

## Planning Commission Meeting Notes

5/17/2018

Present: Adam Holder, Stephen Lafferty, Paulette Williams-Thomas, James Berberet, Matt Moyer, Andrea Winter and Nicole Bauer (5:16p.m)

Absent: Bill Green and Blake Musser

Others Present: Lowell Crow, Steve Cox, Randy Bukas, and several others

The meeting was called to order at 5:00pm by Chairman Stephen Lafferty.

There were no public comments.

Williams-Thomas moved, and Winters seconded the motion to approve the April 12,2018 and May 10, 2018 Planning Commission Minutes. Motion was approved on voice vote.

The Planning Commission reviewed the zoning change request by Luke and Noeha Gerard for zoning amendment. The relief sought by the documents on file is a zoning amendment under subsection 1240.04 entitled "Amendments" of the City of Freeport Codified ordinance to allow for the change of the current zoning classification of M-2 General Manufacturing to a zoning classification of B-1 Restricted Retail District.

The real estate that is subject matter of the pending action is located at 327 E. Spring Street Freeport, Illinois.

Luke Gerard stated he is committed to downtown redevelopment. He bought the structure to rehabilitate it and try to stimulate interest in the downtown area. He is proposing a mix use purpose. He would like to have two apartments with working space. He would market the units toward on-line business to work and live. One unit would be upstairs and the second on the first floor. Each unit would be 2,000 square feet. Each unit would have a garage plus street parking. Gerard stated it a 1908 industrial building with a good aesthetic look inside but currently clad in metal. It was also stated that the applicant will need a special use permit for the ground floor residential. The proposal does follow the city's comprehensive plan.

The Planning Commission found that the proposed zoning amendment:

- Does not pose undue hardship
- Will permit a reasonable use of the property
- Alleviate a practical difficulty
- Will provide a private convenience and necessity of reasonable need and expediency
- Does not produce a monopoly in the area
- Is not merely a matter of economic convenience or advantage

- Does not pose a substantial detriment to the public good or impairs the City's Zoning Code
- Will not pose a substantial adverse effect upon traffic conditions, property values, public utility service, schools, parks, recreational facilities, or other matters pertaining to public health, safety and welfare.
- Will not unduly increase the population or intensity of land use in the area
- Will not impede the normal and orderly development improvement and improvement of surrounding property for use permitted in the district
- Is compatible with utilities, access roads, drainage, and other necessary facilities currently provided
- Will pose a minimal, if any, effect on adjacent property owners and preserve the essential character of the area

Winter moved to change the zoning from M-2, General Manufacturing, to B-1, Restricted Business District. Moyer seconded the motion. The motion was approved on voice vote.

Steve Cox gave a presentation on a proposed solar energy ordinance. There is a difference in the standard for roof mounted and ground mounted arrays. Ground mounted P.V arrays cannot exceed 15 feet in height. They will need a special use permit to be constructed in residential zones. Roof mounted arrays would be allowed by right. The proposed ordinance did not address the megawatt of power but looks at the square footage in the project; it looks more at the visual impact.

The setbacks and pathways are based on recommendation for fire protection. These set backs would allow for the fire fighter to get onto the roof.

Discussion also center on Section 1477.05 on mounted PV arrays would be treated like awnings.

Discussion on solar energy systems sizes was also reviewed. A small scale solar energy system would have a PV array occupying less than 4,000 square feet of land and/or rooftop. A mid-size system would occupy more than 4,000 square feet but less than 1 acre. A large scale solar energy system would occupy more than 1 acre of land and/or rooftop

The Planning Commission next received the permitting process including the application process and the additional requirements for mid-scale and large – scale solar systems. Also discussed were requirement that no buildings or other structures could be built within 200 feet of a solar array that would obstruct sunlight.

There was also general discussion on decommissioning a solar energy system. If a special use permit was granted would it stay with the property? A special use permit would be issued for the owner of the property. If the owner changes, the new owner would have to apply for a special use permit to continue the solar energy array.

Property owners with current solar energy systems would be grandfathered in should the proposed ordinance be adapted.

There was also general discussion about selling the solar energy on or off the electric grid; state aid; federal tax credit; and, building and electric code.

Currently, the city has been approached to have a solar energy array system at the former land fill. (The energy generated would be sold to nearby business and industries.) Also, at the airport with the electricity put into the grid; on the east side of town where it would be put back into the grid; and, at the waste water plant, where the city would buy the electricity at about 40 to 60% savings.

Currently there are at least two solar array systems in Freeport. Both are residential. The Planning Commission discussed no solar panes would be allowed in the residential set back and if they are ground mounted, there would be a need for a special use permit. Roof mounted solar arrays would be allowed by right.

There was also discussion on required yards and bulk use. No more then 30% of any lot can have a structure on it, including a solar array. Noise regulations as to the possibility if motors moving the panel angles was also discussed.

Jim Berberet left the meeting at 6:15pm.

There was some discussion on solar easements.

The Planning Commission felt there has to be consistency through all residential projects and questioned whether a large scale solar array should be allowed in a residential area.

The general discussion on multi-buildings and whether it should be considered as a large-scale development or as each individual building. A multi-built project would require a public hearing or a public meeting. The general agreement was a multi-building proposal would be combined into one and looked as a whole.

The Planning Commission next looked at possible scenarios in different parts of the city and developments. Should a solar array be allowed on a vacant lot and serve an adjoining residence? Would a current development with a large amount of open space in their yard be allowed to put up a solar array? Would we require a special use permit and analyze the project to see if it would make sense? What are the advantages of ground mounted and roof mounted arrays? Ground mounted would be less costly, but land is worth more, so install it on a roof?

If the solar array is roof mounted, it does not fundamentally change the use of the lot. Having it ground mounted does change the lot. The Planning Commission does not want to compromise the neighbor with ground mounted. It was discussed to allow roof mounted arrays by right, but ground mounted arrays in residential areas would need a special use or be prohibited.

Restrictions on shadows on adjoining lot if there are ground mounted arrays was also discussed.

At 6:38pm, Matt Moyer left the meeting.

There was a general discussion to look at the zone chart and see where the Planning Commission would want to allow roof and ground mount arrays by right, special use or prohibit.

There was a general discussion on changing the start of the meeting time. Suggestions were to meet at either 5:00pm or 5:30pm. This item will be on the next agenda.

Lowell Crow stated that Bill Green has tendered his resignation from the Planning Commission.

Under Public Comment, Scott Piehn asked if the solar array is 4,000 square feet or less and roof mounted would it be allowed. The proposed ordinance would permit it by right. He asked if it was greater than 4,000 square feet and was told they would need a special use permit. Piehn also inquired about an array that has 4 panels and is 48 square feet. The Commission said they may want to consider a special extreme small use category. Piehn stated he would like to see as few restrictions as possible.

There being no future business, Winter moved to adjourn, Williams-Thomas seconded the motion and the motion was approved on voice vote.

The meeting adjourned at 6:43pm.

Respectfully Submitted,

Randy J. Bukas  
Deputy City Manager/Finance Director

The next meeting is scheduled for Thursday, June 14, 2018 at 6:30pm

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