

MINUTES
January 19, 2022
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; Vice-Chair LaLonde; Commissioners Joseph, Moore, and Harms

Members Absent: Commissioner Peterson

Also Present: 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. Design Review for an Electronic Changeable Message Sign
Douglas Carpet One, 490 N Randall Road
Randall Road Resources LLC/Aurora Sign Company, Applicants**

Rackow reported on the Design Review with the Plan Commission (PC) summarizing the memo and recommended conditions of approval. Staff is recommending that the sign be off during the hours of midnight and 6 am. Staff recommends that there be an operational condition or requirement that the sign automatically adjusts based on ambient lighting. Staff is also recommending if there are any operational requirements in the future that the stricter would apply.

Rackow discussed message intervals. Staff has been consistent with the most recent approvals to require a change interval time of one minute and that is what staff is recommending for this Design Review.

Rackow discussed landscaping requirements. There is a requirement for an ornamental tree in proximate location to the sign as well as at least ten shrubs or grasses. The quantities shown on the plan would be sufficient for shrubs and bushes.

Rackow concluded that staff recommends the Commission approve Design Review for the proposed ground sign, subject to the following conditions:

1. The sign shall not operate between the hours of 12:00 AM and 6:00 AM daily.
2. Electronic Changeable Message Sign message shall change no faster than once per minute.
3. The sign shall use an auto-dimming functionality responsive to ambient light.
4. The sign shall fully comply with any future standards imposed on such signs citywide that are stricter than those included with this Design Review, including, but not limited to hours of illumination message change time intervals and overall brightness.
5. Staff review and approval of a revised landscape plan for compliance with the required quantity of shrubs, grasses and placement of the required ornamental tree.

Chair Gosselin welcomed the applicant to address the Commission. Michelle Forys, Aurora Sign Company, stated that they did provide a cut sheet from the manufacturer of the electronic message portion. That unit does come with an ambient light dimming capability. The brightness level would adjust for daytime and nighttime viewing. This is the standard that we have used in the other communities in the general area. The shut off time could be accomplished by adding a timer element at the breaker panel to shut it off for the required hours. That is an easy thing for them to adjust and add. Russ Huggins, representing Randall Road Resources LLC, stated that they are in agreement with what has been presented tonight.

The Commission discussed the dimming capability, future standards, requirement for an ornamental tree, and shortening the hold interval. Moore asked if there has been any thought of changing the sign message interval time. Rackow stated that staff has not considered making the interval shorter and would continue to recommend one minute due to concerns with distracting drivers. Chair Gosselin asked that the ornamental tree be placed on the site where it makes the most sense versus where the code would direct. Chair Gosselin and Vice-Chair LaLonde noted that the language in number four could be considered overbroad as written. More stated that she believes that thirty-seconds would be a reasonable time. Harms agreed. Vice-Chair LaLonde stated that if the code changes down the road we could make these changes but he doesn't want to make the language so broad that nothing makes sense.

Chair Gosselin asked if there was any additional communication or members in attendance to address the PC. Rackow answered there were none.

Motion: To accept the Findings for Approval as drafted by staff
Maker: Harms
Second: Moore
Roll Call Vote: **Aye:** Harms, Joseph, Gosselin, Moore, LaLonde
Nay: None
5-0 Vote, 1 Absent, Motion carried.

The Commission discussed the conditions and made the following changes to condition number four:

1. Add 'operational' between future and standards to condition number four
2. Remove the term 'stricter' from the language of condition number four

Motion: To approve the Design Review for an Electronic Changeable Message Sign subject to staff's recommended conditions with condition four as modified by the Commission.

Maker: LaLonde

Second: Harms

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

Nay: None

5-0 Vote, 1 Absent, Motion carried.

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

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

6. Other Business

Rackow reported site work is underway with the Avenue Marketplace development. Menards is in for their next phase of their building permit project, which is the entry to their outdoor storage area. Winding Creek is under review. The first Plat of Subdivision should be brought to the PC in the next month or two. Dr. Wazio's project is in for permit and under review. Culvers have submitted for their site and staff comments have been returned to them. This should be coming to the PC in the next month or so as well. The City staff has met with the new owner of the Randall Movie Theater. They are proposing significant remodeling to the interior and are looking to add on to the building to build a new screen to the property for a larger than the current IMAX screen. Albertson noted that they did apply for their interior demolition permit today. The One Washington Place proposal has been withdrawn by the developer. Staff is working on steps to unwind the redevelopment agreement. There is the potential for putting out a new Request for Proposal (RFPs) for this and other city owned property located downtown.

Harms asked about the proposed fitness center where Buy Buy Baby used to be. Rackow stated that the property owner has not made a request to rescind the conditional use approval but it staff's understanding that the business would not be going forward with this location.

Rackow stated that staff has been discussing electronic message signs and coming back with proposals in regards to formalizing some of these requirements. Staff will be looking at other municipality's codes to see what language is used. If the PC would like to see any changes on how we regulate electronic message signs to inform staff. Moore stated that other towns have shorter message intervals so it would be nice to know what their requirements are. Chair LaLonde stated that one-minute does seem like a long interval. Rackow stated that staff will research municipal codes and return to the Commission.

Rackow stated that there would be no meeting on February 2nd. LaLonde shared that he would be out of town that day. Rackow continued that they would most likely have items for the second meeting of February.

Rackow would share an updated version for in-person attendance chart to the PC.

7. 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, Joseph seconded. All were in favor. The meeting was adjourned at 7:43pm.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary