

PLANNING & ZONING COMMISSION
Monday, July 1, 2019
MINUTES

The Rochelle Planning and Zoning Commission met at 6:00 p.m. on Monday, July 1, 2019 in the Council Chambers of City Hall, 420 N. 6th Street, Rochelle, IL 61068. Present on Roll Call were Board members: Myers, Snyder-Chura, Colwill, and Thiele. Absent: McNeilly, Carson and Wolter. There was a quorum of four present. Non-voting members absent were: Chiavini, Leisher and Huddleston. Also present were Michelle Pease, Michelle Knight, Sam Tesreau Mayor John Bearrows and City Attorney Dominic Lanzito.

Minutes: Colwill moved and seconded by Snyder-Chura, **“I move the minutes of the June 3, 2019 Planning and Zoning Commission meeting as presented be approved.”** Motion passed by voice vote without dissent.

Public Commentary: None

Commissioner Comments: None

Business Items: Motion made by Colwill, seconded by Myers, **“I move the Planning and Zoning Commission open the Public Hearing regarding the proposed Re-zone from R1 to B2 Commercial Highway for the Flagg Rochelle Park District.”** A roll call vote was taken. Ayes: Myers, Snyder-Chura, Colwill and Thiele. Nays: none. Motion carried 4-0. The property located at the SE corner of Jones Road and 9th Street is currently owned by the Flagg Rochelle Park District and consists of two parking lots and green space. This property was formerly the home of the Rochelle Township High School. The Flagg Rochelle Park District plans to construct a community center at this location, which is currently zoned R1 Single Family Residential and does not allow for the proposed use. The property is surrounded by R1 Single Family Low Density Residential except on the East side where there is B2 Commercial Highway zoning. Across Jones Road from the subject property are the public tennis courts and Helms Field. The petitioner is requesting to rezone the property from R1 Single Family Low Density Residential to B2 Commercial Highway. Staff feels that the proposed zoning is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire, and recommends that the Planning and Zoning Commission consider recommendation of approval to rezone the property from R1 Single Family Low Density Residential to B2 Commercial Highway. Tim Hayden and Jackee Ohlinger with the Flagg Rochelle Park District were present to answer questions. There were no public comments. Motion made by Myers, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission close the Public Hearing.”** Motion passed by voice vote without dissent.

Findings:

1. Is the proposed development allowed in the proposed zoning district?

Yes: X No: _____ Explanation: _____

If the answer to any of the following questions is “Yes”, then the Commission should recommend that the City Council deny the petition for a variance. If the answer to all of the following questions is “No”, then the Commission may recommend that the City Council approve or deny the petition for a variance. Each question should state an answer and give an explanation. If the answer to all of the questions is “No”, but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed zoning detrimental or dangerous to public health?
 Yes: _____ No: Explanation: _____
3. Will the proposed zoning impair property value in the neighborhood?
 Yes: _____ No: Explanation: _____
4. Will the proposed zoning impede the normal development of the surrounding properties?
 Yes: _____ No: Explanation: _____
5. Will the proposed zoning:
- (a) impair light and air to adjacent property;
 - (b) congest public streets;
 - (c) increase the risk of fire;
 - (d) substantially diminish property values within the vicinity; or
 - (e) endanger the public health?
- Yes: _____ No: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted zoning for the proposed use at the Subject Property, without conditions, other than the applicable requirements of the Rochelle Municipal Code. Motion made by Myers, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed Re-zone from R1 to B2 Commercial Highway for Flagg Rochelle Park District based on the report of findings.”** A roll call vote was taken. Ayes: Myers, Colwill, Snyder-Chura and Thiele. Nays: None. Motion passed 4-0.

Motion made by Myers, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission open the Public Hearing regarding the proposed variance of setbacks for the Flagg Rochelle Park District.”** A roll call vote was taken. Ayes: Myers, Colwill, Snyder-Chura and Thiele. Nays: none. Motion carried 4-0. The Park District is requesting a variance of setbacks from the required 50’ to 20’, a variance of 30’, on the frontage side facing 9th Street. The reason for the variance request is because the community center has been designed to be an “unlimited building area” facility. An unlimited building area is a necessary requirement for all fieldhouse buildings because without this designation they cannot have large open spaces under roof. This building classification requires the building to be at least 60 feet from the nearest property line which in this case is the property line of the neighboring properties on Tilton Park Drive. Without meeting this distance from the nearest property lines, the fieldhouse cannot be built without firewalls that would eliminate all recreation uses in the fieldhouse. When designing the facility this requirement dictated the location of the west wall of the building. Staff feels that the proposed variance of setbacks is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire, and recommends that the Planning and Zoning Commission consider recommendation of approval of the proposed variance of setbacks. Commissioners asked Tesreau about the distance from the right of way line to the edge of the building, as well as total distance from the curb. There were no public comments. Motion made by Myers, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission close the Public Hearing.”** Motion passed by voice vote without dissent.

Findings:

1. Is the proposed variances allowed in the proposed zoning district, but only with a variance?
 Yes: No: _____ Explanation: _____

If the answer to any of the following questions is "Yes", then the Commission should recommend that the City Council deny the petition for a variance. If the answer to all of the following questions is "No", then the Commission may recommend that the City Council approve or deny the petition for a variance. Each question should state an answer and give an explanation. If the answer to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variances detrimental or dangerous to public health?

Yes: _____ No: Explanation: _____

3. Will the proposed variances impair property value in the neighborhood?

Yes: _____ No: Explanation: _____

4. Will the proposed variances impede the normal development of the surrounding properties?

Yes: _____ No: Explanation: _____

5. Will the proposed variances:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: _____ No: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted the variances for the proposed use at the Subject Property, without conditions, other than the applicable requirements of the Rochelle Municipal Code. Motion made by Myers, seconded by Snyder-Chura, **"I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed Variance of Setback for the Flagg Rochelle Park District based on the report of findings."** A roll call vote was taken. Ayes: Colwill, Myers, Snyder-Chura and Thiele. Nays: None. Motion passed 4-0.

Motion made by Colwill, seconded by Myers, **"I move the Planning and Zoning Commission open the Public Hearing regarding the proposed plat of annexation with the anticipated conditional use for Rochelle Solar SunEast."** A roll call vote was taken. Ayes: Myers, Colwill, Snyder-Chura and Thiele. Nays: none. Motion carried 4-0. Rochelle Solar has an option to purchase the southwest corner of Twombly and N. Caron proposed extension road adjacent to the RMU power substation to develop a solar farm on the 91.4 acres to produce 13 Mega Watts of renewable energy. And use the RMU substation to transfer the power back for distribution. Rochelle Solar is proposing a plat of annexation to enter into an annexation agreement for 91.4 acres with the City of Rochelle at the Southeast corner of Twombly Road, which will be re-zoned as Rural Development with an anticipated conditional use for a solar farm. The petitioner has proposed to enter into an annexation agreement with the City of Rochelle that meets all the standards provided in the Rochelle Municipal Code. The proposed development is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the Planning and Zoning Commission consider recommendation of approval of the plat of annexation and anticipated conditional use to the City Council. Jim Rodriquez, Attorney for Rochelle Solar, SunEast and Reed Wills, Rochelle Solar SunEast gave a small presentation on their proposed solar farm. Public Comments: Chris Molander with IBEW Local 364, 6820 Mill Road, Rockford, IL spoke in support of the Solar Project and the work it brings for the trades during

construction. Motion made by Myers, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission close the Public Hearing.”** Motion passed by voice vote without dissent.

Findings:

1. Is the proposed development allowed in the proposed zoning district?

Yes: No: Explanation: _____

If the answer to any of the following questions is “Yes”, then the Commission should recommend that the City Council deny the petition for a variance. If the answer to all of the following questions is “No”, then the Commission may recommend that the City Council approve or deny the petition for a variance. Each question should state an answer and give an explanation. If the answer to all of the questions is “No”, but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed anticipated conditional use detrimental or dangerous to public health?

Yes: No: Explanation: _____

3. Will the proposed anticipated conditional use impair property value in the neighborhood?

Yes: No: Explanation: _____

4. Will the proposed anticipated conditional use impede the normal development of the surrounding properties?

Yes: No: Explanation: _____

5. Will the proposed anticipated conditional use:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: No: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted the proposed plat of annexation for an anticipated conditional use at the Subject Property, without conditions other than the applicable requirements of the Rochelle Municipal Code. Motion made by Snyder-Chura, seconded by Myers, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed plat of annexation with the anticipated conditional use for Rochelle Solar SunEast based on the report of findings.”** A roll call vote was taken. Ayes: Myers, Snyder-Chura, Colwill and Thiele. Nays: None. Motion passed 4-0.

Motion made by Myers, seconded by Colwill, **“I move the Planning and Zoning Commission open the Public Hearing regarding the proposed Preliminary and Final Plat of Subdivision for Rochelle Solar SunEast.”** A roll call vote was taken. Ayes: Myers, Colwill, Snyder-Chura and Thiele. Nays: none. Motion carried 4-0. City staff and the Planning and Zoning Commission have reviewed the preliminary and final plat of subdivision for conformance with the comprehensive plan, the provisions hereof, and all other applicable ordinances of the Rochelle Municipal Code (RMC). Pursuant to 65 ILCS 5/11-12-8, the Planning and Zoning Commission shall deny or recommend approval of the preliminary and final plat of subdivision within 60 days of the acceptance of the annexation agreement. The petitioner has proposed to enter into an annexation agreement with the City of Rochelle that meets all the standards provided in the Rochelle Municipal Code, staff has reviewed the proposed preliminary and final plat of subdivision, land improvements or future land improvements have been proposed, a guarantee for completion of land improvements have or will be posted per the Rochelle Municipal Code prior to recording of the final plat per section 86 of the RMC. Furthermore, road right of way and/or easements have been dedicated on the final plat. The proposed development is not

dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the Planning and Zoning Commission consider recommendation of approval of the preliminary and final plat of subdivision to the City Council. There were no public comments. Motion made by Snyder-Chura, seconded by Myers, **“I move the Planning and Zoning Commission close the Public Hearing.”** Motion passed by voice vote without dissent.

Findings:

1. Is the proposed subdivision allowed in the proposed zoning district?

Yes: No: Explanation: _____

If the answer to any of the following questions is “Yes”, then the Commission should recommend that the City Council deny the petition for a variance. If the answer to all of the following questions is “No”, then the Commission may recommend that the City Council approve or deny the petition for a variance. Each question should state an answer and give an explanation. If the answer to all of the questions is “No”, but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed subdivision detrimental or dangerous to public health?

Yes: No: Explanation: _____

3. Will the proposed subdivision impair property value in the neighborhood?

Yes: No: Explanation: _____

4. Will the proposed subdivision impede the normal development of the surrounding properties?

Yes: No: Explanation: _____

5. Will the proposed subdivision:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: No: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted a subdivision for the Subject Property, without conditions, other than the applicable requirements of the Rochelle Municipal Code. Motion made by Myers, seconded by Colwill, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed Preliminary and Final Plat of Subdivision, subject to Final Comments and Surety, for Rochelle Solar SunEast based on the report of findings.”** A roll call vote was taken. Ayes: Colwill, Myers, Snyder-Chura and Thiele. Nays: None. Motion passed 4-0.

Discussion Items: None

Adjournment: Motion made by Snyder-Chura, seconded by Colwill, **“I move to adjourn the regularly scheduled meeting of the Planning and Zoning Commission of July 1, 2019.”** Motion carried by voice vote. The Planning and Zoning Commission adjourned at 6:53 p.m.

Michelle Knight
City of Rochelle