Pursuant to 5 ILCS 120/7 as amended by Public Act 101-0640 and in the interest of public health and safety, this Commission meeting will be held remotely.

To participate in the live meeting use the GoToWebinar link below to register for the event at: Registration Link - https://attendee.gotowebinar.com/register/4982441751949217292
You will need to provide your name and email address

Residents can listen by phone to the Plan Commission meeting by dialing (415) 930-5321 and using the audio PIN 758-582-252 when prompted
Dial in callers are unable to ask questions.

Questions and comments regarding agenda items can be submitted prior to meeting by emailing drackow@cityofbatavia.net

1. Call To Order
2. Roll Call
3. Items Removed/Add/Added/Changed
4. Approval Of Minutes: January 20, 2021
   Documents:
   PC 1-20-21.PDF
5. PUBLIC HEARINGS - 106-110 North Raddant Road:
   • Amendment to the Comprehensive Plan Land Use Map to Service Business (from Light Industrial), 106-110 North Raddant Road
   • Amendment to the Official Zoning Map to the SB Service Business District (from LI Light Industrial District), 106-110 North Raddant Road
   City of Batavia, Applicant
   Documents:
   PC 106-110 N RADDANT LU-ZM AMEND.PDF
6. PUBLIC HEARINGS - 320 Kielion Dr, 1728 Wiesbrock Ln, 1007 Edwards Dr, 700 Norcross Dr:
- Amendments to the Comprehensive Plan Land Use Map Designations
  - 320 Kielion Drive and 1728 Wiesbrook Lane from Residential >2-3.5 Dwelling Units per Acre to Parks and Open Space
  - 1007 Edwards Drive and 700 Norcross Drive from Residential >.5-2 Dwelling Units per Acre to Parks and Open Space
- Amendments to the Official Zoning Map
  - 320 Kielion Drive and 1728 Wiesbrook Lane from R1-L Single Family Residential, Low Density to POS Parks & Open Space District
  - 1007 Edwards Drive and 700 Norcross Drive from R0 Single Family Residence District to POS Parks & Open Space District

City of Batavia, Applicant

Documents:

PC-PONDS-REZONING-1-29-21.PDF

7. Matters From The Public (For Items Not On The Agenda)
8. Other Business
9. Adjournment

Plan Commission
Tom Gosselin, Chair
Tom LaLonde, Vice Chair
Sara Harms
Joan Joseph
Amy Moore
Sue Peterson
MINUTES  
January 20, 2021  
Plan Commission  
City of Batavia  
REMOTE MEETING

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

1. Meeting Called to Order for the Plan Commission Meeting
Chair Gosselin called the meeting to order at 7:00pm.

2. Roll Call:
Members Present:  Chair Gosselin; Commissioners Joseph, Peterson, Moore, LaLonde
Members Absent:  Commissioner Harms
Also Present:  Drew Rackow, Planner; Scott Buening, Community Development Director, Joel Strassman, Planning and Zoning Officer; Jeff Albertson, Building Commissioner; Howard Chason, Director of Information Systems; and Jennifer Austin-Smith, Recording Secretary

3. Items to be Removed, Added or Changed
There were no items to be removed, added or changed.

4. Approval of Minutes: December 16, 2020
Motion:  To approve the minutes from December 16, 2020
Maker:  Moore
Second:  Joseph
Roll Call Vote:  Aye: Moore, LaLonde, Gosselin, Joseph, Peterson
Nay:  None
5-0 Vote, 1 Absent, Motion carried.

5. Lost Woods Animal Sanctuary, 595 South River Street, Cat Collins, Applicant
- CONTINUATION OF A PUBLIC HEARING: Conditional Use Permit for an Animal Shelter
- Administrative Design Review (WITHDRAWN BY APPLICANT)

Motion:  To open the Public Hearing
Maker:  Joseph
Second:  Peterson
Roll Call Vote:  Aye: Joseph, LaLonde, Moore, Peterson, Gosselin
Nay:  None
5-0 Vote, 1 Absent, Motion carried.
The Public Hearing was opened at 7:02pm.

LaLonde asked why the applicant withdrew the application. Strassman answered staff received communication from the applicant and she requested that her application be withdrawn. She felt that there were a number of things that would need to be done to this property in Batavia to complete the Conditional Use process and she and her board decided that they would be searching for another property.

**Motion:** To close the Public Hearing  
**Maker:** Joseph  
**Second:** Peterson  
**Roll Call Vote:** Aye: Joseph, LaLonde, Moore, Peterson, Gosselin  
Nay: None  
5-0 Vote, 1 Absent, Motion carried.

The Public Hearing was closed at 7:04pm.

6. **CONTINUATION OF A PUBLIC HEARING: Amending the Text of the Zoning Code for Cannabis Dispensaries and Related Uses (City of Batavia, Applicant)**

- 2.3 Commercial Districts
- 2.4 Downtown Mixed Use District
- 2.5 Mixed Use District
- 2.6 Employment Districts
- 4.1 Site Regulations
- 4.2 Off Street Parking and Loading Regulations
- 4.4 Sign Regulations
- 4.5 Supplemental Use Regulations
- 5.1 Planning Administration
- 5.2 Common Procedures
- 6 Glossary

**Motion:** To open the Public Hearing  
**Maker:** LaLonde  
**Second:** Moore  
**Roll Call Vote:** Aye: LaLonde, Joseph, Gosselin, Moore, Peterson  
Nay: 1 Absent, Motion carried.

The Public Hearing was opened at 7:05pm.

Rackow reported that tonight is the continuation of the Public Hearing that was held on December 16th. At that meeting there was a request from the Plan Commission (PC) for more information on buffers in residential areas to provide greater separation under the proposed requirements for recreational cannabis dispensaries. Rackow overviewed the memo and discussed the maps that the
Commission members received in their packets. Rackow explained the illustrated buffer maps with the Commission. He discussed the differences in the definitions of cannabis retailers, craft growers, cultivator, and transportation center.

Peterson reported in the staff report it was stated that the buffers for residential uses are not necessary. Peterson asked for staff’s rationale. Rackow answered if it is a Conditional Use, the Commission has a lot of authority to review the activities, processes, allowances, and operational requirements. The thought was that the things that the Commission may be trying to mitigate by setting a distance, whether that be for traffic noise or parking, a lot of that could be addressed through the Conditional Use process when someone applies. At that time the Plan Commission and City Council could make requirements. Rackow stated, not every jurisdiction that has a Conditional Use has a buffer. LaLonde commented that he is leaning towards no buffers for residential at this point and leave it up to the Conditional Use. Chair Gosselin agreed. He explained as you look through the blue line, it does eliminate so many of the properties. The Commission continued to review the maps illustrating the buffer zones and various residential properties.

Chair Gosselin asked if there were any people in attendance that wanted to address the Commission. There were none.

The Commission deliberated on a final decision on residential buffers of either 250 ft or 500 ft from residential uses. Joseph stated that she would still prefer a buffer from residential. She stated that we would have problems in the long run if we don’t. Neighbors around the area of a proposed business would be very upset if there were no buffer. LaLonde commented that he does not feel a buffer is necessary because it could be controlled with a Conditional Use. Moore agreed. She added that no matter what she voted on this issue, the majority voted for recreational sales and if we add a buffer then we are taking away a lot of opportunity for residential sales. Peterson agreed that we could handle the buffer distances through a Conditional Use rather than imposing an exact buffer. Chair Gosselin agreed. He continued this residential buffer limits too many properties. He surmised that the general consensus of the Commission would be okay without the residential buffer.

Chair Gosselin asked about the 500 ft or 1,000 ft buffer from churches, parks and schools. The Commission reviewed the map illustrating both buffers. LaLonde stated that he is more apt to go with the 1,000 ft buffer, especially from the high school. Peterson agreed and added that not just the high school but other schools and churches. Moore agreed. Joseph agreed with the 1,000 ft buffer from churches and schools. Gosselin stated that the general consensus from the Commission is in favor of the 1,000 ft setback from churches, schools, and parks.

**Motion:** To close the Public Hearing  
**Maker:** Joseph  
**Second:** Moore  
**Roll Call Vote:**  
- **Aye:** Joseph, Gosselin, Moore, Peterson, LaLonde  
- **Nay:**  
  - 5-0 Vote, 1 Absent, Motion carried.

The Public Hearing was closed at 7:55pm.
Motion: To recommend the amendments to the text of the Zoning Code for cannabis dispensaries and related uses as outlined in staff’s memo with the change of the setback from schools, churches and parks from 500ft to 1,000ft and the removal of a residential buffer, item 2 under location

Maker: LaLonde
Second: Moore

Roll Call Vote: Aye: LaLonde, Moore, Peterson, Gosselin
            Nay: Joseph
            4-1 Vote, 1 Absent, Motion carried.

7. Matters from the Public (for items NOT on the agenda)
There were no matters from the public.

8. Other Business
Rackow announced there would be three different rezonings at the next Plan Commission meeting. Two are sets of detention areas in the southeast quadrant and one is a proposed rezoning at 106-110 Raddant Road industrial properties.

Moore asked if there is anything that needs to come back to the Commission regarding the One Washington Street project. Buening stated that he does not believe there is anything else that has to come back to the Plan Commission at this point. Staff is working on final details with the developer but it is primarily more administrative items. Buening reported that TIF 6 has been created and recorded.

9. Adjournment
There being no other business to discuss, Chair Gosselin asked for a motion to adjourn the Plan Commission. Peterson moved to adjourn the meeting, Joseph seconded. All were in favor. The meeting was adjourned at 8:03pm.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary, on January 29, 2021.
DATE: January 28, 2021
TO: Plan Commission
FROM: Joel Strassman Planning and Zoning Officer
SUBJECT: PUBLIC HEARINGS

- Amendment to the Comprehensive Plan Land Use Map to Service Business (from Light Industrial), 106-110 North Raddant Road
- Amendment to the Official Zoning Map to the SB Service Business District (from LI Light Industrial District), 106-110 North Raddant Road

City of Batavia, Applicant

Background and Summary of Information: Batavia staff periodically evaluates uses and zoning for properties to determine if a more appropriate zoning classification can better accommodate existing uses while allowing additional uses that better fit the surroundings. Batavia staff has initiated these proposed land use and zoning changes resulting from a recent evaluation of the property at 106-110 North Raddant Road. A public hearing is scheduled for the February 3, 2021 Plan Commission e-meeting to consider proposed amendments to the Comprehensive Plan Land Use Map and Official Zoning Map for the property located at 106-110 North Raddant Road and the stormwater management property that serves this property abutting to the east. These properties are shown on the attached maps. These proposed amendments do not include and are not in anticipation of any development on the property or change in land use of the building or property.

The subject property is the only property in the vicinity south of the BNSF Railroad that has industrial designation on both the Comprehensive Plan Land Use Map and Official Zoning Map. Staff feels this property should be considered for Service Business land use classification on the Land Use Map and for the SB Service Business District on the official Zoning Map. Such designations will increase the distance to nearby residences from industrial zoning and provide a zoning district that will be more compatible with adjacent properties. The changes also will restrict industrial zoning in this area to the BNSF and properties to the north of the railroad.

The building at 106-110 North Raddant contains 9,000 square feet and the lot covers 32,418 square feet (0.74 acres). The stormwater management lot is 8,029 square feet. The building is home to 3 businesses: an electrical contractor, a flooring/remodeling contractor, and automobile repair/service provider. This property is part of a planned development approval (Ordinance 08-37) that included construction of the building to the south and specification of providing 94 parking spaces on both properties combined to serve both buildings. The proposed Map Amendments do not affect this approval.

Staff Analysis:
Comprehensive Plan Amendment

- The Land Use Element provides the Land Use Classifications of “Service Business” and “Light Industrial.” Service Business includes land uses such as quasi-industrial uses and small-scale office, service, and indoor storage. The business occupying the building fit this classification. Light Industrial identifies warehousing and light manufacturing uses that are not present on the property. Service Business classified land is located directly across Raddant Road.

Land Use Element Goal #1 (“Maintain Batavia as an attractive place to live, work, shop, and play with a balance of land uses”) contains policies to protect employment land uses and encourage a health mix of uses. The proposed amendment would continue to allow employment land uses that are more compatible with adjacent commercial and service business uses while increasing the distance of potential light and general manufacturing uses.
Land Use Element Goal #8 seeks to provide gradual transitions from areas of higher intensity use to lower intensity use. Policies include transitioning industrial use to service business when adjacent to residential neighborhoods and to have rail lines separate land use classification areas. The proposed amendment would increase separation of potential light and general manufacturing use to the residential neighborhood on the south side of Wilson Street and continue the rail line to separate classification areas.

- The Public Facilities and Services Element states Goals and Policies to ensure the City can adequately serve the properties. The proposed amendment does not provide for an intensification of land use; in fact, with manufacturing use not part of Service Business land use, the impact on some City services may be reduced. The City would continue to adequately serve the property.

- The Economic Development and Redevelopment Element contains goals and policies that seek to expand employment and commerce. While the proposed amendment to Service Business eliminates light and general manufacturing uses promoted in Light Industrial, uses such as medical offices and clinics are permitted in the SB Service Business zoning district. Staff notes the size of the building is not conducive to manufacturing use.

- Staff notes that other Comprehensive Plan Elements are minimally applicable to the proposed amendment.

**Zoning Map Amendment**

The goals and policies noted in the analysis of the Comprehensive Plan are similarly applicable to the proposed amendment to the SB Service Business District. In addition to eliminating light and general manufacturing use being allowed on the property, a business providing outdoor storage for customers would require approval of a conditional use permit (currently, it is a permitted use) wherein the Commission can recommend, and the City Council can require heightened landscaping/screening to soften the impact of the outdoor use. Staff notes that restaurants would no longer be allowed with the amendment, but the site as currently configured is incapable of providing the necessary parking if the building became a restaurant. The introduction of medical use being allowed provides potential lease space for a still growing business sector.

The existing electrical contractor and flooring/remodeling contractor would be permitted uses in the SB District. The automobile repair/service business would be allowed as a grandfathered conditional use, per the rights and limitations of the non-conforming uses Chapter of Zoning Code (Chapter 4.6). Establishment of automobile service in a space that does not, or did not recently, have such use would require approval of a conditional use permit. The use of automobile repair/service can remain in the existing lease space, providing services offered today.

The adjacent properties are zoned as follows:

- To the west – SB Service Business District with primarily conforming and grandfathered conditional uses;
- To the south – NC Neighborhood Commercial District with conforming and conditional uses;
- To the east – O Office District with conforming uses;
- To the north – LI Light Industrial District containing the BNSF Railroad right-of-way.

As of the date of this memorandum, staff has not had contact from the property owner after informing him of both contemplated amendments via email and US Mailed letter on December 23, 2020. He has not contacted staff in response to the required hearing notification letter or sign posting on his property. Staff believes the proposed SB District and uses it allows would be compatible with these properties.
The Plan Commission must review and approve the following Findings and Review of Conditions with a Zoning Map Amendment; no findings are required for the Land Use Map Amendment. Staff provides the following evaluation of the Findings and Review of Conditions for the Commission to consider.

**Public Notice.** All required public notice has been conducted in accordance with applicable state and local laws.

**Finding:** Hearing Notice was published in the Daily Herald on January 14, 2021. City staff executed the notice mailing and posting of the properties pursuant to City Code. A sign was posted on the property on or before January 14, 2021. Staff completed mailing notice to the owner of the subject property and owners whose property is within 500 feet of the subject property on the January 15.

**Public Meetings and Hearings.** All required public meetings and hearings will have been held in accordance with applicable state and local laws.

**Finding:** The Plan Commission shall on February 3, 2021 conduct a public hearing in accordance with state and local law.

**Conformance to the Comprehensive Plan.** The extent to which the proposed amendment to the Official Zoning Map conforms generally to the goals and policies of the Comprehensive Plan and Comprehensive Plan Land Use Map.

**Finding:** The proposed amendment is being considered and will be acted on concurrently with a proposed amendment to the Land Use Map to classify the subject properties with the land use category of Service Business. The proposed Zoning Map amendment will be consistent with the amended Land Use Map. The Zoning Map amendment is also consistent with several goals and policies of the Comprehensive Plan by placing the property in a zoning district that is appropriate for present uses on the property, consistent with zoning and uses on adjacent properties, and limits industrial zoning in the area to a portion of the BNSF railroad right-of-way and to properties to the north.

**Review of Conditions**

1. Is the proposed zoning district and the development it allows compatible with the existing uses and zoning of nearby property?
   **Finding:** The proposed SB Service Business District would adjoin the existing SB District to the west, and would be bordered by the NC Neighborhood Commercial, O Office, and LI Light Industrial districts. The proposed SB District allows a variety of quasi-industrial uses, offices, and medical office use that would be compatible with existing adjacent uses that include automobile service, neighborhood commercial, office, and railroad.

2. Is there evidence to suggest that property values will be diminished by the particular zoning restriction changes?
   **Finding:** There is no evidence to suggest that property values will be diminished by the proposed amendment. The proposed amendment would not alter the current uses of the properties and would ensure that light and general manufacturing are not allowed.

3. If any property values are diminished, does the diminishment promote the health, safety, morals, or general welfare of the public?
   **Finding:** While there is no diminishment, the health, safety, morals, and general welfare will be promoted by placing the properties in a zoning district that does not allow light and general manufacturing use.

4. Does the proposed zoning change provide a greater relative gain to the public as compared to the hardship imposed on the individual property owner?
   **Finding:** The proposed change provides a greater gain to the public by further distancing light and general manufacturing use from nearby residential uses, and other non-light and general
manufacturing uses. There would be little hardship imposed on the properties’ owner due to the use opportunities in the proposed district that would be compatible with nearby uses.

5. Is the subject property suitable for the zoned purpose?
   **Finding:** The properties are presently used consistent with what is allowed in the proposed district, therefore the properties would be suitable for the proposed zoned purpose.

6. Has the length of time the property has been vacant as zoned been excessive, considering the context of land development in the area in the vicinity of the subject property?
   **Finding:** The properties are developed and have been used for their proposed purpose. There is no vacancy.

7. Is there a community need for the proposed zoning or use?
   **Finding:** The City has little SB District-zoned property as compared to the present LI District. Increasing the amount of SB District-zoned property will allow for additional uses on the property that are more compatible with adjacent property and nearby residences than are light and general industrial uses. The proposed change accommodates a need for more SB District property.

**Staff Recommendation**
Staff recommends the Commission open, conduct, and close the public hearing. After concluding the hearing, staff recommends:

1. Recommend approval of a Land Use Map Amendment for 106-110 North Raddant Road and the stormwater management property abutting to the east to reclassify the subject properties from Light Industrial to Service Business;
2. Approve Findings and Review of Conditions for the Zoning Map Amendment; and
3. Recommend approval of an amendment to the Zoning Map to zone the subject properties from the LI Light Industrial District to the SB Service Business District.

Attachment: Proposed Land Use Map and Zoning Map Amendment Exhibits

c  Mayor and City Council
  Department Heads
  Ronald Ekstrom, property owner
  Media
Proposed Land Use Amendment to Service Business at 106-110 N Raddant Rd

Maps and data provided by the City of Batavia are not intended to have, nor do they have, the accuracy of surveys or legal descriptions of land areas. GIS data obtained from the City of Batavia is intended for representational use only. Reliance on such maps and data is at the risk of the recipient. This information, in either electronic or map form, is provided "as is." No warranty expressed or implied is made regarding the accuracy, timeliness, or completeness of the data, nor shall the act of distribution constitute any such warranty. This disclaimer applies both to individual use of the data and aggregate use with other data.

SOURCE: BATGIS, KANEGIS  DATE: 1/27/2021
Proposed Rezoning to Service Business

106-110 N Raddant Rd

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SOURCE: BATGIS, KANEGIS

DATE: 1/25/2021
DATE: January 29, 2021
TO: Plan Commission
FROM: Drew Rackow AICP, Planner
SUBJECT: PUBLIC HEARINGS:

- Amendments to the Comprehensive Plan Land Use Map Designations
  - 320 Kielion Drive and 1728 Wiesbrook Lane from Residential >2-3.5 Dwelling Units per Acre to Parks and Open Space
  - 1007 Edwards Drive and 700 Norcross Drive from Residential >.5-2 Dwelling Units per Acre to Parks and Open Space

- Amendments to the Official Zoning Map
  - 320 Kielion Drive and 1728 Wiesbrook Lane from R1-L Single Family Residential, Low Density to POS Parks & Open Space District
  - 1007 Edwards Drive and 700 Norcross Drive from R0 Single Family Residence District to POS Parks & Open Space District

Background and Summary of Information: On February 3rd public hearings are scheduled to consider two sets of amendments to both the Comprehensive Plan Land Use Map and Zoning Map for two pairs of stormwater management parcels owned by the City of Batavia in the southeast quadrant of the City (see the attached map). The four properties were not conveyed to the City, as originally contemplated by their development approvals. They were subsequently acquired between November 2013 and April 2014. 1320 Kielion Drive and 1728 Wiesbrook Drive serve the Cherry Cove Subdivision. 700 Norcross Drive serves the Fox Trail East Subdivision. 1007 Edwards Drive serves the Normandy Subdivision. Being under private ownership when the Comprehensive Plan and Zoning Code were adopted in 2007 and 2010, these properties were not designated Parks & Open Space Land Use or POS Zoning.

The Zoning Map amendments would reclassify the four subject properties to the Parks and Open Space Land Use classification and the POS, Parks and Open Space Zoning District. Below is a table with information about each parcel.

<table>
<thead>
<tr>
<th>Subject Parcel</th>
<th>Acreage</th>
<th>Current Land Use Designation</th>
<th>Current Zoning District</th>
<th>Adjacent Zoning Districts*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1320 Kielion Dr</td>
<td>0.50</td>
<td>Residential &gt;2-3.5 DU per Ac</td>
<td>R1-L</td>
<td>R1-L F-Farming F-Farming R1-L</td>
</tr>
<tr>
<td>1728 Wiesbrook Ln</td>
<td>0.20</td>
<td>Residential &gt;2-3.5 DU per Ac</td>
<td>R1-L</td>
<td>R1-L F-Farming F-Farming R1-L</td>
</tr>
<tr>
<td>1007 Edwards Dr</td>
<td>1.10</td>
<td>Residential &gt;0.5-2 DU per Ac</td>
<td>R0 POS</td>
<td>R0 R0 PFI</td>
</tr>
<tr>
<td>700 Norcross Dr</td>
<td>1.10</td>
<td>Residential &gt;0.5-2 DU per Ac</td>
<td>R0</td>
<td>R0 R0 POS R0</td>
</tr>
</tbody>
</table>

* F is a Kane County zoning designation

Staff Analysis: The proposed zoning map amendments place these four properties in the zoning district most consistent with the use of the properties as publicly owned stormwater detention facilities. The POS district is the only district that specifies stormwater facilities as a permitted use. It has been an ongoing project to place publicly owned detention facilities into this district. The classification memorializes the use of these properties for stormwater purposes. Only one of the four lots (700...
Norcross Drive) is expressly dedicated as Stormwater Detention areas on their original plat of subdivision. The Cherry Cove ponds are noted as being dedicated but rely on the Annexation Agreement to specify that they are for stormwater purposes. This agreement expired in 2015. Similarly, the expired Annexation Agreement for Normandy Subdivision include the identification of dedication of the property for stormwater purposes. While now City owned, the proposed zoning district would limit development and use in a manner like those now expired agreements. The POS District restricts the development potential of each property by limiting the uses of the property and applying more limited bulk standards for structures. As there are no structures on these properties, therefore no non-conforming conditions will be created with the proposed change.

**Comprehensive Plan Amendment:** Due to City acquisition of the property after the adoption of the Comprehensive Plan, these properties did not receive a Land Use designation of Parks and Open Space. This designation was reserved for publicly owned open space, and large private areas restricted to open space uses. Staff provides the following analysis of the proposed Land Use Map amendments for their conformance with the Comprehensive Plan Goals and Policies. Staff believes several Goals and Policies are met with the proposed changes.

**Land Use:** The Land Use Element identifies through Goal 1, Policy e the importance of “proactively and fairly enforcing land use regulations.” This policy is met by placing the properties in a Land Use category consistent with their intended long-term use. It also facilitates a Zoning action creating a conforming use of the properties as publicly owned detention areas.

**Environment:** Goal 1 of the Environment Element to “Protect and enhance the City’s and the region’s air, land and water resources” is advanced through meeting Policy e. “Minimize erosion, storm water runoff and pollution by requiring the use of best management practices, including limits on pesticide use, for all construction activities, especially adjacent to wetlands.” These parcel functions as a storm water management facility that provides for erosion control and cleaning of storm water to enhance water quality. The Edwards Drive pond was converted to a naturalized detention area in 2015. The Comprehensive Plan encourages more naturalized forms of detention through Goal 1, Policy g which seeks to “Reduce impervious surfaces through the use of permeable pavers and similar techniques, to promote the recharge of local aquifers and to provide natural pretreatment of stormwater runoff.” Its location next to a Middle School offers a convenient opportunity for environmental education consistent with Goal 3, Policy C “Educate residents, businesses, and visitors to increase awareness of environmental issues and programs” by providing an opportunity to demonstrate naturalized detention.

**Parks and Open Space:** Goal 1 of this element is to “Provide an abundant supply of parks and open spaces,” is met with Policy f “Preserve or reclaim property adjacent to waterways for open space use and to help improve the quality of water that enters the waterways – preserve and enhance naturalized settings.” The zoning change recognizes the need for storm water management to preserve the larger watershed. Goal 5, Policy B is similarly advanced, which states “Encourage stormwater management areas to be designed with native vegetation and to accommodate active and/or passive recreational use.” The use of naturalized detention and adjacency to the Illinois Prairie Path allows several of the subject properties to provide a larger public benefit by providing additional open space near public spaces.

**Utility Impacts:** Staff identifies no impact to the City’s utilities or the City’s infrastructure with the Comprehensive Plan Land Use map amendment. Sufficient utilities and infrastructure exist for the continued use of the property with a Parks and Open Space designation.

Staff believes the proposed change would designate an appropriate use of the property, placing the Land Use category for these four properties in a classification reflective of the long term intended use of the property.
Comprehensive Plan Conformance Analysis for Zoning Map Amendments: The goals and policies noted within the analysis of the Comprehensive Plan analysis are similarly applicable to the proposed change of zoning for the four subject parcels. The placement of properties in a proper district for their use is critical for the appropriate regulation and management of uses within the community. Each provides important functions of cleaning stormwater before being conveyed to the larger watershed.

Overall, staff believes these proposed Zoning Map amendments are compatible with the surrounding areas and is an appropriate action for consideration and recommendation. The Plan Commission must review and approve the following Findings and Review of Conditions with a Zoning Map Amendment. Staff provides the following evaluation of the Findings and Review of Conditions for the Commission to consider. These draft findings are written to be applicable to both pairs of zoning actions.

**Draft Findings and Review of Conditions:**

**Public Notice.** All required public notice has been conducted in accordance with applicable state and local laws.

**Finding:** City staff executed the notice mailing and posting of the properties pursuant to City Code. Signs were posted on the properties on January 11. Staff completed mailing notice to owners whose property is within 500 feet of the subject property on January 13. Notice was published in the Daily Herald on January 14, 2021.

**Public Meetings and Hearings.** All required public meetings and hearings have been held in accordance with applicable state and local laws.

**Finding:** The Plan Commission shall on February 3, 2021 conduct a public hearing in accordance with state and local law.

**Conformance to the Comprehensive Plan.** The extent to which the proposed amendment to the Official Zoning Map conforms generally to the goals and policies of the Comprehensive Plan and Comprehensive Plan Land Use Map.

**Finding:** The proposed amendments are consistent with the Official Land Use Map as it is proposed to be amended. It is also consistent with several goals and policies of the Comprehensive Plan by placing the properties in a zoning category that is most appropriate for the present use as stormwater management areas.

**Review of Conditions**

1. Is the proposed zoning district and the development it allows compatible with the existing uses and zoning of nearby property?
   **Finding:** The Parks and Open Space District is adjacent to residential districts throughout the City. The current uses are already established and are compatible with the use of nearby properties.

2. Is there evidence to suggest that property values will be diminished by the particular zoning restriction changes?
   **Finding:** There is no evidence to suggest that property values will be diminished by the restriction. The value of nearby properties already takes into account the present use.

3. If any property values are diminished, does the diminishment promote the health, safety, morals, or general welfare of the public?
   **Finding:** While there is no diminishment, the health, safety, morals, and general welfare will be promoted by placing the properties under a zoning district tailored to their present uses.
4. Does the proposed zoning change provide a greater relative gain to the public as compared to the hardship imposed on the individual property owner?
   **Finding:** The proposed change provides a greater gain to the public, by placing appropriate use and bulk standards on the properties, while preserving their use as stormwater management areas. The City owns the properties for a public benefit.

5. Is the subject property suitable for the zoned purpose?
   **Finding:** The properties are presently used for the zoned purpose and are thus suitable.

6. Has the length of time the property has been vacant as zoned been excessive, considering the context of land development in the area in the vicinity of the subject property?
   **Finding:** The properties have already been developed for their proposed purpose. There has been no vacancy since platting.

7. Is there a community need for the proposed zoning or use?
   **Finding:** The parcels were platted to fulfill a community need by providing the necessary stormwater management areas for their subdivisions for their development. The proposed change recognizes this necessary use.

**Staff Recommendation**

Staff recommends the Commission open, conduct, and close the public hearing. After concluding the hearing, staff recommends:

1. Recommend approval of amendments to the Comprehensive Plan Land Use Map for:
   a. 320 Kielion Drive and 1728 Wiesbrook Lane from Residential >2-3.5 Dwelling Units per Acre to Parks and Open Space
   b. 1007 Edwards Drive and 700 Norcross Drive from Residential >.5-2 Dwelling Units per Acre to Parks and Open Space

2. Approve Findings and Review of Conditions for each pair of Zoning Map Amendments; and

3. Recommend approval of amendments to the Zoning Map to reclassify:
   a. 320 Kielion Drive and 1728 Wiesbrook Lane from R1-L Single Family Residential, Low Density to POS Parks & Open Space District
   b. 1007 Edwards Drive and 700 Norcross Drive from R0 Single Family Residence District to POS Parks & Open Space District

**Attachment:**
- Proposed Land Use Map Exhibits
- Proposed Zoning Map Exhibits

**c Mayor and City Council**
**Department Heads**
**Media**
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SOURCE: BATGIS, KANEGIS

DATE: 1/28/2021
Proposed Rezoning of Detention Parcels in Cherry Cove Subdivision

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SOURCE: BATGIS, KANEGIS

DATE: 1/29/2021
Proposed Parks and Open Space Rezoning at Norcross Drive and Edwards Drive

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SOURCE: BATGIS, KANEGIS
DATE: 1/29/2021
Proposed Parks and Open Space Rezoning at Norcross Drive and Edwards Drive

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SOURCE: BATGIS, KANEGIS

DATE: 1/25/2021