

MINUTES
January 18, 2023
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 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 7:14pm.

2. Roll Call:

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

Members Absent:

Also Present: Drew Rackow, Planning & Zoning Officer; Jeff Albertson, Building Commissioner; Zach Ewoldt, Planner; and Jennifer Austin-Smith, Recording Secretary (remote)

3. Items to be Removed, Added or Changed

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

**4. Approval: Final Plat of Subdivision for Batavia Logistics Center Subdivision
1401 North Kirk Road, KBC Illinois Investments, LLC, Applicant**

Rackow reported that at the 10/5 Plan Commission (PC) meeting the PC reviewed and approved a Preliminary Plat of Subdivision and a proposed Design Review for the development on the southwest corner of Fabyan and Kirk Road. The PC approved the plat with conditions. Staff has been working with the developer on a development agreement that would address the proposed traffic signal and that would go to the Committee of the Whole (COW) in a concurrent review upon recommendation here. Rackow discussed stormwater easement, paths, street entry signs, and the ability to convert the Hollister Drive entrance point if the City ever needed it. The final engineering review is still pending for the project. The recommended conditions in the staff report address the potential needs of additional easements or modifications based on that review.

Rackow stated staff recommends approval of the final plat subject to the seven conditions in the staff report as follows:

1. Final Staff review and approval of proposed easement locations and language.
2. Final approval of Kane Division of Transportation of the Final Plat of Subdivision
3. Final approval of Kane Division of Transportation of the KDOT Access Permit and Engineering
4. Staff approval of final site engineering.
5. Staff approval of the Stormwater Management Report.

6. Approval of the City Council of a Development Agreement with the applicant.
7. Approval shall be contingent upon the completion of the sales transaction of the applicant from the property owner.

Chair Gosselin welcomed comments from the applicant. Jon Postweiler, Velocis Batavia JV, LP, stated that this is for a 540,000 square foot warehouse and no tenant has been identified yet. Jason Cebulski, Civil Engineer, discussed the ingress and egress with the PC.

Motion: To recommend City Council approval of the Final Plat of Subdivision for Batavia Logistics Center Subdivision subject to the seven conditions presented by staff

Maker: Harms

Second: Moore

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

Nay: None

6-0 Vote, 0 Absent, Motion carried.

5. PUBLIC HEARING: Amendments to the Text of the Zoning Code (Miscellaneous Amendments)

Chapter 4.1: Site Regulations

Chapter 2.3: Commercial Districts

Chapter 2.4: Downtown Mixed Use District

Chapter 2.5: Mixed Use District

Chapter 2.6: Employment Districts

Chapter 6: Glossary

City of Batavia, Applicant

Motion: To open the Public Hearing

Maker: Peterson

Second: Joseph

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

Nay: None

6-0 Vote, 0 Absent, Motion carried.

The Public Hearing was opened at 7:09pm.

Ewoldt presented the staff report to the PC regarding amendments to the text of the Zoning Code and the fencing modifications. Ewoldt discussed how staff received several inquiries regarding distilleries in the City of Batavia. Staff is proposing to add distillery as a classification. The current code does not permit or prohibit distilleries. Staff is proposing to amend the existing brewery use definitions to include distilleries. This change would only apply to the Zoning Code.

The PC discussed the fencing modifications and how it applies to corner side yards and double frontage lots. The PC viewed GIS Maps (BatGIS) and existing fences in the downtown area using Google Maps. The PC discussed the varying heights of the fences and how the current Zoning Code allows up to an eight-foot fence. Ewoldt stated that the proposed reduction in

height is primarily for the Downtown Mixed-Use area but the adjacent uses could still have some screening ability.

Chair Gosselin asked if there were any members from the public that wanted to address the PC. Rackow stated that there were no members from the public in attendance tonight.

Motion: To close the Public Hearing
Maker: Joseph
Second: LaLonde
Roll Call Vote: **Aye:** Joseph, Gosselin, Moore, Peterson, LaLonde, Harms
Nay: None
6-0 Vote, 0 Absent, Motion carried.

The Public Hearing was closed at 7:42pm.

Motion: To recommend City Council approval of the amendments to the text of the Zoning Code as proposed by staff with amended change to the Downtown Mixed-Use fencing section in the front and corner side be 3ft maximum height for solid fencing or 4ft maximum height for open fencing
Maker: Peterson
Second: Joseph
Roll Call Vote: **Aye:** Peterson, LaLonde, Harms, Joseph, Gosselin, Moore
Nay: None
6-0 Vote, 0 Absent, Motion carried.

6. Matters from the Public (for items not on the agenda)

There were no matters from the public for items not on the agenda.

7. Other Business

Rackow stated that staff is working with applications to be presented to the PC soon. One of which is Dave's Hot Chicken that would be in the Jewel parking lot.

Rackow announced that next week, Wednesday January 25th, the City has a Downtown Visioning Workshop along with our consultant. Flyers were handed out to the PC. The workshop will be held at the library from 6pm-8pm.

8. Adjournment

There being no other business to discuss, Chair Gosselin asked for a motion to adjourn the Plan Commission. Harms moved to adjourn the meeting, Moore seconded. All were in favor. The meeting was adjourned at 7:51pm.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary