

**PLANNING & ZONING COMMISSION**

**City Council Chambers**

**800 Game Farm Road, Yorkville, IL**

**Wednesday, November 14, 2018 7:00pm**

**Meeting Called to Order**

Chairman Randy Harker called the meeting to order at 7:00pm, roll was called and a quorum was established.

**Roll Call:**

Reagan Goins-yes, Deborah Horaz-yes, Don Marcum-yes, Jeff Olson-yes,  
Randy Harker-yes

Absent: Bill Gockman, Richard Vinyard

**City Staff**

Krysti Barksdale-Noble, Community Development Director

Jason Engberg, Senior Planner

**Other Guests**

Lynn Dubajic, City Consultant

Chris Vitosh, Vitosh Reporting Service

Shawn Ajaz, Progressive Energy Group

Megan Fanthorpe, Blackberry Woods

Mike Olszewski, Blackberry Woods

Chris Childress, Progressive Energy Group

Lana Lerman, Yorkville Dialysis Center

Deb Milam, Cimmaron Subdivision

Dan Kramer, Attorney

Eric Peterman, GRNE Solar

Stefan Fanthorpe, Blackberry Woods

Ryan Hoogland, Blackberry Woods

Ben Kilgore, Blackberry Woods

Scott Koeppel, Kendall County

Greg Milam, Cimmaron Subdivision

**Previous Meeting Minutes** October 10, 2018

The minutes were approved as presented on a motion and second by Commissioners Marcum and Horaz, respectively.

Roll call: Goins-yes, Horaz-yes, Marcum-yes, Olson-yes, Harker-yes. Carried 5-0.

**Citizen's Comments** None

**Public Hearings**

Chairman Harker said there were two Public Hearings originally scheduled for this meeting, however, not all materials were submitted for the Marker, Inc. Hearing and it will be moved to the next PZC meeting. A motion was made by Mr. Marcum and seconded by Ms. Horaz to move PZC 2018-18 Marker, Inc. to December 12, 2018.

Roll call: Horaz-yes, Marcum-yes, Olson-yes, Goins-yes, Harker-yes. Passed 5-0.

Chairman Harker explained the procedure for the other Public Hearing and he swore in those who would give testimony. At 7:05pm a motion was made by Commissioner Goins to open the Public Hearing for PZC 2018-07 GRNE Solar and it was seconded by Commissioner Marcum.

Roll call: Marcum-yes, Olson-yes, Goins-yes, Horaz-yes, Harker-yes. Carried 5-0.

Chairman Harker read the petition as follows:

1. **PZC 2018-07** GRNE Solar, Eric Peterman, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting special use permit approval to install and operate a solar farm with more than one freestanding solar energy system on approximately 7.4 acres of land consisting of roughly 6,400 solar modules. The real property, zoned in the O Office District, is located at the southeast corner of John Street and Beecher Road at the Kendall County Government Campus in Yorkville, Illinois.

*(See Court Reporter's Transcript of Testimony)*

*Also to be entered into public record:*

*Statement from Yorkville Dialysis Center*

*Statement from Megan Fanthorpe*

*Petitioner Responses to the Special Use Standards*

The Public Hearing was closed at approximately 8:12pm on a motion by Mr. Marcum and second by Ms. Horaz.

Roll call: Olson-yes, Goins-yes, Horaz-yes, Marcum-yes, Harker-yes. Carried 5-0.

**Unfinished Business** None

### **New Business**

1. **PZC 2018-07 GRNE** (see above description)

Mr. Engberg provided details of the project including setbacks, fencing, glare study, distance of homes from solar panels, solar panel details, city request for solid fence around the perimeter, landscape plan, request for the security camera to be accessible by the sheriff and a knox box on site for emergency use. Other city requests include a security guarantee if the system is abandoned, an easement to enter the site and a full engineering and erosion plan. Scott Koeppel from Kendall County stated the the county included strong language regarding abandonment.

The floor was then opened for Commissioner discussion. Mr. Olson commented on any possible glare being hidden by a solid fence, construction pollution, noise being absorbed by nearby trees, emissions from panels being a non-issue, composite-type fence and the strict standards for dust. Ms. Noble said the city engineer would be on site every day to monitor dust and street maintenance.

Mr. Engberg said the city is asking for a 7'6" solid opaque fence. Ms. Horaz suggested the fence not be totally solid but it should allow air flow and give the illusion of being totally solid. Mr. Marcum discussed language for fencing and suggested a request for low maintenance and opaqueness rather than specifying certain materials.

Resident Megan Fanthorpe said she would like to see more trees and less fence. The petitioner plans for six types of trees at different heights. Ms. Noble explained the landscape requirements ask for 33 trees/shrubs for each 100 linear feet. Mr. Olson added that buffer trees should be replaced if they die.

Ms. Horaz inquired about snow on panels, potential hail damage and breakage by baseballs. Mr. Peterman said snow will slide off, double pane panels are resistant to hail damage and baseballs do not break the panels.

The discussion concluded and Chairman Harker read the special use standards plus the additional four. Mr. Engberg said petitioner responses to the special use standards and four additional standards from Chapter 14 will be entered into the official record.

The commissioners briefly discussed the language for the fence material as a condition in the motion and they decided on PVC or composite-type material. Mr. Engberg also requested that the petitioners adhere to the updated letter of November 7<sup>th</sup> pertaining to #4 of the staff recommended conditions.

### **Action Item**

#### **Special Use**

A motion to approve the petition and Findings of Fact was made by Mr. Marcum and seconded and read by Mr. Olson: In consideration of testimony presented during a Public Hearing on November 14, 2018 and discussion of the Findings of Fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system, or solar farm, on a O Office District zoned property located at the southwest corner of the Kendall County Government Center, subject to staff recommendations in a memo dated November 7, 2018 and further subject to a fence on 4 sides, PVC or composite-type material, solid and opaque, and request date on landscape survey to change to November 7, 2018.

Roll call: Goins-yes, Horaz-yes, Marcum-yes, Olson-yes, Harker-yes. Carried 5-0. Ms. Noble said this petition will move to the December 11<sup>th</sup> City Council meeting for final approval.

### **Additional Business**

#### **1. PZC 2018-17 Text Amendment for Signs**

Mr. Engberg said the City Council approved the text amendment updating Chapter 20 of the sign ordinance.

In another matter, Mr. Engberg said extra material will be added to the packet to keep commissioners up to date. More training may be done later and Ms. Noble asked for ideas of the types of training desired.

### **Adjournment**

There was no further business and the meeting was adjourned at 8:53pm on a motion by Commissioners Marcum and Goins, respectively. Unanimous voice vote approval.

Respectfully submitted by Marlys Young, Minute Taker