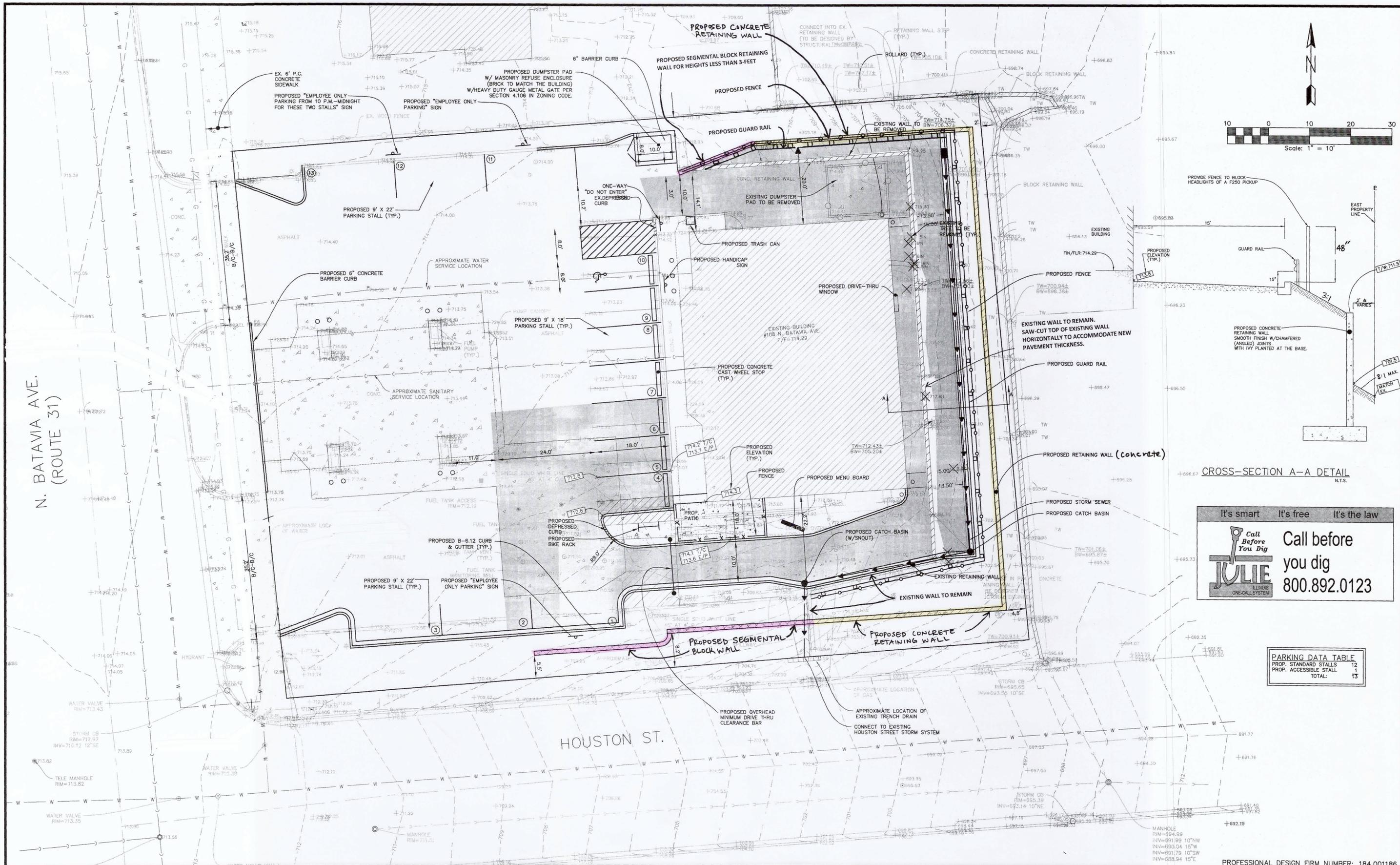
Staff recommends the Plan Commission approve the Administrative Design Review to include the revised site plan and the revised landscape plan with the condition that the landscape plan be further revised to add a solid evergreen hedge, planted at 3 feet in height, to screen the block wall sections as viewed from off site.

## Attachments

1. Revised site plan
2. Revised landscape plan
3. Fence detail

c Mayor and City Council  
Department Heads  
Applicant  
Media





CROSS-SECTION A-A DETAIL  
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PARKING DATA TABLE	
PROP. STANDARD STALLS	12
PROP. ACCESSIBLE STALL	1
TOTAL:	13

DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION
5/26/16	JG	3:1 + FENCE			
5/27/16	MH	LABEL WALLS, GUARDRAIL, FENCE			
6/7/16	JG	SEGMENTAL BLOCK WALLS			

DRAWN BY: BL  
CHECKED BY: MH  
APPROVED BY: JG



**ENGINEERING RESOURCE ASSOCIATES, INC.**  
CONSULTING ENGINEERS, SCIENTISTS & SURVEYORS

35701 WEST AVENUE, SUITE 150  
WARRENVILLE, ILLINOIS 60055  
PHONE (630) 393-3060  
FAX (630) 393-2152

10 S. RIVERSIDE PLAZA, SUITE 875  
CHICAGO, ILLINOIS 60606  
PHONE (312) 474-7841  
FAX (312) 474-6099

2416 GALEN DRIVE  
CHAMPAIGN, ILLINOIS 61821  
PHONE (217) 351-6268  
FAX (217) 355-1902

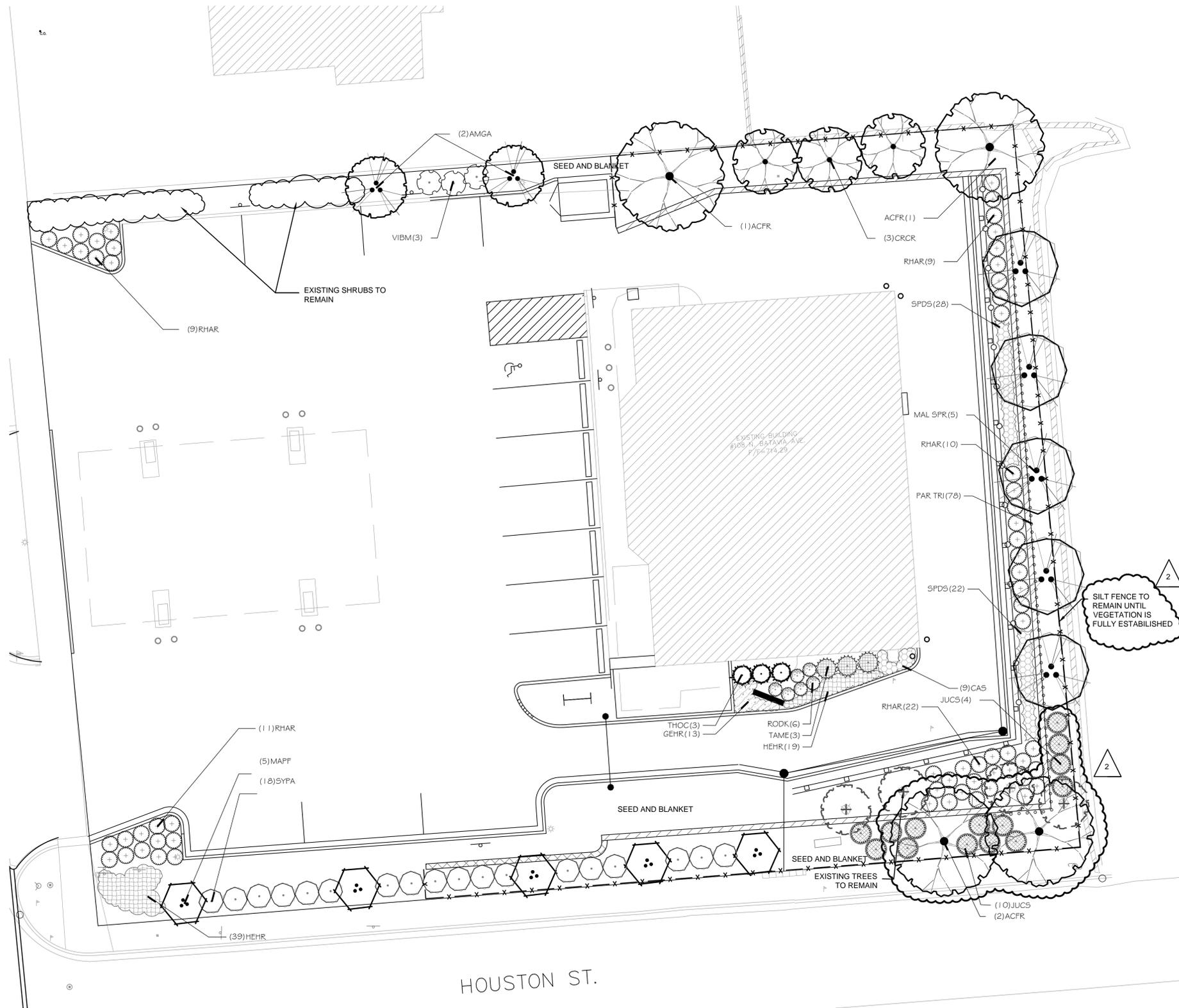
**HMI CORPORATION**

TITLE: **GRADING & EROSION CONTROL PLAN**  
**SHELL OF BATAVIA**  
**BATAVIA, ILLINOIS**

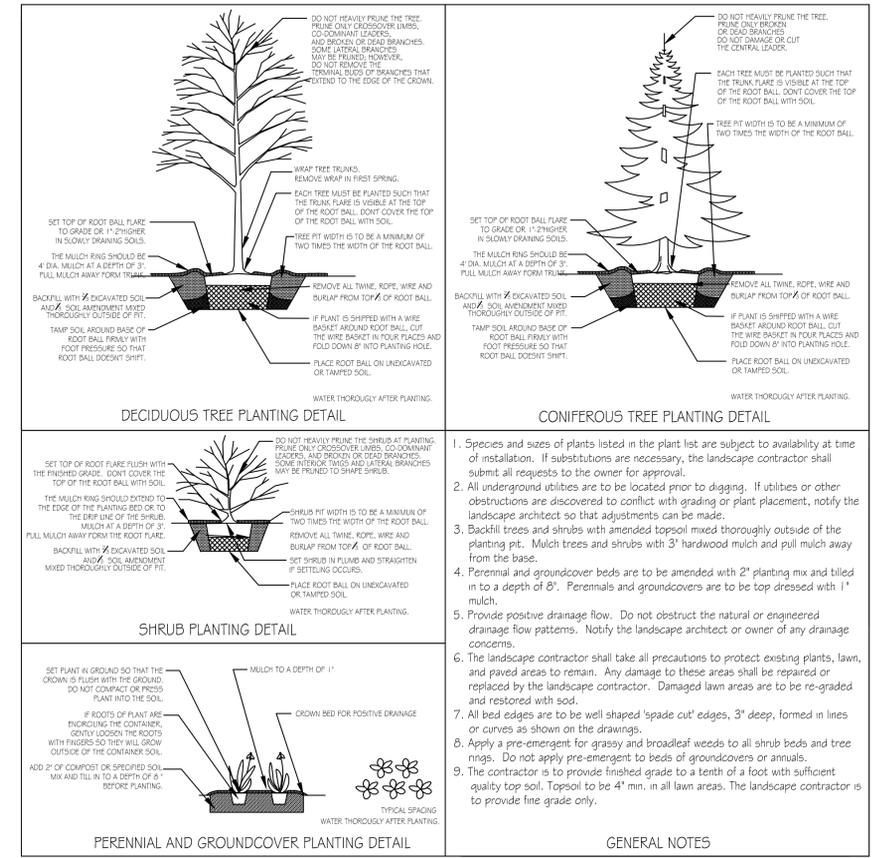
PROFESSIONAL DESIGN FIRM NUMBER: 184.001186

SCALE: 1"=10'  
DATE: 05/19/16  
JOB NO: 150701  
SHEET 4 OF 7

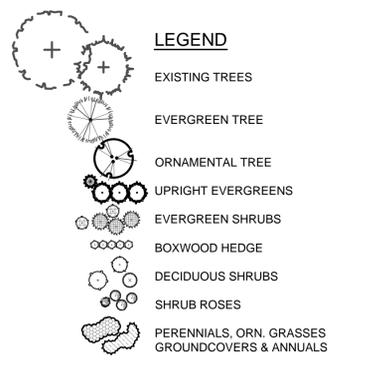
All base information & dimensions are approximate only. All layout to be verified in the field.



TREES	Quantity	Botanical	Common	Size
ACFR	4	Acer freemanii 'Jeffersred' TM	Autumn Blaze Maple	2.5' BB
AMGA	2	Amenanchier granatosa	Autumn Brilliance	6' BB
CRCR	3	Crataegus crusgalli var. inermis TM	Thornless Cockspur Hawthorn	6' BB
MAPP	5	Malus hybrid 'Prairiefire'	Prairiefire Crab	6' BB
MAL SPR	5	Malus x 'Spring Snow'	Spring Snow Crab Apple	2.5' BB
<b>EVERGREEN TREES</b>				
THOC	3	Thuja occidentalis 'Mission or Tecthy'	Mission or Tecthy Arborvitae	6' Ht.
<b>SHRUBS</b>				
RHAR	62	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	5 gal
RODK	6	Rosa hybrids 'Double Knockout'	Knockout Rose	3 gal
SYPA	18	Syringa patula 'Miss Kim'	Miss Kim Lilac	30" Ht. B&B
VIBM	3	Viburnum dentatum 'Blue Muffin'	Southern Arrowwood	5 gal
<b>EVERGREEN/BROADLEAF</b>				
JUCS	14	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 gal
TAME	3	Taxus media 'Densiformis'	Dense Yew	30" Ht. B&B
<b>VINES/PALIER</b>				
PAR TRI	78	Parthenocissus tricuspidata	Japanese Creeper	1 gal
<b>GROUND COVERS</b>				
GEHR	13	Geranium hybrid 'Rozanne' TM	Hybrid Cranesbill	1 gal 18" o.c.
HEHR	58	Hemerocallis hybrid 'Happy Returns'	Happy Returns Daylily	1 gal 18" o.c.
<b>ORNAMENTAL GRASSES</b>				
CAS	6	Calamagrostis acutifolia 'Stricta'	Feather Reed Grass	1 gal 20" o.c.
SPDS	50	Sporobolus heterolepis	Prairie Dropseed	1 gal 18" o.c.

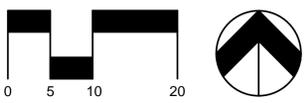


- GENERAL NOTES**
- Species and sizes of plants listed in the plant list are subject to availability at time of installation. If substitutions are necessary, the landscape contractor shall submit all requests to the owner for approval.
  - All underground utilities are to be located prior to digging. If utilities or other obstructions are discovered to conflict with grading or plant placement, notify the landscape architect so that adjustments can be made.
  - Backfill trees and shrubs with amended topsoil mixed thoroughly outside of the planting pit. Mulch trees and shrubs with 3" hardwood mulch and pull mulch away from the base.
  - Perennial and groundcover beds are to be amended with 2" planting mix and tilled in to a depth of 8". Perennials and groundcovers are to be top dressed with 1" mulch.
  - Provide positive drainage flow. Do not obstruct the natural or engineered drainage flow patterns. Notify the landscape architect or owner of any drainage concerns.
  - The landscape contractor shall take all precautions to protect existing plants, lawn, and paved areas to remain. Any damage to these areas shall be repaired or replaced by the landscape contractor. Damaged lawn areas are to be re-graded and restored with sod.
  - All bed edges are to be well shaped 'spade cut' edges, 3" deep, formed in lines or curves as shown on the drawings.
  - Apply a pre-emergent for grassy and broadleaf weeds to all shrub beds and tree rings. Do not apply pre-emergent to beds of groundcovers or annuals.
  - The contractor is to provide finished grade to a tenth of a foot with sufficient quality top soil. Topsoil to be 4" min. in all lawn areas. The landscape contractor is to provide fine grade only.



LANDSCAPE PLAN

SCALE: 1" = 10'-0"



**WINGREN LANDSCAPE**  
ALL THINGS OUTDOOR

5126 Walnut Ave.  
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TEL 630.759.8100  
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**Dunkin' Donuts**  
Batavia, IL

**REVISIONS:**

REVISION PER ARCHITECT'S COMMENTS 12.16.16
REVISION PER ARCHITECT'S COMMENTS 4.5.16
REVISION PER VILLAGE COMMENTS 12.16.16
REVISION PER UPDATED CIVIL DRAWINGS 12.16.16

**SHEET TITLE:**  
LANDSCAPE PLAN

**DATE:** 10.28.15  
**JOB:** P-  
**SCALE:** 1"=10'  
**BY:** JZ, EB

**SHEET** L1 OF 1

# CITY OF BATAVIA

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**DATE:** June 10, 2016  
**TO:** Plan Commission and Zoning Board of Appeals  
**FROM:** Joel Strassman, Planning and Zoning Officer  
**SUBJECT:** **Election of Officers**

On June 6, the City Council amended the text of the Zoning Code, pursuant to a recommendation from the Plan Commission, to allow Zoning Board of Appeals (ZBA) officers to serve up to three (3) successive two (2) year terms. Both the ZBA and Commission delayed election of officers at the May 4 joint meeting to allow this Code change to take place. Please see the [April 27 staff memorandum to the ZBA and Commission](#) for detail on the elections. Bylaws of both bodies have been amended to include these officer terms.

In separate actions, the Commission and ZBA shall solicit nominations for Chair and Vice Chair for each body. After each nomination, each body shall vote on the nominated individuals for each office. The candidates that receive the most votes shall become the respective officer for a period of two (2) years. Elections will take place again in May of 2018.

As staff explained in May, since Commission and ZBA meetings are often joint meetings, having the same persons serve as Chair and Vice Chair for both the Commission and ZBA would help meetings to run smoothly. The same individuals may hold the same office for each body, but that is not required.

An agenda item has been set aside for the election of a Chair and Vice Chair for the Plan Commission and ZBA. Please be prepared to nominate and elect officers for the Commission and for the ZBA, or to table ZBA elections at the June 15 Plan Commission and Zoning Board joint meeting.

c Mayor and City Council  
Department Heads  
Media