

## Biewer, Brooke

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**From:** Rackow, Drew <DRackow@cityofbatavia.net>  
**Sent:** Wednesday, February 26, 2014 2:27 PM  
**To:** Biewer, Brooke  
**Cc:** Strassman, Joel; Buening, Scott  
**Subject:** Batavia Response for Pinnacle Tower Special Use Application

Dear Brooke,

The City of Batavia has reviewed the requested Special Use for a Private Communication Facility (dated January 28, 2014) that was received by our office and has the following comments for the Zoning Board of Appeals.

City Staff notes that this property abuts City of Batavia jurisdiction to both its north and south, and is part of a larger area that is surrounded by incorporated Batavia. The City's Comprehensive Plan stresses the desirability to annex properties essentially surrounded by the City; it is probable that this property will be annexed during the life span of the proposed facility. At such time, the property will become non-conforming in several respects under the City's Zoning Code :

- City of Batavia Zoning Code (Chapter 4.7: Wireless Communication Facilities) prohibits the construction of free-standing (monopole) communication facilities in Single Family Residential Zoning Districts.
- In other zoning districts the proposed tower location does not meet the required setback of 110% of the tower height. (Table 4.703.B & C).
- The first 100 feet of the driveway entry to this property is unpaved, contrary to the City's Zoning Code (Section 4.208).

While the request for the proposed tower will reduce the height of the existing tower installation on this property, the City of Batavia observes that this approval will further entrench the use in this residential area.

If the Zoning Board of Appeals finds that the requested Special Use meets the required findings and recommends approval, the City of Batavia requests that the Zoning Board of Appeals include as a condition of approval that the driveway serving this property be paved for the first 100 feet of the property by the applicant, consistent with City of Batavia Zoning Code requirements.

Thank you for the opportunity for providing comments on this project.

Drew Rackow AICP, Planner  
Community Development Department  
City of Batavia

Drew Rackow, AICP - Planner  
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**KANE COUNTY**  
**DIVISION of TRANSPORTATION**

Cari Schoedel, P.E.  
Director of Transportation  
County Engineer



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**MEMORANDUM**

To: Brooke Biewer, Zoning

From: Kurt E. Nika *K.E.N.*

Date: March 1, 2014

RE: Pinnacle Towers, LLC  
Special Use for a Private 160 ft Communications Tower  
129 Hart Road, Batavia Township, PIN 12-26-126-035

Staff from the Kane County Division of Transportation (KDOT) has reviewed the petition listed above. I visited the site on 2-24-14 and offer the following comments, with neither a favorable or unfavorable disposition.

Comments:

1. Hart Road currently serves as a medium-volume collector roadway. It has a posted 30 mph speed limit, with a 20 mph school zone speed limit on school days when children are present.
2. Access to the property (and the residential property to the south, PIN 12-26-126-036) is served via the entrance for the adjacent Immanuel Lutheran Church & School (Access Easement recorded as 2003K199136). The church/school access to Hart Road is signed and striped as an entrance-only. This presents a potential for driver confusion between vehicles entering the church/school and vehicles exiting the cell tower property and/or residence. However, the residential property is owned by the church and its occupants would likely anticipate the traffic patterns of the church/school. Visitors to the cell tower site are expected to continue to be uncommon.
3. The access above is located just below a vertical curve in Hart Road limiting sight distance to the south.
4. There is one documented crash from 2006 in the available history (2006-2012) related to this access. This was a non-injury minor crash.
5. The petition indicates that one of the two towers on the site will be replaced. Therefore, there will be no traffic intensification and the long-established use of the parcel's access would continue.

Cc: Chris Long, Batavia Township Highway Department (via email)  
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