

**CITY OF BATAVIA**  
100 N. Island Avenue, Batavia, IL 60510  
(630) 454-2000 <http://cityofbatavia.net>

**Committee of the Whole Agenda**  
Tuesday, October 4, 2016  
7:30 PM Council Chambers 1st Floor

1. Roll Call
2. Items Removed/Added/Changed
3. Matters From The Public (For Items NOT On Agenda)
4. Ordinance 16-60: Amendment To The Zoning Map For A Planned Development Overlay (Joel Strassman 9/28/16) CD

Documents:

[ORD 16-60 AND RES 16-81 WINDMILL-MANOR-ATTACH.PDF](#)

5. Resolution 16-81-R: Final Plat Of Subdivision - Windmill Manor Apartments, 2400 Hawks Drive (Joel Strassman 9/28/16) CD

Documents:

[ORD 16-60 AND RES 16-81 WINDMILL-MANOR-ATTACH.PDF](#)

6. Discussion: Video Gambling
7. Discussion: Televisе COW Meetings On BATV
8. Project Status
9. Other
10. Adjournment

# CITY OF BATAVIA

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**DATE:** September 28, 2016  
**TO:** Committee of the Whole  
**FROM:** Joel Strassman, Planning and Zoning Officer  
**SUBJECT:** Windmill Manor Apartments, 2400 Hawks Drive (formerly South Drive)

- **Ordinance 16-60:** Amendment to the Zoning Map for a Planned Development Overlay
- **Resolution 16-81-R:** Approving a Final Plat of Subdivision for Windmill Manor  
JNP Batavia, LP, applicant

**Summary:** Approval of a planned development (PD) and final plat of subdivision for Windmill Manor Apartments at 2400 Hawks (formerly South) Drive.

**Background:** The 2011 approvals of Ordinances 11-08 and 11-09 annexed and zoned the 4.5 acre property located at 2400 Hawks Drive as R5 Multi-Family High Density to allow an 80 unit multi-family building for residents 55 years and older to be built using the Illinois Housing Development Authority's Affordable Housing Tax Credit program. The annexation included approval of a planned development and preliminary plat of subdivision providing relief to certain City Code requirements. The planned development approval specified the need for final approval.

Approval of attached Ordinance 16-60 and Resolution 16-81-R, along with the Plan Commission's action on Design Review, would complete the entitlement process. While the 2011 annexation did not include site or building plans, the current site and building plans are consistent with the concepts presented to the City Council in 2011, and follow the Code relief granted to allow fewer dwelling units that required for a property of this size in the R5 District, omit the 3<sup>rd</sup> floor building step-back, and included language to accommodate fewer parking spaces than required and omit required school land-cash donation and impact fee due to the age restriction.

The current PD seeks additional Zoning Code relief to omit the requirement for 25% enclosed parking and to allow a building height of 47 feet (45 feet is the R5 maximum). The increased building height would not result in a building having a greater basement to roof height; this request would allow for changes in site grading that may affect the calculated building height needed through final engineering. The final plat of subdivision seeks relief from the maximum 4:1 slope to allow a 3:1 slope along the south and west property lines to navigate the site's challenged topography and to allow for a berm to provide screening to the residents to the southwest. For a complete description and analysis of the proposal, please see the [staff memorandum to the Plan Commission](#).

**Plan Commission Review Action:** At the September 21<sup>st</sup> hearing, two (2) neighboring residents addressed the Commission with questions on the affect on the McKee Tributary property, site lighting, and screening to the residents to the southwest. The applicant's engineer noted that water from the site would be directed to the McKee Tributary. Staff added that the McKee Tributary property was annexed to the City and developed as a detention facility in part to provide detention for eventual development of several properties in the area including the subject property. The applicant noted that light levels would be reduced to zero foot candles at the south and west property lines and the Commission added that light poles would be relatively low, with an overall height of 14.5 feet. The applicant's landscape architect showed perspective drawings of the screening effect of the perimeter berms with landscaping added.

The Commission requested that an additional sidewalk from the building to the street be added. The applicant's engineer stated that this can be done by routing the sidewalk through the center parking lot landscape area. The Commission focused on the main building entrance and its lack of prominence. The Commission suggested a taller, more prominent entrance enclosure and larger windows on that portion of the building be considered. The applicant agreed to adjust that part of the building to better emphasize the entrance. The Commission was willing to have staff review and approve that change.

By votes of 6-0, the Commission recommended approval of both the PD and final plat of subdivision, with the specifications and conditions as listed in attached Ordinance 16-60 and Resolution 16-81-R. The Commission also approved Design Review (6-0) subject to City Council approval of the planned development, and to allow minor revisions to site conditions as a result of staff approval of final engineering.

**Alternatives:** The COW can recommend approval of the Ordinance as presented, add or remove approval conditions, recommend denial, or continue its review with direction to staff for revisions.

- **Pros:** Approval of Ordinance 16-60 and Resolution 16-81-R would allow for the submission and issuance of building permits to develop the site containing the building and use contemplated with the 2011 annexation of the property.
- **Cons:** Not approving Ordinance 16-60 and Resolution 16-81-R will force the property to remain unimproved until another developer can propose a building use consistent with the 2011 annexation and approvals. Denial may jeopardize tax credits for an affordable senior development at this location.
- **Budget Impact:** The City will realize building permit revenues as part of the construction process. After completion, the City will realize property tax and utility revenues. The City will also realize additional State per capita taxes once the City population increase is determined by a decennial or special census. The City will also incur the usual expenses of serving residential properties that were also considered with the City's actions on this property in 2011. With additional residents in close proximity to services and goods on the Randall Road corridor, there may be an increase in sales in these nearby businesses that translates to increased sales tax revenue.
- **Staff Impact:** Staff time has and would be used to complete the entitlement process and throughout the building permit processes. After completion of the project, there would be no more staff time needed than was contemplated when this property was annexed and approved for essentially the same development in 2011.

**Timeline for Actions:** With COW recommendations for approval of Ordinance 16-60 and Resolution 16-81-R (as presented or with direction for revision), both would be placed on the City Council's agenda for the October 17<sup>th</sup> meeting.

**Staff Recommendations:** Attached Ordinance 16-60 and Resolution 16-81-R have been drafted to include the Plan Commission's recommendations. Staff therefore recommends approval of Ordinance 16-60 and Resolution 16-81-R as presented.

#### Attachments

1. JNB Project Narrative
2. Draft Ordinance 16-60
3. Draft Resolution 16-81-R

c Mayor  
Department Heads  
Applicant  
Media

## ***JNB Batavia, LP Narrative and Responses to Comprehensive Plan Goals and Zoning Standards***

### **Project Information**

**Project Name:** Windmill Manor Apartments- Batavia  
**Project Location:** 1500 South Drive, Batavia, Kane County, Illinois  
**Owner:** JNB Batavia, LP  
**Phone:** 773-968-9590-Chris Tritsis (or 563-505-5611- James Bergman)  
**Email:** tritsis@cubitdevelopmentgroup.com (or jim@jnbice.com)  
**Address:** 20 Sandstone Court, LeClaire, IA 52753

### **Basic Information**

**Land:** Vacant  
**Site Area:** App 4.5 acres, 195,827 SF  
**Current Zoning:** Zoned R-5  
**Proposed Zoning:** R-5 with a PUD overlay and Design Review Approval

### **Introduction to Project**

Windmill Manor Apartments is a proposed mixed-income, 80-unit (plus one manager unit), new construction three-story elevator development for seniors 55 and older to be located in Batavia, Illinois. The project will consist of 60 one-bedroom and 20 two-bedroom affordable units of which 72 will be affordable to seniors. The remaining 8 units will be unrestricted to market rate monthly rents. There will be an additional one-bedroom onsite manager's office in the basement.

Windmill Manor Apartments is being designed specifically for the aging population and the building design allows for an abundance of social space. The project will include thousands of square feet of space for: storage (for the building and residents), the onsite manager's unit, several office spaces (maintenance, leasing, etc.), main lobby (with furniture such as couches and tables), a dining room, sitting areas, a community room, an exercise room, a library, a multi-media room, and a community beauty salon, computer room and craft room.

Each spacious unit will have an outdoor balcony, will have wireless internet, and be cable ready. All kitchen appliances will be Energy Star rated and include refrigerator/freezer, microwave, electric range/oven, and dishwasher. The units will have vinyl or laminate flooring in the kitchen and bathroom and wall-to-wall carpet in the living and bedrooms.

The surrounding residential and commercial allows for a generous mix of service and creates a sense of place in which the senior residents may be a part of a neighborhood and have the ability to complete daily service needs within a neighborhood business district.

### **Proposed Land Use**

As part of the Annexation Agreement, dated April 4<sup>th</sup>, 2011 the vacant land has a zoning of R-5. The project will be age restricted senior Independent living for tenants 55 and older.

### **Economic Benefits to the City**

This development will provide more than 81 eligible voters to the community. These residents will bring the purchasing power to Batavia and will significantly add to the sales tax base as they shop at the local businesses, grocery stores, clothing companies, and other commercial establishments.

Currently the site is vacant land and is not highest and best use for generating real estate tax. The building once completed and fully leased will generate additional property tax. The development will generate various application fees. The building's energy consumption is primarily electric so it will benefit the surplus of electricity the town has invested in. Since the project is age restricted it will not impact the schools, have a lessened impact on parks, water consumption, sewer demands and road usage. Construction of housing brings many economic benefits to a local community, such as increase in jobs. The hard costs to preserve, renovate, and improve the project's housing units is approximately \$12,000,000. This also creates indirect economic benefit as surrounding retail owners will have an increase in customers as various on-site workers will patronize these establishments on a daily basis.

### **Number of Employees**

- **Construction-** The potential direct job creation generated by this project is 5 jobs for every million dollars of construction. This would be equivalent to 90 construction jobs.
- **Permanent-** 1 Full Time Property Manager, 1-part time maintenance person, various part time: accountant, various vendors, providers, etc. that will support this new facility.

### **Intense Use of Utilities**

There will be no intense use of Batavia utilities. Similarly, the project is trying to achieve Enterprise Green which will incorporate energy efficient layout, performance products like closed and open cell spray foam for reduced heat and cooling loads, additional green products and energy saving fixtures.

- **Sewer/Water/Drainage:** The McKee Creek storm water detention already anticipated a development on the site. But since this is a senior project it will utilize less water and sewer than a traditional family project or even a commercial project like a restaurant. That will translate into less washing clothes, less cooking, less toilets flushing, less showering, no pool, etc. Additionally, the units in the building will include nearly all one bathrooms.
- **Electricity-** The project units will include electric heat, air conditioning and appliances, such as, washer/dryer, stove, oven, microwave etc.). These appliances will be Energy Star and high efficiency. Lighting will similarly be either Energy Star fixtures, company fluorescent or all LED. All are designed to incorporate a lower demand on the electrical footprint.
- **Gas-** The building will have central water heat that will be gas and piped to the individual units.

Lastly, Per the MEMO TO: Mayor and City Council dated April 1, 2011, City staff concludes that the proposed change to the requested land use category would not negatively affect the City's ability to provide utilities and services to this and other properties in the City if the property were to be developed under a conforming zoning district as proposed with the Comprehensive Plan Change. This includes emergency response and sanitary sewer. Intensity of potential development and its effect on traffic would be comparable to, or even less than possible with the development potential of community commercial uses and zoning.

**Proposed Start of Construction**

October 10, 2016

**Proposed End of Construction**

November 1, 2017

**Leasing**

August 1, 2017

**Comprehensive Plan Use Goals:** The following details how the proposed development meets the Comprehensive Plan Land Use Goals Planned Development Standards and Design Review Standards:

**COMPREHENSIVE PLAN LAND USE GOALS**

Goal 1. Maintain Batavia as an attractive place to live, work, shop and play, with a balance of land uses.

**RESPONSE: The proposed use adds to the balance of land uses in Batavia. With the aging population, independent senior housing is necessary to serve the community. Given its location, size and shape, the subject property is not a viable retail site.**

Goal 2. Protect and enhance environmentally sensitive and historically significant place.

**RESPONSE: This goal is not applicable. The subject property is not environmentally sensitive or historically significant.**

Goal 3. Plan land uses to achieve an efficient provision of public facilities and services.

**RESPONSE: Adequate sewer and water capacity exists to service this area.**

Goal 4. Maintain a diversity of housing types, prices and styles for all segments of the community.

**RESPONSE: Tax credits are being used to make the units as affordable as possible, which is a policy under this goal. It also fulfills the policy of encouraging new senior housing complexes.**

Goal 5. Coordinate land use and transportation planning.

**RESPONSE: The proposed development meets the policy of locating high density residential uses convenient to transit corridors, such as Randall Road and Fabyan Parkway. It also is located on an internal circulation route, another stated policy.**

Goal 6. Continue to make the downtown and the Fox River the focal point of the community.

**RESPONSE: This goal is not applicable.**

Goal 7. Redevelop obsolete industrial areas as mixed-use developments compatible with neighborhood character.

**RESPONSE: This goal is not applicable.**

Goal 8. Provide gradual land use transitions and buffers between lower intensity and higher intensity uses.

**RESPONSE: The proposed use and high density residential classification is a compatible transition to the Community Commercial designation on the Comprehensive Plan to the west, General Commercial to the east, Community Commercial to the north, which will be requesting a Comprehensive Amendment change to high density residential and residential to the south. The transition to the residential to the south is buffered by berming, extensive landscaping and a six foot high board on board closed fence. The closest home is approximately 160 feet from the proposes senior residential building.**

Goal 9. Maintain sufficient retail and employment areas to ensure the fiscal and economic vitality of the City.

**RESPONSE: The subject property is not viable for retail use given its location and configuration. This is also why the comprehensive land use designation for the subject property was amended several years ago from commercial to high density residential.**

Goal 10. Establish a system of parks, open spaces and trails that supports neighborhoods, protects sensitive environmental areas.

**RESPONSE: The proposed use will provide an outside area for residents. If required, a fee-in-lieu will be paid to the Park District.**

Goal 11. Plan for the possible reuse of both the Fermilab and unincorporated Mooseheart properties.

**RESPONSE: This goal is not applicable.**

## RE-ZONING STANDARDS

The proposed zoning to R-5 PUD overlay satisfies all the findings that shall be made pursuant to Section 5-7-4. At the time of the hearing, the City will be able to confirm the required public notice and public meetings and hearings have been conducted pursuant to Section 5.704A and B. Regarding Section 5.704(C), the City amended the Comprehensive Plan for this property to high density residential several years ago. This amendment was approved in an anticipation of an independent senior living facility.

## PLANNED DEVELOPMENT OVERLAY STANDARDS

The proposed development meets the purposes and uses for a Planned Development Overlay. Section 3.101 provides:

### **3.101 Purposes**

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

- A. To modify development regulations of this Title 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.

Section 3.102 provides:

### **3.102 Use 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 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 be applied only to contiguous property so as to create a unified and cohesive development.

**RESPONSES:**

**The proposed development meets the criteria established in 3.101 and 3.102 by modifying zoning regulations in the R-5 district to permit a senior housing development to be established, which is one of the policies under goal number 4 of the Land Use element of the Comprehensive Plan. Modifications to some of the zoning requirements are necessary in order to construct the state of the art facility being proposed. Also, some of the requirements in the Zoning Code simply do not apply to senior housing facilities. Lastly, Section 3.101C and 3.102B3 specifically provide the Planned Development Overlay should be used to provide opportunities for development intensity greater than permitted by base district regulations for senior living facilities. Although the development does not seek to increase the density provided in R-5, this provision recognizes the difficulty in developing an affordable senior housing facility under the R-5 regulations and zoning ordinance regulations. The Planned Development does not request any of the limitations noted in Section 3.102(C).**

**The modifications from the zoning ordinance are listed in the below chart. They all are requested to implement Goal 4 of the Land Use element of the Comprehensive Plan. Goal 4, Policy (a). states “Encourage use of the Zoning Code Planned Development Overlay Zoning District residential density bonus to insure affordability”. Goal 4 Policy (b) states “Encourage new, and the expansion of existing senior housing complexes.” Goal 10 Policy (a) states “Require new development and redevelopment to orient open areas toward adjacent rivers and creeks”**

**PUD MODIFICATION TO**  
**ZONING ORDINANCE**

<b><u>Ordinance Requirement</u></b>	<b><u>Requested Modifications</u></b>
1. Table 2.204 (A) requiring a minimum of 25% of required parking to be located in an enclosed building	No enclosed parking
2. Table 4.204 requiring 1.5 parking spaces per one bedroom and 2.25 parking spaces per two bedroom = 137 total (61 one bedroom = 92 spaces plus 20 two bedroom = 45 spaces)	115 Parking spaces
3. Table 2.204 – 10 Foot Building at 3 <sup>rd</sup> floor step-back	No building step-back at 3 <sup>rd</sup> floor
4. Table 2.204 Maximum Net Land Area per Unit – 2,333 square feet	2418 Square Feet Maximum Net Land Area Per Unit
5. Table 2.204 Maximum Building Height – 45 Feet	47 Feet Maximum Building Height
6. Subdivision Ordinance Section 11-5-2-G – Requiring 4:1 maximum grading slope	3:1 maximum slope requested along the south and west sides of the Property

1. The requested modification to not enclose 25% of the parking and to reduce the number of parking spaces is to satisfy the affordability policy for this senior housing development and the policy to locate open areas near creeks and streams. The site has more than adequate space to provide at grade uncovered parking. The cost to enclose some of the parking, together with the topographical challenges of the site make this requirement cost prohibitive. In addition, it would cause the building to go one story higher since the current plan contains the manager unit, common area and storage in the basement level and the lobby and apartments on the first level. All the outside parking provided is located adjacent to non-residential uses and will be adequately screened and buffered.

2. As to the number of parking spaces, the ITE Manual for Average Peak Parking Demand for Senior Adult Housing is .59 vehicles per dwelling unit. The range is .45 to .67 parking spaces per dwelling unit. The Thomas Place senior independent facility in Glenview, which is a facility one of the principals of applicant has developed contains 1.3 parking spaces per dwelling unit (186 spaces for 144 units). This parking ratio has been more than adequate to serve the facility. Not providing these additional 27 spaces, in addition to reducing unnecessary developments costs, also allows for the southwest corner of the site to be used as an outdoor area for the residents, rather than parking. This location fulfills the Comprehensive Plan policy of locating open spaces adjacent to rivers and creeks.

3. The elimination of the step-back provision on the third floor and the minimum density modification were approved in the annexation agreement and are now being codified in the Planned Development Overlay. The step-back provision would result in the loss of units, would require an additional floor and would greatly impact the development's affordability.

4. The maximum net Land Area per Unit is just above the 2,333 square foot requirement (approximately 2,418 square feet). The unusual configuration of this parcel, with its triangle shape and rectangle appendage in the southwest corner does not lend itself to maximum efficiency in laying out the building. The maximum requirement would be met if not for the rectangle are in the southwest corner.

5. The proposed plans meet the height requirement. Currently the project is calculated to reach a height of 40'-10" which is 4'-2" under the maximum height of 45'-0" required per city regulations. The modification is requested only if, during construction grading, the slope on the south end of the property needs to be changed.

6. The slope modification on the south and west sides of the Property are necessary because of the extraordinary topographical relief across the site. There is 20 feet of grade difference from north to south making this 3 to 1 slope necessary.

### **DESIGN REVIEW STANDARDS**

The proposed development meets the standards for approval required by Section 5.604 of the Zoning Ordinance, which provides:

#### **5.604 Design Review Approval**

- A. **Action.** The Plan Commission of the Director as appropriate shall approve, approve with modifications and/or conditions, or deny an application for Design Review subject to the requirements of the Zoning Code and based on compliance with approved design guidelines. An action of the Plan Commission shall be accompanied by findings of fact giving the reasons for the action.
- B. **Findings for Approval.** The following findings shall be made prior to approval of a Design Review application:
  - 1. The project is consistent with applicable design guidelines.
  - 2. The project conforms to the Comprehensive Plan, and specifically to the Land Use, Urban Design, and Environmental Elements.
  - 3. The project is consistent with all applicable provisions of the Zoning Code.
  - 4. The project is compatible with adjacent and nearby development.
  - 5. The project design provides for safe and efficient provision of public services.

## **RESPONSES:**

### **1. City Multifamily design guidelines compliance:**

**The project is compatible and compliant with adjacent neighborhoods in form, function, finishes, and proportion. As can be seen by the elevations and other plans, the development is substantially consistent with the Batavia's design guidelines. The proposed development will provide abundant open and common space within and around the building. There will be picnic areas with barbecue grills and picnic tables, open balconies and/or patios, community and recreation rooms, an exercise room with exercise equipment, onsite manager with office, wifi, media room, computer and business room, bicycle parking and abundant storage on the site. These complimentary amenities will enhance the fully functional residential community development.**

**The elegant, high end quality and durable finishes throughout the project will provide a rich, and tasteful ambiance that will be attractive and functional. The building will be "secure" with access control for the tenant's safety, and security camera monitoring all entrances, and common circulation areas. The site and all common / circulation areas within the building will be well lighted to provide tenants and visitors a safe environment.**

**The site will be attractively landscaped in compliance with the city zoning standards, and the parking will be arranged to allow good access onto the site and into the building with particular attention to the ease of access from the parking areas to the building for the elderly.**

**The tenants and visitors will be able to access all building and site amenities via corridors and/or sidewalks that comply with all standards for access, the Illinois accessibility code, and the Americans with Disabilities Act.**

**The building has been designed to complement and fit the site. The façade incorporates numerous materials, elevations and roof lines, as well as surfaces in order to break up the façade through avoiding a "box" look. Each apartment will have a balcony or patio giving all tenants their own "outdoor" space, as well as providing an element that breaks up the building façade.**

- 2. The proposed development is consistent with all these elements. It meets the land use goals element as outlined in a separate section of this narrative. The environmental element goals are satisfied by (i) the use of native plants and landscape materials as part of the landscape plan; (ii) minimizing erosion and stormwater pollution by the use of best management practices as part of the project's stormwater management; (iii) constructing a new, energy efficient building. The Urban Design guidelines are met by, including, but not limited to (i) substantially meeting the City's multi-family design guidelines; (ii) providing high quality building materials that are appropriate in size and scale and extensive**

landscaping around the perimeter and the building to provide screening, softening and buffering; (iii) providing outdoor spaces for the residents of this development; (iv) use of lighting to minimize glare and light pollution and using lighting to accent various features of the development; providing attractive signage that is in scale for the surrounding area.

3. The project is consistent with all applicable provisions of the Zoning Code, except as modified or varied.
4. The project is compatible with adjacent and nearby development. Senior housing will be a less intense use than many of the potential general commercial uses. The trend of development in this area is for a similar type of use being proposed to the north, commercial to the east and medical office to the west. To the south is a residential subdivision. The closest home, however, is approximately 160 feet from the proposed building and separated by berming, landscaping, and a six-foot-high closed board on board fence.
5. It does. The development has been reviewed by all departments of the City and modifications made pursuant to their comments and suggestions.

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 16-60**

**AMENDING THE OFFICIAL ZONING MAP FOR A  
PLANNED DEVELOPMENT OVERLAY – WINDMILL MANOR APARTMENTS  
(2400 HAWKS DRIVE)**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
THIS 17<sup>TH</sup> DAY OF OCTOBER, 2016**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This 18<sup>th</sup> day of October, 2016

Prepared by:  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 16-60**

**AMENDING THE OFFICIAL ZONING MAP FOR A  
PLANNED DEVELOPMENT OVERLAY – WINDMILL MANOR APARTMENTS  
(2400 HAWKS DRIVE)**

**WHEREAS**, JNB Batavia, LP, has filed an application for Planned Development Overlay/Zoning Map Amendment of the property located at 2400 Hawks Drive, and legally described as:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N0°02"W ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 250.00 FEET FOR THE POINT OF BEGINNING; THENCE N88°15'20"E, 150.00 FEET; THENCE N0°00'02"W, 200.00 FEET; THENCE N88°15' 20"E, 499.02 FEET TO THE SOUTHWEST CORNER FABYAN RANDALL SUBDIVISION AS PLATTED BY DOCUMENT 2003K037410; THENCE N1°44'40"W ALONG THE WEST LINE OF SAID SUBDIVISION, 25.29 FEET TO THE SOUTH LINE OF SOUTH DRIVE AS DEDICATED BY DOCUMENT 2003K080053; THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID SOUTH DRIVE, BEING A CIRCULAR CURVE HAVING A RADIUS OF 333.00 FEET CONCAVE TO THE NORTHEAST, THE CHORD OF WHICH BEARS N57°31'03"W, 125.21 FEET; THENCE N46°44'44"W ALONG SAID SOUTH LINE, 209.29 FEET; THENCE NORTHWESTERLY ALONG SAID SOUTH LINE, BEING A CIRCULAR CURVE HAVING A RADIUS OF 467.00 FEET CONCAVE TO THE SOUTHWEST, THE CHORD OF WHICH BEARS N69°14'25"W, 366.70 FEET; THENCE S88°15'54"W, 56.40 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE S00°02"E ALONG SAID WEST LINE, 580.41 FEET TO THE POINT OF BEGINNING IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

has been filed with the City Clerk of the City of Batavia, Kane County, Illinois, requesting an amendment to the Official Zoning Map for a Planned Development Overlay pursuant to the terms of Ordinance 11-06, with final plan approval through Design Review; and

**WHEREAS**, the applicant has also sought and received Design Review approval from the Batavia Plan Commission concurrent with this Planned Development Overlay/Zoning Map Amendment; and

**WHEREAS**, the applicant is also seeking concurrent approval of a Final Plat of Subdivision for Windmill Manor and the Commission recommended approval thereof; and

**WHEREAS**, all public notification regarding the intention of the City to amend the Official Zoning Map and for said Planned Development Overlay and Design Review approval was executed as required by City Code; and

**WHEREAS**, a public hearing was held pursuant to the Batavia City Code by the Batavia Plan Commission on September 21, 2016; and

**WHEREAS**, the Plan Commission has reviewed the application and recommends approval of such Zoning Map Amendment for a Planned Development Overlay to the City Council to include the following modifications to the Zoning Code and conditions:

1. Modification to Zoning Code Table 4.204: Off-Street Parking Requirements to reduce the required number of parking spaces from 137 to 115;
2. Modifications to Zoning Code Table 2.204: Site Development Regulations – Multi-Family Residential Districts to:
  - a. Omit the required 25% of parking to be in an enclosed building
  - b. Eliminate the required 10 foot step-back at the 3<sup>rd</sup> floor
  - c. Increase the maximum net land area per unit from the allowed 2,333 square feet to approximately 2,418 square feet
  - d. Increase the maximum building height from the allowed 45 feet to 47 feet;
3. Allowing minor revisions to site conditions as a result of staff approval of final engineering;
4. The Planned Development ordinance including language requiring the building owner to remove and replace the south patio if access to the sewer in the adjacent easement is needed;
5. Adding a sidewalk connection from the building entrance area through the center parking lot landscaped area to the public sidewalk;
6. Staff approval of a revised main building entrance area to increase the height of the enclosure and size of the windows in the area of the entrance enclosure; and

**WHEREAS**, on October 4, 2016, the Committee of the Whole reviewed the application and concurred with the Plan Commission recommendation for approval to the City Council; and

**WHEREAS**, the City Council of the City has received the recommendation of both the Plan Commission and Committee of the Whole and has considered same; and

**WHEREAS**, it is in the best interest of the City of Batavia that the Property, as described above, be zoned as requested by the applicant and owner of record;

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois:

**SECTION 1:** That the application submitted by JNB Batavia, LP for the approval of a Zoning Map Amendment for a Planned Development Overlay for Windmill Manor Apartments is approved, with modifications to the Zoning Code and conditions listed below, and in substantial conformance with the Exhibits attached hereto.

1. Modification to Zoning Code Table 4.204: Off-Street Parking Requirements to reduce the required number of parking spaces from 137 to 115;

CITY OF BATAVIA, ILLINOIS ORDINANCE 16-60

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2. Modifications to Zoning Code Table 2.204: Site Development Regulations – Multi-Family Residential Districts to:
  - a. Omit the required 25% of parking to be in an enclosed building
  - b. Eliminate the required 10 foot step-back at the 3<sup>rd</sup> floor
  - c. Increase the maximum net land area per unit from the allowed 2,333 square feet to approximately 2,418 square feet
  - d. Increase the maximum building height from the allowed 45 feet to 47 feet
  - e. Other modifications as necessary to implement the Site Plan, as approved herein;
3. Allowing minor revisions to site conditions as a result of staff approval of final engineering;
4. The Planned Development ordinance including language requiring the building owner to remove and replace the south patio if access to the sewer in the adjacent easement is needed;
5. Adding a sidewalk connection from the building entrance area through the center parking lot landscaped area to the public sidewalk;
6. Staff approval of a revised main building entrance area to increase the height of the enclosure and size of the windows in the area of the entrance enclosure; and

<b>Exhibit</b>	<b>Plan</b>	<b>Dated</b>	<b>Prepared by</b>
<b>A</b>	Site Plan	August 25, 2016	CRK & Assoc., Civil Engineers, P.C.
<b>B</b>	Grading Plan	“	“
<b>C</b>	Utility Plan	“	“
<b>D</b>	Landscape Plan	“	McCallum Associates
<b>E</b>	Sign Plan	August 16, 2016	Stock Design-Architecture
<b>F</b>	Exterior Building Elevations and Perspectives	May 15, 2016	“
<b>G</b>	Photometric Plan	August 25, 2016	Richard L.J. Kluzak
<b>H</b>	Decorative Wall Light	-	1 Stop Lighting

**SECTION 2:** That this Ordinance 16-60 shall be in full force and effect upon its presentation, passage and publication according to the law.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

CITY OF BATAVIA, ILLINOIS ORDINANCE 16-60

---

Jeffery D. Schielke, Mayor

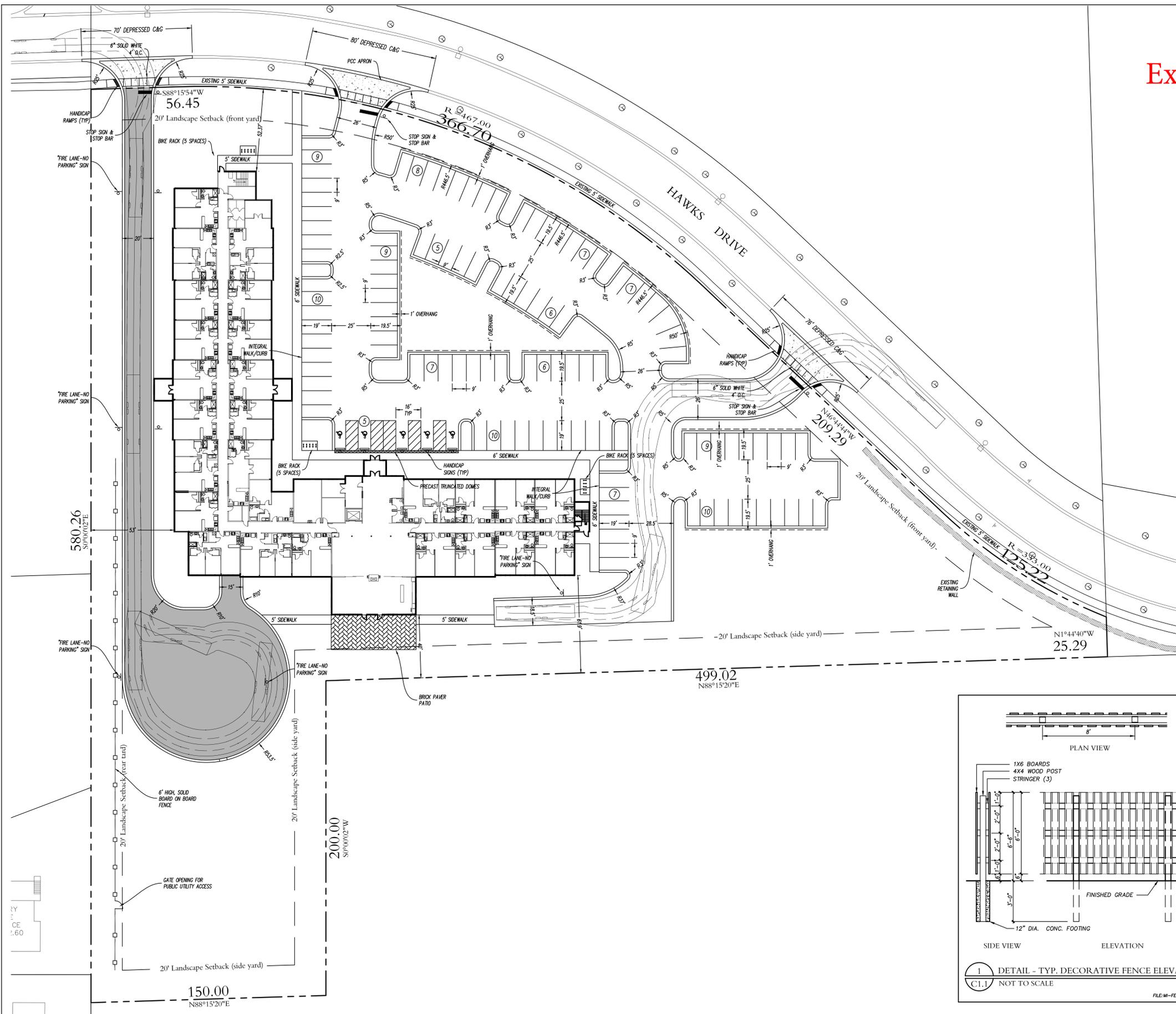
Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Vacant				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

---

Chris Simpkins, Deputy City Clerk

# Exhibit A



## SITE ANALYSIS

SITE	
Proposed Use	Convenience Store/Gas Station (Service Station) & Carwash (Automotive Laundry)
Existing Zoning	R-5
Required Zoning	R-5 PUD
Parcel Area	195,796 sf 4.59 Acres
Building Area	29,495 sf Service Station 81 Units
Floor Area Ratio Req'd	0.15
Area Per Unit	2,418 sf / unit

## SETBACKS

	Front Yard (Hawks)	Side Yard (West)	Side Yard (South)
Building Setback	40'	30'	30'
Green Space Setback	20'	20'	20'
Provided	52.4'	40'	40'
Provided	20'	20'	31'

## PARKING

Quantity Req'd	92 = 1.5 * 61 45 = 2.25 * 20 137 Required	1.5 Spaces per 1-bedroom 2.25 Spaces per 2+ bedrooms
Provided	115 = 110 Standard + 5 ADA	1.42 Spaces per unit
Stall Size Required	9' x 19' (Standard)	
Provided	9' x 19' (Standard), 16' x 16' (ADA)	
Driveway Width Minimum	14'-18" (single lane service drive/fire lane); 25' (w/ 90° parking)	
Provided	18" (single lane service drive/fire lane); 25' (w/ 90° parking)	

HEAVY DUTY BIT. PAVEMENT

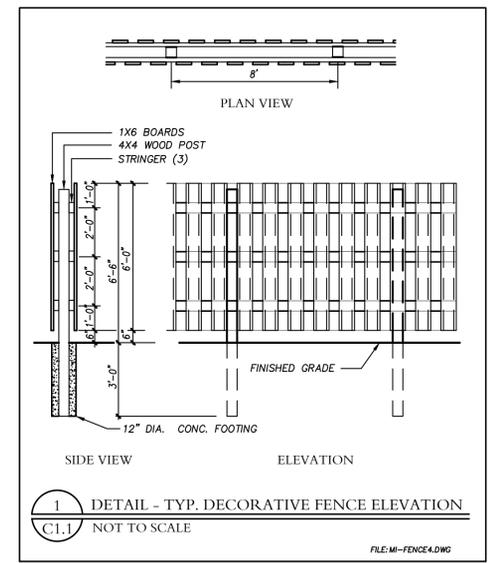


P.C.C. PAVEMENT



## NOTES

- ALL DIMENSIONS ARE BACK OF CURB UNLESS OTHERWISE NOTED.
- ALL CURB RADII ARE BACK OF CURB UNLESS OTHERWISE NOTED.
- SEE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
- CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO STARTING WORK AND NOTIFY ENGINEER IF ANY DISCREPANCIES ARE FOUND.
- SIDEWALK AROUND PERIMETER OF BUILDING SHALL BE WALK/PAVEMENT UNLESS OTHERWISE STATED ON PLANS.
- CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING ALL EXISTING PAVEMENT DAMAGED DURING CONSTRUCTION.
- SEE DETAIL FOR BITUMINOUS AND CONCRETE PAVEMENT SECTIONS.
- CONTRACTOR TO PROVIDE TEMPORARY TRAFFIC CONTROL MEASURES DURING CONSTRUCTION OF ENTRANCE OF R.O.W. IN ACCORDANCE W/ ILLINOIS D.O.T. REQUIREMENTS.
- ADA HANDICAP RAMPS SHALL BE INSTALLED AT ALL LOCATIONS DELINEATED ON PLANS AS WELL AS AT ALL LOCATIONS WHERE SIDEWALK ABUTS DRIVES OR ROADWAYS.
- CONTRACTOR SHALL COMPARE ARCHITECTURAL AND ENGINEERING PLANS FOR INTERFACE COMPATIBILITY.
- ALL CURB AND GUTTER SHALL BE B6:12 UNLESS OTHERWISE NOTED ON PLANS.
- ALL DOWNSPOUTS LOCATED NEAR SIDEWALKS SHALL TIE INTO THE PROPOSED STORM SEWER SYSTEM.



REVISIONS		
NO.	DATE	DESCRIPTION
1	8/25/16	PER CITY COMMENTS

# SITE PLAN

WINDMILL MANOR  
2400 HAWKS DRIVE  
BATAVIA, ILLINOIS

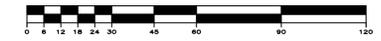
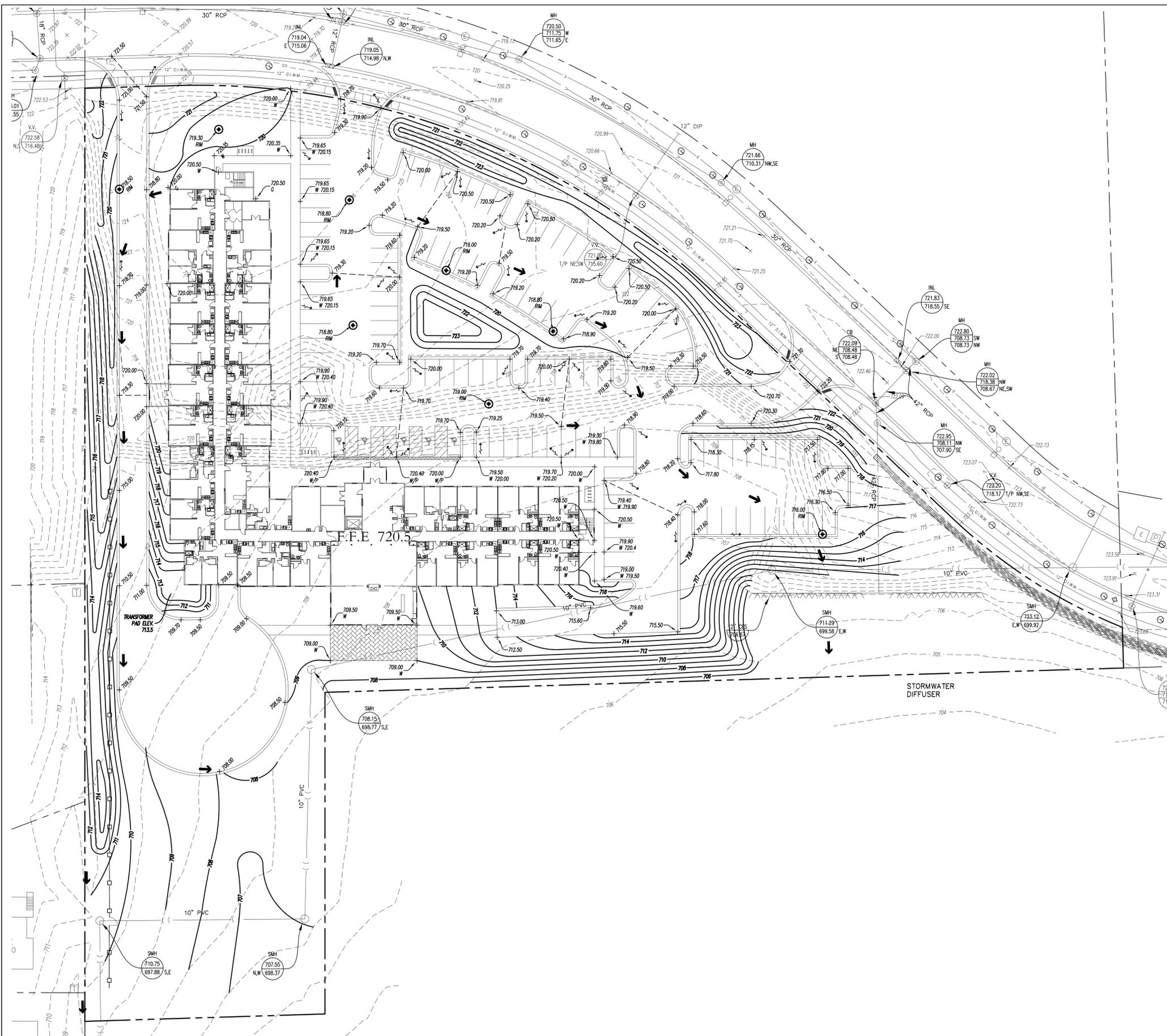
1  
C1.1  
DETAIL - TYP. DECORATIVE FENCE ELEVATION  
NOT TO SCALE

**Craig R. Knoche & Associates**  
Civil Engineers, P.C.  
24 N. Bennett Street • Geneva, IL 60134 • phone (630) 845-1270 • fax (630) 845-1275

DATE:	7/10/16
FILE:	16-020 C10
JOB NO.:	16-020
SHEET NO.:	C1.1

BATAVIA, IL WINDMILL MANOR

# Exhibit B



## LEGEND

	EXISTING	PROPOSED
PAVEMENT GRADE	+ 675.00	+ 675.00
WALK GRADE	+ 675.00	+ 675.00
GROUND GRADE	+ 675.00	+ 675.00
RM GRADE	+ 675.00	+ 675.00
CONTOURS	- 675	- 675

EMERGENCY OVERFLOW	
FLOW DIRECTION	
RIDGELINES	
REVERSE CURB	
PROPOSED CONTOURS	- 692

## GRADING NOTES

1. GRADING CONTRACTOR SHALL VERIFY EXISTING CONTOURS AND NOTIFY ENGINEER OF ANY DISCREPANCIES, PRIOR TO STARTING CONSTRUCTION.
2. THE GRADING CONTRACTOR SHALL SPREAD SPOILS FROM UTILITY CONTRACTORS WORK TO BALANCE THE SITE TO THE EXTENT POSSIBLE.
3. THE GRADING CONTRACTOR SHALL REMOVE EXCESS SOIL FROM THE SITE.
4. EROSION CONTROL MEASURES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: SILT FENCE SHALL BE PLACED AND SHALL REMAIN IN PLACE AROUND EACH STORM STRUCTURE UNTIL CONSTRUCTION IS COMPLETED. SILT FENCE AROUND PERIMETER SHALL REMAIN IN PLACE AND BE MAINTAINED UNTIL CONSTRUCTION IS COMPLETED. ALL INLET STRUCTURES SHALL BE PROTECTED WITH INLET BASKETS.
5. THE EXCAVATION CONTRACTOR IS RESPONSIBLE FOR EROSION CONTROL MEASURES. CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION AND MAINTAIN SUCH MEASURES UNTIL GRADING IS COMPLETE AND PARKING LOT IS PAVED.
6. THE CONTRACTOR RESPONSIBLE FOR THE INSTALLATION OF THE EROSION CONTROL DEVICES SHALL MAINTAIN ALL STORM WATER POLLUTION DEVICES THROUGHOUT CONSTRUCTION AND UNTIL ALL UNFENCED OR NON-BUILDING AREAS HAVE A UNIFORM PERENNIAL VEGETATIVE COVER WITH A DENSITY OF 70 PERCENT OR GREATER. MAINTENANCE INCLUDES WEEKLY INSPECTIONS OR AN INSPECTION FOLLOWING A RAINFALL OF 1/2 INCH IN A 24-HOUR PERIOD. THE CONTRACTOR MUST SUBMIT A COPY OF THE INSPECTION REPORT TO THE OWNER AND ENGINEER AT THE END OF EACH MONTH AND KEEP A COPY OF THE REPORT ON THE CONSTRUCTION SITE UNTIL THE REQUIRED VEGETATION COVER IS IN PLACE.
8. IF ADDITIONAL EROSION CONTROL MEASURES NOT SHOWN ON THESE DRAWINGS ARE REQUIRED TO STOP OR PREVENT EROSION OR ARE REQUIRED BY ANY AUTHORITY HAVING JURISDICTION, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INSTALL SUCH DEVICES. THE OWNER OR ENGINEER SHALL BE NOTIFIED OF THE ADDITIONAL WORK AND COST PRIOR TO INSTALLATION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE OWNER AND ENGINEER, IN WRITING, OF ANY ADDITIONAL SOURCES OF STORM WATER POLLUTION OBSERVED DURING CONSTRUCTION AND THE ADDITIONAL COSTS REQUIRED TO PREVENT ADDITIONAL POLLUTION.
10. ALL GRADES ARE EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.

**DRAINAGE OVERLAY CERTIFICATE**

STATE OF ILLINOIS } SS.  
 COUNTY OF DUPAGE }

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF; OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINAGE WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014

ILLINOIS REGISTERED PROFESSIONAL ENGINEER \_\_\_\_\_ OWNER OR ATTORNEY FOR OWNER \_\_\_\_\_

STATE REGISTRATION NUMBER \_\_\_\_\_

REVISIONS		
NO.	DATE	DESCRIPTION
1	8/25/16	PER CITY COMMENTS

# GRADING PLAN

**WINDMILL MANOR**  
 2400 HAWKS DRIVE  
 BATAVIA, ILLINOIS

**Craig R. Knoche & Associates**  
 Civil Engineers, P.C.  
 24 N. Bennett Street • Geneva, IL 60134 • phone (630) 845-1270 • fax (630) 845-1275

DATE: 7/11/16  
 FILE: 16-020 C20  
 JOB NO: 16-020  
 SHEET NO: C2.1

WINDMILL MANOR BATAVIA, IL

# Exhibit C

Scale 1"=30'

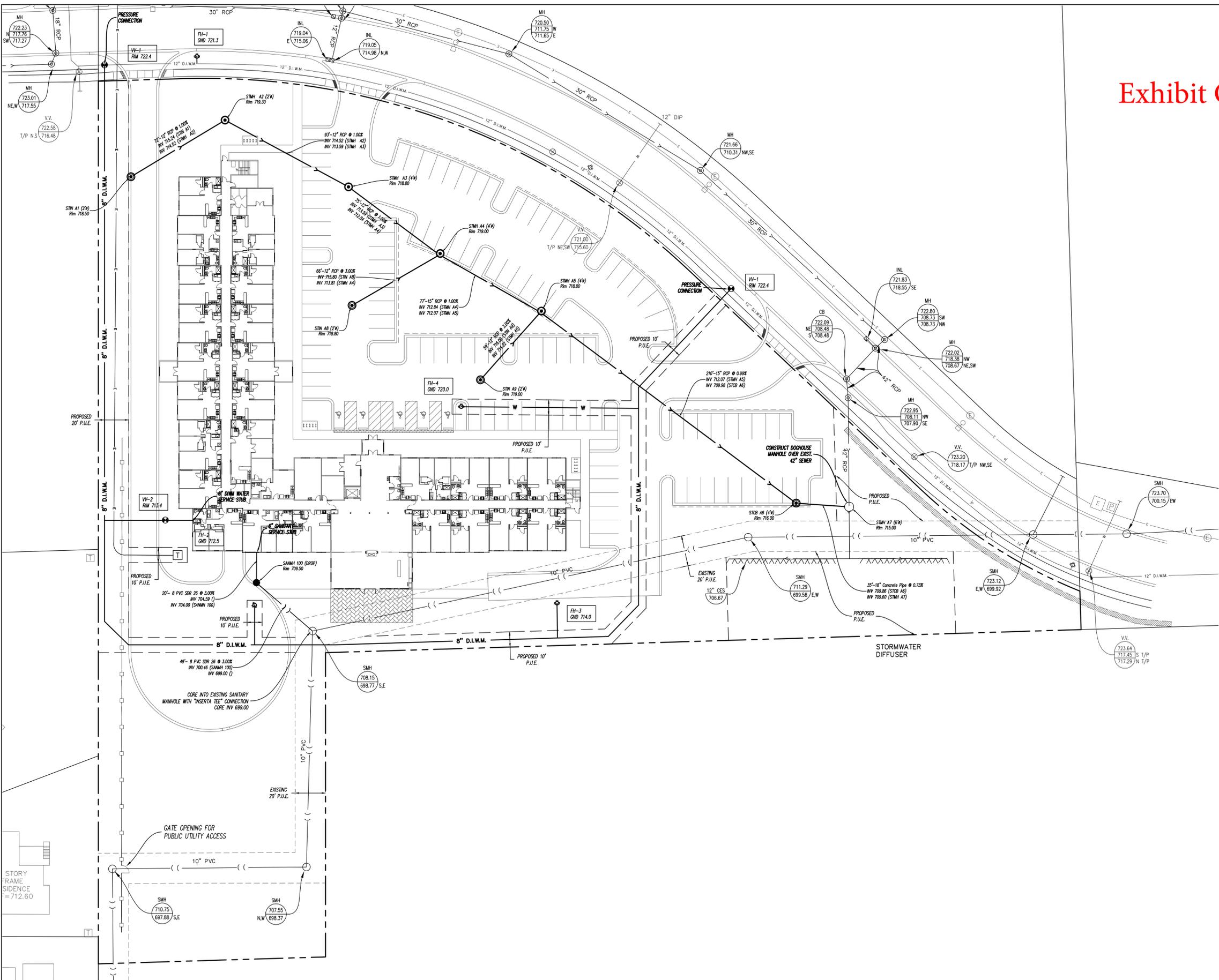


## LEGEND

	PROPOSED	EXISTING
STORM SEWER		
SANITARY SEWER		
WATERMAIN		
ELECTRIC		
TELEPHONE		
GAS		
PROPOSED EASEMENT		
TRENCH BACKFILL		
STORM MANHOLE		
FLARED END SECTION		
SANITARY MANHOLE		
VALVE VAULT / B-BOX		
FIRE HYDRANT		
LIGHT POLES		

## UTILITY NOTES

1. ALL WATERMAIN SHALL BE CLASS 52 DUCTILE IRON PIPE UNLESS OTHERWISE SPECIFIED. FITTINGS SHALL MEET ANWA C10 OR C15. VALVE SHALL MEET ANWA C509-87.
2. ALL SANITARY SEWER PIPE WITH A DEPTH LESS THAN 15 FEET SHALL BE SDR-26. ALL SANITARY SEWER PIPE WITH A DEPTH 15-20 FEET SHALL BE SDR-21. ALL SANITARY SEWER PIPE WITH A DEPTH 20-25 FEET SHALL BE SDR-18.
3. ALL STORM SEWER PIPE SHALL MEET DOT SPECIFICATIONS (ART. 550.03) FOR SELECTING THE PIPE CLASS. STORM PIPE MUST MEET ASTM C76 STANDARDS.
4. PRECAST CONCRETE SECTIONS FOR MANHOLES, CATCH BASINS, INLETS AND VAULTS SHALL MEET ASTM C48.
5. EXISTING UTILITIES SHOWN ARE FOR INFORMATION ONLY AND ARE NOT NECESSARILY EXCLUSIVE. CONTRACTOR SHALL VERIFY UTILITIES, ESPECIALLY PROPOSED TIE-INS TO EXISTING UTILITY STUBS, WHERE POSSIBLE AND NOTIFY ENGINEER OF DISCREPANCIES, EXCEPTIONS, OR OMISSIONS AS SOON AS POSSIBLE.
6. FRAME AND GRATE REQUIREMENTS:  
 STORM STRUCTURE (PAVEMENT) - NEENAH R-2504 TYPE A  
 STORM STRUCTURE (CURB) - NEENAH R-3015  
 STORM STRUCTURE (GRASS) - NEENAH R-4340-B  
 SANITARY STRUCTURE - NEENAH R-1712  
 EXCEPTIONS TO ABOVE ARE NOTED ON PLANS.
7. NO FILTER FABRIC ALLOWED UNDER FRAMES OR GRATES. ALL STRUCTURES, EXCLUDING CURB STRUCTURES, SHALL HAVE INLET FILTERS INSTALLED. ALL INLET PROTECTION SHOULD BE IN ACCORDANCE WITH THE APPROVED STORMWATER POLLUTION PREVENTION PLAN.
8. GENERAL CONTRACTOR SHALL VERIFY SPECIFIC SIZE AND LOCATION OF CONDUIT FOR GAS, ELECTRIC AND TELEPHONE PRIOR TO INSTALLATION.
9. ALL EXISTING DRAIN TILE LOCATED WITHIN THE SITE BOUNDARY SHALL BE REMOVED OR ABANDONED AS NECESSARY. ALL DRAIN TILE EXTERIOR TO SITE SHALL BE TIED INTO PROPOSED STORM LINE OR REROUTED TO MAINTAIN EXISTING DRAINAGE PATTERNS. IN PLACES WHEREBY THE PROPOSED WATERMAIN AND EXISTING ACTIVE DRAIN TILE CROSS, THE WATERMAIN SHALL BE INSTALLED WITH CASING 10 FEET ON EITHER SIDE OF CROSSING.
10. SANITARY PLUGS WILL BE REQUIRED DURING CONSTRUCTION AT ALL EXISTING MANHOLES WHERE PROPOSED CONNECTIONS ARE MADE AND AT THE FIRST MANHOLE OF EACH PROPOSED SANITARY LINE.
11. ALL SANITARY CLEAN-OUTS IN PAVEMENT SHALL HAVE VALDO CLEAN-OUTCOVERS.
12. CONTRACTOR TO SEE LANDSCAPE AND IRRIGATION SPECIFICATIONS IN ARCHITECTURAL PLANS AND CONTRACT DOCUMENTS FOR ADDITIONAL REQUIREMENTS.
13. CONTRACTOR SHALL INSTALL A CLEANOUT AT THE BUILDING ON ALL EXTERIOR DOWNSPOUTS.
14. CONTRACTOR SHALL SUPPLY ALTERNATE BID FOR HDPE STORM PIPE IN PLACE OF RCP PIPE.



REVISIONS		
NO.	DATE	DESCRIPTION
1	8/25/16	PER CITY COMMENTS

# UTILITY PLAN

**WINDMILL MANOR**  
 2400 HAWKS DRIVE  
 BATAVIA, ILLINOIS

**Craig R. Knoche & Associates**  
 Civil Engineers, P.C.

DATE: 7/11/16	<b>C3.1</b>
FILE: 16-020 C30	
JOB NO: 16-020	
SHEET NO.	

BATAVIA, IL  
 WINDMILL MANOR

# Exhibit D

## Landscape Calculations

Perimeter Landscape Area	Required	Proposed
North/South Drive - 757.66'	31 trees 155 shrubs	31 trees 160 = 80 shrubs + 80 grasses
East (Northern) - 25.29'	1 tree 5 shrubs	1 tree 15 grasses
East (Southern) - 200.00'	8 trees 40 shrubs	40 = 20 shrubs + 20 grasses
South (Eastern) - 499.02'	20 trees 100 shrubs	20 trees 100 = 52 shrubs + 48 grasses
South (Western) - 150.00'	6 trees 30 shrubs	6 trees 30 = 15 shrubs + 15 grasses
West - 580.26'	24 trees 120 shrubs	24 trees 120 = 67 shrubs + 53 grasses
Common Open Space Landscaping	Required	Proposed
80 Units	80 trees	80 trees
Parking Lot Landscaping	Required	Proposed
Landscape screen (at rights of way)	Min. 3' height	Meets
Shade trees - 115 parking spaces	12 shade trees	12 shade trees
Interior landscaping - 46,684 sq. ft.	Min. 10% = 4669 sq. ft.	8122 sq. ft.
Street Frontage	Required	Proposed
Street trees	40' on center/13 trees	13 = 11 existing + 2 new trees
Building Foundation	Required	Proposed
Walls that face public rights of way	Min. 40% of wall length	Meets

## Plant List

Shade Trees	Key Qty.	Size	Botanical Name	Common Name	Remarks
ACF	7	2.5"	<i>Acer x freemanii</i> 'Autumn Blaze'	Autumn Blaze Freeman Maple	BB
ACR	11	2.5"	<i>Acer rubrum</i> 'Red Sunset'	Red Sunset Red Maple	BB
CEO	19	2.5"	<i>Celtis occidentalis</i> 'Prairie Pride'	Prairie Pride Common Hackberry	BB
GTS	6	2.5"	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Skyline'	Skyline Thornless Honeylocust	BB
OST	3	2.5"	<i>Ostrya virginiana</i>	Ironwood/American Hophornbeam	BB
QUB	7	2.5"	<i>Quercus bicolor</i>	Swamp White Oak	BB
QUC	3	2.5"	<i>Quercus muehlenbergii</i>	Chinkapin Oak	BB
QUR	4	2.5"	<i>Quercus rubra</i>	Red Oak	BB
ULM	9	2.5"	<i>Ulmus x 'Morton Glossy'</i>	Triumph Elm	BB

Ornamental Trees	Key Qty.	Size	Botanical Name	Common Name	Remarks
ALN	8	6'	<i>Alnus glutinosa</i>	Common Alder	BB/Clump
AMC	2	6'	<i>Amelanchier canadensis</i>	Shadbowl Serviceberry	BB/Clump
HMV	3	6'	<i>Hamamelis vernalis</i>	Vernal Witchhazel	BB/Clump
MAS	3	6'	<i>Magnolia stellata</i> 'Royal Star'	Royal Star Magnolia	BB/Clump
MLS	7	4'	<i>Malus sargentii</i>	Sargent Crabapple	BB/Clump
MPP	20	6'	<i>Malus 'Purple Prince'</i>	Purple Prince Crabapple	BB/Clump

Evergreen Trees	Key Qty.	Size	Botanical Name	Common Name	Remarks
PGD	18	8'	<i>Picea glauca</i> 'Densata'	Black Hills Spruce	BB
PIA	22	8'	<i>Picea abies</i>	Norway Spruce	BB
PIC	22	8'	<i>Picea pungens</i>	Colorado Green Spruce	BB
PSM	11	8'	<i>Pseudotsuga menziesii</i>	Douglas Fir	BB

Shrubs	Key Qty.	Size	Botanical Name	Common Name	Remarks
ARB	32	24"	<i>Aronia arbutifolia</i> 'Brilliantissima'	Brilliant Red Chokeberry	BB
BUX	29	24"	<i>Buxus x microphylla</i> 'Glencoe'	Chicagoland Green Boxwood	BB
CLE	18	24"	<i>Clethra alnifolia</i> 'Hummingbird'	Hummingbird Summersweet	BB
COT	53	3"	<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	BB
CSI	40	24"	<i>Cornus sericea</i> 'Isanti'	Isanti Redosier Dogwood	BB
HPW	11	24"	<i>Hydrangea paniculata</i> 'Pinky Winky'	Pinky Winky Hydrangea	BB
HYL	28	24"	<i>Hydrangea paniculata</i> 'Limelight'	Limelight Hydrangea	BB
HYQ	11	24"	<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	BB
JCS	31	24"	<i>Juniperus chinensis</i> var. <i>sargentii</i>	Sargent Juniper	BB
RHG	47	24"	<i>Rhus aromatica</i> 'Gro-Low'	Gro-Low Fragrant Sumac	BB
RKO	24	#3	<i>Rosa 'Knock Out Rose'</i>	Knock Out Rose	Container
SMK	25	24"	<i>Syringa patula</i> 'Miss Kim'	Miss Kim Dwarf Lilac	BB
VBM	65	24"	<i>Viburnum dentatum</i> 'Christom'	Blue Muffin Arrowwood Viburnum	BB

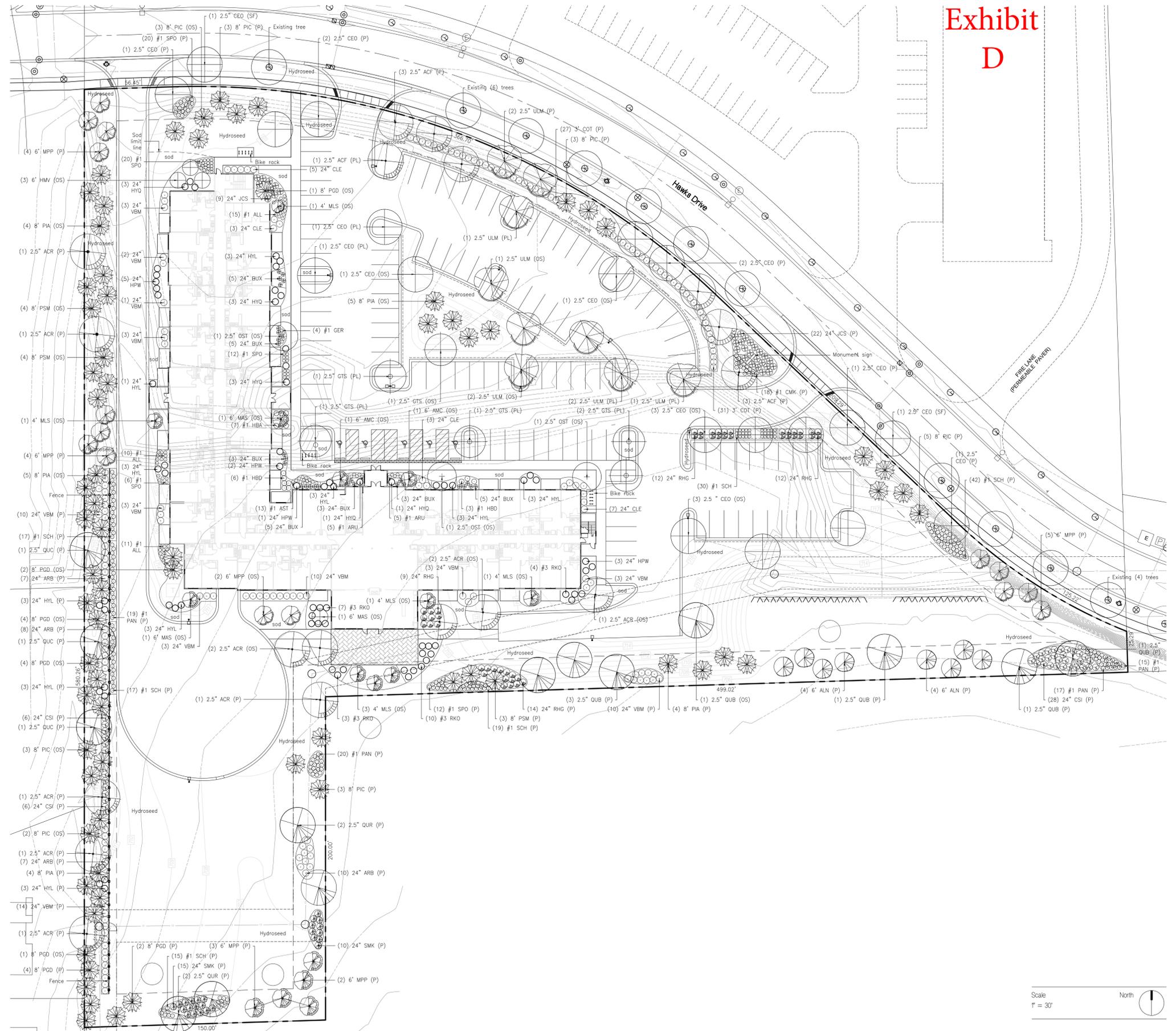
Perennials and Ornamental Grasses	Key Qty.	Size	Botanical Name	Common Name	Remarks
ALL	36	#1	<i>Allium 'Summer Beauty'</i>	Summer Beauty Allium	Container
ARU	10	#1	<i>Aruncus aethusifolius</i>	Miniature Gatsbeard	Container
AST	13	#1	<i>Astilbe chinensis</i> 'Pumila'	Pumila Astilbe	Container
CMK	18	#1	<i>Calamagrostis acutiflora</i> 'Karl Foerster'	Feather Reed Grass	Container
GCR	4	#1	<i>Geranium 'Jolly Bee'</i>	Jolly Bee Geranium	Container
HBA	7	#1	<i>Hosta 'Blue Angel'</i>	Blue Angel Hosta	Container
HBD	9	#1	<i>Hosta 'Big Daddy'</i>	Big Daddy Hosta	Container
PAN	71	#1	<i>Panicum virgatum</i>	Switch Grass	Container
SCH	110	#1	<i>Schizochyrium scoparium</i>	Little Bluestem	Container
SPD	100	#1	<i>Sporobolus heterolepis</i>	Prairie Dropseed	Container

## Tree Key

- (OS) - Common Open Space tree
- (P) - Perimeter tree
- (PL) - Parking Lot tree
- (ST) - Street Frontage tree

## Notes

Landscape materials shall be planted and maintained to provide minimum 8' clearance from the front of transformers, and minimum 3' clearance from sides and rear of transformers.



## REVISIONS

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
08.25.16		Per City Comments			

# LANDSCAPE PLAN

WINDMILL MANOR  
2400 HAWKS DRIVE  
BATAVIA, ILLINOIS



DAVID R. McCALLUM ASSOCIATES, INC.  
LANDSCAPE ARCHITECTS  
350 N. Meade Avenue | Libertyville, Illinois 60150 | 847.302.2039



Craig R. Knoche & Associates • Civil Engineers  
• Surveyors  
• Land Planners  
24 N. Bennett Street • Geneva, IL 60134 • phone (630) 845-1270 • fax (630) 845-1275

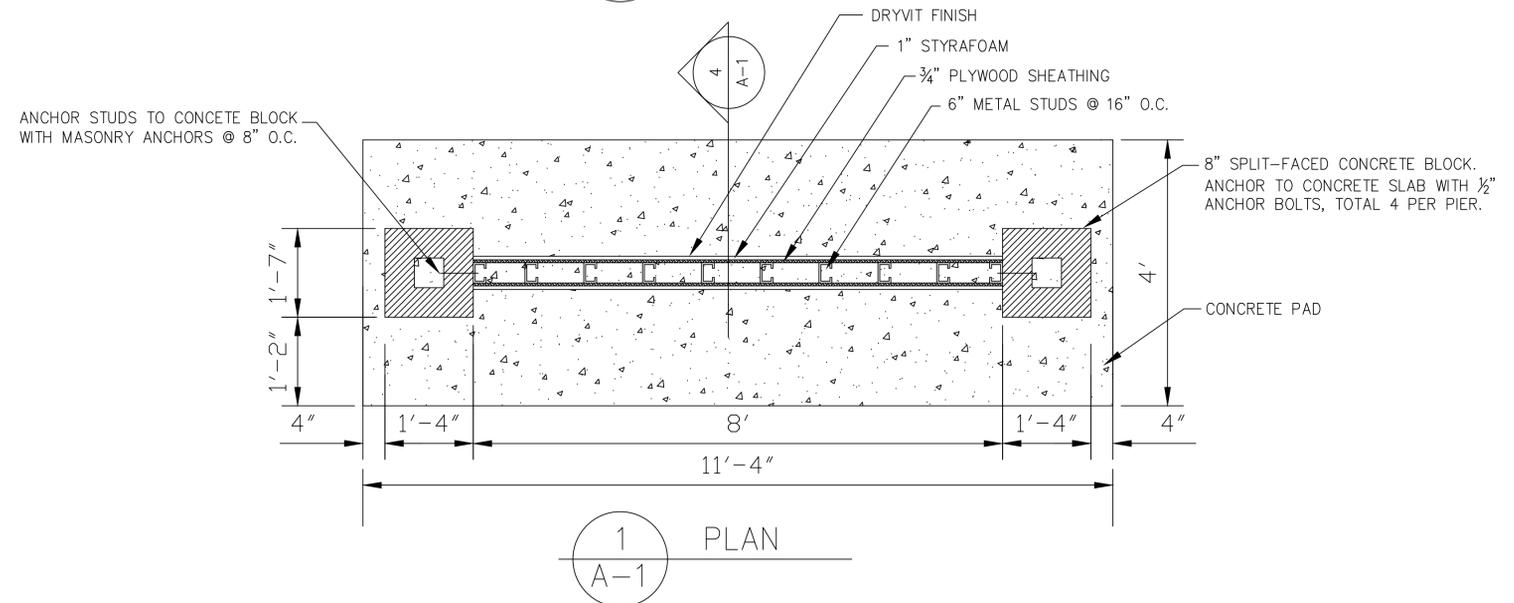
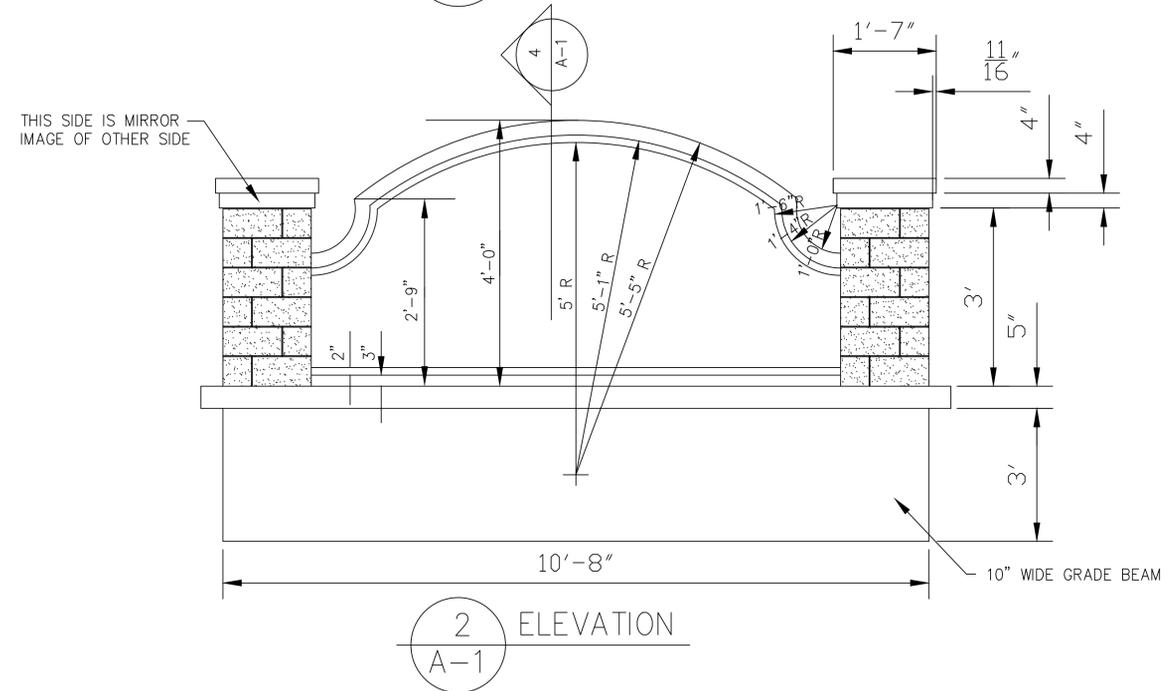
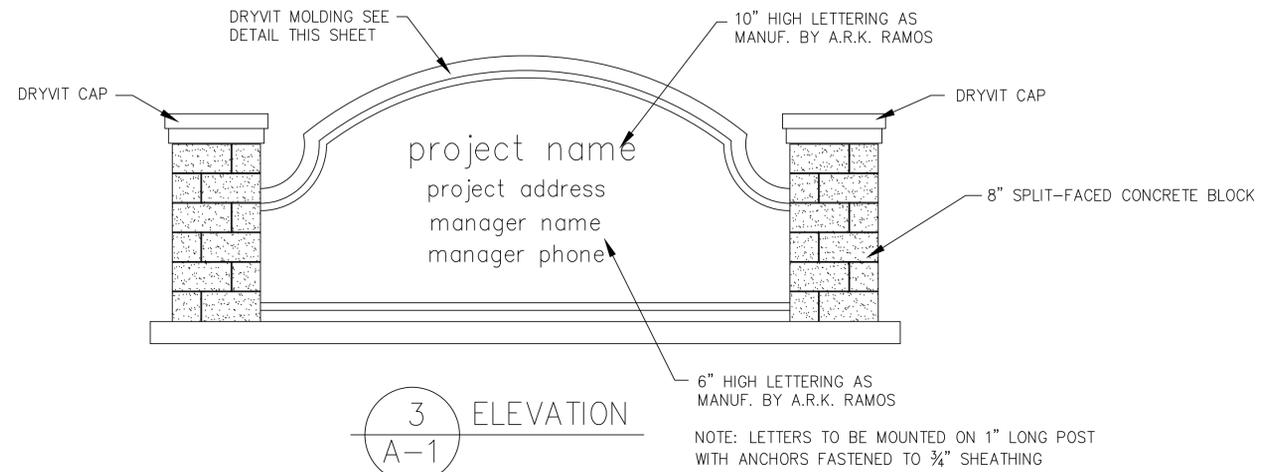
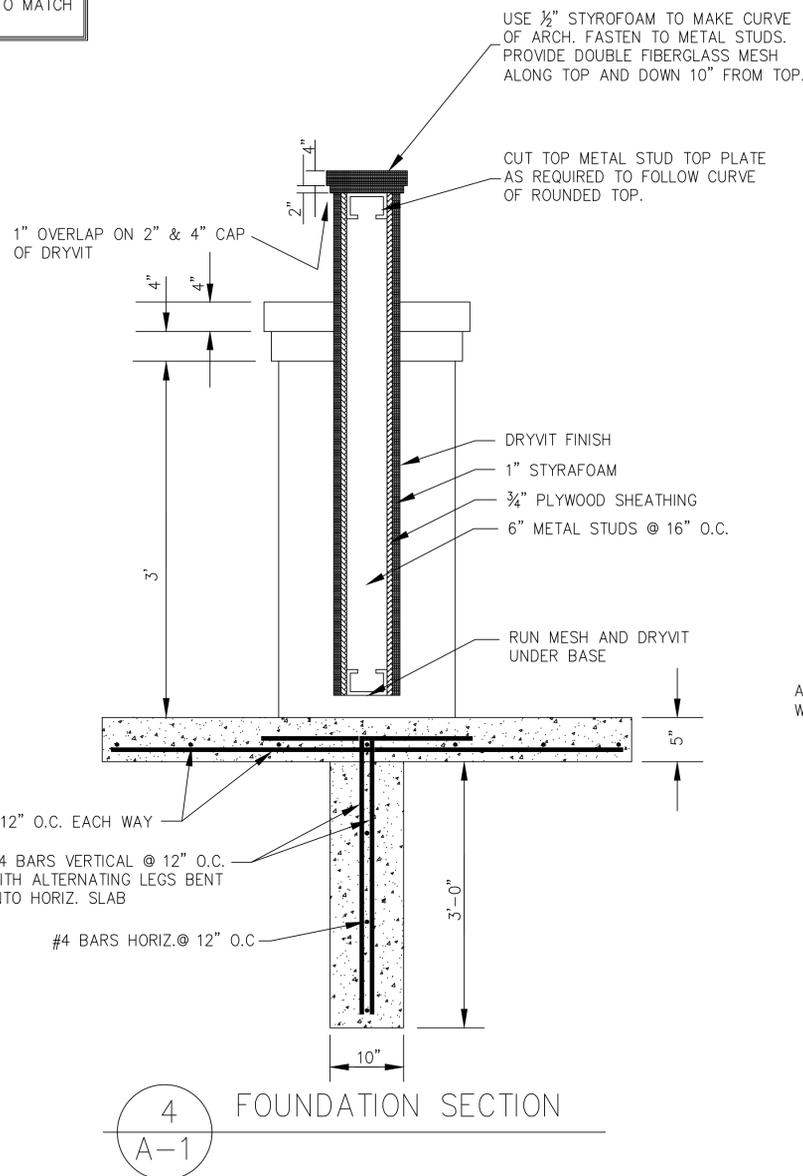
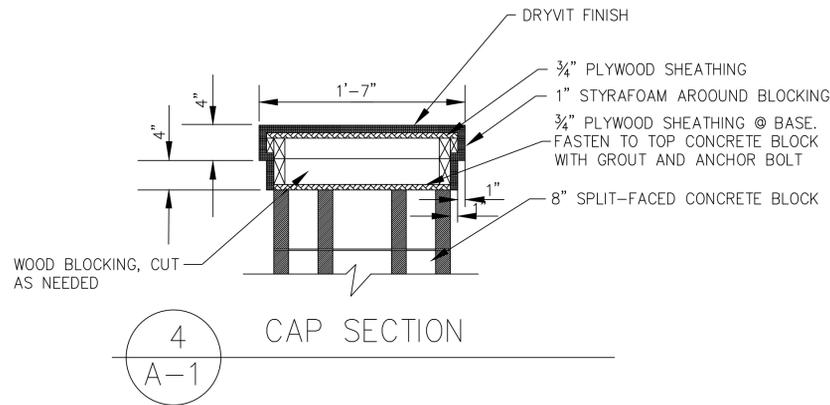
DATE: 7/12/16  
FILE: 16-020 C20  
JOB NO: 16-020  
SHEET NO: 11

\*\*TOTAL SIGN FACE AREA: 27 SF

GENERAL NOTES

1. GENERAL CONTRACTOR SHALL PROVIDE INSURANCE CERTIFICATE TO OWNER.
2. ALL WORK SHALL BE DONE IN A PROFESSIONAL MANNER.
3. CONTRACTOR SHALL KEEP SITE CLEAN OF ALL LOSE MATERIAL.
4. CONTRACTOR SHALL SUPPLY OWNER WITH DRYVIT SAMPLES AND COLOR CHART. DRYVIT SHALL BE INSTALLED BY A LIC. DRYVIT CONTRACTOR.
5. ALL SHEATHING SHALL BE EXTERIOR GRADE PLYWOOD AND SHALL BE FASTENED SECURELY TO METAL STUDS.
6. TOP OF CONCRETE SLAB SHALL BE 4" ABOVE FINISHED GRADE. PROVIDE BROOM FINISH ON TOP OF SLAB.
7. MASONRY CONTRACTOR TO PROVIDE CONCRETE BLOCK SAMPLES FOR OWNERS REVIEW.
8. PROVIDE SAMPLES OF LETTERING AND PLAQUES TO OWNER.
9. ALL METAL STUDS SHALL BE 10 GA. GALVENIZED AND SHALL BE CUT TO FIT.
10. CONTRACTOR TO COORDINATE ALL WORK WITH OWNER AND BUILDING ENGINEER.
11. ALL WOOD BLOCKING SHALL BE TREATED LUMBER.
12. TOP OF GRADE SHALL BE SET AT 1'-0" ABOVE EXISTING GRADE. NEW ELEVATION SHALL EXTEND 18" OUT FROM FACE OF SLAB AND SHALL HAVE A 15% SLOPE OUT TO EXISTING GRADE.

ALTERNATE BID: IN LIEU OF DRYVIT CAPS ON PIERS, PROVIDE CUT STONE CAPS TO MATCH DIM. OF DRYVIT CAPS.



REVISIONS
8-16-16

SHEET DESCRIPTION  
JOB NO.: 16200  
DATE: 15 MAY 16  
DRAWN BY: MS

Exhibit F (1 of 9)



**NORTH ELEVATION**

Exhibit F (2 of 9)



**EAST ELEVATION**

Exhibit F (3 of 9)



**SOUTH ELEVATION**

Exhibit F (4 of 9)



**WEST ELEVATION**



**NORTH EAST**

**STOCK DESIGN ARCHITECTURE**

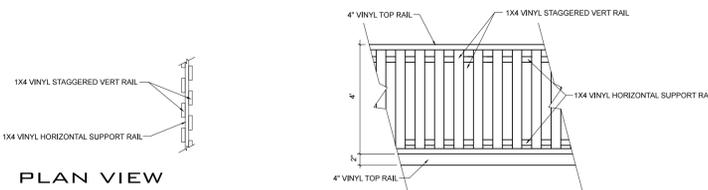
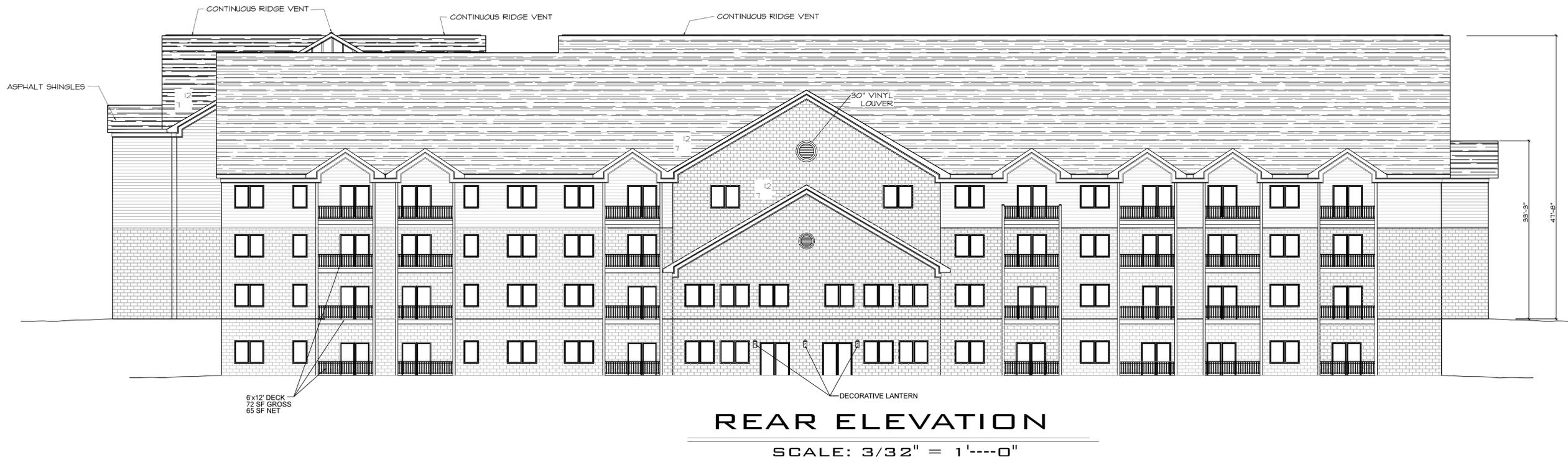
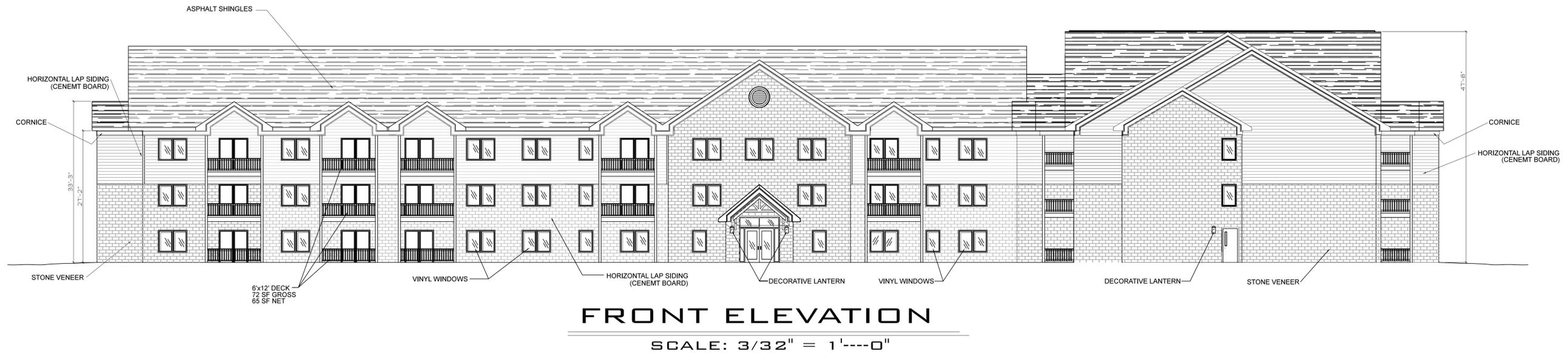


**SOUTH EAST**



**SOUTH WEST**

Exhibit F (8 of 9)



PLAN VIEW  
ELEVATION VIEW  
**DECK RAILING & EQUIPMENT  
SCREEN DETAIL**

NO SCALE

**STOCK DESIGN ARCHITECTURE**  
307 N. 36TH STREET SUITE 111, QUINCY, IL 62301  
PHONE: 217-223-1795 FAX: 217-223-2357  
EMAIL: ARCHITECT@STOCKDESIGNARCHITECTURE.COM

WINDMILL MANOR  
APARTMENTS  
BATAVIA, ILLINOIS

REVISIONS


SHEET DESCRIPTION

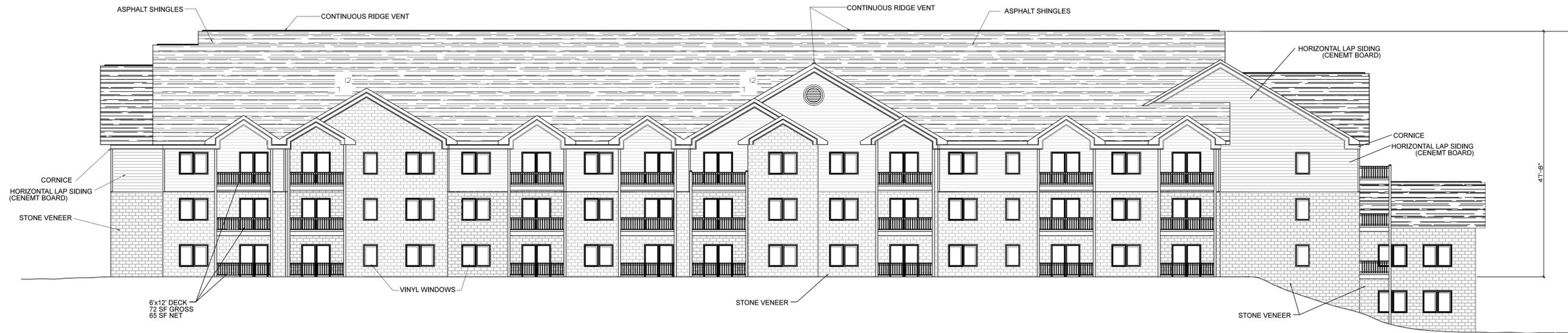
EXTERIOR ELEVATIONS

JOB NO.: 16200  
DATE: 15MAY16  
DRAWN BY: MS

**A-7**

SHEET NO.

# Exhibit F (9 of 9)



## SIDE ELEVATION

SCALE: 3/32" = 1'-0"



## INTERIOR COURT ELEVATION

SCALE: 3/32" = 1'-0"

**STOCK DESIGN ARCHITECTURE**  
 3072 N. 36TH STREET SUITE 1111 GUNDEY, IL 62851  
 PHONE: 217-223-1795 FAX: 217-223-2357  
 EMAIL: ARCHITECT@STOCKDESIGNARCHITECTURE.COM

WINDMILL MANOR  
 APARTMENTS  
 BATAVIA, ILLINOIS

REVISIONS

NO.	DESCRIPTION

SHEET DESCRIPTION

EXTERIOR ELEVATIONS

JOB NO.: 16200  
 DATE: 15MAY16  
 DRAWN BY: MS

**A-7.1**

SHEET NO.



**Exhibit H (1 of 2)**



**PL948063 - One Light Outdoor Wall Lantern by Thomas Lighting**

**Specs**

Depth/Extension:	4.50"
Height:	9.00"

Height from Center:	5.00"
Width/Diameter (in):	5.75"
# of Bulbs:	1
Standard Wattage:	13W
Bulb Type:	Fluorescent
Bulbs Included:	Yes
Voltage Rating:	120V
Material:	Aluminum
Optional Finishes:	Yes
Weight:	2.00 lbs.

**Exhibit H (2 of 2)**

### Styles and Options

Style: Painted Bronze Finish with Etched Glass

Item #: PL948063

Price: Listed Price: \$62.00  
On Special: \$49.60

Option: PL948063,

 [View UL Rating details.](#)



SHIPS TO  
CANADA

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 16-81-R**

**APPROVING THE FINAL PLAT OF SUBDIVISION FOR WINDMILL MANOR  
(2400 HAWKS DRIVE)**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
THIS 17<sup>TH</sup> DAY OF OCTOBER, 2016**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This 18<sup>th</sup> day of October, 2016

Prepared by:  
  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 16-81-R**

**APPROVING THE FINAL PLAT OF SUBDIVISION FOR WINDMILL MANOR  
(2400 HAWKS DRIVE)**

**WHEREAS**, a preliminary plat of subdivision for Windmill Cove had been submitted along with applications to annex and zone the property located at 2400 Hawks Drive; and

**WHEREAS**, subsequent to a favorable recommendation from the Batavia Plan Commission, on April 4, 2011, the City Council approved a preliminary plat of subdivision for this property as part of annexing and zoning the subject property; and

**WHEREAS**, JNB Batavia, LP has submitted an application for a final plat of subdivision for the subject property; and

**WHEREAS**, on September 21, 2016 the Plan Commission reviewed the final plat of subdivision and found that it to be in substantial conformance with said preliminary plat of subdivision; and

**WHEREAS**, following finding said substantial conformance, the Plan Commission recommended approval of the final plat to include;

1. A variance to Subdivision Regulations Section 11-6-3 to waive payment of the Capital Improvement Development Fee;
2. A variance to Subdivision Regulations Section 11-5-2-G to allow a slope of 3:1 in place of the maximum 4:1 slope along the south and west sides of the property, subject to staff approval of final engineering;
3. Correcting signature and utility certificates before City officials sign the plat; and

**WHEREAS**, the City Council reviewed the final plat and found said final plat of subdivision to be in substantial conformance with said approved preliminary plat of subdivision, with the Plan Commission's recommended relief to the Subdivision Regulations<sup>[DMR1]</sup>;

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois:

**SECTION 1:** That the final plat of subdivision for Windmill Manor, as depicted in Exhibit "A" attached hereto, is approved, to include:

1. A variance to Subdivision Regulations Section 11-6-3 to waive payment of the Capital Improvement Development Fee.
2. A variance to Subdivision Regulations Section 11-5-2-G to allow a slope of 3:1 in place of the maximum 4:1 slope along the south and west sides of the property, subject to staff approval of final engineering.
3. Correcting signature and utility certificates before City officials sign the plat.

CITY OF BATAVIA, ILLINOIS RESOLUTION 16-81-R

---

<b>Exhibit</b>	<b>Plan</b>	<b>Dated</b>	<b>Prepared by</b>
A	Final Plat of Subdivision for Windmill Manor	August 14, 2016	CRK & Associates, Civil Engineers, P.C. Inc.

**SECTION 2:** That this Resolution 16-81-R shall be in full force and effect upon its presentation, passage, and publication according to the law.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

---

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Vacant				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

---

Chris Simpkins, Deputy City Clerk



Plat of Subdivision  
**Windmill Manor**

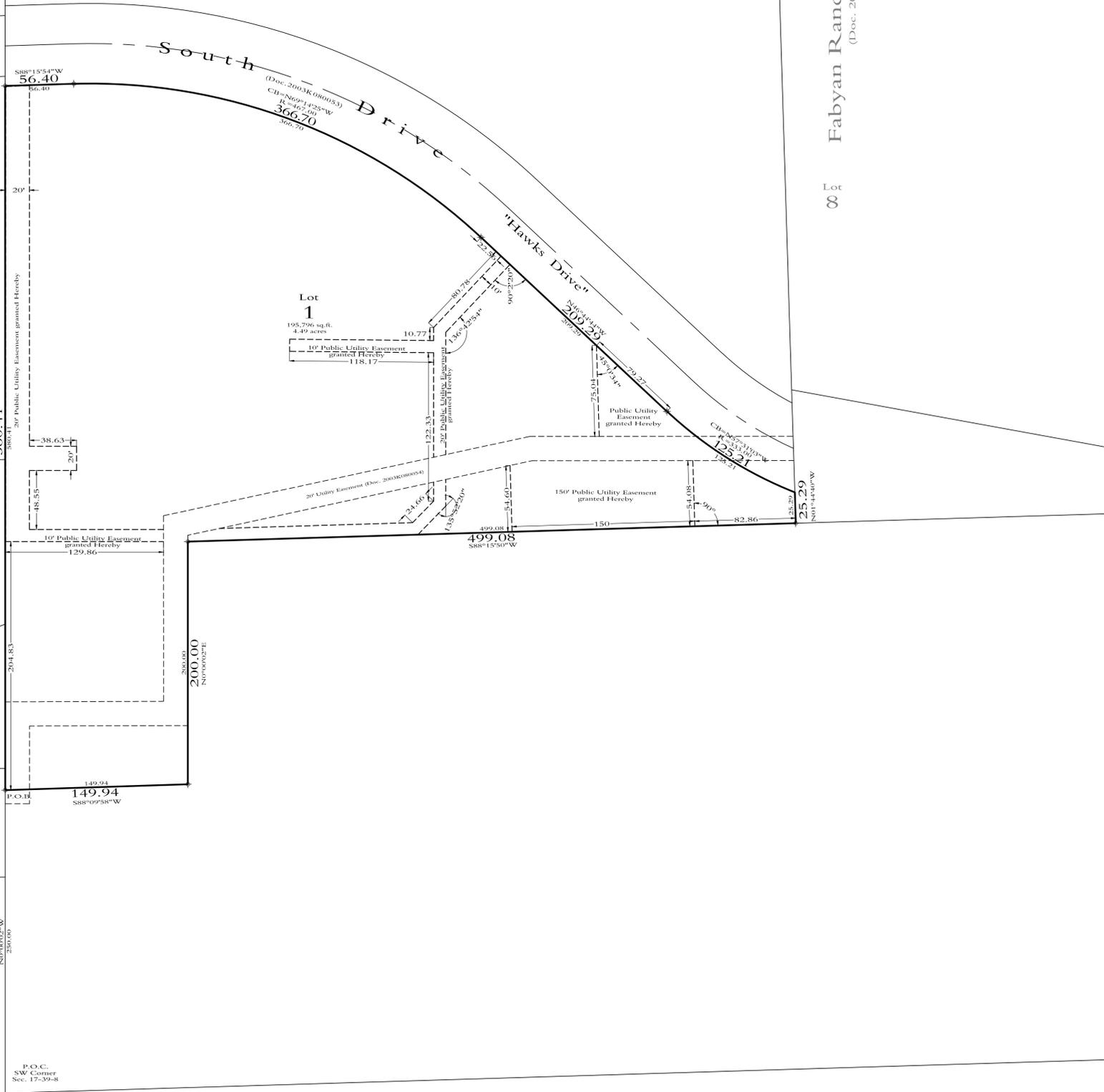
In the City of Batavia, Kane County, Illinois.

common address: 2400 Hawks Drive, Batavia, Illinois.

Campbell Subdivision  
(Doc. 2009K072784)

Fabyan Randall Subdivision  
(Doc. 2003K037410)

Windemere Phase 1  
(Doc. 2002K03231)



Plat of Subdivisionh  
**Windmill Manor**

**Exhibit A (2 of 2)**

common address: 2400 Hawks Drive, Batavia, Illinois.

Owne's Certificate

State of Illinois }  
County of Kane } S.S.

This is to certify that The Old Second National Bank of Aurora f/k/a Kane County Bank and Trust Company as Trustee under a Trust Agreement dated July 22, 1994 and known as Trust No. 923 is the owner of the lands shown and described in the annexed Plat and has, as such owner, caused the same to be surveyed, subdivided and platted as shown for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title thereon shown. It is further certified that the platted lands fall within the boundaries of Geneva Community Unit School District 304.

dated at Aurora, Illinois this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_ attest: \_\_\_\_\_  
(title) (title)

Notary's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, a notary public in and for the County and State aforesaid do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ of The Old Second National Bank of Aurora, as Trustee under Trust 923, who is personally known to me to be the same persons whose names are subscribed to the foregoing certificate, appeared before me this day in person and acknowledged the execution of the annexed plat and accompanying instrument as being pursuant to authority given and as their free and voluntary act and as the free and voluntary act of The Old Second National Bank of Aurora as Trustee under Trust 923.

Given under my hand and notarial seal this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
notary public

Owne's Certificate

State of Illinois }  
County of Kane } S.S.

This is to certify that The Old Second National Bank of Aurora f/k/a Kane County Bank and Trust Company as Trustee under a Trust Agreement dated July 22, 1994 and known as Trust No. 929 is the owner of the lands shown and described in the annexed Plat and has, as such owner, caused the same to be surveyed, subdivided and platted as shown for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title thereon shown. It is further certified that the platted lands fall within the boundaries of Geneva Community Unit School District 304.

dated at Aurora, Illinois this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_ attest: \_\_\_\_\_  
(title) (title)

Notary's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, a notary public in and for the County and State aforesaid do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ of The Old Second National Bank of Aurora, as Trustee under Trust 929, who is personally known to me to be the same persons whose names are subscribed to the foregoing certificate, appeared before me this day in person and acknowledged the execution of the annexed plat and accompanying instrument as being pursuant to authority given and as their free and voluntary act and as the free and voluntary act of The Old Second National Bank of Aurora as Trustee under Trust 929.

Given under my hand and notarial seal this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
notary public

City Engineer's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, City Engineer of the City of Batavia, Illinois, hereby certify to the best of my knowledge and belief that the land improvements dedicated in the hereon plat and plans and specifications thereof meet the minimum requirements of said City.

dated at Batavia, Illinois this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_  
(City Engineer)

City Council's Certificate

State of Illinois }  
County of Kane } S.S.

Mayor and City Council of the City of Batavia, Illinois hereby certify that said council has duly approved this Plat of Subdivision attached hereto by ordinance \_\_\_\_\_, duly authenticated and passed this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_  
(Mayor)

attest: \_\_\_\_\_  
(City Clerk)

Plan Commission's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, Chairman of the Plan Commission of the City of Batavia, Illinois, hereby certify that the said Commission has duly approved this Plat of Subdivision attached hereto this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_  
(Chairman)

County Clerk's Certificate

State of Illinois }  
County of Kane } S.S.

I, John A. Cunningham, County Clerk in and for the County and State aforesaid find no redeemable tax sale, unpaid forfeiture taxes or unpaid current taxes against any of the land included in the plat. I further certify that I have received all statutory fees in connection with the plat.

Given under my hand and the seal of the county this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
County Clerk

Recorder's Certificate

State of Illinois }  
County of Kane } S.S.

This instrument, no. \_\_\_\_\_, was filed for record in the Recorder's Office of Kane County, Illinois this \_\_\_day of \_\_\_, A.D.2013 at \_\_\_o'clock \_\_\_m., and was recorded in plat envelope no. \_\_\_\_\_.

\_\_\_\_\_  
Recorder of Deeds

State of Illinois }  
County of DuPage } S.S.

This is to certify that I, John Cole Helfrich, an Illinois Professional Land Surveyor, have surveyed, subdivided and platted for the uses and purposes therein set forth the following described lands:  
That part of the northeast quarter of Section 17, Township 39 north, Range 8 east of the Third Principal Meridian described as follows: commencing at the southwest corner of said northeast quarter; thence N0°00'02"W along the west line of said northeast quarter, 250.00 feet for the point of beginning; thence N88°09'58"E, 150.00 feet; thence N0°00'02"W, 200.00 feet; thence N88°15' 50"E, 499.02 feet to the southwest corner Fabyan Randall Subdivision as platted by Document 2003K037410; thence N1°44'40"W along the west line of said Subdivision, 25.29 feet to the south line of South Drive as dedicated by Document 2003K080053; thence northwesterly along the south line of said South Drive, being a circular curve having a radius of 333.00 feet concave to the northeast, the chord of which bears N57°31'03"W, 125.21 feet; thence N46°44'44"W along said south line, 209.29 feet; thence northwesterly along said south line, being a circular curve having a radius of 467.00 feet concave to the southwest, the chord of which bears N69°14'25"W, 366.70 feet; thence S88°15'54"W, 56.40 feet to the west line of said northeast quarter; thence S0°00'02"E along said west line, 580.41 feet to the point of beginning in the City of Batavia, Kane County, Illinois.

All dimensions are given in feet and decimal parts thereof.

I further certify that the lands described above lie within the corporate limits of the City of Batavia, Illinois which has authorized a comprehensive plan and is exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code.

This also declares that the Federal Emergency Management Agency FIRM Community Panel 17089C0326H, with an effective date of August 3, 2009 indicates that the above described property lies within an area designated as Zone X. Zone X is defined as "areas determined to be outside the 0.2% annual chance floodplain."

Given under my Hand and Seal this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
Illinois Professional Land Surveyor 2967  
exp. 11-30-16



PUBLIC UTILITY AND DRAINAGE EASEMENT (P.U.D.E.) PROVISIONS

A perpetual easement is hereby reserved for and granted to the City of Batavia, an Illinois municipal corporation, and those public utility and other companies operating under franchise agreements granting them rights from the City of Batavia, including but not limited to, Commonwealth Edison Company, AT & T, Nicor Gas Company, and Comcast Cable Communication, Inc., together with their respective successors and assigns (the "Grantees"), for the installation, modification, construction, reconstruction, replacement, alteration, enlargement, operation, inspection, repair, maintenance, relocation, renewal and removal of facilities, improvements and appurtenances to serve these and other lands with various public utilities transmission and distribution systems, including without limitation, from time to time, electricity, sounds and signals, cable television, communication, telephone, gas pipelines, water pipelines, storm and sanitary sewers, storm water detention and retention facilities, and storm water drainage, together with any and all necessary lines, cables, mains, manholes, hydrants, catch basins, connections, pipes, appliances, and other structures and appurtenances as may be deemed necessary, in, across, along, over, under, and upon the areas hereon identified as "Public Utility and Drainage Easement" (P.U.D.E.); together with the right to install required service connections under the surface of each lot to serve improvements thereon; and together with the right to enter upon the property with such personnel and equipment as may be deemed necessary for all such uses and purposes.

No obstruction or structure shall be erected or located, nor shall any trees be planted, over said easement areas, nor shall any other activities be undertaken that unreasonably interfere with the Grantees' intended use thereof, but the same may be used for landscaping, fencing, parking or other purposes if such use does not then or later interfere with the aforementioned purposes.

The right is also hereby granted to the City of Batavia to remove any fences, buildings or structures and to cut down, trim or remove any trees, shrubs, bushes, roots or other plantings that interfere with the operation of or access to such facilities in, on, upon, across, under or through said Public Utility and Drainage Easement. The City of Batavia shall not be responsible for the replacement or repair of any such fences, buildings, structures, trees, turf, gardens, shrubs, landscaping, or other improvements removed during the exercise of the herein given rights. Replacement and/or repair of said items shall be the responsibility of the then property owner.

Following any work to be performed by the City of Batavia in the exercise of its easement rights herein granted, said City shall have no obligation with respect to surface restoration, including by not limited to, the restoration, repair or replacement of pavement, curb, gutters, fences, sheds, trees, lawn or shrubbery, provided, however, that said city shall be obligated, following such maintenance work, to backfill and mound all trench created so as to retain suitable drainage, to cold patch any asphalt or concrete surface, to remove all excess debris and spoil, and to leave the maintenance area in a generally clean and workmanlike condition. The City has no obligation to repair any improvements that were completed without obtaining the necessary permits prior to installation.

The occupation and use of the perpetual easement herein granted and reserved for the Grantees by each of such entities shall be done in such a manner so as not to interfere with or preclude the occupation and use thereof by other entities for which such easements are granted and reserved. The crossing and re-crossing of said easements by the Grantees shall be done in such a manner so as not to interfere with, damage, or disturb any transmission and/or distribution systems and facilities appurtenant thereto existing within the easements being crossed or re-crossed. Where the easement areas are also used for electric, telephone, cable TV, gas distribution systems or their appurtenances, such other utility installations shall not interfere with the maintenance of gravity or subsurface flow and stabilization of vegetative ground cover on the above-mentioned drainage facilities, or cause any change in grade, or impair or change the surface drainage patterns of the property.

Plat of Subdivision

Prepared for:



Craig R. Knoche & Associates  
Civil Engineers, P.C.  
Illinois Registered Design Firm 3963

- Civil Engineers
- Surveyors
- Land Planners

Date: 8-14-16  
File: 16-020R.P2  
Job: 16-020

Sheet  
2  
of  
2

24 North Bennett Street • Geneva, Illinois 60134 • phone (630) 845-1270 • fax (630) 845-1275

# CITY OF BATAVIA

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**DATE:** September 28, 2016  
**TO:** Committee of the Whole  
**FROM:** Joel Strassman, Planning and Zoning Officer  
**SUBJECT:** Windmill Manor Apartments, 2400 Hawks Drive (formerly South Drive)

- **Ordinance 16-60:** Amendment to the Zoning Map for a Planned Development Overlay
- **Resolution 16-81-R:** Approving a Final Plat of Subdivision for Windmill Manor  
JNP Batavia, LP, applicant

**Summary:** Approval of a planned development (PD) and final plat of subdivision for Windmill Manor Apartments at 2400 Hawks (formerly South) Drive.

**Background:** The 2011 approvals of Ordinances 11-08 and 11-09 annexed and zoned the 4.5 acre property located at 2400 Hawks Drive as R5 Multi-Family High Density to allow an 80 unit multi-family building for residents 55 years and older to be built using the Illinois Housing Development Authority's Affordable Housing Tax Credit program. The annexation included approval of a planned development and preliminary plat of subdivision providing relief to certain City Code requirements. The planned development approval specified the need for final approval.

Approval of attached Ordinance 16-60 and Resolution 16-81-R, along with the Plan Commission's action on Design Review, would complete the entitlement process. While the 2011 annexation did not include site or building plans, the current site and building plans are consistent with the concepts presented to the City Council in 2011, and follow the Code relief granted to allow fewer dwelling units that required for a property of this size in the R5 District, omit the 3<sup>rd</sup> floor building step-back, and included language to accommodate fewer parking spaces than required and omit required school land-cash donation and impact fee due to the age restriction.

The current PD seeks additional Zoning Code relief to omit the requirement for 25% enclosed parking and to allow a building height of 47 feet (45 feet is the R5 maximum). The increased building height would not result in a building having a greater basement to roof height; this request would allow for changes in site grading that may affect the calculated building height needed through final engineering. The final plat of subdivision seeks relief from the maximum 4:1 slope to allow a 3:1 slope along the south and west property lines to navigate the site's challenged topography and to allow for a berm to provide screening to the residents to the southwest. For a complete description and analysis of the proposal, please see the [staff memorandum to the Plan Commission](#).

**Plan Commission Review Action:** At the September 21<sup>st</sup> hearing, two (2) neighboring residents addressed the Commission with questions on the affect on the McKee Tributary property, site lighting, and screening to the residents to the southwest. The applicant's engineer noted that water from the site would be directed to the McKee Tributary. Staff added that the McKee Tributary property was annexed to the City and developed as a detention facility in part to provide detention for eventual development of several properties in the area including the subject property. The applicant noted that light levels would be reduced to zero foot candles at the south and west property lines and the Commission added that light poles would be relatively low, with an overall height of 14.5 feet. The applicant's landscape architect showed perspective drawings of the screening effect of the perimeter berms with landscaping added.

The Commission requested that an additional sidewalk from the building to the street be added. The applicant's engineer stated that this can be done by routing the sidewalk through the center parking lot landscape area. The Commission focused on the main building entrance and its lack of prominence. The Commission suggested a taller, more prominent entrance enclosure and larger windows on that portion of the building be considered. The applicant agreed to adjust that part of the building to better emphasize the entrance. The Commission was willing to have staff review and approve that change.

By votes of 6-0, the Commission recommended approval of both the PD and final plat of subdivision, with the specifications and conditions as listed in attached Ordinance 16-60 and Resolution 16-81-R. The Commission also approved Design Review (6-0) subject to City Council approval of the planned development, and to allow minor revisions to site conditions as a result of staff approval of final engineering.

**Alternatives:** The COW can recommend approval of the Ordinance as presented, add or remove approval conditions, recommend denial, or continue its review with direction to staff for revisions.

- **Pros:** Approval of Ordinance 16-60 and Resolution 16-81-R would allow for the submission and issuance of building permits to develop the site containing the building and use contemplated with the 2011 annexation of the property.
- **Cons:** Not approving Ordinance 16-60 and Resolution 16-81-R will force the property to remain unimproved until another developer can propose a building use consistent with the 2011 annexation and approvals. Denial may jeopardize tax credits for an affordable senior development at this location.
- **Budget Impact:** The City will realize building permit revenues as part of the construction process. After completion, the City will realize property tax and utility revenues. The City will also realize additional State per capita taxes once the City population increase is determined by a decennial or special census. The City will also incur the usual expenses of serving residential properties that were also considered with the City's actions on this property in 2011. With additional residents in close proximity to services and goods on the Randall Road corridor, there may be an increase in sales in these nearby businesses that translates to increased sales tax revenue.
- **Staff Impact:** Staff time has and would be used to complete the entitlement process and throughout the building permit processes. After completion of the project, there would be no more staff time needed than was contemplated when this property was annexed and approved for essentially the same development in 2011.

**Timeline for Actions:** With COW recommendations for approval of Ordinance 16-60 and Resolution 16-81-R (as presented or with direction for revision), both would be placed on the City Council's agenda for the October 17<sup>th</sup> meeting.

**Staff Recommendations:** Attached Ordinance 16-60 and Resolution 16-81-R have been drafted to include the Plan Commission's recommendations. Staff therefore recommends approval of Ordinance 16-60 and Resolution 16-81-R as presented.

#### Attachments

1. JNB Project Narrative
2. Draft Ordinance 16-60
3. Draft Resolution 16-81-R

c Mayor  
Department Heads  
Applicant  
Media

# ***JNB Batavia, LP Narrative and Responses to Comprehensive Plan Goals and Zoning Standards***

## **Project Information**

**Project Name:** Windmill Manor Apartments- Batavia  
**Project Location:** 1500 South Drive, Batavia, Kane County, Illinois  
**Owner:** JNB Batavia, LP  
**Phone:** 773-968-9590-Chris Tritsis (or 563-505-5611- James Bergman)  
**Email:** tritsis@cubitdevelopmentgroup.com (or jim@jnbice.com)  
**Address:** 20 Sandstone Court, LeClaire, IA 52753

## **Basic Information**

**Land:** Vacant  
**Site Area:** App 4.5 acres, 195,827 SF  
**Current Zoning:** Zoned R-5  
**Proposed Zoning:** R-5 with a PUD overlay and Design Review Approval

## **Introduction to Project**

Windmill Manor Apartments is a proposed mixed-income, 80-unit (plus one manager unit), new construction three-story elevator development for seniors 55 and older to be located in Batavia, Illinois. The project will consist of 60 one-bedroom and 20 two-bedroom affordable units of which 72 will be affordable to seniors. The remaining 8 units will be unrestricted to market rate monthly rents. There will be an additional one-bedroom onsite manager's office in the basement.

Windmill Manor Apartments is being designed specifically for the aging population and the building design allows for an abundance of social space. The project will include thousands of square feet of space for: storage (for the building and residents), the onsite manager's unit, several office spaces (maintenance, leasing, etc.), main lobby (with furniture such as couches and tables), a dining room, sitting areas, a community room, an exercise room, a library, a multi-media room, and a community beauty salon, computer room and craft room.

Each spacious unit will have an outdoor balcony, will have wireless internet, and be cable ready. All kitchen appliances will be Energy Star rated and include refrigerator/freezer, microwave, electric range/oven, and dishwasher. The units will have vinyl or laminate flooring in the kitchen and bathroom and wall-to-wall carpet in the living and bedrooms.

The surrounding residential and commercial allows for a generous mix of service and creates a sense of place in which the senior residents may be a part of a neighborhood and have the ability to complete daily service needs within a neighborhood business district.

### **Proposed Land Use**

As part of the Annexation Agreement, dated April 4<sup>th</sup>, 2011 the vacant land has a zoning of R-5. The project will be age restricted senior Independent living for tenants 55 and older.

### **Economic Benefits to the City**

This development will provide more than 81 eligible voters to the community. These residents will bring the purchasing power to Batavia and will significantly add to the sales tax base as they shop at the local businesses, grocery stores, clothing companies, and other commercial establishments.

Currently the site is vacant land and is not highest and best use for generating real estate tax. The building once completed and fully leased will generate additional property tax. The development will generate various application fees. The building's energy consumption is primarily electric so it will benefit the surplus of electricity the town has invested in. Since the project is age restricted it will not impact the schools, have a lessened impact on parks, water consumption, sewer demands and road usage. Construction of housing brings many economic benefits to a local community, such as increase in jobs. The hard costs to preserve, renovate, and improve the project's housing units is approximately \$12,000,000. This also creates indirect economic benefit as surrounding retail owners will have an increase in customers as various on-site workers will patronize these establishments on a daily basis.

### **Number of Employees**

- **Construction-** The potential direct job creation generated by this project is 5 jobs for every million dollars of construction. This would be equivalent to 90 construction jobs.
- **Permanent-** 1 Full Time Property Manager, 1-part time maintenance person, various part time: accountant, various vendors, providers, etc. that will support this new facility.

### **Intense Use of Utilities**

There will be no intense use of Batavia utilities. Similarly, the project is trying to achieve Enterprise Green which will incorporate energy efficient layout, performance products like closed and open cell spray foam for reduced heat and cooling loads, additional green products and energy saving fixtures.

- **Sewer/Water/Drainage:** The McKee Creek storm water detention already anticipated a development on the site. But since this is a senior project it will utilize less water and sewer than a traditional family project or even a commercial project like a restaurant. That will translate into less washing clothes, less cooking, less toilets flushing, less showering, no pool, etc. Additionally, the units in the building will include nearly all one bathrooms.
- **Electricity-** The project units will include electric heat, air conditioning and appliances, such as, washer/dryer, stove, oven, microwave etc.). These appliances will be Energy Star and high efficiency. Lighting will similarly be either Energy Star fixtures, company fluorescent or all LED. All are designed to incorporate a lower demand on the electrical footprint.
- **Gas-** The building will have central water heat that will be gas and piped to the individual units.

Lastly, Per the MEMO TO: Mayor and City Council dated April 1, 2011, City staff concludes that the proposed change to the requested land use category would not negatively affect the City's ability to provide utilities and services to this and other properties in the City if the property were to be developed under a conforming zoning district as proposed with the Comprehensive Plan Change. This includes emergency response and sanitary sewer. Intensity of potential development and its effect on traffic would be comparable to, or even less than possible with the development potential of community commercial uses and zoning.

**Proposed Start of Construction**

October 10, 2016

**Proposed End of Construction**

November 1, 2017

**Leasing**

August 1, 2017

**Comprehensive Plan Use Goals:** The following details how the proposed development meets the Comprehensive Plan Land Use Goals Planned Development Standards and Design Review Standards:

**COMPREHENSIVE PLAN LAND USE GOALS**

Goal 1. Maintain Batavia as an attractive place to live, work, shop and play, with a balance of land uses.

**RESPONSE: The proposed use adds to the balance of land uses in Batavia. With the aging population, independent senior housing is necessary to serve the community. Given its location, size and shape, the subject property is not a viable retail site.**

Goal 2. Protect and enhance environmentally sensitive and historically significant place.

**RESPONSE: This goal is not applicable. The subject property is not environmentally sensitive or historically significant.**

Goal 3. Plan land uses to achieve an efficient provision of public facilities and services.

**RESPONSE: Adequate sewer and water capacity exists to service this area.**

Goal 4. Maintain a diversity of housing types, prices and styles for all segments of the community.

**RESPONSE: Tax credits are being used to make the units as affordable as possible, which is a policy under this goal. It also fulfills the policy of encouraging new senior housing complexes.**

Goal 5. Coordinate land use and transportation planning.

**RESPONSE: The proposed development meets the policy of locating high density residential uses convenient to transit corridors, such as Randall Road and Fabyan Parkway. It also is located on an internal circulation route, another stated policy.**

Goal 6. Continue to make the downtown and the Fox River the focal point of the community.

**RESPONSE: This goal is not applicable.**

Goal 7. Redevelop obsolete industrial areas as mixed-use developments compatible with neighborhood character.

**RESPONSE: This goal is not applicable.**

Goal 8. Provide gradual land use transitions and buffers between lower intensity and higher intensity uses.

**RESPONSE: The proposed use and high density residential classification is a compatible transition to the Community Commercial designation on the Comprehensive Plan to the west, General Commercial to the east, Community Commercial to the north, which will be requesting a Comprehensive Amendment change to high density residential and residential to the south. The transition to the residential to the south is buffered by berming, extensive landscaping and a six foot high board on board closed fence. The closest home is approximately 160 feet from the proposes senior residential building.**

Goal 9. Maintain sufficient retail and employment areas to ensure the fiscal and economic vitality of the City.

**RESPONSE: The subject property is not viable for retail use given its location and configuration. This is also why the comprehensive land use designation for the subject property was amended several years ago from commercial to high density residential.**

Goal 10. Establish a system of parks, open spaces and trails that supports neighborhoods, protects sensitive environmental areas.

**RESPONSE: The proposed use will provide an outside area for residents. If required, a fee-in-lieu will be paid to the Park District.**

Goal 11. Plan for the possible reuse of both the Fermilab and unincorporated Mooseheart properties.

**RESPONSE: This goal is not applicable.**

## RE-ZONING STANDARDS

The proposed zoning to R-5 PUD overlay satisfies all the findings that shall be made pursuant to Section 5-7-4. At the time of the hearing, the City will be able to confirm the required public notice and public meetings and hearings have been conducted pursuant to Section 5.704A and B. Regarding Section 5.704(C), the City amended the Comprehensive Plan for this property to high density residential several years ago. This amendment was approved in an anticipation of an independent senior living facility.

## PLANNED DEVELOPMENT OVERLAY STANDARDS

The proposed development meets the purposes and uses for a Planned Development Overlay. Section 3.101 provides:

### **3.101 Purposes**

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

- A. To modify development regulations of this Title 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.

Section 3.102 provides:

### **3.102 Use 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 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 be applied only to contiguous property so as to create a unified and cohesive development.

**RESPONSES:**

**The proposed development meets the criteria established in 3.101 and 3.102 by modifying zoning regulations in the R-5 district to permit a senior housing development to be established, which is one of the policies under goal number 4 of the Land Use element of the Comprehensive Plan. Modifications to some of the zoning requirements are necessary in order to construct the state of the art facility being proposed. Also, some of the requirements in the Zoning Code simply do not apply to senior housing facilities. Lastly, Section 3.101C and 3.102B3 specifically provide the Planned Development Overlay should be used to provide opportunities for development intensity greater than permitted by base district regulations for senior living facilities. Although the development does not seek to increase the density provided in R-5, this provision recognizes the difficulty in developing an affordable senior housing facility under the R-5 regulations and zoning ordinance regulations. The Planned Development does not request any of the limitations noted in Section 3.102(C).**

**The modifications from the zoning ordinance are listed in the below chart. They all are requested to implement Goal 4 of the Land Use element of the Comprehensive Plan. Goal 4, Policy (a). states “Encourage use of the Zoning Code Planned Development Overlay Zoning District residential density bonus to insure affordability”. Goal 4 Policy (b) states “Encourage new, and the expansion of existing senior housing complexes.” Goal 10 Policy (a) states “Require new development and redevelopment to orient open areas toward adjacent rivers and creeks”**

**PUD MODIFICATION TO**  
**ZONING ORDINANCE**

<b><u>Ordinance Requirement</u></b>	<b><u>Requested Modifications</u></b>
1. Table 2.204 (A) requiring a minimum of 25% of required parking to be located in an enclosed building	No enclosed parking
2. Table 4.204 requiring 1.5 parking spaces per one bedroom and 2.25 parking spaces per two bedroom = 137 total (61 one bedroom = 92 spaces plus 20 two bedroom = 45 spaces)	115 Parking spaces
3. Table 2.204 – 10 Foot Building at 3 <sup>rd</sup> floor step-back	No building step-back at 3 <sup>rd</sup> floor
4. Table 2.204 Maximum Net Land Area per Unit – 2,333 square feet	2418 Square Feet Maximum Net Land Area Per Unit
5. Table 2.204 Maximum Building Height – 45 Feet	47 Feet Maximum Building Height
6. Subdivision Ordinance Section 11-5-2-G – Requiring 4:1 maximum grading slope	3:1 maximum slope requested along the south and west sides of the Property

1. The requested modification to not enclose 25% of the parking and to reduce the number of parking spaces is to satisfy the affordability policy for this senior housing development and the policy to locate open areas near creeks and streams. The site has more than adequate space to provide at grade uncovered parking. The cost to enclose some of the parking, together with the topographical challenges of the site make this requirement cost prohibitive. In addition, it would cause the building to go one story higher since the current plan contains the manager unit, common area and storage in the basement level and the lobby and apartments on the first level. All the outside parking provided is located adjacent to non-residential uses and will be adequately screened and buffered.

2. As to the number of parking spaces, the ITE Manual for Average Peak Parking Demand for Senior Adult Housing is .59 vehicles per dwelling unit. The range is .45 to .67 parking spaces per dwelling unit. The Thomas Place senior independent facility in Glenview, which is a facility one of the principals of applicant has developed contains 1.3 parking spaces per dwelling unit (186 spaces for 144 units). This parking ratio has been more than adequate to serve the facility. Not providing these additional 27 spaces, in addition to reducing unnecessary developments costs, also allows for the southwest corner of the site to be used as an outdoor area for the residents, rather than parking. This location fulfills the Comprehensive Plan policy of locating open spaces adjacent to rivers and creeks.

3. The elimination of the step-back provision on the third floor and the minimum density modification were approved in the annexation agreement and are now being codified in the Planned Development Overlay. The step-back provision would result in the loss of units, would require an additional floor and would greatly impact the development's affordability.

4. The maximum net Land Area per Unit is just above the 2,333 square foot requirement (approximately 2,418 square feet). The unusual configuration of this parcel, with its triangle shape and rectangle appendage in the southwest corner does not lend itself to maximum efficiency in laying out the building. The maximum requirement would be met if not for the rectangle are in the southwest corner.

5. The proposed plans meet the height requirement. Currently the project is calculated to reach a height of 40'-10" which is 4'-2" under the maximum height of 45'-0" required per city regulations. The modification is requested only if, during construction grading, the slope on the south end of the property needs to be changed.

6. The slope modification on the south and west sides of the Property are necessary because of the extraordinary topographical relief across the site. There is 20 feet of grade difference from north to south making this 3 to 1 slope necessary.

### **DESIGN REVIEW STANDARDS**

The proposed development meets the standards for approval required by Section 5.604 of the Zoning Ordinance, which provides:

#### **5.604 Design Review Approval**

- A. **Action.** The Plan Commission of the Director as appropriate shall approve, approve with modifications and/or conditions, or deny an application for Design Review subject to the requirements of the Zoning Code and based on compliance with approved design guidelines. An action of the Plan Commission shall be accompanied by findings of fact giving the reasons for the action.
- B. **Findings for Approval.** The following findings shall be made prior to approval of a Design Review application:
  - 1. The project is consistent with applicable design guidelines.
  - 2. The project conforms to the Comprehensive Plan, and specifically to the Land Use, Urban Design, and Environmental Elements.
  - 3. The project is consistent with all applicable provisions of the Zoning Code.
  - 4. The project is compatible with adjacent and nearby development.
  - 5. The project design provides for safe and efficient provision of public services.

**RESPONSES:**

**1. City Multifamily design guidelines compliance:**

**The project is compatible and compliant with adjacent neighborhoods in form, function, finishes, and proportion. As can be seen by the elevations and other plans, the development is substantially consistent with the Batavia's design guidelines. The proposed development will provide abundant open and common space within and around the building. There will be picnic areas with barbecue grills and picnic tables, open balconies and/or patios, community and recreation rooms, an exercise room with exercise equipment, onsite manager with office, wifi, media room, computer and business room, bicycle parking and abundant storage on the site. These complimentary amenities will enhance the fully functional residential community development.**

**The elegant, high end quality and durable finishes throughout the project will provide a rich, and tasteful ambiance that will be attractive and functional. The building will be "secure" with access control for the tenant's safety, and security camera monitoring all entrances, and common circulation areas. The site and all common / circulation areas within the building will be well lighted to provide tenants and visitors a safe environment.**

**The site will be attractively landscaped in compliance with the city zoning standards, and the parking will be arranged to allow good access onto the site and into the building with particular attention to the ease of access from the parking areas to the building for the elderly.**

**The tenants and visitors will be able to access all building and site amenities via corridors and/or sidewalks that comply with all standards for access, the Illinois accessibility code, and the Americans with Disabilities Act.**

**The building has been designed to complement and fit the site. The façade incorporates numerous materials, elevations and roof lines, as well as surfaces in order to break up the façade through avoiding a "box" look. Each apartment will have a balcony or patio giving all tenants their own "outdoor" space, as well as providing an element that breaks up the building façade.**

- 2. The proposed development is consistent with all these elements. It meets the land use goals element as outlined in a separate section of this narrative. The environmental element goals are satisfied by (i) the use of native plants and landscape materials as part of the landscape plan; (ii) minimizing erosion and stormwater pollution by the use of best management practices as part of the project's stormwater management; (iii) constructing a new, energy efficient building. The Urban Design guidelines are met by, including, but not limited to (i) substantially meeting the City's multi-family design guidelines; (ii) providing high quality building materials that are appropriate in size and scale and extensive**

landscaping around the perimeter and the building to provide screening, softening and buffering; (iii) providing outdoor spaces for the residents of this development; (iv) use of lighting to minimize glare and light pollution and using lighting to accent various features of the development; providing attractive signage that is in scale for the surrounding area.

3. The project is consistent with all applicable provisions of the Zoning Code, except as modified or varied.
4. The project is compatible with adjacent and nearby development. Senior housing will be a less intense use than many of the potential general commercial uses. The trend of development in this area is for a similar type of use being proposed to the north, commercial to the east and medical office to the west. To the south is a residential subdivision. The closest home, however, is approximately 160 feet from the proposed building and separated by berming, landscaping, and a six-foot-high closed board on board fence.
5. It does. The development has been reviewed by all departments of the City and modifications made pursuant to their comments and suggestions.

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 16-60**

**AMENDING THE OFFICIAL ZONING MAP FOR A  
PLANNED DEVELOPMENT OVERLAY – WINDMILL MANOR APARTMENTS  
(2400 HAWKS DRIVE)**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
THIS 17<sup>TH</sup> DAY OF OCTOBER, 2016**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This 18<sup>th</sup> day of October, 2016

Prepared by:  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 16-60**

**AMENDING THE OFFICIAL ZONING MAP FOR A  
PLANNED DEVELOPMENT OVERLAY – WINDMILL MANOR APARTMENTS  
(2400 HAWKS DRIVE)**

**WHEREAS**, JNB Batavia, LP, has filed an application for Planned Development Overlay/Zoning Map Amendment of the property located at 2400 Hawks Drive, and legally described as:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N0°02"W ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 250.00 FEET FOR THE POINT OF BEGINNING; THENCE N88°15'20"E, 150.00 FEET; THENCE N0°00'02"W, 200.00 FEET; THENCE N88°15' 20"E, 499.02 FEET TO THE SOUTHWEST CORNER FABYAN RANDALL SUBDIVISION AS PLATTED BY DOCUMENT 2003K037410; THENCE N1°44'40"W ALONG THE WEST LINE OF SAID SUBDIVISION, 25.29 FEET TO THE SOUTH LINE OF SOUTH DRIVE AS DEDICATED BY DOCUMENT 2003K080053; THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID SOUTH DRIVE, BEING A CIRCULAR CURVE HAVING A RADIUS OF 333.00 FEET CONCAVE TO THE NORTHEAST, THE CHORD OF WHICH BEARS N57°31'03"W, 125.21 FEET; THENCE N46°44'44"W ALONG SAID SOUTH LINE, 209.29 FEET; THENCE NORTHWESTERLY ALONG SAID SOUTH LINE, BEING A CIRCULAR CURVE HAVING A RADIUS OF 467.00 FEET CONCAVE TO THE SOUTHWEST, THE CHORD OF WHICH BEARS N69°14'25"W, 366.70 FEET; THENCE S88°15'54"W, 56.40 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE S00°02"E ALONG SAID WEST LINE, 580.41 FEET TO THE POINT OF BEGINNING IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

has been filed with the City Clerk of the City of Batavia, Kane County, Illinois, requesting an amendment to the Official Zoning Map for a Planned Development Overlay pursuant to the terms of Ordinance 11-06, with final plan approval through Design Review; and

**WHEREAS**, the applicant has also sought and received Design Review approval from the Batavia Plan Commission concurrent with this Planned Development Overlay/Zoning Map Amendment; and

**WHEREAS**, the applicant is also seeking concurrent approval of a Final Plat of Subdivision for Windmill Manor and the Commission recommended approval thereof; and

**WHEREAS**, all public notification regarding the intention of the City to amend the Official Zoning Map and for said Planned Development Overlay and Design Review approval was executed as required by City Code; and

**WHEREAS**, a public hearing was held pursuant to the Batavia City Code by the Batavia Plan Commission on September 21, 2016; and

**WHEREAS**, the Plan Commission has reviewed the application and recommends approval of such Zoning Map Amendment for a Planned Development Overlay to the City Council to include the following modifications to the Zoning Code and conditions:

1. Modification to Zoning Code Table 4.204: Off-Street Parking Requirements to reduce the required number of parking spaces from 137 to 115;
2. Modifications to Zoning Code Table 2.204: Site Development Regulations – Multi-Family Residential Districts to:
  - a. Omit the required 25% of parking to be in an enclosed building
  - b. Eliminate the required 10 foot step-back at the 3<sup>rd</sup> floor
  - c. Increase the maximum net land area per unit from the allowed 2,333 square feet to approximately 2,418 square feet
  - d. Increase the maximum building height from the allowed 45 feet to 47 feet;
3. Allowing minor revisions to site conditions as a result of staff approval of final engineering;
4. The Planned Development ordinance including language requiring the building owner to remove and replace the south patio if access to the sewer in the adjacent easement is needed;
5. Adding a sidewalk connection from the building entrance area through the center parking lot landscaped area to the public sidewalk;
6. Staff approval of a revised main building entrance area to increase the height of the enclosure and size of the windows in the area of the entrance enclosure; and

**WHEREAS**, on October 4, 2016, the Committee of the Whole reviewed the application and concurred with the Plan Commission recommendation for approval to the City Council; and

**WHEREAS**, the City Council of the City has received the recommendation of both the Plan Commission and Committee of the Whole and has considered same; and

**WHEREAS**, it is in the best interest of the City of Batavia that the Property, as described above, be zoned as requested by the applicant and owner of record;

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois:

**SECTION 1:** That the application submitted by JNB Batavia, LP for the approval of a Zoning Map Amendment for a Planned Development Overlay for Windmill Manor Apartments is approved, with modifications to the Zoning Code and conditions listed below, and in substantial conformance with the Exhibits attached hereto.

1. Modification to Zoning Code Table 4.204: Off-Street Parking Requirements to reduce the required number of parking spaces from 137 to 115;

CITY OF BATAVIA, ILLINOIS ORDINANCE 16-60

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2. Modifications to Zoning Code Table 2.204: Site Development Regulations – Multi-Family Residential Districts to:
  - a. Omit the required 25% of parking to be in an enclosed building
  - b. Eliminate the required 10 foot step-back at the 3<sup>rd</sup> floor
  - c. Increase the maximum net land area per unit from the allowed 2,333 square feet to approximately 2,418 square feet
  - d. Increase the maximum building height from the allowed 45 feet to 47 feet
  - e. Other modifications as necessary to implement the Site Plan, as approved herein;
3. Allowing minor revisions to site conditions as a result of staff approval of final engineering;
4. The Planned Development ordinance including language requiring the building owner to remove and replace the south patio if access to the sewer in the adjacent easement is needed;
5. Adding a sidewalk connection from the building entrance area through the center parking lot landscaped area to the public sidewalk;
6. Staff approval of a revised main building entrance area to increase the height of the enclosure and size of the windows in the area of the entrance enclosure; and

<b>Exhibit</b>	<b>Plan</b>	<b>Dated</b>	<b>Prepared by</b>
<b>A</b>	Site Plan	August 25, 2016	CRK & Assoc., Civil Engineers, P.C.
<b>B</b>	Grading Plan	“	“
<b>C</b>	Utility Plan	“	“
<b>D</b>	Landscape Plan	“	McCallum Associates
<b>E</b>	Sign Plan	August 16, 2016	Stock Design-Architecture
<b>F</b>	Exterior Building Elevations and Perspectives	May 15, 2016	“
<b>G</b>	Photometric Plan	August 25, 2016	Richard L.J. Kluzak
<b>H</b>	Decorative Wall Light	-	1 Stop Lighting

**SECTION 2:** That this Ordinance 16-60 shall be in full force and effect upon its presentation, passage and publication according to the law.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

CITY OF BATAVIA, ILLINOIS ORDINANCE 16-60

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Jeffery D. Schielke, Mayor

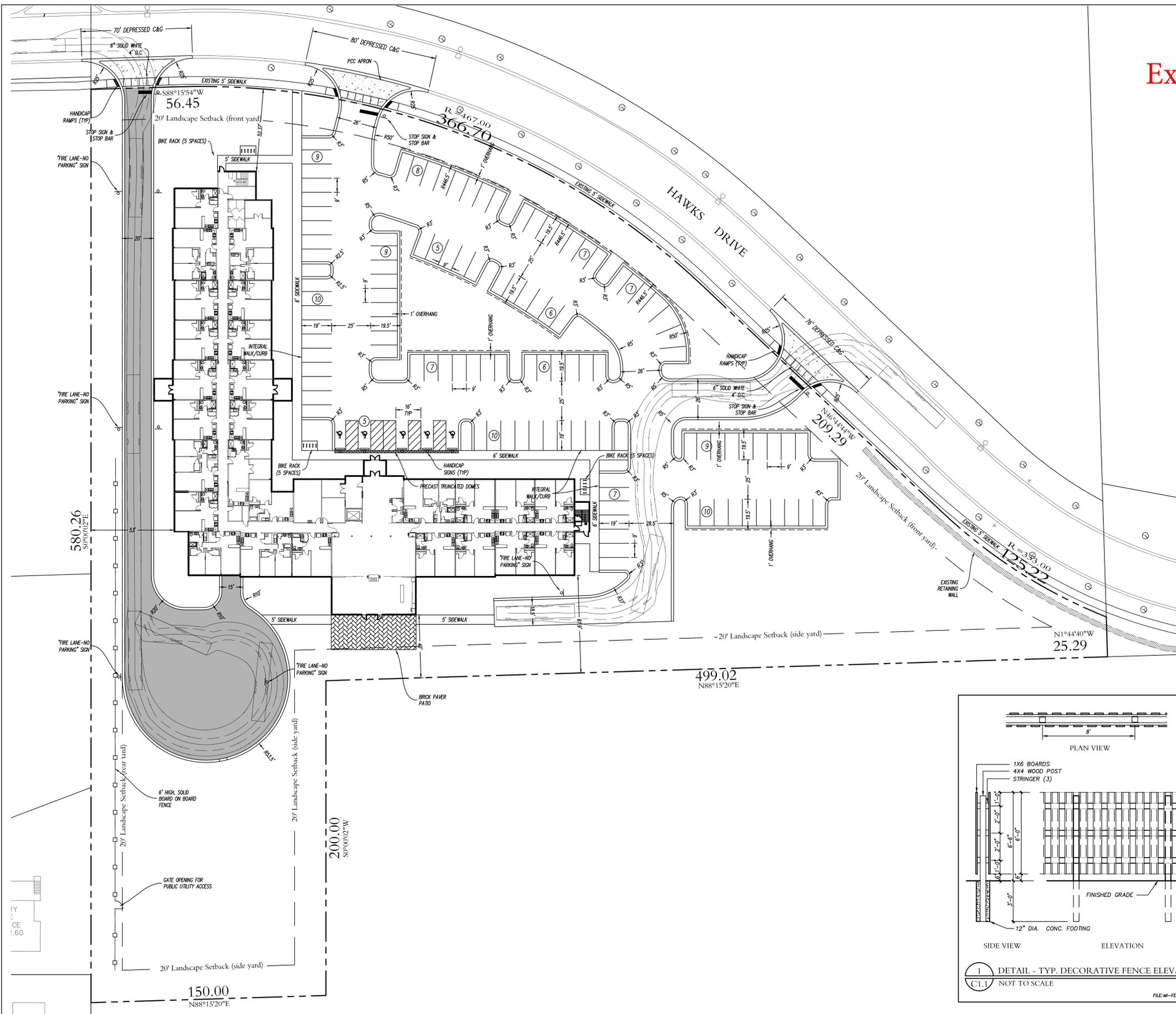
Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Vacant				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

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Chris Simpkins, Deputy City Clerk

# Exhibit A



## SITE ANALYSIS

SITE	
Proposed Use	Convenience Store/Gas Station (Service Station) & Carwash (Automotive Laundry)
Existing Zoning	R-5
Required Zoning	R-5 PUD
Parcel Area	195,796 sf 4.59 Acres
Building Area	29,495 sf Service Station 81 Units
Floor Area Ratio Req'd	0.15
Area Per Unit	2,418 sf / unit

## SETBACKS

	Front Yard (Hawks)	Side Yard (West)	Side Yard (South)
Building Setback	40'	30'	30'
Green Space Setback	20'	20'	20'
Provided	52.4'	40'	40'
Provided	20'	20'	31'

## PARKING

Quantity Req'd	92 = 1.5 * 61 45 = 2.25 * 20 137 Required	1.5 Spaces per 1-bedroom 2.25 Spaces per 2+ bedrooms
Provided	115 = 110 Standard + 5 ADA	1.42 Spaces per unit
Stall Size Required	9' x 19' (Standard)	
Provided	9' x 19' (Standard), 16' x 16' (ADA)	
Driveway Width Minimum	14'-18" (single lane service drive/fire lane); 25' (w/ 90° parking)	
Provided	18" (single lane service drive/fire lane); 25' (w/ 90° parking)	

HEAVY DUTY BIT. PAVEMENT

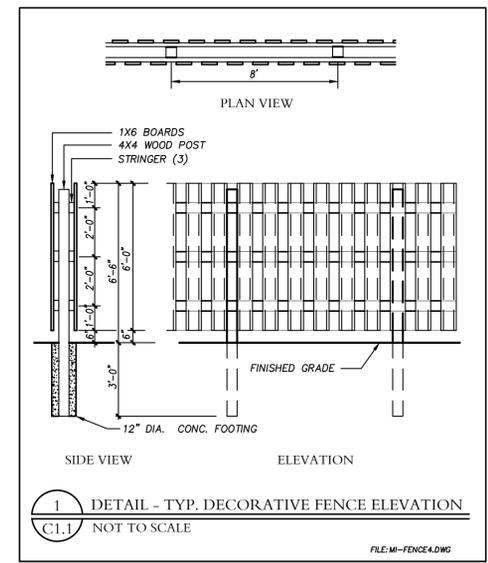


P.C.C. PAVEMENT



## NOTES

- ALL DIMENSIONS ARE BACK OF CURB UNLESS OTHERWISE NOTED.
- ALL CURB RADII ARE BACK OF CURB UNLESS OTHERWISE NOTED.
- SEE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS.
- CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO STARTING WORK AND NOTIFY ENGINEER IF ANY DISCREPANCIES ARE FOUND.
- SIDEWALK AROUND PERIMETER OF BUILDING SHALL BE WALK/PAVEMENT UNLESS OTHERWISE STATED ON PLANS.
- CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING ALL EXISTING PAVEMENT DAMAGED DURING CONSTRUCTION.
- SEE DETAIL FOR BITUMINOUS AND CONCRETE PAVEMENT SECTIONS.
- CONTRACTOR TO PROVIDE TEMPORARY TRAFFIC CONTROL MEASURES DURING CONSTRUCTION OF ENTRANCE OF R.O.W. IN ACCORDANCE W/ ILLINOIS D.O.T. REQUIREMENTS.
- ADA HANDICAP RAMPS SHALL BE INSTALLED AT ALL LOCATIONS DELINEATED ON PLANS AS WELL AS AT ALL LOCATIONS WHERE SIDEWALK ABUTS DRIVES OR ROADWAYS.
- CONTRACTOR SHALL COMPARE ARCHITECTURAL AND ENGINEERING PLANS FOR INTERFACE COMPATIBILITY.
- ALL CURB AND GUTTER SHALL BE B6:12 UNLESS OTHERWISE NOTED ON PLANS.
- ALL DOWNSPOUTS LOCATED NEAR SIDEWALKS SHALL TIE INTO THE PROPOSED STORM SEWER SYSTEM.



1 DETAIL - TYP. DECORATIVE FENCE ELEVATION  
C1.1 NOT TO SCALE  
FILE: M-FENCE4.DWG

REVISIONS		
NO.	DATE	DESCRIPTION
1	8/25/16	PER CITY COMMENTS

## SITE PLAN

WINDMILL MANOR  
2400 HAWKS DRIVE  
BATAVIA, ILLINOIS

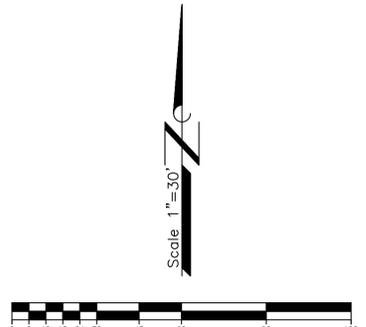
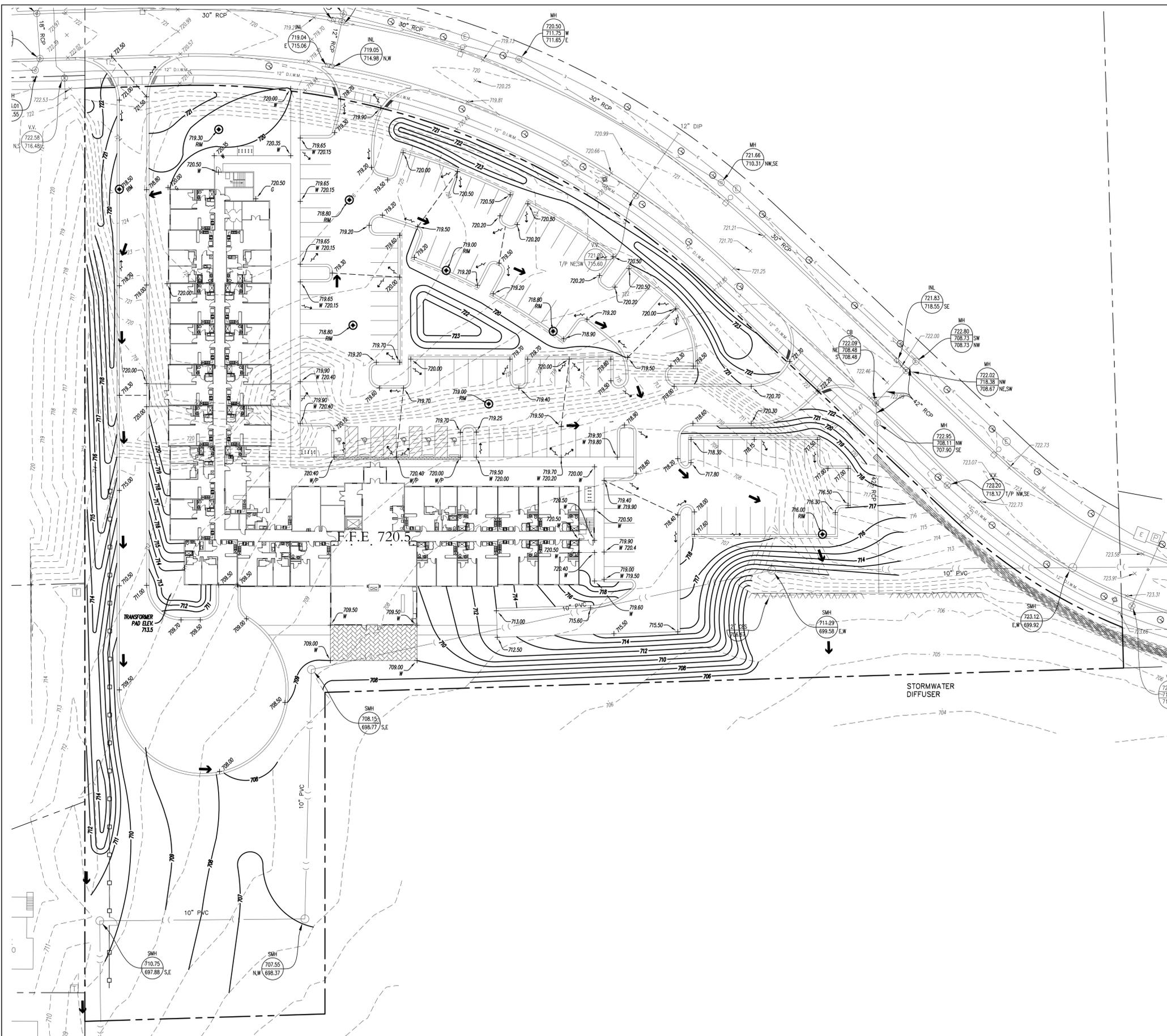
Craig R. Knoche & Associates  
Civil Engineers, P.C.

24 N. Bennett Street • Geneva, IL 60134 • phone (630) 845-1270 • fax (630) 845-1275

DATE:	7/10/16
FILE:	16-020 C10
JOB NO.:	16-020
SHEET NO.:	C1.1

BATAVIA, IL WINDMILL MANOR

# Exhibit B



### LEGEND

	EXISTING	PROPOSED
PAVEMENT GRADE	+ 675.00	+ 675.00
WALK GRADE	+ 675.00	+ 675.00
GROUND GRADE	+ 675.00	+ 675.00
RM GRADE	+ 675.00	+ 675.00
CONTOURS	- 675	- 675

EMERGENCY OVERFLOW →

FLOW DIRECTION →

RIDGELINES - - - - -

REVERSE CURB ~~~~~

PROPOSED CONTOURS - - - - - 692

### GRADING NOTES

1. GRADING CONTRACTOR SHALL VERIFY EXISTING CONTOURS AND NOTIFY ENGINEER OF ANY DISCREPANCIES, PRIOR TO STARTING CONSTRUCTION.
2. THE GRADING CONTRACTOR SHALL SPREAD SPOILS FROM UTILITY CONTRACTORS WORK TO BALANCE THE SITE TO THE EXTENT POSSIBLE.
3. THE GRADING CONTRACTOR SHALL REMOVE EXCESS SOIL FROM THE SITE.
4. EROSION CONTROL MEASURES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: SILT FENCE SHALL BE PLACED AND SHALL REMAIN IN PLACE AROUND EACH STORM STRUCTURE UNTIL CONSTRUCTION IS COMPLETED. SILT FENCE AROUND PERIMETER SHALL REMAIN IN PLACE AND BE MAINTAINED UNTIL CONSTRUCTION IS COMPLETED. ALL INLET STRUCTURES SHALL BE PROTECTED WITH INLET BASKETS.
5. THE EXCAVATION CONTRACTOR IS RESPONSIBLE FOR EROSION CONTROL MEASURES. CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION AND MAINTAIN SUCH MEASURES UNTIL GRADING IS COMPLETE AND PARKING LOT IS PAVED.
6. THE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF THE EROSION CONTROL DEVICES. CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION AND UNTIL ALL UNPAVED OR NON-BUILDING AREAS HAVE A UNIFORM PERENNIAL VEGETATIVE COVER WITH A DENSITY OF 70 PERCENT OR GREATER. MAINTENANCE INCLUDES WEEKLY INSPECTIONS OR AN INSPECTION FOLLOWING A RAINFALL OF 1/2 INCH IN A 24-HOUR PERIOD. THE CONTRACTOR MUST SUBMIT A COPY OF THE INSPECTION REPORT TO THE OWNER AND ENGINEER AT THE END OF EACH MONTH AND KEEP A COPY OF THE REPORT ON THE CONSTRUCTION SITE UNTIL THE REQUIRED VEGETATION COVER IS IN PLACE.
8. IF ADDITIONAL EROSION CONTROL MEASURES NOT SHOWN ON THESE DRAWINGS ARE REQUIRED TO STOP OR PREVENT EROSION OR ARE REQUIRED BY ANY AUTHORITY HAVING JURISDICTION, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INSTALL SUCH DEVICES. THE OWNER OR ENGINEER SHALL BE NOTIFIED OF THE ADDITIONAL WORK AND COST PRIOR TO INSTALLATION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE OWNER AND ENGINEER, IN WRITING, OF ANY ADDITIONAL SOURCES OF STORM WATER POLLUTION OBSERVED DURING CONSTRUCTION AND THE ADDITIONAL COSTS REQUIRED TO PREVENT ADDITIONAL POLLUTION.
10. ALL GRADES ARE EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.

**DRAINAGE OVERLAY CERTIFICATE**

STATE OF ILLINOIS } SS.  
COUNTY OF DUPAGE }

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF; OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINAGE WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2014

ILLINOIS REGISTERED PROFESSIONAL ENGINEER \_\_\_\_\_ OWNER OR ATTORNEY FOR OWNER \_\_\_\_\_

STATE REGISTRATION NUMBER \_\_\_\_\_

REVISIONS		
NO.	DATE	DESCRIPTION
1	8/25/16	PER CITY COMMENTS

## GRADING PLAN

**WINDMILL MANOR**  
2400 HAWKS DRIVE  
BATAVIA, ILLINOIS

Craig R. Knoche & Associates  
Civil Engineers, P.C.

DATE: 7/11/16  
FILE: 16-020 C20  
JOB NO: 16-020  
SHEET NO: C2.1

# Exhibit C

Scale 1"=30'

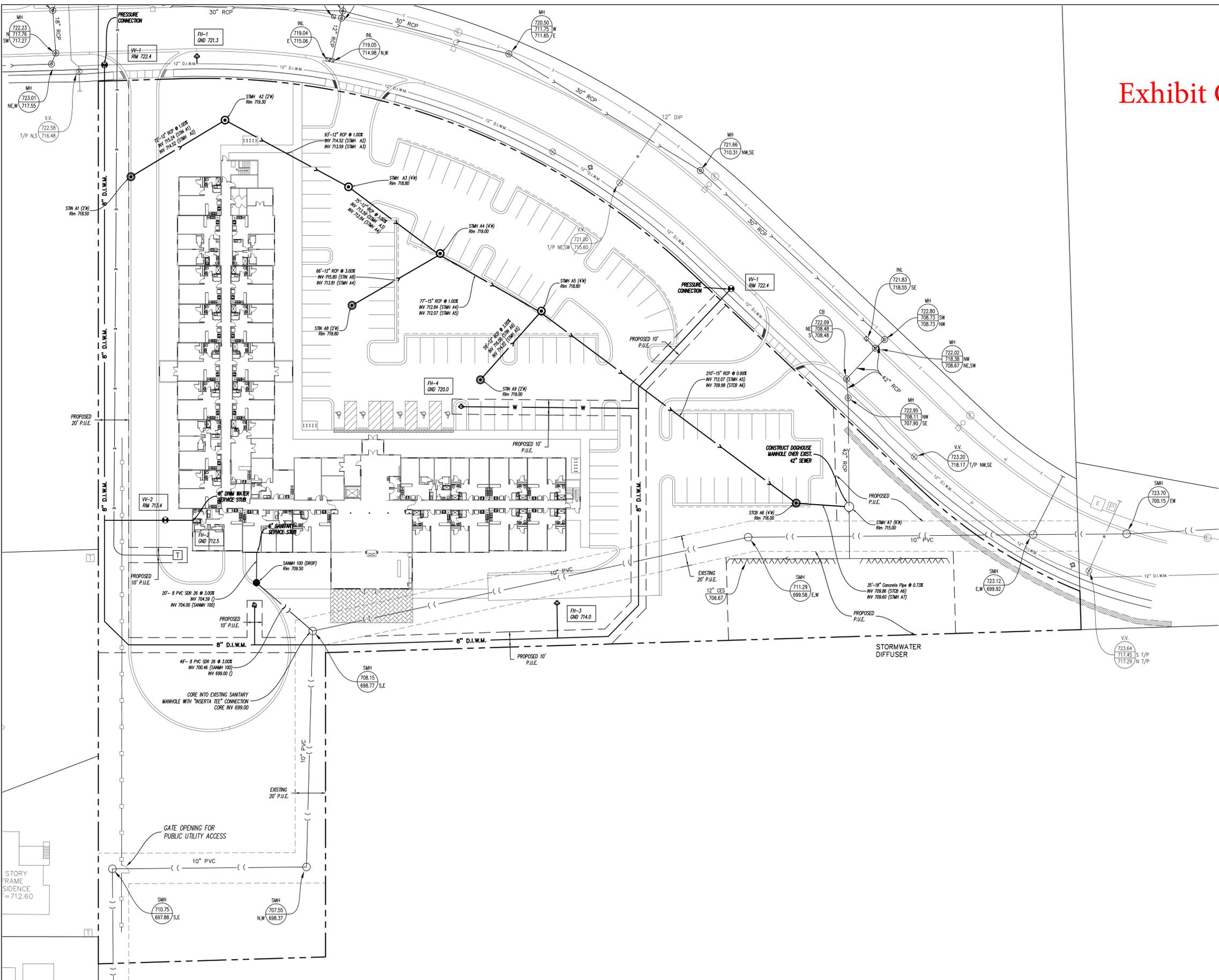


## LEGEND

	PROPOSED	EXISTING
STORM SEWER		
SANITARY SEWER		
WATERMAIN		
ELECTRIC		
TELEPHONE		
GAS		
PROPOSED EASEMENT		
TRENCH BACKFILL		
STORM MANHOLE		
FLARED END SECTION		
SANITARY MANHOLE		
VALVE VAULT / B-BOX		
FIRE HYDRANT		
LIGHT POLES		

## UTILITY NOTES

1. ALL WATERMAIN SHALL BE CLASS 52 DUCTILE IRON PIPE UNLESS OTHERWISE SPECIFIED. FITTINGS SHALL MEET ANWA C10 OR C15. VALVE SHALL MEET ANWA C509-87.
2. ALL SANITARY SEWER PIPE WITH A DEPTH LESS THAN 15 FEET SHALL BE SDR-26. ALL SANITARY SEWER PIPE WITH A DEPTH 15-20 FEET SHALL BE SDR-21. ALL SANITARY SEWER PIPE WITH A DEPTH 20-25 FEET SHALL BE SDR-18.
3. ALL STORM SEWER PIPE SHALL MEET DOT SPECIFICATIONS (ART. 550.03) FOR SELECTING THE PIPE CLASS. STORM PIPE MUST MEET ASTM C76 STANDARDS.
4. PRECAST CONCRETE SECTIONS FOR MANHOLES, CATCH BASINS, INLETS AND VAULTS SHALL MEET ASTM C48.
5. EXISTING UTILITIES SHOWN ARE FOR INFORMATION ONLY AND ARE NOT NECESSARILY EXCLUSIVE. CONTRACTOR SHALL VERIFY UTILITIES, ESPECIALLY PROPOSED TIE-INS TO EXISTING UTILITY STUBS, WHERE POSSIBLE AND NOTIFY ENGINEER OF DISCREPANCIES, EXCEPTIONS, OR OMISSIONS AS SOON AS POSSIBLE.
6. FRAME AND GRATE REQUIREMENTS:  
 STORM STRUCTURE (PAVEMENT) - NEENAH R-2504 TYPE A  
 STORM STRUCTURE (CURB) - NEENAH R-3015  
 STORM STRUCTURE (GRASS) - NEENAH R-4340-B  
 SANITARY STRUCTURE - NEENAH R-1712  
 EXCEPTIONS TO ABOVE ARE NOTED ON PLANS.
7. NO FILTER FABRIC ALLOWED UNDER FRAMES OR GRATES. ALL STRUCTURES, EXCLUDING CURB STRUCTURES, SHALL HAVE INLET FILTERS INSTALLED. ALL INLET PROTECTION SHOULD BE IN ACCORDANCE WITH THE APPROVED STORMWATER POLLUTION PREVENTION PLAN.
8. GENERAL CONTRACTOR SHALL VERIFY SPECIFIC SIZE AND LOCATION OF CONDUIT FOR GAS, ELECTRIC AND TELEPHONE PRIOR TO INSTALLATION.
9. ALL EXISTING DRAIN TILE LOCATED WITHIN THE SITE BOUNDARY SHALL BE REMOVED OR ABANDONED AS NECESSARY. ALL DRAIN TILE EXTERIOR SITE SHALL BE TIED INTO PROPOSED STORM LINE OR REROUTED TO MAINTAIN EXISTING DRAINAGE PATTERNS. IN PLACES WHEREBY THE PROPOSED WATERMAIN AND EXISTING ACTIVE DRAIN TILE CROSS, THE WATERMAIN SHALL BE INSTALLED WITH CASING 10 FEET ON EITHER SIDE OF CROSSING.
10. SANITARY PLUGS WILL BE REQUIRED DURING CONSTRUCTION AT ALL EXISTING MANHOLES WHERE PROPOSED CONNECTIONS ARE MADE AND AT THE FIRST MANHOLE OF EACH PROPOSED SANITARY LINE.
11. ALL SANITARY CLEAN-OUTS IN PAVEMENT SHALL HAVE VALDO CLEAN-OUTCOVERS
12. CONTRACTOR TO SEE LANDSCAPE AND IRRIGATION SPECIFICATIONS IN ARCHITECTURAL PLANS AND CONTRACT DOCUMENTS FOR ADDITIONAL REQUIREMENTS.
13. CONTRACTOR SHALL INSTALL A CLEANOUT AT THE BUILDING ON ALL EXTERIOR DOWNSPOUTS.
14. CONTRACTOR SHALL SUPPLY ALTERNATE BID FOR HDPE STORM PIPE IN PLACE OF RCP PIPE.



REVISIONS		
NO.	DATE	DESCRIPTION
1	8/25/16	PER CITY COMMENTS

# UTILITY PLAN

WINDMILL MANOR  
 2400 HAWKS DRIVE  
 BATAVIA, ILLINOIS

Craig R. Knoche & Associates  
 Civil Engineers, P.C.

DATE: 7/11/16	C3.1
FILE: 16-020 C30	
JOB NO: 16-020	
SHEET NO.	

BATAVIA, IL  
 WINDMILL MANOR

# Exhibit D

## Landscape Calculations

Perimeter Landscape Area	Required	Proposed
North/South Drive - 757.66'	31 trees 155 shrubs	31 trees 160 = 80 shrubs + 80 grasses
East (Northern) - 25.29'	1 tree 5 shrubs	
East (Southern) - 200.00'	8 trees 40 shrubs	40 = 20 shrubs + 20 grasses
South (Eastern) - 499.02'	20 trees 100 shrubs	20 trees 100 = 52 shrubs + 48 grasses
South (Western) - 150.00'	6 trees 30 shrubs	6 trees 30 = 15 shrubs + 15 grasses
West - 580.26'	24 trees 120 shrubs	24 trees 120 = 67 shrubs + 53 grasses
Common Open Space Landscaping	Required	Proposed
80 Units	80 trees	80 trees
Parking Lot Landscaping	Required	Proposed
Landscape screen (at rights of way)	Min. 3' height	Meets
Shade trees - 115 parking spaces	12 shade trees	12 shade trees
Interior landscaping - 46,684 sq. ft.	Min. 10% = 4669 sq. ft.	8122 sq. ft.
Street Frontage	Required	Proposed
Street trees	40' on center/13 trees	13 = 11 existing + 2 new trees
Building Foundation	Required	Proposed
Walls that face public rights of way	Min. 40% of wall length	Meets

## Plant List

Shade Trees	Key Qty.	Size	Botanical Name	Common Name	Remarks
ACF	7	2.5"	<i>Acer x freemanii</i> 'Autumn Blaze'	Autumn Blaze Freeman Maple	BB
ACR	11	2.5"	<i>Acer rubrum</i> 'Red Sunset'	Red Sunset Red Maple	BB
CEO	19	2.5"	<i>Celtis occidentalis</i> 'Prairie Pride'	Prairie Pride Common Hackberry	BB
GTS	6	2.5"	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Skyline'	Skyline Thornless Honeylocust	BB
OST	3	2.5"	<i>Ostrya virginiana</i>	Ironwood/American Hophornbeam	BB
QUB	7	2.5"	<i>Quercus bicolor</i>	Swamp White Oak	BB
QUC	3	2.5"	<i>Quercus muehlenbergii</i>	Chinkapin Oak	BB
QUR	4	2.5"	<i>Quercus rubra</i>	Red Oak	BB
ULM	9	2.5"	<i>Ulmus x 'Morton Glossy'</i>	Triumph Elm	BB

Ornamental Trees	Key Qty.	Size	Botanical Name	Common Name	Remarks
ALN	8	6'	<i>Alnus glutinosa</i>	Common Alder	BB/Clump
AMC	2	6'	<i>Amelanchier canadensis</i>	Shadbowl Serviceberry	BB/Clump
HMV	3	6'	<i>Hamamelis vernalis</i>	Vernal Witchhazel	BB/Clump
MAS	3	6'	<i>Magnolia stellata</i> 'Royal Star'	Royal Star Magnolia	BB/Clump
MLS	7	4'	<i>Malus sargentii</i>	Sargent Crabapple	BB/Clump
MPP	20	6'	<i>Malus 'Purple Prince'</i>	Purple Prince Crabapple	BB/Clump

Evergreen Trees	Key Qty.	Size	Botanical Name	Common Name	Remarks
PGD	18	8'	<i>Picea glauca</i> 'Densata'	Black Hills Spruce	BB
PIA	22	8'	<i>Picea abies</i>	Norway Spruce	BB
PIC	22	8'	<i>Picea pungens</i>	Colorado Green Spruce	BB
PSM	11	8'	<i>Pseudotsuga menziesii</i>	Douglas Fir	BB

Shrubs	Key Qty.	Size	Botanical Name	Common Name	Remarks
ARB	32	24"	<i>Aronia arbutifolia</i> 'Brilliantissima'	Brilliant Red Chokeberry	BB
BUX	29	24"	<i>Buxus x microphylla</i> 'Glencoe'	Chicagoland Green Boxwood	BB
CLE	18	24"	<i>Clethra alnifolia</i> 'Hummingbird'	Hummingbird Summersweet	BB
COT	53	3"	<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	BB
CSI	40	24"	<i>Cornus sericea</i> 'Isanti'	Isanti Redosier Dogwood	BB
HPW	11	24"	<i>Hydrangea paniculata</i> 'Pinky Winky'	Pinky Winky Hydrangea	BB
HYL	28	24"	<i>Hydrangea paniculata</i> 'Limelight'	Limelight Hydrangea	BB
HYQ	11	24"	<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	BB
JCS	31	24"	<i>Juniperus chinensis</i> var. <i>sargentii</i>	Sargent Juniper	BB
RHG	47	24"	<i>Rhus aromatica</i> 'Gro-Low'	Gro-Low Fragrant Sumac	BB
RKO	24	#3	<i>Rosa 'Knock Out'</i>	Knock Out Rose	Container
SMK	25	24"	<i>Syringa patula</i> 'Miss Kim'	Miss Kim Dwarf Lilac	BB
VBM	65	24"	<i>Viburnum dentatum</i> 'Christom'	Blue Muffin Arrowwood Viburnum	BB

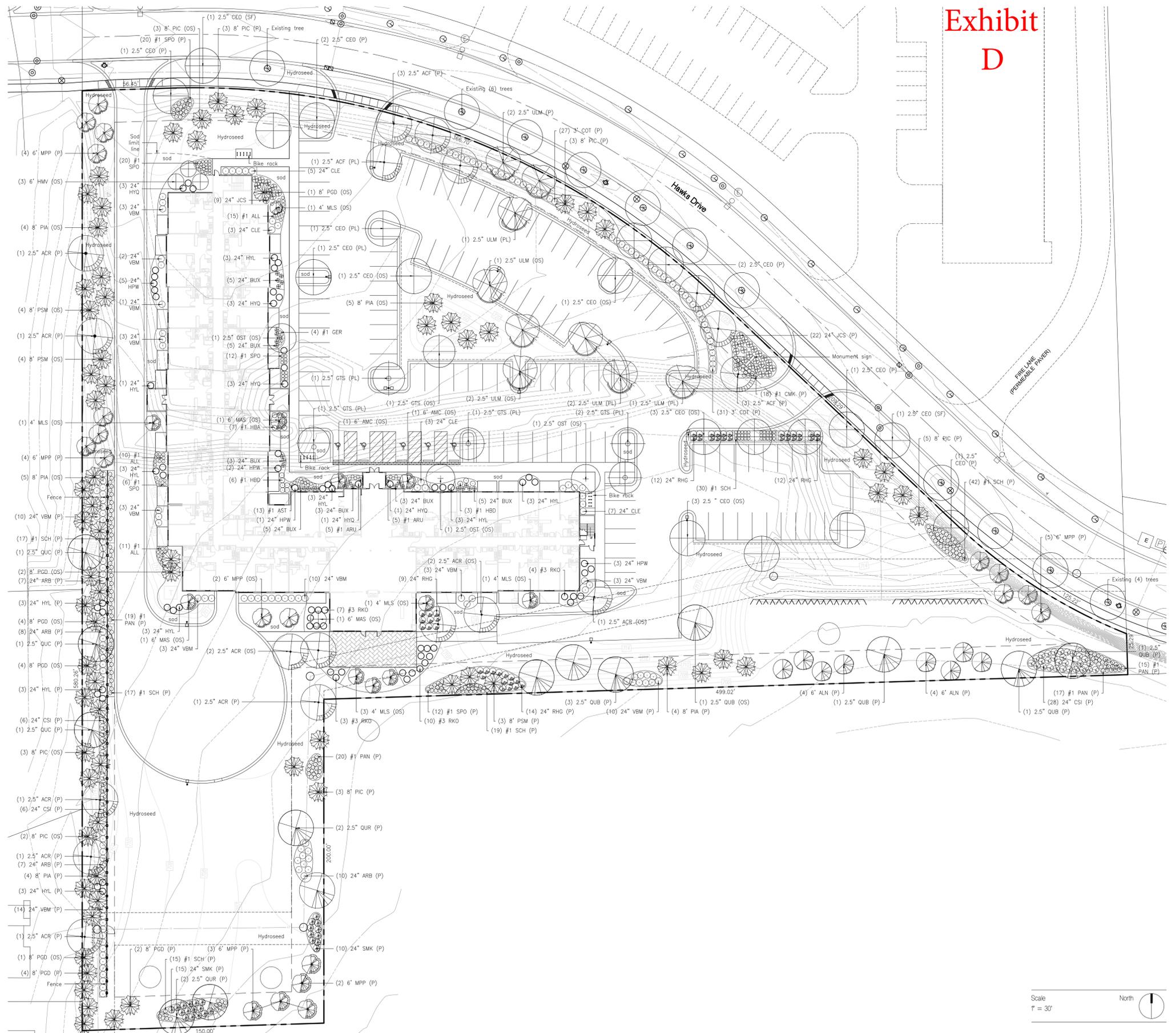
Perennials and Ornamental Grasses	Key Qty.	Size	Botanical Name	Common Name	Remarks
ALL	36	#1	<i>Allium 'Summer Beauty'</i>	Summer Beauty Allium	Container
ARU	10	#1	<i>Aruncus aethusifolius</i>	Miniature Gatsbeard	Container
AST	13	#1	<i>Astilbe chinensis</i> 'Pumila'	Pumila Astilbe	Container
CMK	18	#1	<i>Calamagrostis acutiflora</i> 'Karl Foerster'	Feather Reed Grass	Container
GCR	4	#1	<i>Geranium 'Jolly Bee'</i>	Jolly Bee Geranium	Container
HBA	7	#1	<i>Hosta 'Blue Angel'</i>	Blue Angel Hosta	Container
HBD	9	#1	<i>Hosta 'Big Daddy'</i>	Big Daddy Hosta	Container
PAN	71	#1	<i>Panicum virgatum</i>	Switch Grass	Container
SCH	110	#1	<i>Schizochyrium scoparium</i>	Little Bluestem	Container
SPD	100	#1	<i>Sporobolus heterolepis</i>	Prairie Dropseed	Container

## Tree Key

- (OS) - Common Open Space tree
- (P) - Perimeter tree
- (PL) - Parking Lot tree
- (ST) - Street Frontage tree

## Notes

Landscape materials shall be planted and maintained to provide minimum 8' clearance from the front of transformers, and minimum 3' clearance from sides and rear of transformers.



## REVISIONS

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
08.25.16		Per City Comments			

# LANDSCAPE PLAN

WINDMILL MANOR  
2400 HAWKS DRIVE  
BATAVIA, ILLINOIS

**McCALLUM ASSOCIATES**  
DAVID R. McCALLUM ASSOCIATES, INC.  
LANDSCAPE ARCHITECTS  
350 N. Meade Ave. | Libertyville, IL 60150 | 847.302.2039

**Craig R. Knoche & Associates** • Civil Engineers  
• Surveyors  
• Land Planners  
24 N. Bennett Street • Geneva, IL 60134 • phone (630) 845-1270 • fax (630) 845-1275

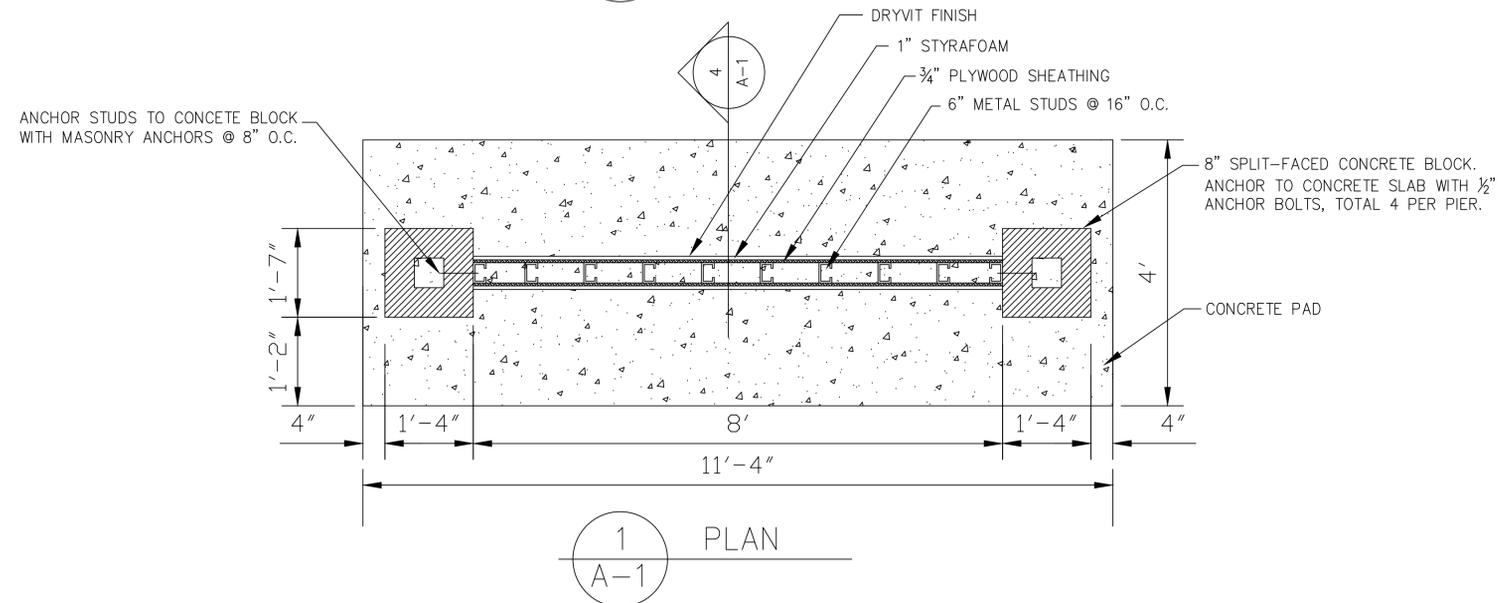
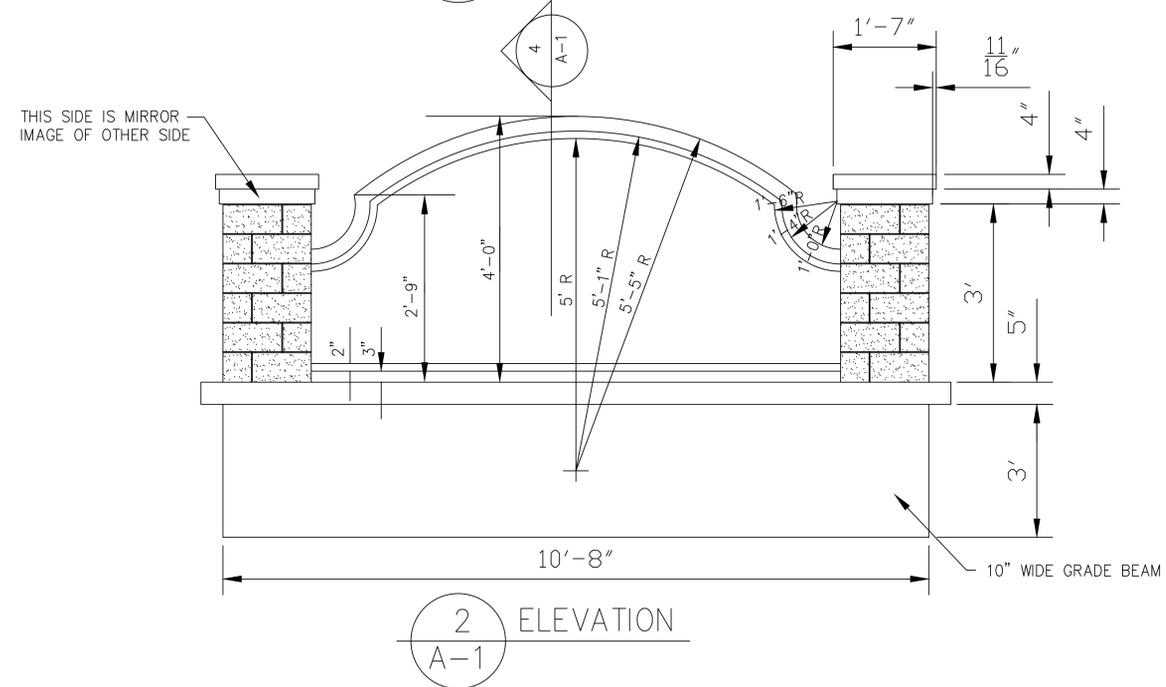
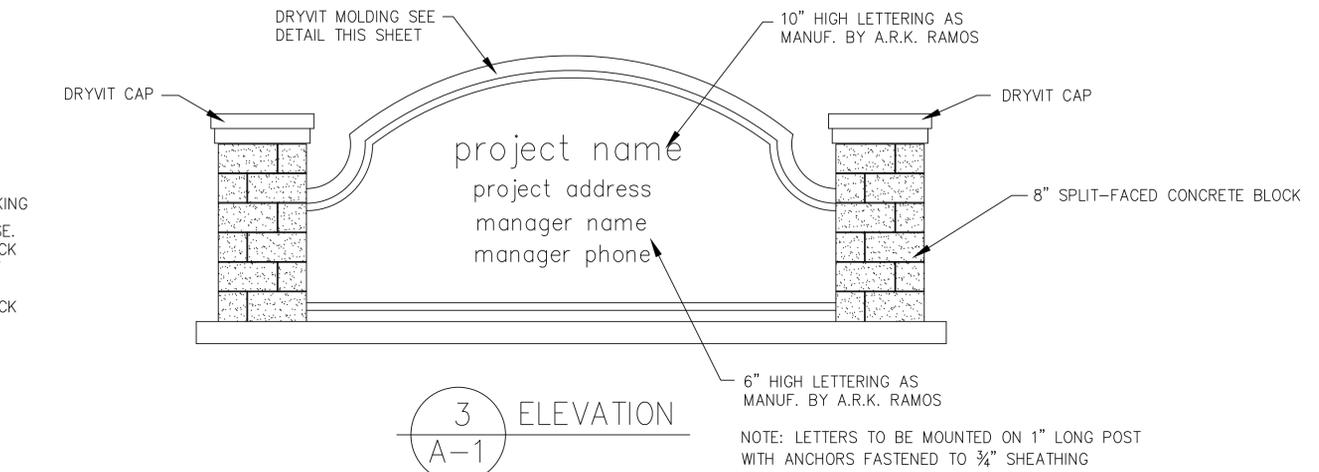
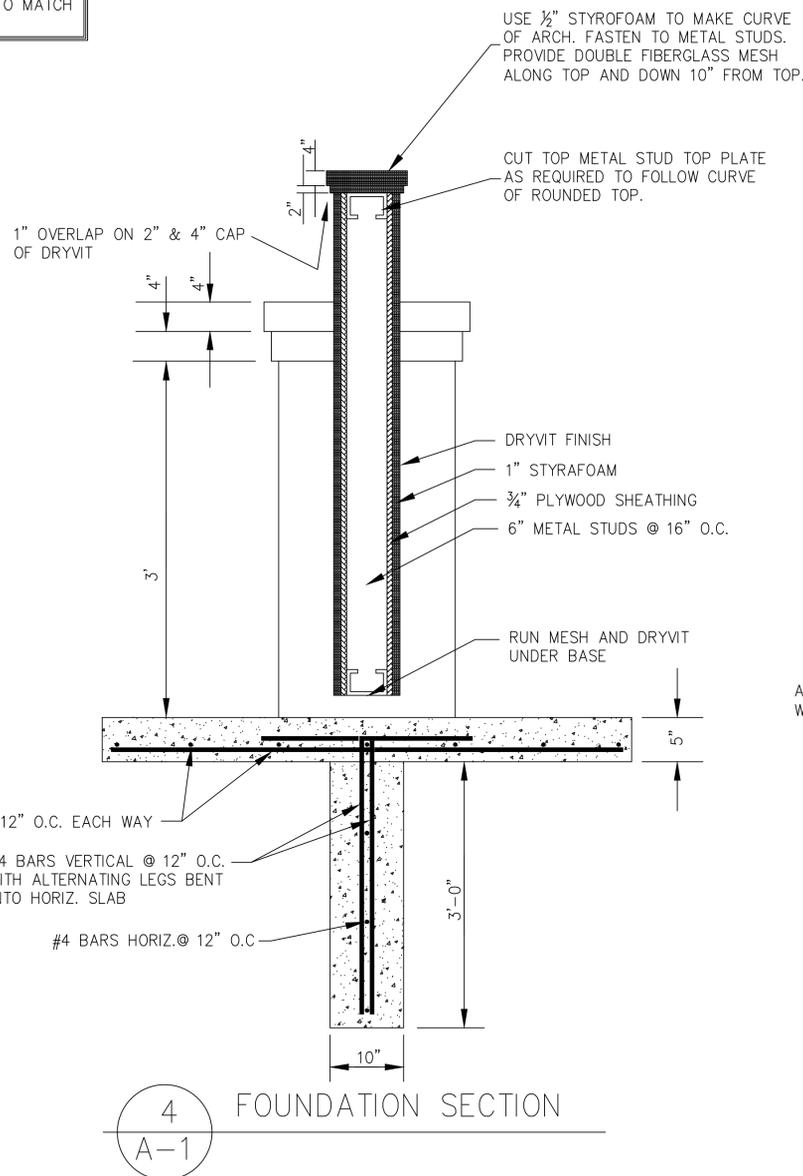
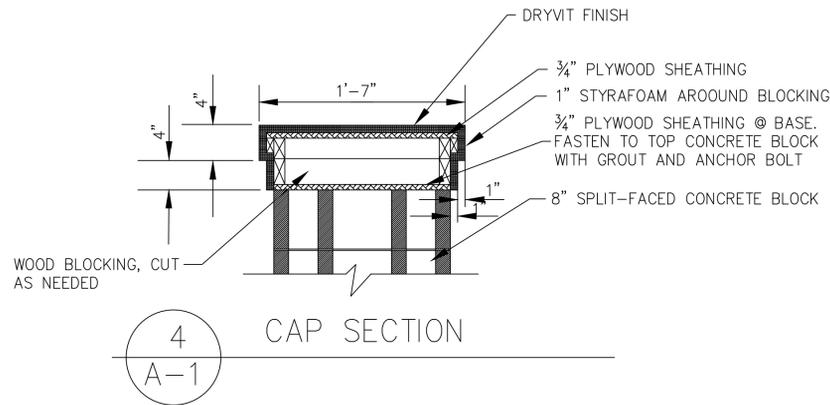
DATE: 7/12/16  
FILE: 16-020 C20  
JOB NO: 16-020  
SHEET NO: 11

\*\*TOTAL SIGN FACE AREA: 27 SF

GENERAL NOTES

1. GENERAL CONTRACTOR SHALL PROVIDE INSURANCE CERTIFICATE TO OWNER.
2. ALL WORK SHALL BE DONE IN A PROFESSIONAL MANNER.
3. CONTRACTOR SHALL KEEP SITE CLEAN OF ALL LOSE MATERIAL.
4. CONTRACTOR SHALL SUPPLY OWNER WITH DRYVIT SAMPLES AND COLOR CHART. DRYVIT SHALL BE INSTALLED BY A LIC. DRYVIT CONTRACTOR.
5. ALL SHEATHING SHALL BE EXTERIOR GRADE PLYWOOD AND SHALL BE FASTENED SECURELY TO METAL STUDS.
6. TOP OF CONCRETE SLAB SHALL BE 4" ABOVE FINISHED GRADE. PROVIDE BROOM FINISH ON TOP OF SLAB.
7. MASONRY CONTRACTOR TO PROVIDE CONCRETE BLOCK SAMPLES FOR OWNERS REVIEW.
8. PROVIDE SAMPLES OF LETTERING AND PLAQUES TO OWNER.
9. ALL METAL STUDS SHALL BE 10 GA. GALVENIZED AND SHALL BE CUT TO FIT.
10. CONTRACTOR TO COORDINATE ALL WORK WITH OWNER AND BUILDING ENGINEER.
11. ALL WOOD BLOCKING SHALL BE TREATED LUMBER.
12. TOP OF GRADE SHALL BE SET AT 1'-0" ABOVE EXISTING GRADE. NEW ELEVATION SHALL EXTEND 18" OUT FROM FACE OF SLAB AND SHALL HAVE A 15% SLOPE OUT TO EXISTING GRADE.

ALTERNATE BID: IN LIEU OF DRYVIT CAPS ON PIERS, PROVIDE CUT STONE CAPS TO MATCH DIM. OF DRYVIT CAPS.



REVISIONS
8-16-16

SHEET DESCRIPTION  
JOB NO.: 16200  
DATE: 15 MAY 16  
DRAWN BY: MS

Exhibit F (1 of 9)



**NORTH ELEVATION**

Exhibit F (2 of 9)



**EAST ELEVATION**

Exhibit F (3 of 9)



**SOUTH ELEVATION**

Exhibit F (4 of 9)



**WEST ELEVATION**



**NORTH EAST**

**STOCK DESIGN ARCHITECTURE**

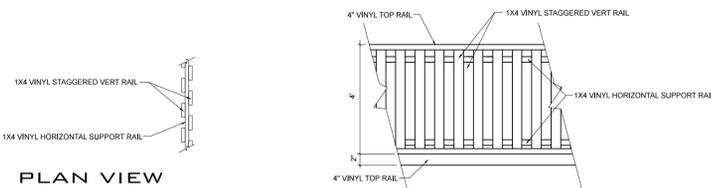
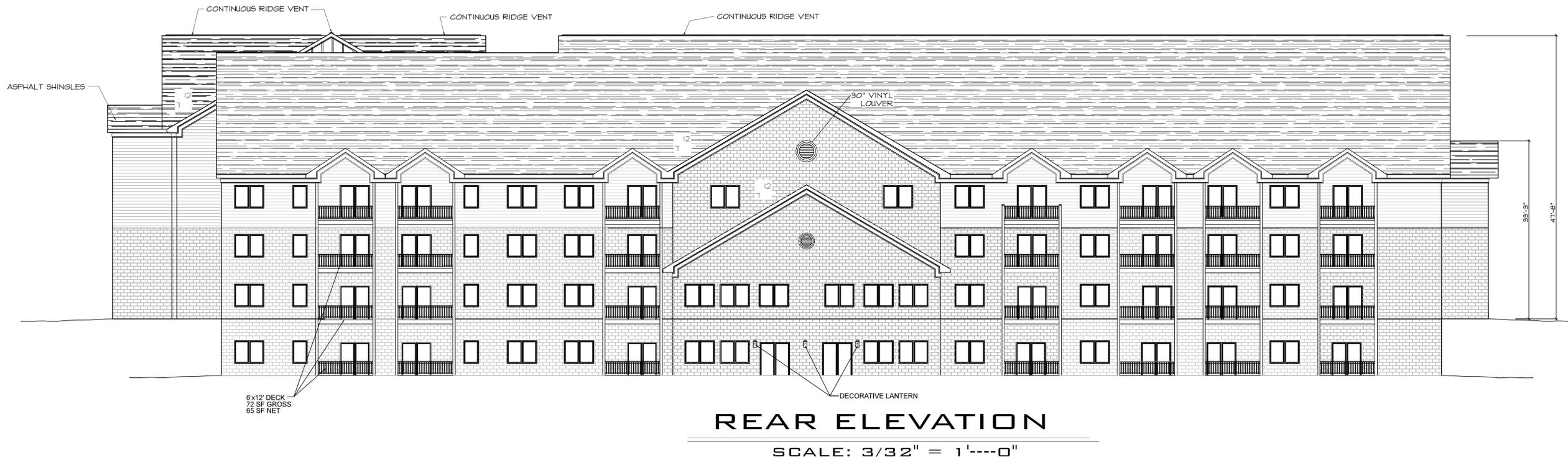
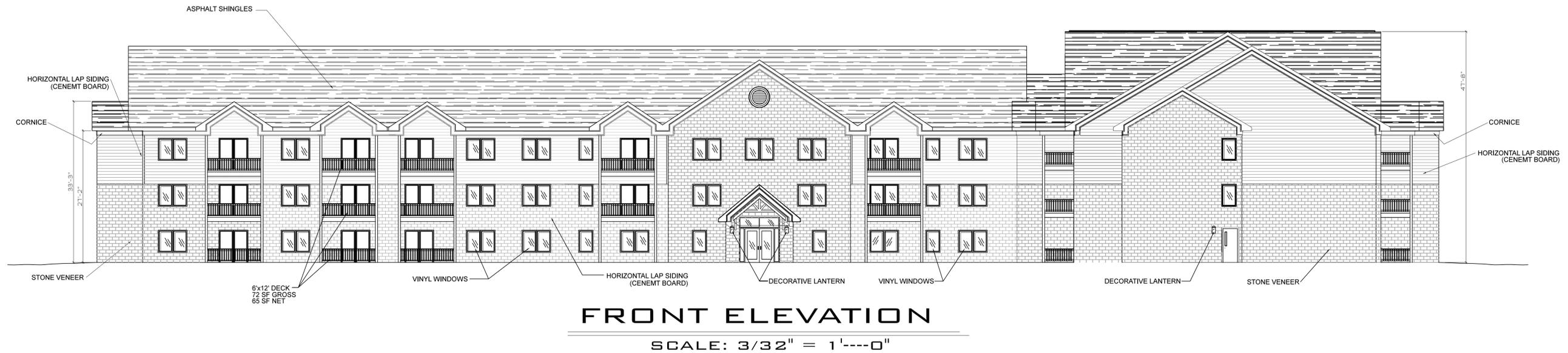


**SOUTH EAST**



**SOUTH WEST**

Exhibit F (8 of 9)



DECK RAILING & EQUIPMENT SCREEN DETAIL

NO SCALE

STOCK DESIGN ARCHITECTURE  
 307 N. 36TH STREET SUITE 111, QUINCY, IL 62301  
 PHONE: 217-223-1795 FAX: 217-223-2357  
 EMAIL: ARCHITECT@STOCKDESIGNARCHITECTURE.COM

WINDMILL MANOR  
 APARTMENTS  
 BATAVIA, ILLINOIS

REVISIONS


SHEET DESCRIPTION

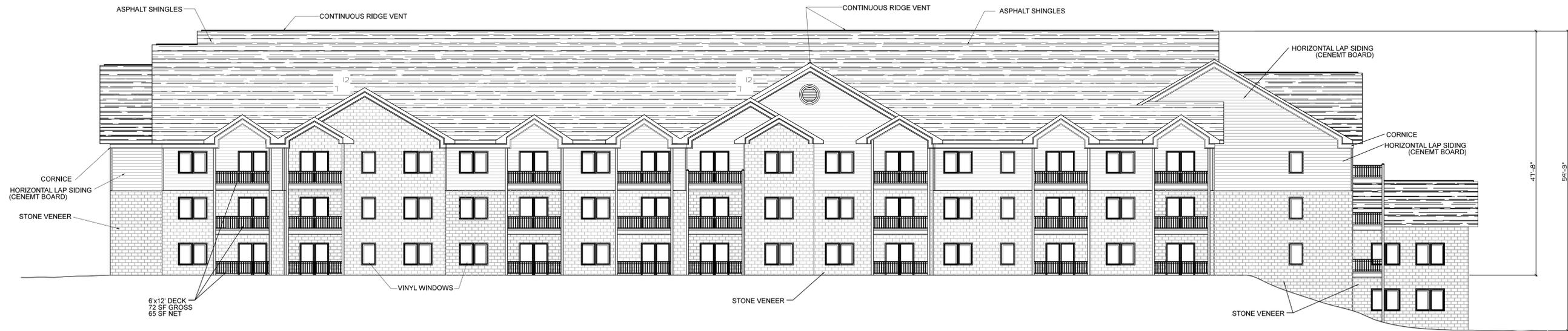
EXTERIOR ELEVATIONS

JOB NO.: 16200  
 DATE: 15MAY16  
 DRAWN BY: MS

A-7

SHEET NO.

# Exhibit F (9 of 9)



## SIDE ELEVATION

SCALE: 3/32" = 1'-0"



## INTERIOR COURT ELEVATION

SCALE: 3/32" = 1'-0"

**STOCK DESIGN ARCHITECTURE**  
 3072 N. 36TH STREET SUITE 1111 GUNDEY, IL 62851  
 PHONE: 217-223-1795 FAX: 217-223-2357  
 EMAIL: ARCHITECT@STOCKDESIGNARCHITECTURE.COM

WINDMILL MANOR  
 APARTMENTS  
 BATAVIA, ILLINOIS

REVISIONS

NO.	DESCRIPTION

SHEET DESCRIPTION

EXTERIOR ELEVATIONS

JOB NO.: 16200  
 DATE: 15MAY16  
 DRAWN BY: MS

**A-7.1**

SHEET NO.



**Exhibit H (1 of 2)**



**PL948063 - One Light Outdoor Wall Lantern by Thomas Lighting**

**Specs**

Depth/Extension:	4.50"
Height:	9.00"

Height from Center:	5.00"
Width/Diameter (in):	5.75"
# of Bulbs:	1
Standard Wattage:	13W
Bulb Type:	Fluorescent
Bulbs Included:	Yes
Voltage Rating:	120V
Material:	Aluminum
Optional Finishes:	Yes
Weight:	2.00 lbs.

**Exhibit H (2 of 2)**

### Styles and Options

Style: Painted Bronze Finish with Etched Glass

Item #: PL948063

Price: Listed Price: \$62.00  
On Special: \$49.60

Option: PL948063,

 [View UL Rating details.](#)



SHIPS TO  
CANADA

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 16-81-R**

**APPROVING THE FINAL PLAT OF SUBDIVISION FOR WINDMILL MANOR  
(2400 HAWKS DRIVE)**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
THIS 17<sup>TH</sup> DAY OF OCTOBER, 2016**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This 18<sup>th</sup> day of October, 2016

Prepared by:  
  
City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 16-81-R**

**APPROVING THE FINAL PLAT OF SUBDIVISION FOR WINDMILL MANOR  
(2400 HAWKS DRIVE)**

**WHEREAS**, a preliminary plat of subdivision for Windmill Cove had been submitted along with applications to annex and zone the property located at 2400 Hawks Drive; and

**WHEREAS**, subsequent to a favorable recommendation from the Batavia Plan Commission, on April 4, 2011, the City Council approved a preliminary plat of subdivision for this property as part of annexing and zoning the subject property; and

**WHEREAS**, JNB Batavia, LP has submitted an application for a final plat of subdivision for the subject property; and

**WHEREAS**, on September 21, 2016 the Plan Commission reviewed the final plat of subdivision and found that it to be in substantial conformance with said preliminary plat of subdivision; and

**WHEREAS**, following finding said substantial conformance, the Plan Commission recommended approval of the final plat to include;

1. A variance to Subdivision Regulations Section 11-6-3 to waive payment of the Capital Improvement Development Fee;
2. A variance to Subdivision Regulations Section 11-5-2-G to allow a slope of 3:1 in place of the maximum 4:1 slope along the south and west sides of the property, subject to staff approval of final engineering;
3. Correcting signature and utility certificates before City officials sign the plat; and

**WHEREAS**, the City Council reviewed the final plat and found said final plat of subdivision to be in substantial conformance with said approved preliminary plat of subdivision, with the Plan Commission's recommended relief to the Subdivision Regulations<sup>[DMR1]</sup>;

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois:

**SECTION 1:** That the final plat of subdivision for Windmill Manor, as depicted in Exhibit "A" attached hereto, is approved, to include:

1. A variance to Subdivision Regulations Section 11-6-3 to waive payment of the Capital Improvement Development Fee.
2. A variance to Subdivision Regulations Section 11-5-2-G to allow a slope of 3:1 in place of the maximum 4:1 slope along the south and west sides of the property, subject to staff approval of final engineering.
3. Correcting signature and utility certificates before City officials sign the plat.

CITY OF BATAVIA, ILLINOIS RESOLUTION 16-81-R

---

<b>Exhibit</b>	<b>Plan</b>	<b>Dated</b>	<b>Prepared by</b>
<b>A</b>	Final Plat of Subdivision for Windmill Manor	August 14, 2016	CRK & Associates, Civil Engineers, P.C. Inc.

**SECTION 2:** That this Resolution 16-81-R shall be in full force and effect upon its presentation, passage, and publication according to the law.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 17<sup>th</sup> day of October, 2016.

---

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Vacant				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

---

Chris Simpkins, Deputy City Clerk



Plat of Subdivision  
**Windmill Manor**

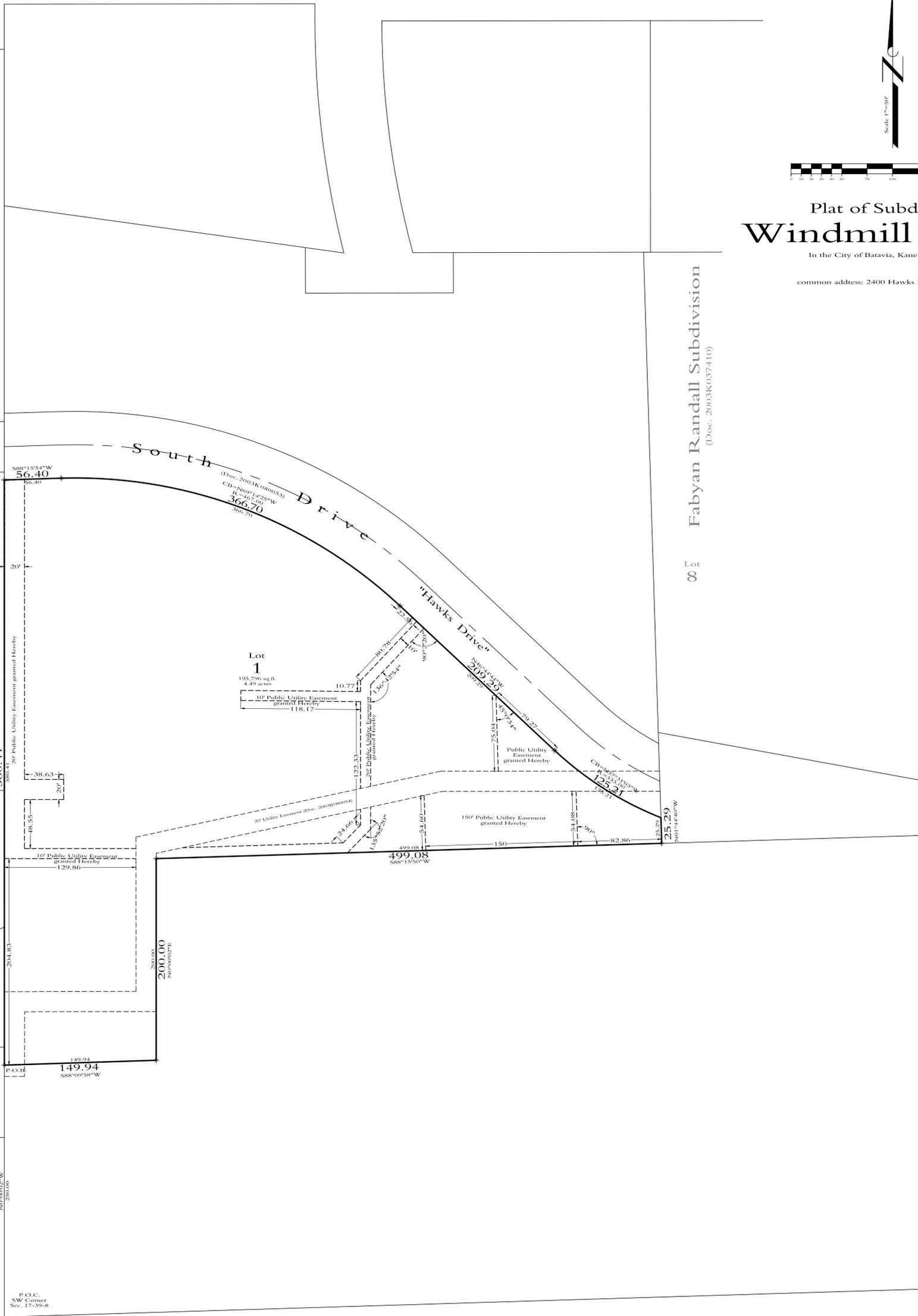
In the City of Batavia, Kane County, Illinois.

common address: 2400 Hawks Drive, Batavia, Illinois.

Campbell Subdivision  
 (Doc. 2009K072784)

Fabyan Randall Subdivision  
 (Doc. 2003K037410)

Windemere Phase 1  
 (Doc. 2002K03231)



Plat of Subdivisionh  
**Windmill Manor**

**Exhibit A (2 of 2)**

common address: 2400 Hawks Drive, Batavia, Illinois.

Owne's Certificate

State of Illinois }  
County of Kane } S.S.

This is to certify that The Old Second National Bank of Aurora f/k/a Kane County Bank and Trust Company as Trustee under a Trust Agreement dated July 22, 1994 and known as Trust No. 923 is the owner of the lands shown and described in the annexed Plat and has, as such owner, caused the same to be surveyed, subdivided and platted as shown for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title thereon shown. It is further certified that the platted lands fall within the boundaries of Geneva Community Unit School District 304.

dated at Aurora, Illinois this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_ attest: \_\_\_\_\_  
(title) (title)

Notary's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, a notary public in and for the County and State aforesaid do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ of The Old Second National Bank of Aurora, as Trustee under Trust 923, who is personally known to me to be the same persons whose names are subscribed to the foregoing certificate, appeared before me this day in person and acknowledged the execution of the annexed plat and accompanying instrument as being pursuant to authority given and as their free and voluntary act and as the free and voluntary act of The Old Second National Bank of Aurora as Trustee under Trust 923.

Given under my hand and notarial seal this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
notary public

Owne's Certificate

State of Illinois }  
County of Kane } S.S.

This is to certify that The Old Second National Bank of Aurora f/k/a Kane County Bank and Trust Company as Trustee under a Trust Agreement dated July 22, 1994 and known as Trust No. 929 is the owner of the lands shown and described in the annexed Plat and has, as such owner, caused the same to be surveyed, subdivided and platted as shown for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title thereon shown. It is further certified that the platted lands fall within the boundaries of Geneva Community Unit School District 304.

dated at Aurora, Illinois this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_ attest: \_\_\_\_\_  
(title) (title)

Notary's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, a notary public in and for the County and State aforesaid do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ of The Old Second National Bank of Aurora, as Trustee under Trust 929, who is personally known to me to be the same persons whose names are subscribed to the foregoing certificate, appeared before me this day in person and acknowledged the execution of the annexed plat and accompanying instrument as being pursuant to authority given and as their free and voluntary act and as the free and voluntary act of The Old Second National Bank of Aurora as Trustee under Trust 929.

Given under my hand and notarial seal this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
notary public

City Engineer's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, City Engineer of the City of Batavia, Illinois, hereby certify to the best of my knowledge and belief that the land improvements dedicated in the hereon plat and plans and specifications thereof meet the minimum requirements of said City.

dated at Batavia, Illinois this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_  
(City Engineer)

City Council's Certificate

State of Illinois }  
County of Kane } S.S.

Mayor and City Council of the City of Batavia, Illinois hereby certify that said council has duly approved this Plat of Subdivision attached hereto by ordinance \_\_\_\_\_, duly authenticated and passed this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_  
(Mayor)

attest: \_\_\_\_\_  
(City Clerk)

Plan Commission's Certificate

State of Illinois }  
County of Kane } S.S.

I, \_\_\_\_\_, Chairman of the Plan Commission of the City of Batavia, Illinois, hereby certify that the said Commission has duly approved this Plat of Subdivision attached hereto this \_\_\_day of \_\_\_, A.D.2016.

by: \_\_\_\_\_  
(Chairman)

County Clerk's Certificate

State of Illinois }  
County of Kane } S.S.

I, John A. Cunningham, County Clerk in and for the County and State aforesaid find no redeemable tax sale, unpaid forfeiture taxes or unpaid current taxes against any of the land included in the plat. I further certify that I have received all statutory fees in connection with the plat.

Given under my hand and the seal of the county this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
County Clerk

Recorder's Certificate

State of Illinois }  
County of Kane } S.S.

This instrument, no. \_\_\_\_\_, was filed for record in the Recorder's Office of Kane County, Illinois this \_\_\_day of \_\_\_, A.D.2013 at \_\_\_o'clock \_\_\_m., and was recorded in plat envelope no. \_\_\_\_\_.

\_\_\_\_\_  
Recorder of Deeds

State of Illinois }  
County of DuPage } S.S.

This is to certify that I, John Cole Helfrich, an Illinois Professional Land Surveyor, have surveyed, subdivided and platted for the uses and purposes therein set forth the following described lands:  
That part of the northeast quarter of Section 17, Township 39 north, Range 8 east of the Third Principal Meridian described as follows: commencing at the southwest corner of said northeast quarter; thence N0°00'02"W along the west line of said northeast quarter, 250.00 feet for the point of beginning; thence N88°09'58"E, 150.00 feet; thence N0°00'02"W, 200.00 feet; thence N88°15'50"E, 499.02 feet to the southwest corner Fabyan Randall Subdivision as platted by Document 2003K037410; thence N1°44'40"W along the west line of said Subdivision, 25.29 feet to the south line of South Drive as dedicated by Document 2003K080053; thence northwesterly along the south line of said South Drive, being a circular curve having a radius of 333.00 feet concave to the northeast, the chord of which bears N57°31'03"W, 125.21 feet; thence N46°44'44"W along said south line, 209.29 feet; thence northwesterly along said south line, being a circular curve having a radius of 467.00 feet concave to the southwest, the chord of which bears N69°14'25"W, 366.70 feet; thence S88°15'54"W, 56.40 feet to the west line of said northeast quarter; thence S0°00'02"E along said west line, 580.41 feet to the point of beginning in the City of Batavia, Kane County, Illinois.

All dimensions are given in feet and decimal parts thereof.

I further certify that the lands described above lie within the corporate limits of the City of Batavia, Illinois which has authorized a comprehensive plan and is exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code.

This also declares that the Federal Emergency Management Agency FIRM Community Panel 17089C0326H, with an effective date of August 3, 2009 indicates that the above described property lies within an area designated as Zone X. Zone X is defined as "areas determined to be outside the 0.2% annual chance floodplain."

Given under my Hand and Seal this \_\_\_day of \_\_\_, A.D.2016.

\_\_\_\_\_  
Illinois Professional Land Surveyor 2967  
exp. 11-30-16



PUBLIC UTILITY AND DRAINAGE EASEMENT (P.U.D.E.) PROVISIONS

A perpetual easement is hereby reserved for and granted to the City of Batavia, an Illinois municipal corporation, and those public utility and other companies operating under franchise agreements granting them rights from the City of Batavia, including but not limited to, Commonwealth Edison Company, AT & T, Nicor Gas Company, and Comcast Cable Communication, Inc., together with their respective successors and assigns (the "Grantees"), for the installation, modification, construction, reconstruction, replacement, alteration, enlargement, operation, inspection, repair, maintenance, relocation, renewal and removal of facilities, improvements and appurtenances to serve these and other lands with various public utilities transmission and distribution systems, including without limitation, from time to time, electricity, sounds and signals, cable television, communication, telephone, gas pipelines, water pipelines, storm and sanitary sewers, storm water detention and retention facilities, and storm water drainage, together with any and all necessary lines, cables, mains, manholes, hydrants, catch basins, connections, pipes, appliances, and other structures and appurtenances as may be deemed necessary, in, across, along, over, under, and upon the areas hereon identified as "Public Utility and Drainage Easement" (P.U.D.E.); together with the right to install required service connections under the surface of each lot to serve improvements thereon; and together with the right to enter upon the property with such personnel and equipment as may be deemed necessary for all such uses and purposes.

No obstruction or structure shall be erected or located, nor shall any trees be planted, over said easement areas, nor shall any other activities be undertaken that unreasonably interfere with the Grantees' intended use thereof, but the same may be used for landscaping, fencing, parking or other purposes if such use does not then or later interfere with the aforementioned purposes.  
The right is also hereby granted to the City of Batavia to remove any fences, buildings or structures and to cut down, trim or remove any trees, shrubs, bushes, roots or other plantings that interfere with the operation of or access to such facilities in, on, upon, across, under or through said Public Utility and Drainage Easement. The City of Batavia shall not be responsible for the replacement or repair of any such fences, buildings, structures, trees, turf, gardens, shrubs, landscaping, or other improvements removed during the exercise of the herein given rights. Replacement and/or repair of said items shall be the responsibility of the then property owner.  
Following any work to be performed by the City of Batavia in the exercise of its easement rights herein granted, said City shall have no obligation with respect to surface restoration, including by not limited to, the restoration, repair or replacement of pavement, curb, gutters, fences, sheds, trees, lawn or shrubbery, provided, however, that said city shall be obligated, following such maintenance work, to backfill and mound all trench created so as to retain suitable drainage, to cold patch any asphalt or concrete surface, to remove all excess debris and spoil, and to leave the maintenance area in a generally clean and workmanlike condition. The City has no obligation to repair any improvements that were completed without obtaining the necessary permits prior to installation.  
The occupation and use of the perpetual easement herein granted and reserved for the Grantees by each of such entities shall be done in such a manner so as not to interfere with or preclude the occupation and use thereof by other entities for which such easements are granted and reserved. The crossing and re-crossing of said easements by the Grantees shall be done in such a manner so as not to interfere with, damage, or disturb any transmission and/or distribution systems and facilities appurtenant thereto existing within the easements being crossed or re-crossed.  
Where the easement areas are also used for electric, telephone, cable TV, gas distribution systems or their appurtenances, such other utility installations shall not interfere with the maintenance of gravity or subsurface flow and stabilization of vegetative ground cover on the above-mentioned drainage facilities, or cause any change in grade, or impair or change the surface drainage patterns of the property.

