

**PLANNING & ZONING COMMISSION**  
**Monday, April 1, 2019**  
**MINUTES**

The Rochelle Planning and Zoning Commission met at 6:00 p.m. on Monday, April 1, 2019 in the Council Chambers of City Hall, 420 N. 6<sup>th</sup> Street, Rochelle, IL 61068. Present on Roll Call were Board members: McNeilly, Wolter, Snyder-Chura, Myers, Colwill, and Thiele. Absent: Carson. There was a quorum of six present. Non voting members present were: Chiavini. Absent: Leisher and Huddleston. Also present were Michelle Pease and Rose Hueramo.

**Minutes:** Colwill moved and seconded by McNeilly, **“I move the minutes of the March 4, 2019 Planning and Zoning meeting be approved.”** Motion passed by voice vote without dissent.

**Public Commentary:** None

**Commissioner Comments:** None

**Business Items:** Vincent Carney Community Theater is a not-for-profit organization that relies on highly-talented, local volunteers and generous (tax-deductible) donations to bring three quality productions a year to the local stage. VCCT has purchased the former Lincoln Elementary to re-develop the property and hold events. The parcel is currently zoned I-1 which the City of Rochelle amended the Official Zoning Map back in 2016 for the Kenney Rack House. VCCT is proposing to Zone the property a Planned Unit Development Commercial PUD-C. The PUD Zoning is intended to encourage improved design in the development of land by providing relief from traditional zoning requirements which may cause undue hardship or complication for desirable but unconventional development and to establish standards for the issuance of a conditional use permit to achieve a creation of a variety of uses, in compatible arrangements, and to provide a greater choice of employment opportunities. The petitioner in addition to the amended zoning, is petitioning for a conditional use for a mixed use of assembly with the opportunity to provide another use for the unused portion of the structure in the future. VCCT has provided preliminary plans to remodel and make improvements to the exterior of the property and maintain the property in good standing with the City of Rochelle. The property is surrounded by R-5 Multi Family on the West, East, South and I-1 Light Industry on the North. Under Section 110-434 no PUD shall be authorized by the city council unless the planning and zoning commission shall find evidence establishing that the 17 criteria listed shall be met except for #7 for minimum lot size of 20 acres.

Staff feels that since the petitioner has provided documentation of approval for the development of a community assembly facility, provided interior parkway, buffer yard, and off street parking and loading requirements, 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 approve to rezone the property from I-1 light industry to PUD-C with a conditional use for a mixed use with assembly, the legal description of which is attached. Motion made by Colwill, seconded by McNeilly, **“I**

**move the Planning and Zoning Commission open the Public Hearing regarding Vince Carney Community Theater’s proposed rezoning to a Planned Unit Development Commercial PUD-C.”** A roll call vote was taken. Ayes: McNeilly, Myers, Wolter, Snyder-Chura, Colwill, and Thiele. Nays: none. Motion carried 6-0. There are building improvements currently being worked on. VCCT staff are looking for different ways to fund the improvements such as grants and private funders. Motion made by Wolter, seconded by Colwill, **“I move the Planning and Zoning Commission close the Public Hearing.”** Motion passed by voice vote without dissent.

**Findings:**

1. Is the proposed PUD-C zoning allowed in the proposed zoning district, but only with a conditional use?

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 zoning and conditional use detrimental or dangerous to public health?

Yes:  No:  Explanation: \_\_\_\_\_

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

Yes:  No:  Explanation: \_\_\_\_\_

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

Yes:  No:  Explanation: \_\_\_\_\_

5. Will the proposed zoning and 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 a PUD-C and conditional use at the Subject Property, with the following conditions attached thereto, in addition to the requirements of the Rochelle Municipal Code: The minimum requirement for a PUD-C of 20 acres shall be allowed to be 2.75 acres for this conditional use.

Motion made by Colwill, seconded by McNeilly, **“I move the Planning and Zoning Commission recommend to the City Council that it approve Vince Carney Community Theater’s proposed rezoning to a Planned Unit Development Commercial PUD-C based on the report of findings.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Myers, Wolter, Colwill, Thiele. Nays: None. Motion passed 6-0.

Rochelle Solar or SunEast is a privately held clean energy development company. Since inception in 2012, SunEast has partnered with recognized leaders in the renewable energy industry. Previous and current development partners include Fortune 10 utility subsidiaries, major international utilities, and well-known investment funds. Over the past four years, the SunEast team has advanced 40 projects totaling over 630 MWs and ~5,400 acres of property.

This includes projects that SunEast originated and developed from inception. Additionally, over the past decade, the SunEast team has developed over 700 MWs of renewable generation currently in operation in New York, New Hampshire, Maine and Massachusetts. Rochelle Solar has an option to purchase the southwest corner of Twombly and N. Caron Road adjacent to the RMU power substation to develop a solar farm on the 91 acres to produce 13 Mega Watts of renewable energy. And use the RMU substation to transfer the power back for distribution. Rochelle Solar would like to annex the property into the City of Rochelle with Rural Development Zoning with a conditional use for a solar farm. The parcel is currently zoned agriculture. It is surrounded by agriculture on the west, east, north and PUD-C on the south. The planning and zoning commission can recommend to city council an amendment to expand or alter the official zoning map after review of the petition of the owner with a public hearing.

Staff feels that since the petitioner has provided documentation for a plat of annexation to re-zone, conceptual plans providing interior parkway, buffer yard, and stormwater maintenance, 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 approve to rezone the property from agriculture to Rural Development. Motion made by McNeilly, seconded by Colwill, **“I move the Planning and Zoning Commission open the Public Hearing regarding Rochelle Solar LLC SunEast Development proposed annexation into the City of Rochelle with Rural Development Zoning with a Conditional Use for a Solar Farm AND a Text Amendment to expand or alter the official zoning code district classification list.”** A roll call vote was taken. Ayes: McNeilly, Myers, Wolter, Snyder-Chura, Colwill, and Thiele. Nays: none. Motion carried 6-0. Motion made by Snyder-Chura, seconded by McNeilly, **“I move the Planning and Zoning Commission close the Public Hearing.”** Motion passed by voice vote without dissent.

**Findings: CASE 3-19 Rural Development Zoning with a Conditional Use for a Solar Farm.**

1. Is the proposed zoning allowed in the proposed zoning district, but only with a conditional use?

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 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 a zoning for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

**Findings: CASE 4-19 Text amendment to expand or alter the official zoning code district classification list.**

1. Is the proposed text amendment allowed in the proposed zoning district, but only with a conditional use?

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 conditional use detrimental or dangerous to public health?

Yes: \_\_\_\_\_ No:  Explanation: \_\_\_\_\_

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

Yes: \_\_\_\_\_ No:  Explanation: \_\_\_\_\_

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

Yes: \_\_\_\_\_ No:  Explanation: \_\_\_\_\_

5. Will the proposed 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 a conditional use for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

Motion made by Colwill, seconded by Snyder-Chura, **"I move the Planning and Zoning Commission recommend to the City Council that it approve Rochelle Solar LLC SunEast Development proposed annexation into the City of Rochelle with Rural Development Zoning with a Conditional Use ofr a Solar Farm AND a Text Amendment to expand or alter the official zoning code district classification list based on the report of findings."** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Myers, Wolter, Colwill, and Thiele. Nays: None. Motion passed 6-0.

**Discussion Items:** None

*Adjournment:* Motion made by McNeilly, seconded by Colwill, “**I move to adjourn the regularly scheduled meeting of the planning and zoning commission of April 1, 2019.**” Motion carried by voice vote. The Planning and Zoning Commission adjourned at 7:34 p.m.

Rose Hueramo (MK)  
City of Rochelle