VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

PLANNING & ZONING COMMISSION

Wednesday, December 02, 2020 - 6:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Motion to approve minutes from the September 23, 2020 meeting

PUBLIC COMMENTS: *(General Comments)*

2. *Notice is hereby given that a regular meeting of the Planning and Zoning Committee of the Village of Poplar Grove will be held on Wednesday, December 2, 2020, at 6:00 pm in Council Chambers at 200 North Hill Street, Poplar Grove, Illinois. Notice is further given that a physical quorum may not be present, but a quorum will be reached by some or all Trustees attending via teleconferencing. For public viewing and public comments, please refer to the text box at the end of the agenda.*
   Public Comments may be submitted: - Until 4:15 pm before the meeting begins via email at clerk@villageofpoplargrove.com or by dropping a letter in the Water & Sewer drop box located next to the front door at Village Hall. These Public Comments will be read at the meeting.

NEW BUSINESS

3. **Case 2020-07: Capron Rescue Squad, 15878 Poplar Grove Road-** The applicant and property owner, Capron Rescue Squad, 15878 Poplar Grove Road, Poplar Grove, IL 61065 is requesting a map amendment (rezoning) on approximately 8 acres of land from the GB, General Business District to the A-1, Agricultural/Rural District in accordance with the Poplar Grove Zoning Ordinance, Section 8-5-5 Map Amendment. PIN: 03-13-200-005.

ADJOURNMENT

4. Village Hall is inviting you to a scheduled Zoom meeting.

Topic: Planning and Zoning Meeting
Time: Nov 30, 2020 06:00 PM Central Time (US and Canada)

Join Zoom Meeting
https://zoom.us/j/94380571251?pwd=dU1YWDZlajZ1ZFhhTXdUK3IxNUJUQT09

Meeting ID: 943 8057 1251
Passcode: 085677
One tap mobile
+13017158592,,94380571251#,,,,,,0#,,085677# US (Washington D.C)
+13126266799,,94380571251#,,,,,,0#,,085677# US (Chicago)

Dial by your location
- +1 301 715 8592 US (Washington D.C)
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 900 9128 US (San Jose)

Meeting ID: 943 8057 1251
Passcode: 085677
Find your local number: https://zoom.us/u/aiwpNEZuQ

VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

PLANNING & ZONING COMMISSION

Wednesday, September 23, 2020 - 6:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

Commissioners – Jake Dykstra (Chair), Jessica Roberts,
Don Sattler, Ed Wethington, Keith Richard, Nate Sroka, George Fowler

MINUTES

CALL TO ORDER
Jessica Roberts called the meeting to order at 6:00pm

ROLL CALL
PRESENT

Chairperson Jessica Roberts
Commissioner Bill Brandenburg
Commissioner Nate Sroka
Commissioner Dan Cheek
Planner Gina Delrose
Clerk Karri Anderberg
Attorney Aaron Szeto

ABSENT
Commissioner George Flower
Commissioner Al Tilford
Commissioner Jason Vodnansky

APPROVAL OF MINUTES
1. Motion to approve the minutes from June 24, 2020
   Motion made by Commissioner Brandenburg, Seconded by Commissioner Sroka. Motion passed by voice vote

PUBLIC COMMENTS: *(General Comments)*
no public comments

NEW BUSINESS

2. Case 2020-05; Poplar Grove Solar (East Half)- The applicant, Poplar Grove Solar, PO Box 310, Highland Park, IL 60035, on behalf of the property owner, DYN 173, LLC (First Midwest Group), 6801 Spring Creek Road, Rockford, IL 61114, is requesting a special use to install non-building mounted solar collectors (total of 18 acres, eastern phase) for export of energy for use by an electrical utility at 4324 Illinois Route 173 within LI, Light Industrial District (Poplar Grove Zoning Ordinance Sections 8-6-11-B-2 and 8-5-7 Special Use). Part of PIN: 03-14-300-002.

Case open at 6:01 pm
Delrose sworn in at 6:02 pm
Planner Delrose presented the case and finding of facts.

FINDINGS OF FACT:
Per Section 8-5-7(D) of the Village of Poplar Grove Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

A. Findings: The establishment, maintenance or operation of the special use would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

There are many kinds of solar farms, each having their own set of environmental impacts. Solar farms can be thousands of acres in size. Some require that all vegetation be removed which impacts wildlife by loss of habitat; some are constructed on cement pads that increase surface water run-off; some radiate heat and some feed into a tower that can be dangerous for birds and insects. Phase I of the proposed solar farm will be 18 acres in size, have adequate vegetation, create minimal surface water run-off and is not anticipated to create a noticeable amount of heat or glare.

Considering the zoning of the property and the potential development that is permitted, the solar farms, with proper conditions of approval, would have less of an impact to neighboring properties. An increased setback is being utilized along the east property lines to provide an additional buffer between the projects and nearby residences. The addition of pollinating plants will benefit the community while providing a low maintenance vegetative cover rather than grass seed which can become unsightly.

B. Findings: The special use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish or impair property values within the neighborhood.

Industrial and limited commercial development is already permitted. The solar farm will be required to adhere to all local, state and federal regulations in

addition to the conditions of approval. The height (and potential shadow casting) and lot coverage of the solar panels are less than the amount permitted while the setbacks are greater. The amount of traffic generated by the solar farm is less than that created by an industrial or commercial development.

Although the NRI report indicated agricultural drainage tiles on the western half of the property, through the special use process, a study can be conducted on the eastern half of the property. This will ensure that any potential agricultural drainage tiles are discovered and can now be protected.

C. Findings: The establishment of the special use will not impede the normal or orderly development and improvements of the surrounding property for uses permitted in the district.

The solar farms are not anticipated to impact the ability of the surrounding properties to be used agriculturally. The addition of pollinators is intended to be a benefit to the agricultural community. The solar farm is not anticipated to create additional heat, odor, light or noise that would infringe on the nearby residents' enjoyment of their properties.

D. Findings: Adequate utilities, access roads, drainage and/or necessary facilities will be provided.

The property is located along Illinois Route 173 which can adequately handle construction equipment and increased traffic during construction. Access roads, drainage and additional power lines and power poles will be installed by the developer in accordance to the project's needs and submitted narrative and site plan.

E. Findings: Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

Once construction of the special use is complete, there will be minimal traffic generated by the routine maintenance and monitoring of the site. An access road will be wide enough to handle two-way traffic, for instance, when multiple vehicles are present.

F. Findings: The special use shall, in all other respects, conform to the applicable regulations of the districts in which it is located.

The special use will be required to conform to all the applicable regulations of the Zoning Ordinance, the Subdivision Ordinance, all other regulations and to any conditions of approval enacted by the Village Board.

Johnathon Carson sworn in at 6:07pm Mr. Carson presented a power point about the project. The power point is on file with the clerk's office.

Mike Shultz sworn in at 6:13 pm. Mr. Shultz is an attorney for the Lindburg family. they are asking that recommendation #5 of the case be changed to the following:

A subsurface agricultural investigation and survey shall be performed to accurately locate, map, and protect tiles, prior to any construction activity. The drainage system shall be protected and repaired or replaced, as necessary, during the term of the special use to avoid any issues with the Illinois Drainage Law and any unforeseen flooding or impact to drainage that could negatively impact this project or any adjacent landowners.

Planner Delrose is ok with the change

Public Hearing closed at 6:18 pm

Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg to amend condition #5 as read by Attorney Shultz.
Voting Yea: Chairperson Roberts, Commissioner Brandenburg, Commissioner Sroka Commissioner Cheek

Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg to approve the find of facts.
Voting Yea: Chairperson Roberts, Commissioner Brandenburg, Commissioner Sroka Commissioner Cheek

Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg to approve case 05.
Voting Yea: Chairperson Roberts, Commissioner Brandenburg, Commissioner Sroka, Commissioner Cheek

Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg.
Voting Yea: Chairperson Roberts, Commissioner Brandenburg, Commissioner Sroka

3. Case 2020-06; Poplar Grove Solar (West Half)- The applicant, Poplar Grove Solar, PO Box 310, Highland Park, IL 60035, on behalf of the property owner, DYN 173, LLC (First Midwest Group), 6801 Spring Creek Road, Rockford, IL 61114, is requesting a special use to install non-building mounted solar collectors (total of 18 acres, western phase) for export of energy for use by an electrical utility at 4324 Illinois Route 173 within LI, Light Industrial District (Poplar Grove Zoning Ordinance Sections 8-6-11-B-2 and 8-5-7 Special Use. Part of PIN: 03-14-300-002.
Case open at 6:20 pm
Delrose sworn in at 6:21 pm
Planner Delrose presented the case and finding of facts.
FINDINGS OF FACT:

Per Section 8-5-7(D) of the Village of Poplar Grove Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

A. Findings: The establishment, maintenance or operation of the special use would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

There are many kinds of solar farms, each having their own set of environmental impacts. Solar farms can be thousands of acres in size. Some require that all vegetation be removed which impacts wildlife by loss of habitat; some are constructed on cement pads that increase surface water run-off; some radiate heat and some feed into a tower that can be dangerous for birds and insects. Phase I of the proposed solar farm will be 18 acres in size, have adequate vegetation, create minimal surface water run-off and is not anticipated to create a noticeable amount of heat or glare.

Considering the zoning of the property and the potential development that is permitted, the solar farms, with proper conditions of approval, would have less of an impact to neighboring properties. An increased setback is being utilized along the east property lines to provide an additional buffer between the projects and nearby residences. The addition of pollinating plants will benefit the community while providing a low maintenance vegetative cover rather than grass seed which can become unsightly.

B. Findings: The special use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish or impair property values within the neighborhood.

Industrial and limited commercial development is already permitted. The solar farm will be required to adhere to all local, state and federal regulations in addition to the conditions of approval. The height (and potential shadow casting) and lot coverage of the solar panels are less than the amount permitted while the setbacks are greater. The amount of traffic generated by the solar farm is less than that created by an industrial or commercial development.

Although the NRI report indicated agricultural drainage tiles on the western half of the property, through the special use process, a study can be conducted on the eastern half of the property. This will ensure that any potential agricultural drainage tiles are discovered and can now be protected.

C. Findings: The establishment of the special use will not impede the normal or orderly development and improvements of the surrounding property for uses permitted in the district.

The solar farms are not anticipated to impact the ability of the surrounding properties to be used agriculturally. The addition of pollinators is intended to be

a benefit to the agricultural community. The solar farm is not anticipated to create additional heat, odor, light or noise that would infringe on the nearby residents' enjoyment of their properties.

D. Findings: Adequate utilities, access roads, drainage and/or necessary facilities will be provided.

The property is located along Illinois Route 173 which can adequately handle construction equipment and increased traffic during construction. Access roads, drainage and additional power lines and power poles will be installed by the developer in accordance to the project's needs and submitted narrative and site plan.

E. Findings: Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

Once construction of the special use is complete, there will be minimal traffic generated by the routine maintenance and monitoring of the site. An access road will be wide enough to handle two-way traffic, for instance, when multiple vehicles are present.

F. Findings: The special use shall, in all other respects, conform to the applicable regulations of the districts in which it is located.

The special use will be required to conform to all the applicable regulations of the Zoning Ordinance, the Subdivision Ordinance, all other regulations and to any conditions of approval enacted by the Village Board.

Johnathon Carson sworn in at 6:27pm Mr. Carson presented a power point about the project. The power point is on file with the clerk's office.

Mike Shultz sworn in at 6:28 pm. Mr. Shultz is an attorney for the Lindburg family. they are asking that recommendation #5 of the case be changed to the following:

A subsurface agricultural investigation and survey shall be performed to accurately locate, map, and protect tiles, prior to any construction activity. The drainage system shall be protected and repaired or replaced, as necessary, during the term of the special use to avoid any issues with the Illinois Drainage Law and any unforeseen flooding or impact to drainage that could negatively impact this project or any adjacent landowners.

Planner Delrose is ok with the change

Public Hearing closed at 6:29 pm

Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg to amend condition #5 as read by Attorney Shultz.

Voting Yea: Chairperson Roberts, Commissioner Brandenburg, Commissioner Sroka Commissioner Cheek

Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg to approve the find of facts.
Voting Yea: Chairperson Roberts, Commissioner Brandenburg, Commissioner Sroka Commissioner Cheek

Motion made by Commissioner Brandenburg, Seconded by Commissioner Sroka to approve case 06.
Voting Yea: Chairperson Roberts, Commissioner Brandenburg, Commissioner Sroka, Commissioner Cheek

ADJOURNMENT
Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg. Motion passed by voice vote.

meeting adjourned at 6:30 pm

Memorandum

DATE: November 19, 2020

TO: Village of Poplar Grove Planning and Zoning Commission

FROM: Gina DelRose, Community Development Planner

SUBJECT: Staff advisory memo for case 2020-07; 15878 Poplar Grove Road

REQUEST AND LOCATION:
The applicant and property owner, Capron Rescue Squad, 15878 Poplar Grove Road, Poplar Grove, IL 61065 is requesting a map amendment (rezoning) on approximately 8 acres of land from the GB, General Business District to the A-1, Agricultural/Rural District in accordance with the Poplar Grove Zoning Ordinance, Section 8-5-5 Map Amendment. The property is located at the southwest corner of Quail Trap and Poplar Grove Roads and is commonly known as 15878 Poplar Grove Road. PIN: 03-13-200-005.

BACKGROUND:
The subject property is 7.89 acres in size and located at the southwest corner of Quail Trap and Poplar Grove Roads. It was annexed into the Village in 1999 and has been zoned commercial since at least 2010. The current property owner, Capron Rescue Squad acquired the property in 2009 and was granted a special use on December 10, 2012 to allow for emergency services to operate out of the residence per Ordinance 2020-041. If any of the agricultural buildings or residence is to be utilized for commercial purposes, then potentially extensive renovations will need to occur to meet building and fire codes.

The properties to the east and south are zoned General Business District while the property to the west is zoned Single Family Residential 1 District. Properties to the north are still under the jurisdiction of Boone County and are zoned Agricultural Preservation Area District. The only adjacent agricultural zoning is north of Quail Trap Road; however, all adjacent land uses are still agricultural in nature. The closest platted property is over 1,600 feet away within the Westergren Commons Subdivision. Municipal services that are needed to support commercial development are even further away.

The General Business District allows for personal and professional services, indoor retail sales/services, indoor repair sales/services and utilities by right and public/private institutional, outdoor retail sales/services, indoor lodging, offsite parking and self-storage facilities by special use. Development in the general business district can create 75% lot coverage, buildings can be 35 feet in height and be constructed 10 feet from the side lot line and 25 feet from the rear lot line. The Agricultural/Rural District allows for single-family detached, cultivation and agricultural retail by right and

husbandry, intensive agriculture and animal boarding by special use. Development in the Agricultural/Rural District does not have a lot coverage requirement and buildings can be 25 feet in height (except for agricultural structures) and constructed 20 feet from the side lot line and 50 feet from the rear lot line.

The adjacent property owners were sent certified notices on November 10, 2020 and the green cards have been returned. The request was published in the Boone County Journal on November 20, 2020. The appropriate village staff and other agencies were notified on November 9 2018. No objections from the agencies were received.

FINDINGS OF FACT:
To make a recommendation and to adopt the findings of fact, the Commission shall consider whether the change is consistent with the objectives of the Zoning Ordinance prescribed in Section 8-1-3. The objectives are as follows:

A. To promote and protect the public health, safety, morals, convenience and general welfare of the people.

The property is over 1,600 feet from the nearest platted property. All adjacent property is in agricultural production with the exception of a few farmsteads. Having a commercial development so far removed from the Village's infrastructure could create a negative impact on nearby agricultural landowners. The property can be rezoned back to general business at a more appropriate itme.

B. To secure adequate natural light, pure air and safety from fire and other dangers.

All new development shall adhere to the Zoning Ordinance, Subdivision Ordinance, Building Codes, Health Codes, Fire Codes, etc. All codes ensure that light, air and safety are being protected.

C. To protect the character and maintain the stability of residential, business and industrial areas within the Village of Poplar Grove and to promote the orderly development of the areas.

The Village's 2009 Comprehensive Plan calls for the property to remain general business. Due to its location along a major thoroughfare, general business zoning is appropriate when the property can be served by municipal utilities. However, at the present time, the property is not contiguous or nearby residential, commercial or industrial development, lessening the likelihood of a commercial development being successful.

D. To lessen or avoid the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters.

Rezoning the property will allow the continuation of row crop production and other agricultural land uses. These land uses oftentimes have minimal lot coverage and the vegetation aides in reducing the amount of stormwater runoff.

E. To limit congestion in the public streets and highways.

The property is a corner lot. To the north is Quail Trap Road which is a rural road and to the east is Poplar Grove Road, a north-south thoroughfare that crosses between rural and urban development. It is not uncommon for agricultural traffic to be found on both roads. Land uses permitted in the A-1 District, especially those on lots of less than 10 acres are not anticipated to create a large amount of traffic.

F. To prohibit uses or structures which are incompatible with the character of other appropriate existing or intended uses within specified zoning districts.

The current buildings are not compatible with the character of the General Business District and if the property were to be redeveloped under the regulations of the district then the property would be out of character to the surrounding area. Rezoning the subject property to the Agricultural/Rural District would allow the current use of the property to be in character with not only the zoning district but the surrounding area.

G. To provide for the gradual elimination of those existing uses of land, buildings and structures that do not conform to the standards of the zoning district in which they are located.

Although adjacent properties are zoned a mix of residential and commercial, all properties are in agricultural production. Due to the proximity of municipal services and the pace of development, the likelihood of the subject property and adjacent properties to be developed in the near future are minimal. Rezoning the subject property will allow for the continued use of agricultural production to occur until the appropriate time comes to rezone and redevelop the property.

H. To conserve and enhance the taxable value of land and buildings throughout the Village of Poplar Grove.

The property is not ready to be developed as a commercial development. Rezoning the property will allow the existing agricultural land uses to continue, keeping the property from falling into a state of disrepair from being vacant.

RECOMMENDATION:
The planning staff recommends approval of case 2020-07 for a map amendment from GB, General Business District to A-1, Agricultural/Rural District.

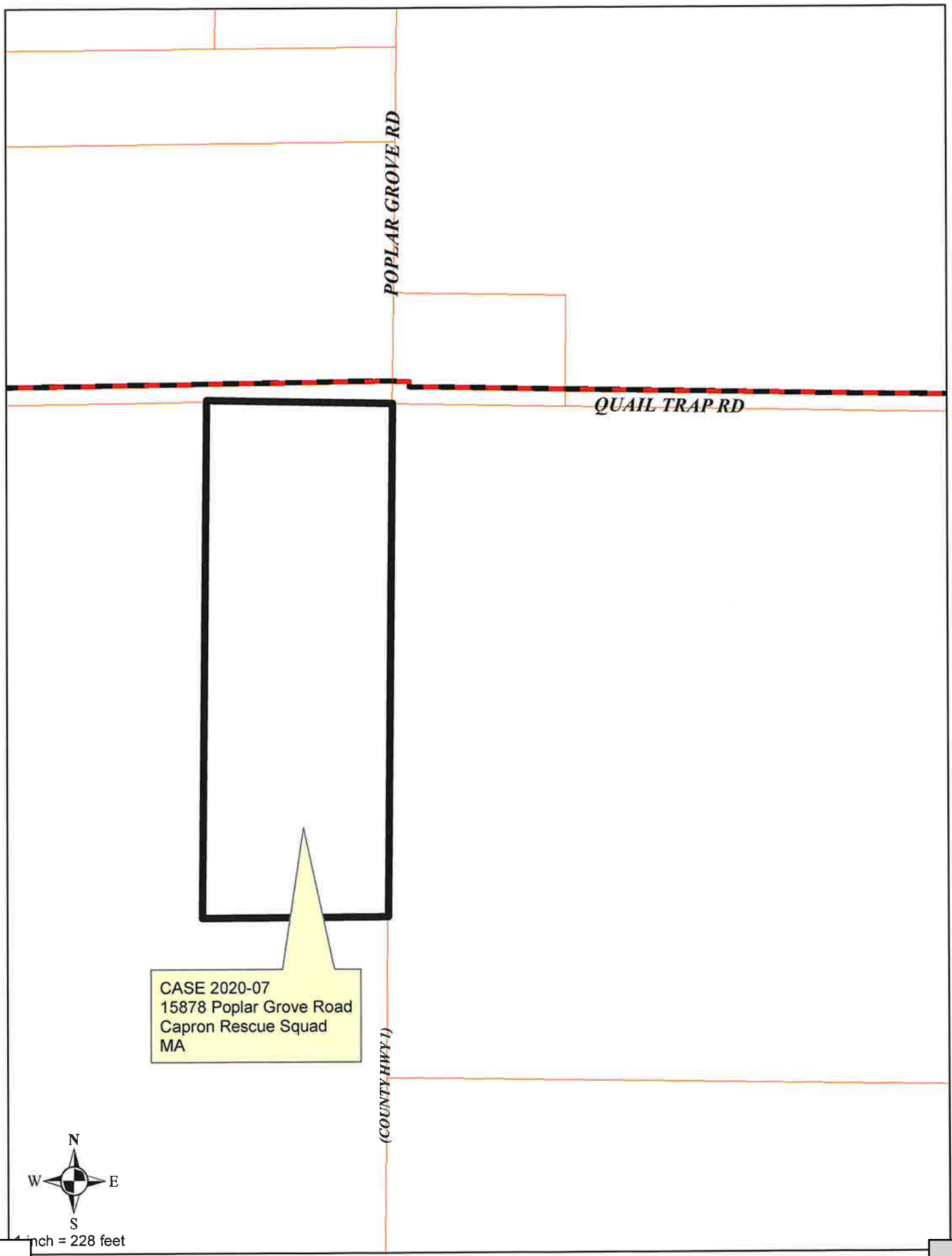
PLANNING AND ZONING COMMISSION/VILLAGE BOARD ACTION

The Commission shall hold a public hearing on the proposed map amendment, after which a recommendation will be made to grant or deny the map amendment application to the Village Board based on the findings of fact by the Commission. The Commission may make the recommendation at the same meeting, or choose to continue the proceedings at a later date. The Commission may request additional information as needed. Once a recommendation is made, the Commission shall record its conclusion as part of the meeting minutes and written findings of fact and forward such documentation to the Village Board. The Commission's failure to act or submit a report within sixty-five (65) days of the public hearing shall constitute a recommendation for the request.

Within sixty-five (65) days of receipt of the Commission's recommendation, the Village Board shall act by ordinance to approve or deny the map amendment as proposed. The Village Board may also remand the request back to the Commission for further hearings and/or discussion. The Village Board's approval or denial of the requested amendment shall be considered the approval or denial of a unique request and shall not be construed as precedent for any other proposed amendment.

ATTACHMENTS

1. Location Map submitted by Planning Staff.
2. Aerial Photo submitted by Planning Staff.
3. Poplar Grove Zoning Map submitted by Planning Staff.
4. Narrative submitted by the Applicant.
5. Letter from the Boone County Soil and Water Conservation District, Bill Hall, November 13, 2020.
6. Letter from Boone County Health Department, Amanda Mehl, November 13, 2020.


POPLAR GROVE RD
QUAIL TRAP RD
CASE 2020-07
15878 Poplar Grove Road
Capron Rescue Squad
MA
(COUNTY HWY 1)
N
W
E
S
1 inch = 228 feet


QUAIL TRAP RD
QUAIL TRAP RD
CASE 2020-07
15878 Poplar Grove Road
Capron Rescue Squad
MA
POPLAR GROVE RD
N
W
E
S
nch = 114 feet

MAIN ST
BEAVER DR
RAY ST
NORTH HILL ST
W GROVE ST
E GROVE ST
IL ROUTE 173
173
BIRCH ST
ELLINGSON RD
N STATE ST
POPLAR PKWY
DAY DR
SWAN ST
NINA BLVD
POPLAR GROVE RD
QUAIL TRAP RD
CENTERVILLE RD
T-31
R-1
R-2
R-3
R-5
GB
CB
NB
LI
RE

Gina Delrose

From: Norm Stimes <nstimes@hotmail.com>
Sent: Wednesday, October 28, 2020 2:10 PM
To: Gina Delrose
Subject: Brief Narrative,

The reasons we believe this property is best suited for a rezoning to Agricultural (A-1) is, the location, it is out in a rural area next to other fields of growing crops, the farm building are best suited for housing livestock, at this time the Village of Poplar Grove, Il does not have a need to install water and sewer lines to that general area with new homes being built elsewhere.

Sincerely,

Norm Stimes

Boone County
Soil & Water
Conservation District

211 N. Appleton Road
Belvidere, IL 61008
815-544-2677 x3

November 13, 2020

SWCD NRI #: XXXX

Belvidere Planning Department
401 Whitney Blvd., Suite 300
Belvidere, Il 61008

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted. We will supply a written reply to your office as indicated below:

X Our review does not apply in this instance.
____ Other (see attached)

Location of Site: 15878 Poplar Grove Road, Poplar Grove
PIN(S): 03-13-200-005

Contact	Petitioner	Owner
Jeff Reininger	Capron Rescue Squad	Same as Petitioner
17073 Beaverton Road Capron, IL 61012	15878 Poplar Grove Rd Poplar Grove, IL 61065	
815-703-5702	815-765-03030	

Request: Rezoning from General Business District to Agricultural/Rural District

Notes: Capron Rescue Squad utilizes the existing house but the remainder of the property is in row crop production. There are some unused agricultural buildings on-site. The rezoning will allow the property to revert back to agricultural purposes instead of being developed as a commercial use.

Sincerely,

Bill Hall

Bill Hall

Boone County Soil &

Water Conservation District

Public Health
Prevent. Promote. Protect.

Boone County Health Department
1204 Logan Avenue, Belvidere, Illinois 61008
Main Office 815.544.2951 Clinic 815.544.9730 Fax 815.544.2050
www.boonehealth.org

The mission of the Boone County Health Department is to serve our community by preventing the spread of disease, promoting optimal wellness & protecting the public's health.

November 13, 2020

FAX: 815-547-0789

Gina DelRose
Community Development Planer
401 Whitney Blvd Suite 300
Belvidere, IL 61008

Planning Services for Village of Poplar Grove

Re: Case: 2020-07; Capron Rescue Squad (MA)

Dear Gina,

We are in receipt of a copy for a map amendment (rezoning) on approximately 8 acres of land from the GB, General Business District to the A-1, Agricultural/Rural District in accordance with the Poplar Grove Zoning Ordinance, Section 8-5-5 Map Amendment.

Our office has no objections or comments on this request.

Thank you,

Amanda Mehl
Administrator of Public Health
AT