

MINUTES
April 3, 2019
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 Meeting

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

2. Roll Call:

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

Members Absent: Vice-Chair Schneider

Also Present: Joel Strassman, Planning and Zoning Officer; Drew Rackow, Planner; Jeff Albertson, Building Commissioner; 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: February 20, 2019; March 6, 2019

Motion: To approve the minutes from February 20, 2019 and March 6, 2019

Maker: Joseph

Second: Gosselin

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

5. PUBLIC HEARING: Amendment to a Planned Development

Water Tower Crossing Single Family Residential Subdivision

1600 West Wilson Street, Habitat for Humanity for Northern Fox Valley, Applicant

- **Amendment to an existing R1-H Single Family Residential High Density Zoning District Planned Development Overlay District**
- **Preliminary/Final Plat of Subdivision**
- **Rescind Design Review**

Motion: To open the Public Hearing

Maker: Peterson

Second: Gosselin

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

Rackow gave the staff report for the amendment to a planned development ordinance that was approved as Ordinance 17-61. The amendment is to seek approval for a four-unit subdivision rather than the six that were originally approved. In order to do that, the applicant requests amending the planned development and the various conditions that were previously approved. The Plan Commission (PC) will also be reviewing a preliminary and final plat of subdivision that will also vacate some of the former right of way. There would be a request to rescind the Design Review that was previously approved for the prior project that is no longer moving forward. Rackow stated that this site is within the allowed density for the Comprehensive Plan. Much of the Planned Development request or amendment is to update the ordinance to be reflective of the proposed four-lot configuration for the property. Many of the conditions are no longer necessary now that the lot sizes are larger.

Jerry Pietryla, Habitat for Humanity of Northern Fox Valley, addressed the PC. He presented a PowerPoint presentation about Habitat for Humanity. He stated that their unofficial motto is a hand up, not a hand out. He overviewed the mission statement, history and background, programs and partner families. He explained that qualified applicants must earn between 40-80% of the area's medium income. Qualified applicants must demonstrate the ability to repay a no interest loan and be able to make a down payment. Homes are sold at fair market value. Equity is vested over the first ten years of ownership to prevent flipping. He showed the PC pictures of houses recently built in Elgin by the organization.

The Commission discussed the designs of the houses Habitat for Humanity builds and the process with the applicant. Staff recommended to the PC to approve the Preliminary/Final Plat of Subdivision for Water Tower Crossing, subject to the following:

- a. A variation from the Subdivision Regulations to allow for the collection of School and Park Land Cash Contributions prior to permit issuance rather than at the recording of a Final Plat.
- b. Addition of a public access/sidewalk easement along lots 2 and 3 where the public sidewalk will encroach on the properties.
- c. The title block be amended to state "Plat of Subdivision for Water Tower Crossing Subdivision"
- d. That easement language be revised to remove reference to "then owner" in paragraph four
- e. Revise Owner's certificate to refer to the plat of Water Tower Crossing rather than Independence and Spuhler.

Chair LaLonde opened the floor for public comment.

Craig Crawford, 15 Feece Drive, addressed the Plan Commission. He stated that of the plans proposed this plan seems to be the most acceptable to the neighborhood. He stated that lacking elevations is problematic and would like it to work in the neighborhood. Because the plan has changed there should have been a neighborhood meeting to include everyone in the solution. He is disappointed that there is no traffic study. This is a dense traffic area, especially when school gets out. He stated there is a drainage problem between Feece and Spuhler. Rackow reported that

drainage is in middle of the four lots and then routed to the storm water system along Wilson. Crawford stated that having the drainage explained makes him more at ease.

Gary Wojda, 41 Spuhler Drive, stated that he is concerned about drainage. As long as the drainage is going away from the rest of the block that is good and he hopes that the sizing is adequate. He asked what the frontage is for each of these lots and if basements are anticipated. Rackow stated the lots are 84 feet wide, the total square footage for each lot is 5,200 square feet. There is 83.9-84 feet for frontage. Rackow stated that the applicant would have to address the basement question. Pietryla confirmed that the homes would have basements.

Motion: To close the Public Hearing
Maker: Joseph
Second: Harms
Voice Vote: 5 Ayes, 0 Nays, 1 Absent
Motion carried.

Motion: To rescind the Design Review approval granted on September 20, 2017 to Kevin Stough
Maker: Gosselin
Second: Peterson
Roll Call Vote: **Aye:** Gosselin, Harms, Joseph, LaLonde, Peterson
Nay:
5-0 Vote, 1 Absent, Motion carried.

Motion: To approve the Preliminary/Final Plat of Subdivision for Water Tower Crossing, subject to the five conditions provided by staff
Maker: Harms
Second: Joseph
Roll Call Vote: **Aye:** Harms, Joseph, LaLonde, Peterson, Gosselin
Nay:
5-0 Vote, 1 Absent, Motion carried.

Motion: To recommend approval of an amendment to the Planned Development approved by Ordinance 17-61 for a R1-H Single Family Residential, High Density with a Planned Development Overlay Zoning District subject to the nine conditions provided by staff
Maker: Peterson
Second: Joseph
Roll Call Vote: **Aye:** Peterson, Gosselin, Harms, Joseph, LaLonde
Nay:
5-0 Vote, 1 Absent, Motion carried.

**6. Approval: Final Plat of Subdivision – Prairie Commons First Re-Subdivision
Prairie Commons Subdivision
Mackie Consulting, Applicant**

Rackow reported the PC approved two lots, which were defined as easement areas at the time because the applicant had revisions made under the FEMA LOMR process. Once the flood plain was adjusted they wanted to plat those lots once the FEMA process was finished and approved. It has since been approved and the result is the plat of subdivision for those two lots. Through the course of the building permit review It was determined that due to how they were proposing offsetting different lot units not enough room was left for the overhang of some balconies on the urban plan lots. In order to adjust for that we will be re-platting the envelope for all those lots to make them three feet wider and removing the easements for those areas. Staff is recommending approval with the conditions listed below:

1. Addition of the PINs of impacted lots to the Plat of Subdivision
2. Addition of a County Recorder Signature block to the Plat of Subdivision

The Commission discussed the Final Plat of Subdivision with staff including the status of the commercial site. Rackow noted that none of the changes made with this subdivision plat would modify the approved commercial site.

Motion: To recommend approval of a Final Plat of Prairie Re-subdivision subject to the two conditions provided by staff

Maker: Harms

Second: Gosselin

Roll Call Vote: **Aye:** Harms, Joseph, LaLonde, Peterson, Gosselin

Nay:

5-0 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

Peterson asked if the Wastewater Treatment Plant is up and running yet. Albertson stated that it is about a week away from occupancy inspections on the new buildings. The project is behind due to several issues.

Peterson asked about the Morton Street project. Albertson answered that the project is continuing.

Joseph asked what happened at the Pepe's Restaurant. Albertson answered that a car drove through the building from the parking lot. There were no injuries.

Albertson announced that permits for Raising Cane's was submitted today.

Rackow stated that the April 18th PC meeting would be cancelled due to no items on the agenda. There is a public hearing scheduled for May 1st for a Conditional Use application for microblading at the salon located at 3 East Wilson.

9. Adjournment

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