

DATE: March 9, 2023

TO: Plan Commission & Zoning Board of Appeals

FROM: Zach Ewoldt, Planner

SUBJECT: Public Hearing: 1176 Ward Road & 1201 McKee Street
Amendment to the Official Zoning Map from R1-L, Single Family Low Density to
PFI, Public Facilities and Institutional for 1176 Ward Road and 1176 McKee Street
City of Batavia, Owner and Applicant

Background: A Public Hearing is scheduled for the March 15th Plan Commission meeting to review a Zoning Map amendment for two City owned properties. The amendment for properties located at 1176 Ward Road & 1201 McKee Street would reclassify the existing electric utility substation from R1-L Single Family Low Density Residential District to PFI, Public Facilities and Institutional District. Both properties are adjacent to each other and have been used by the City's Electric Utility since the 1990's. In 2010, the City added the PFI zoning District to the City Zoning Code. The proposed amendments follow the rezoning of other City owned properties since the adoption of this district. The two properties are approximately 0.7 acres together and are designated for Public Facilities and Institutional Use on the [Comprehensive Plan Land Use Map](#). No changes to site improvements or uses are contemplated with this zoning change.

Staff Analysis: The proposed Zoning Map amendment will place the two properties into a zoning district that is consistent with their use as an electric substation. The PFI District will permit the continued use of the electric utility's facility on McKee Street and establish development parameters appropriate for the site. The parcels have already been developed and no future expansion is planned of the facility. The rezoning of this would reflect similar rezonings initiated by the city since the 2010 addition of the PFI District. Staff is supportive of the rezoning.

Zoning Map Amendments require that the following findings be reviewed by the Plan Commission and Zoning Board of Appeals.

Public Notice. All required public notice has been conducted in accordance with applicable state and local laws.

Finding: The City as the applicant executed the notice mailing and posting of the properties pursuant to the City Code. Signs were posted on the properties on February 27, 2023 and the completed mailing notice to owners whose property is within 500 feet of the subject property on February 28, 2023. Notice was published in the Daily Herald on February 27, 2023.

Public Meetings and Hearings. All required public meetings and hearings have been held in accordance with applicable state and local laws.

Finding: The Plan Commission on March 15, 2023, conducted a public hearing in accordance with state and local law.

Conformance to the Comprehensive Plan. The extent to which the proposed amendment to the Official Zoning Map conforms generally to the goals and policies of the Comprehensive Plan and Comprehensive Plan Land Use Map.

Finding: The proposed amendments are consistent with the Official Land Use Map as it already places both properties in the PFI land use classification. It is also consistent with several goals and policies of the Comprehensive Plan by placing the properties in a zoning category that is most appropriate for the present use as an electric utility substation.

Review of Conditions.

1. Is the proposed zoning district and the development it allows compatible with the existing uses and zoning of nearby property?

Finding: Public Facilities and Institutional properties are adjacent to residential throughout the City. The current use already exists and would be compatible with the surrounding neighborhood.

2. Is there evidence to suggest that property values will be diminished by the particular zoning restriction changes?

Finding: There is no evidence to suggest that property values would be diminished by the particular zoning restriction change. The use of the property already exists, and the value of property already takes into account the present use of the land.

3. If any property values are diminished, does the diminishment promote the health, safety, morals, or general welfare of the public?

Finding: While there is no diminishment, the health, safety, morals and general welfare will be promoted by placing the properties under a Zoning District that reflects their present use.

4. Does the proposed zoning change provide a greater relative gain to the public as compared to the hardship imposed on the individual property owner?

Finding: The zoning change will provide greater gain to the public, by placing appropriate use and bulk standards on the properties, while preserving their use as an electric utility facility.

5. Is the subject property suitable for the zoned purpose?

Finding: The properties are presently used for the zoned purpose and are suitable.

6. Has the length of time the property has been vacant as zoned been excessive, considering the context of land development in the area in the vicinity of the subject property?

Finding: The properties have already been developed for their proposed use. They have not been vacant for some time.

7. Is there a community need for the proposed zoning or use?

Finding: The properties current use provides electricity to the residents and businesses of Batavia.

Staff believes that the proposed zoning would place the property in the most appropriate zoning district for the property for its current and future use as a Public Utility facility.

Staff Recommendation

Staff recommends the Plan Commission & Zoning board of appeals take the following actions:

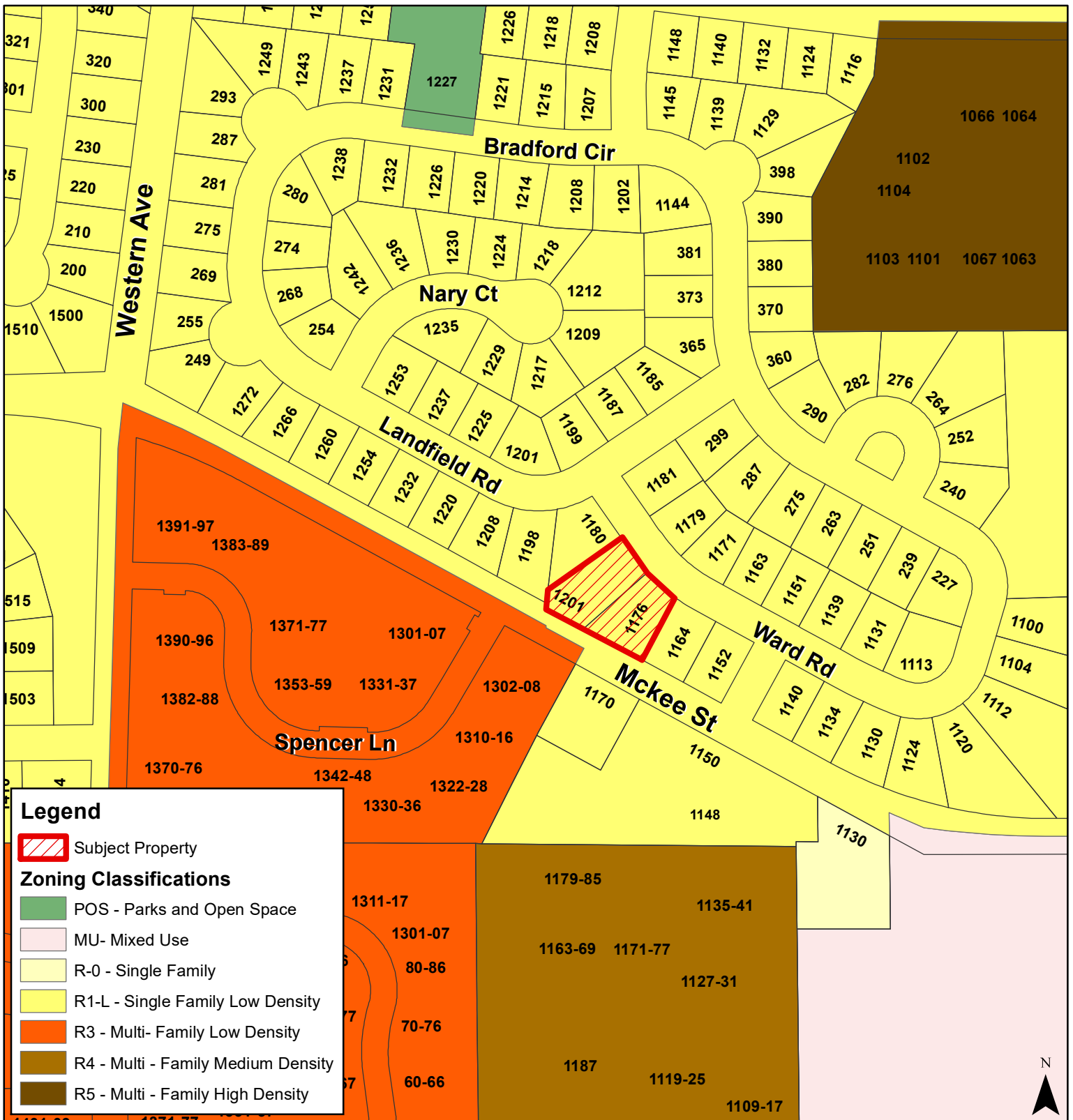
1. Open and conduct a public hearing for the proposed Zoning Map Amendments.
2. Approve Findings for Approval for the Zoning Map Amendments.
3. Recommend approval of a Zoning Map Amendment to reclassify property at 1176 Ward Road and 1201 McKee Street from R1-L, Single Family Low Density Residential District to PFI, Public Facilities and Institutional district.

Attachment:

Zoning Map Exhibit

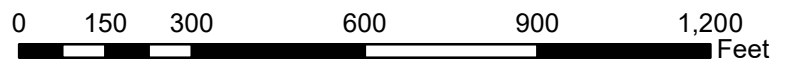
- C Mayor and City Council
- Department Heads
- Media

Proposed Mckee Street Electric Substation Rezoning



CITY OF BATAVIA

Source: BCED, BatGIS, KaneGIS
Revised from 2/28/23 Mailed Map



Maps and data provided by the City of Batavia are not surveys or legal descriptions of land areas. GIS data obtained from the City of Batavia is intended for representational use only. This information, in either electronic or map form, is provided "as is". No warranty expressed or implied is made regarding the accuracy, timeliness, or completeness of the data, nor shall the act of distribution constitute any such warranty. This disclaimer applies both to individual use of the data and aggregate use with other data.