

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
August 15, 2022

The Planning and Zoning Commission held a meeting on August 15, 2022, at the DeKalb Police Department in the 2nd Floor Training Room located 700 W. Lincoln Highway, DeKalb, Illinois. Chair Max Maxwell called the meeting to order at 6:00 PM.

A. ROLL CALL

Recording Secretary Stephanie Turner called the roll. Planning and Zoning Commission members present were: Trixy O’Flaherty, Maria Pena-Graham, Jerry Wright, and Chair Max Maxwell. Steve Becker, Shannon Stoker, and Bill McMahon were absent. Planning Director Dan Olson was present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the August 15, 2022, agenda as presented. Ms. O’Flaherty motioned to approve the agenda as presented. Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. August 1, 2022 –Chair Maxwell requested a motion to approve the August 1, 2022, minutes as presented. Mr. Wright motioned to approve the minutes as presented. Ms. O’Flaherty seconded the motion, and the motion was approved by unanimous voice vote.

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

None

E. NEW BUSINESS

1. **Public Hearing** – City of DeKalb 2022 Comprehensive Plan Update.

Chair Maxwell expressed his gratitude to Planning Director Olson and City Manager Bill Nicklas for their hard work on updating this plan.

Planning Director Olson spoke on the work that went in to updating the Comprehensive Plan which started at the beginning of the year and reviewed with the Commission on four occasions between April and June. He added there were two open houses to gather public input, one in June and the other in July. Finally, Mr. Olson stated the draft of the plan was published on the City’s website for the last few months and posted on social media platforms.

Mr. Olson said the plan consists of five chapters: Introduction, Inventory and Analysis, Goals and Objectives, Land Use Categories and Plan, and Urban Design Guidelines. He stated the plan is good for five to ten years and the primary features of the plan are

the addition of industrial sites on Gurler Road, industrial development along Peace Road north of Route 38, limited low density residential sites in the northwest and southwest corners of the City, and adding large amounts of agricultural land in the one and a half mile area of the City's planning jurisdiction. Planning Director Olson touched on the large inventory of available lots in the City platted on a preliminary or final basis that are ready to be built on.

Mr. Olson explained a good amount of time was spent checking parcels and updating the map and to make sure the existing land uses were correct. He mentioned he verified the changes from zoning and planning approvals since 2005. Mr. Olson added the Annie Glidden North Plan is incorporated within the document. He said the major change in the plan from the 2005 Plan is the reduction of single-family development in the one-and-a-half-mile boundary, to mainly agricultural uses in the 2022 Plan.

Mr. Olson stated there was a lot of public comments on the Comprehensive Plan through e-mails, open houses, and at meetings. He went on to say many of the comments dealt with specific zoning actions which are not a part of the Plan but would be addressed at Commission meetings with a particular development proposal. Mr. Olson mentioned there were also requests to add other City approved plans to the Comprehensive Plan. He pointed out the Comprehensive Plan does not negate those previously approved plans. Mr. Olson said there were many comments on affordable housing, so language was added to strengthen the goals and objectives regarding residential development.

Planning Director Olson thanked the Commission for all their input and hard work, thanked the public for their comments, and thanked City Staff since the Plan was done all in-house, with no consultant hired.

Mr. Olson stated he recommended approval of the City of DeKalb 2022 Comprehensive Plan Update. He advised if approved, it will be sent to the City Council for approval of an amendment to Chapter 30 of the Municipal Code.

Chair Maxwell stated there was a speaker request form from Paul Borek.

Paul Borek, Executive Director of the DeKalb County Economic Development Corporation, expressed his support for approval of the 2022 City of DeKalb Comprehensive Plan Update and stated the land use map and goals and objectives provide an excellent blueprint for future development in the City. Mr. Borek focused on industrial growth and stated there have been four mega developments in the City within the past three years. Mr. Borek said abundant and reliable infrastructure, competitively priced land, and education and training resources are driving increased development interests.

Mr. Borek continued by stating the Comprehensive Plan's economic development goals specify several objectives to stimulate the local economy by ensuring DeKalb is a desirable place to live, work, and do business. He explained aggressively marketing industrial and commercial sites will help expand and diversify the tax base. Mr. Borek encouraged the Commission to recommend to the City Council approval of the Chapter 30 amendment to the Municipal Code to adopt the City of DeKalb 2022 Comprehensive Plan.

Keith Nyquist of 18 Greenwood Court questioned if final action was being taken on the Comprehensive Plan. Planning Director Olson responded it is up to the Commission but usually they will make a recommendation at the same meeting as the hearing.

Mr. Nyquist continued by asking when zoning decisions are made and how land should be used, does the City Council look at recommendations from a subgroup like the Planning and Zoning Commission. Mr. Nyquist voiced his concerns on the parcel that is designated for mixed use (commercial and residential) located at the former NIU Art Annex site (2239 Sycamore Road). He said a four or five story building would have a negative impact on the quality of life and value of property in his neighborhood. He respectfully requests discussion on the parcel and a change to the proposed land use map. Planning Director Olson stated Mr. Nyquist has spoken about this site at previous meetings when the Comprehensive Plan was being discussed. He added if a proposal for this property is submitted, property owners within 250 feet of the site would be notified of a public hearing and can provide comments at that time.

Dave McCleary said he has lived at 12 Greenwood Court for 37 years, and the property being discussed is directly adjacent to both his and Mr. Nyquist's homes. Mr. McCleary discussed the quietness of the neighborhood that no longer exists due to the development along Sycamore Road, and the increase of traffic and light pollution. He said a multi-story building at this location would compound these existing issues. Mr. McCleary expressed his concern of the lack of public participation at these meetings and stated the Commission should focus on getting the public to participate more. Chair Maxwell asked Mr. McCleary for suggestions to help increase attendance. He responded he does this for a living, and it takes a lot of effort and time to get the community involved. Chair Maxwell reiterated the Comprehensive Plan is a suggestive road map and if a proposal is submitted, a public hearing would be held, and the Commission would have to vote on the proposal. Planning Director Olson repeated the specific parcel would be addressed at a future hearing if there is a proposed development for the property.

Chair Maxwell asked if there were any comments from the Commission members.

Trixy O'Flaherty stated the concerns raised from Mr. McCleary and Mr. Nyquist are valid, but this meeting is just to approve an outline, not address specific development issues on parcels. Mr. Olson added the parcel (former NIU Art Annex site) was labeled as commercial use in the 2005 Comprehensive Plan.

Jerry Wright stated he hears the concerns being brought up and it's important to reiterate the concerns to the City Council.

Maria Pena-Graham thanked the public for coming and voicing their concerns.

Mr. Wright moved the Planning and Zoning Commission recommend to the City Council approval of an amendment to Chapter 30 "Official Comprehensive Plan" of the Municipal Code to adopt the City of DeKalb 2022 Comprehensive Plan dated August 9, 2022.

Ms. O'Flaherty seconded the motion.

A roll call vote was taken. Ms. O'Flaherty – Yes, Ms. Pena - Graham - Yes, Mr. Wright - Yes, Chair Maxwell – Yes. Steve Becker, Shannon Stoker, and Bill McMahon were absent. Motion passed 4-0-3.

2. **Public Hearing** – A petition by the City of DeKalb for text amendments to Chapter 23 “Unified Development Ordinance” of the Municipal Code, to amend Article 5.12 “HI” Heavy Industrial District to add “solar energy generation facility (solar farm)” as a special use and to amend Article 7.16 “Solar Energy Systems” to establish regulations for solar energy generation facilities (solar farms).

Planning Director Olson stated the City petitioned for a text amendment to the UDO to add solar farms into the language. He added there is a hearing after this one for a proposed solar farm on Pleasant Street across from the airport. Mr. Olson said the text amendment petition is to add the use to the UDO and add standards because other solar farms may be coming to the City.

Mr. Olson said the first amendment is to add solar energy generation facilities (solar farms) to the Heavy Industrial District as a special use which means applicants would have to go through a hearing, findings of fact, and meet certain criteria before approval. He informed there is “Solar Energy Systems” regulations already in the UDO, but they deal strictly with solar panels at businesses and homes which generate electricity for the site. Mr. Olson stated the amendment to this section would be for the generation of power for offsite use where the solar farm would be the primary use of the property.

Mr. Olson covered the standards for setbacks, heights for components of the solar farm, fencing, and lighting. He described the proposed language for the maintenance of the solar farm, native grasses, vegetation, and soil stabilization measures. He finished up with discussion on language covering the decommission plan when the use is no longer needed.

Mr. Olson stated the City recommends approval of the text amendments to the UDO as described in Exhibit A to the staff report.

Chair Maxwell asked if there were any questions or comments from the Commission members.

Maria Pena-Graham stated this is an up-and-coming item. Mr. Maxwell showed his appreciation for the decommission plan. Jerry Wright asked if there were only two solar farms in DeKalb. Planning Director Olson stated there are no solar farms in the City of DeKalb with two proposed (including this site along Pleasant St.) but there are several in the County.

Chair Maxwell asked if there were any questions or comments from the public in which there were none.

Ms. O'Flaherty moved that based on the submitted petition and testimony presented, the Planning and Zoning Commission recommended to City Council approval of the text amendments to the Unified Development Ordinance regarding solar energy generation facilities (solar farms) as indicated in Exhibit A of this staff report.

Mr. Wright seconded the motion.

A roll call vote was taken. Ms. O’Flaherty – Yes, Ms. Pena - Graham - Yes, Mr. Wright - Yes, Chair Maxwell – Yes. Steve Becker, Shannon Stoker, and Bill McMahon were absent. Motion passed 4-0-3.

- 3. Public Hearing** – A petition by SunVest Solar, LLC d/b/a DeKalb Taylor Solar, LLC for a special use permit for a solar energy generation facility (solar farm) located on an approximately 49-acre site along the north side of Pleasant St. across from the DeKalb Taylor Municipal Airport.

Bill French, of SunVest Solar LLC, spoke and noted he is petitioning for a special use permit for a 5 mega-watt solar facility to be located on Pleasant Street across from the airport. Mr. French stated SunVest Solar is a Midwest based company that has been in business since 2009 and has blossomed into a top 10 solar developer in the nation. Mr. French added SunVest Solar has a proven track record of success.

Mr. French explained solar energy has minimal to low impact and panels produce little to no glare. He stated solar facilities are quiet during the day, silent at night, and there are very few moving parts. Mr. French stressed these facilities are clean, safe, and do not produce any emissions, and they require very little maintenance once installed. He said routine maintenance occurs usually twice a year and there will be very little traffic to the site.

Bill French discussed the decommission plan once the lease expires and added they will adhere to the newly proposed text amendments. He said FAA studies have been conducted due to the property being located near the airport. Mr. French described the vegetation proposed for the property which will require low maintenance. He stated a 5 mega-watt facility provides enough energy to help power 750 homes. Mr. French also noted maintenance on the panels will be done remotely and the panels are warrantied for 25 years but still operate at 80% capacity after that time.

Mr. French stated comments were received from the Morgano family (2689 Pleasant St.) which have been addressed.

Planning Director Olson went through the Staff Report dated August 11, 2022, and noted Bill French gave a thorough overview of the request. He added the City Council approved a 25-year lease and easement agreement with the applicant in December, 2021. He mentioned this proposal meets the 2005 and the 2022 draft Comprehensive Plans. Mr. Olson noted SunVest Solar recently received FAA approval for the project. Mr. Olson stated the City recommends approval as it meets all the requirements of the previous discussed text amendments.

Planning Director Olson referenced an e-mail received from Pete and Beth Morgano (2689 Pleasant St.) who asked several questions about the proposal. He said City Staff worked with Bill French to get the Morgano’s questions answered.

Chair Maxwell asked if there were any questions or comments from the public in which there were none.

Chair Maxwell asked if there were any questions or comments from the Commission members.

Jerry Wright inquired on the amount of personnel needed to run the facility. Mr. French stated once the facility is up and operational, it is monitored by one person done remotely.

Maria Pena-Graham questioned how often the panels break or malfunction. Mr. French responded it is rare that problems occur, usually just a bad connection or panel failure. Ms. Pena-Graham asked where the energy would be used. Mr. French replied the electricity produced will automatically go on the grid and will be used anywhere within ComEd's territory.

Ms. Pena-Graham moved that based on the submitted petition, testimony presented and findings of fact, the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a special use permit for a solar energy generation facility (solar farm) per the site plan (Sheet PV-1.00) prepared by SunVest Solar LLC labeled as Exhibit A and shall be operated per the land lease and solar easement agreement approved by Ordinance 2021-052.

Mr. Wright seconded the motion.

A roll call vote was taken. Ms. O'Flaherty – Yes, Ms. Pena - Graham - Yes, Mr. Wright - Yes, Chair Maxwell – Yes. Steve Becker, Shannon Stoker, and Bill McMahon were absent. Motion passed 4-0-3.

F. REPORTS

Planning Director Olson announced the next scheduled Commission meeting will be held on Tuesday, September 6 due to the Labor Day Holiday. He added there will be a couple hearings which will be published and forwarded to the Commission within the next few days. Mr. Olson informed the Commission the City Council approved Project Wildcat at their last meeting.

G. ADJOURNMENT

Ms. O'Flaherty motioned to adjourn, Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 7:01 PM.

Minutes prepared by: Stephanie Turner Approved: September 6, 2022