

MINUTES
March 17, 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 Harms, Joseph, Peterson, Moore, LaLonde

Members Absent:

Also Present: Drew Rackow, Planner; Joel Strassman, Planning and Zoning Officer; 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 3, 2021

Motion: To approve the minutes from February 3, 2021

Maker: Harms

Second: LaLonde

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

Nay: None

6-0 Vote, 0 Absent, Motion carried.

5. PUBLIC HEARINGS – Amending the Text of the Zoning Code (City of Batavia, Applicant)

- **Signage**
 - **4.4: Sign Regulations**
 - **6: Glossary**
- **Miscellaneous Amendments**
 - **Chapter 2.4: Downtown Mixed Use Districts**
 - **Chapter 2.6: Employment Districts**
 - **Chapter 5.4: Use Permits**
 - **Chapter 6: Glossary**

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

The Public Hearing was opened at 7:03pm.

Strassman gave the staff report. Strassman stated this hearing is to consider two basic changes to the sign regulations to increase sign opportunity for businesses in the Downtown Mixed Use (DMU) zoning district. Projecting signs essentially are limited to one per bracket, one bracket per building, with an additional bracket and sign allowed for buildings wider than 50 feet. Staff is proposing to allow an upper and lower sign on one bracket, meeting the same clearance and projection standards now, and allowing up to 3 brackets per building, spaced 20 feet apart. Staff is also proposing to allow brackets to extend a bit higher and project a bit further than the sign to allow use of decorative brackets. The Glossary would be amended to include the bracket as part of the projecting sign and the Sign Chapter would be amended to allow the additional brackets and signs.

Wall signs, including projecting signs, must be placed on a wall adjacent to the business advertised. There are some lease spaces in the DMU District that are not adjacent to an exterior wall and more importantly, not adjacent to a street-facing wall. One such sign would be allowed exclusively in the DMU District for the affected business. The sign can be up to 24 square feet in size and the wall can have up to 2 of these signs. The Glossary would be amended to define a new sign type – the Non-Frontage Wall Sign, and the Sign Chapter would be amended to allow these signs as described.

Staff believes the proposed amendments will be beneficial to property owners in attracting new businesses and will help businesses better advertise their products and services.

The Commission discussed amending the Zoning Code to allow additional projecting signs, the increased demand for projecting signs, and allowing for more sign opportunity. The consensus of the Commission was in favor of the proposed changes presented by staff. There were no comments from the public submitted by email, or voiced during this portion of the meeting when the Commissioner asked for audience input.

Motion: To recommend approval of the amendments to the Zoning Code to regulate projecting and non-frontage wall signs in the Downtown Mixed Use district as proposed by staff
Maker: Moore
Second: Joseph
Roll Call Vote: **Aye:** Moore, Peterson, Harms, Joseph, LaLonde, Gosselin
Nay: None
6-0 Vote, 0 Absent, Motion carried.

Rackow overviewed the miscellaneous amendments as reported in the memo. Breweries in the DMU (permitting a brewery with a tap room component of 5,000 square feet or less) are proposed as a Permitted Use and anything larger would be a Conditional Use under the proposed language. Conditional Use and the duration a Conditional Use is valid was discussed. Currently, a Conditional Use is valid for two years after Commission approval. Staff feels the two-year period may be too long of a period for a Conditional Use applicant. The applicant could encumber the property if they do not move forward with the project and a Conditional Use is only revocable with a Public Hearing process in front of the Plan Commission (PC). Staff believes a one-year period would be sufficient. The last item is regarding towing service establishments. We are proposing to create a definition for a stand-alone towing establishment use. The proposed definition would define the use as basically a business that tows and then stores vehicles on site. Staff would be adding to the definition of vehicle services light and vehicle services heavy with a clarification stating towing services can be provided with a vehicle services light or heavy use but not for the purpose of storage on the property of an inoperable vehicle. This use is just to bring a car in for service or remove a car to go elsewhere for service. Staff believes these services should only be in the Light Industrial and General Industrial Districts.

The Commission discussed impound lots and how that use is not defined in the current code, brewery pubs, distilleries, food and beverage production facilities, and the potential to have food trucks on a limited basis in the downtown (to be discussed at next Tuesday's Committee of the Whole meeting).

Chair Gosselin opened the floor for public comment. Sabrina Aiello addressed the Commission. She shared that she is interested in opening a craft brewery in downtown Batavia. She wanted to address any concerns of the Commission. She stated, generally, the clientele of a craft brewery are not a rowdy crowd. They are there to enjoy the artistry of the beer. Breweries generally close at ten, eleven o'clock at night. They are not a place where people will be drinking all night. Additionally, it is usually a higher cost so it is not conducive to drinking all night. Patrons are there to enjoy the artistry of the brewery. She stated that she could answer any questions the Commission may have. Chair Gosselin asked if 5,000 square feet was enough for the brewery component and taproom. Sabrina answered for their purpose that is more than enough. If you compare this to Penrose and some breweries in St. Charles and Geneva, 5,000 square feet is reasonable. Rackow shared that he has not received any emails on these particular items and there were no other members from the public that wanted to address the Commission when the Commissioner asked for audience input.

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

The Public Hearing closed at 7:38pm.

Motion: To recommend to the Committee of the Whole approval of the Zoning Code amendments as proposed by staff
Maker: Joseph
Second: Moore
Roll Call Vote: **Aye:** Joseph, LaLonde, Moore, Peterson, Gosselin, Harms
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.

7. Other Business

Rackow stated if anyone did not receive a Zoom meeting schedule for either the meetings for the first week of the month or second week of the month meetings to notify him so he could resend the corresponding email. Rackow noted that if a meeting is cancelled he would cancel the meeting in Zoom and staff would send out a cancellation email.

Rackow announced there would be a PC meeting on April 7th. This meeting will be held remotely because it was previously noticed as a remote meeting. There is a Design Review scheduled for the April 7th meeting.

8. Adjournment

There being no other business to discuss, Chair Gosselin asked for a motion to adjourn the Plan Commission. Joseph moved to adjourn the meeting, Harms seconded. All were in favor. The meeting was adjourned at 7:46pm.