

MINUTES
January 6, 2016
Plan Commission
City of Batavia

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

1. Meeting Called to Order for the Plan Commission

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

2. Roll Call:

Members Present: Chair LaLonde; Vice-Chair Schneider; Commissioners Gosselin, Joseph, and Peterson

Members Absent: Commissioner Harms

Also Present: Scott Buening, Director of Community Development; Andrea Podrazza, Senior Civil Engineer; Joel Strassman, Planning and Zoning Officer; Jeff Albertson, Building Commissioner; Drew Rackow, Planner; and Jennifer Austin-Smith, Recording Secretary

3. Items to be Removed, Added or Changed

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

4. Approval of Minutes: November 18, 2015

Motion: To approve the minutes from November 18, 2015

Maker: Joseph

Second: Peterson

Voice Vote: 5 Ayes, 0 Nays, 1 Absent

Motion carried.

**5. Subdivision Code: Amendment to the Subdivision Code Title 11, for As-Built Surveys, Grading Permits and Deposits – Ordinance 16-04: Proposed Revisions to Title 11 of the City of Batavia Municipal Code: Subdivision Regulations
City of Batavia, Applicant**

Podraza reported that these changes came about due to issues with language in the code. There is no language in the code to address those who do not complete things in a timely fashion. The As-Built Survey and Grading Permits would be used to handle some of those situations. Staff feels that a year is a sufficient amount of time to complete the project and there is an option for renewal if there is an ongoing development. Staff has been trying to obtain information and track down people and that is not the best use of staff time. Podraza explained that staff felt six months after substantial completion (e.g. underground utilities completed) the City should receive an As-Built or Partial Surveys. Legal Counsel reviewed the language.

Podraza discussed the process with the Commission. She explained that right now there is a fee when we do an engineering review and have different schedules for them. Staff would like to have one percent of the total estimated cost of the project be placed in a deposit fee for the As-Built permits. Staff feels that if the developer has money tied down it would motivate them to complete these items and staff could get them in an expedited fashion. One of the changes that legal counsel suggested was when the City feels that we are in substantial completion the City should send a letter informing the developer that they have six months to get the As-Built approved. Staff could use the deposit to have the survey prepared if it is not.

Chair LaLonde asked if there were any questions or comments. The Commission discussed the fees, extension of deadlines, and the language revisions. Podraza discussed all the modifications with the Commission. LaLonde asked if the proposed minimum of one thousand dollars is enough money to pay for the drawings. Podraza stated that the minimum would be for the smaller sites and they do require electronic files as well to add to our GIS system. Podraza stated that the fee could be adjusted as necessary but staff felt that one percent would be sufficient; we hope not to use it. Albertson added that it would be one percent of the construction. Podraza continued that some of the projects are two hundred thousand to millions of dollars. Staff would just like to cover the cost of what they need and hope to not have to use it at all.

Motion: Recommend approval of amendments to Title 11 Chapters 2 and 5 of the Batavia Municipal Code: Subdivision Regulations and Ordinance 16-04
Maker: Joseph
Second: Peterson
Voice Vote: 5 Ayes, 0 Nays, 1 Absent
Motion carried.

**6. Subdivision Code: Amendment to the Subdivision Code Chapter 11-5-9, Creating a Fee in Lieu for a Sidewalk Construction Waiver
City of Batavia, Applicant**

Rackow reported that the City Council requested that staff take a look at the sidewalk requirements for new home construction. A concern was raised when a homeowner builds a home and builds a sidewalk that does not connect for a long period of time. Staff has proposed to City Council a limited fee in lieu program. Rackow showed a map of the park district and school sites. Staff is proposing in the draft changes to have it 1,000 feet from a park district site, school site or a Pace bus route. Rackow showed a map of the current Pace bus route. He noted there is a limited amount of area that would be affected by this and staff believes that this should remain a limited opportunity.

Rackow explained the Fee in Lieu for a Sidewalk Construction Waiver program. The full cost of what it would take to put a sidewalk in front of a home would be required to be paid in lieu of the installation. Podraza assured the Commission that staff would ensure that the proper cost is collected based on current costs for installation of concrete. The Commission discussed the program, prevailing wage, carriage walk portions of sidewalks, waivers, and where the funds would be stored. Rackow stated that the money collected would be stored in a separate fund to

pay for the construction of new sidewalks. Buening stated that the intent is to use the funds for new sidewalks within City limits and to connect sidewalks that are not currently connected.

Motion: Recommend approval of amendment to the Subdivision Code Chapter 11-5-9, creating a fee in lieu for a Sidewalk Construction Waiver
Maker: Joseph
Second: Schneider
Voice Vote: 5 Ayes, 0 Nays, 1 Absent
Motion carried.

7. Other Business

- Strassman announced that a public hearing is scheduled for the Zoning Board and the Plan Commission regarding a drive through to be added to the Shell station on Houston Street and Batavia Avenue on January 20, 2016.
- Joseph asked about the maneuverability of the drive through on the Walgreen's lot. Strassman reported that the drive through was designed to meet code.
- Peterson asked about the potential Blue Goose grocery store. Buening stated that there are no updates on this as of yet. There would have to be substantial tenant shifting for the grocery store to locate in that shopping center.
- Buening reported that Walgreens is looking at an April opening.
- Podraza reported that there is the first closing in Tanglewood Hills Five this month.
- Buening announced that Speedway is to open late February.
- Buening reported that a successful bid was made on the water tower site on Wilson and Spuhler. The Plan Commission would be asked for construction approval of a multi-tenant building.
- Podraza announced that the Deerpath Road Bridge should be under construction this spring.
- Buening stated that he anticipates a busy year for projects. He stated that he hopes that we would be able to move forward with the Siemens site this year. The owners plan to put the site on the market once they get EPA approval.
- Podraza reported that Deerpath and Main is being submitted for IDOT approval of a traffic light in that intersection and add some turn lanes.
- Rackow announced TIF 4 was approved by City Council on Monday night.

8. Adjournment

There being no other business to discuss, Chair LaLonde asked for a motion to adjourn the Plan Commission. Gosselin moved to adjourn the meeting, Schneider seconded. The meeting was adjourned at 7:42pm.