



City of Highland

Building and Zoning

Combined Planning & Zoning Board Agenda
City Hall – 1115 Broadway
May 4, 2022 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:
Approval of the April 6, 2022 Regular Meeting Minutes
4. Public Comment Section
Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.
5. Public Hearings and Items Listed on the Agenda
Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.
6. New Business
 - a. Summit Ridge Energy (1515 Wilson Blvd., Suite 300, Arlington, VA 22209), on behalf of Grandview Farms Limited Partnership (10295 State Rt. 143, Marine, IL 62601), is requesting a variance to Section 90-214 of the Municipal Code to allow for a reduction of the side and rear yard setbacks from 75 feet to 50 feet. PIN# 01-1-24-06-00-000-017.002
 - b. Summit Ridge Energy (1515 Wilson Blvd., Suite 300, Arlington, VA 22209), on behalf of Grandview Farms Limited Partnership (10295 State Rt. 143 Marine, IL 62601), is requesting a variance to Section 90-214 of the Municipal Code to allow for the transitional buffer yard to be reduced from four sides of the project boundary down to two sides (North and West) of the project boundary. PIN# 01-1-24-06-00-000-017.002
7. Calendar
 - a. June 1, 2022– Combined Planning and Zoning Board Meeting
 - b. Adjournment

Citizens may attend in person or monitor the meeting by phone. To monitor the meeting, call 618-882-4358 and use conference ID# 267091. To have a comment read into the meeting minutes, email your comment to highlandzoning@highlandil.gov or submit it through our Citizen Request portal on our website.

Anyone requiring ADA accommodations to attend this public meeting, please contact Breann Vazquez, ADA Coordinator, at 618-654-9891.



City of Highland Building and Zoning

Meeting Date: May 4, 2022

From: Breann Vazquez, Director of Community Development

Zoning Request: Solar Farm Variances

Description: Reduction of side and rear yard setbacks; transitional buffer yard reduction

Proposal Summary

The applicant is Summit Ridge Energy (1515 Wilson Blvd., Suite 300, Arlington, VA 22209) and the property owner is Grandview Farms Limited Partnership (10295 State Rt. 143, Marine, IL 62601). The applicant is requesting the following variances to Section 90-214 of the Municipal Code:

- To allow for a reduction of the side and rear yard setbacks from 75 feet to 50 feet.
- To allow for the transitional buffer yard to be reduced from four sides of the project boundary down to two sides (North and West) of the project boundary.

In order for the applicants to be granted variance approval, the request must first be reviewed and approved by the CPZB as per 90-93 'Variances – Public hearing and notice requirements' of the Zoning Code.

Case History

In 2018, the City Council approved the following two Special Use Permits with conditions as recommended by the Combined Planning & Zoning Board:

SUP #1: Summit Ridge Energy (1401 Wilson Boulevard, STE 800 Arlington, VA 22209) on behalf of Grandview Farm Limited Partnership (10205 State Route 143, Marine, IL) is requesting a Special Use Permit to allow for a Solar Energy Farm on a presently unaddressed property located on the north side of Highland Road approximately 1/3 mile west of the intersection of Highland Road and Hemlock Street and zoned I Industrial District PIN# 01-1-24-06-00-000-017.002. Property is referred to as Site #1 and is comprised of approximately 14 acres.

SUP #2: Summit Ridge Energy (1401 Wilson Boulevard, STE 800 Arlington, VA 22209) on behalf of Grandview Farm Limited Partnership (10205 State Route 143, Marine, IL) is requesting a Special Use Permit to allow for a Solar Energy Farm on a presently unaddressed property located on the north side of Highland Road approximately 1/2 mile west of the intersection of Highland Road and Hemlock Street and zoned I Industrial District PIN# 01-1-24-06-00-000-017.002. Property is referred to as Site #2 and is comprised of approximately 14 acres.

The following conditions were applied as recommended by the Combined Planning & Zoning Board:

1. This Special Use Permit is perpetually granted for the sole usage of Grandview Farm Limited Partnership. Any change of Operator will require a new Special Use Permit.



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2. There shall be no off-site parking.
3. The Operator shall be in compliance with all Illinois Department of Public Health licensing requirements.
4. The Operator shall apply for an amendment to this Special Use Permit for any future alterations, modifications, or expansions of the use.
5. The Operator's failure to adhere to the conditions of the Special Use Permit will cause revocation of the same, and require immediate removal of the Solar Energy Farm operation.
6. Vegetation is not to exceed 18".

Need for Variance

Section 90-215 – Solar Energy Farms

(c) Design and installation requirements.

(1) *Setbacks.* The solar array and all components of the solar collector system in a solar energy farm shall be set back a minimum of the greater of the following:

- a. Seventy-five feet from all property lines

The applicant is requesting for the solar array and its components to be set back a minimum of fifty feet from all property lines.

Section 90-215 – Solar Energy Farms

(c) Design and installation requirements.

(6) A transitional buffer yard (TBY) shall be used to screen solar electricity farms from adjacent properties and adjacent public rights-of-way. The TBY shall be located within the required 75 foot setback area.

The applicant is requesting to place a TBY on only the North and West sides of the project area rather than on all four sides.

Standards of Review for Variances

Below are the seven (7) consideration items listed in Section 90-94, Section (1) Item (b) of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a variance.

1. The applicant acquired his property in good faith and where by reason of exceptional narrowness, shallowness or shape of his specific piece of property at the time of the effective date of this code, or where by reasons of exceptional topographical conditions or other extraordinary circumstances, that the strict application of the terms of the zoning regulations actually prohibit the use of this property in the manner similar to that of other property in the zoning district where it is located;

The need for a variance is the result of the solar farm setback and transitional buffer yard requirements set in the zoning code.

2. The proposed variance is consistent with the general purpose of this chapter, Section 90-1;



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It is consistent.

3. Strict application of this chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;

If a variance is not granted, the applicant will need to adhere to the code.

4. The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;

It is the minimum deviation.

5. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant;

This variance request is unique to solar farm guidelines. This is the only approved solar farm within the City.

6. The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and

The variance is a more appropriate remedy than an amendment to the zoning code.

7. The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate implementation of this city's comprehensive plan.

The reduced setback variance will not alter the essential character of the area. Screening only two sides of the project may alter the character of the area.

In granting a variance, the board may impose such conditions, safeguards and restrictions upon the premises benefited by the variance as may be necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations.

Staff Discussion

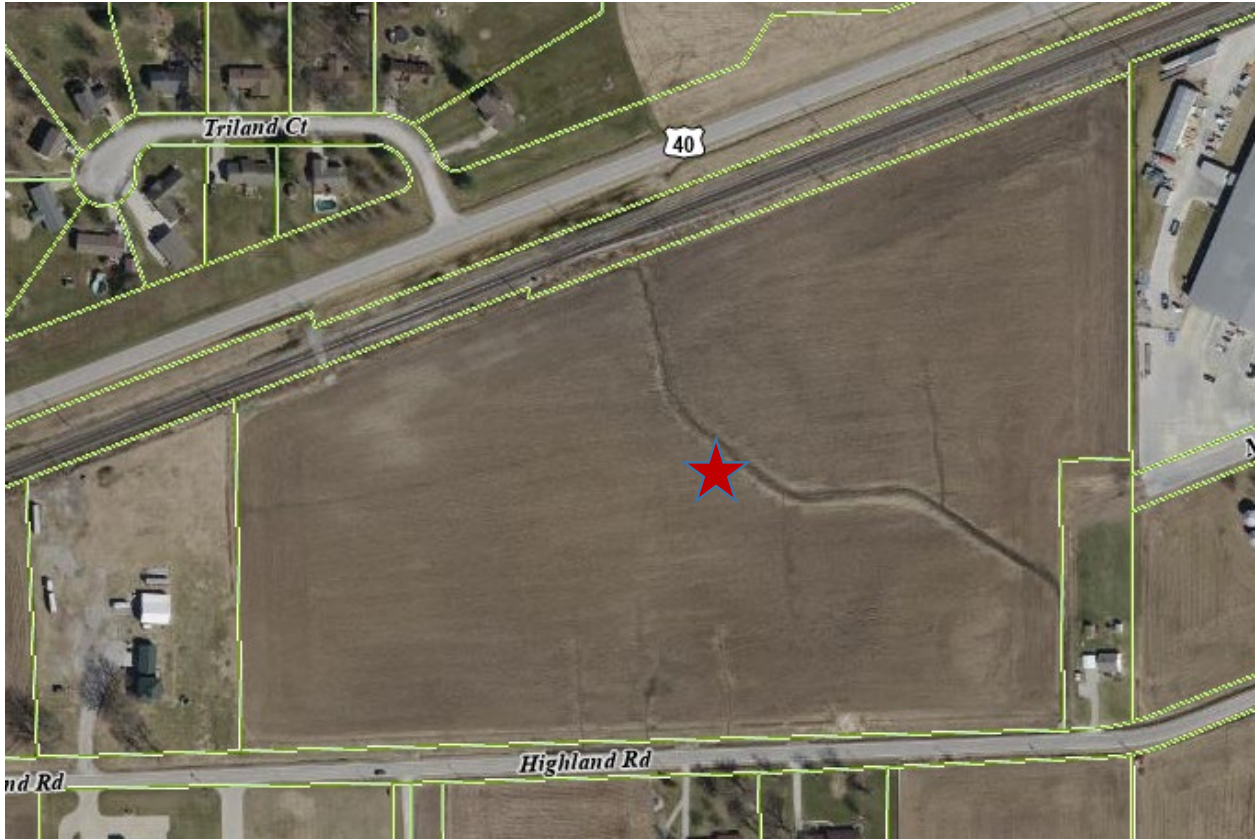
Staff has no concern with reducing the solar farm project setback to 50'. This is a reasonable request that will not have negative effects.

At the 2018 Special Use Permit hearing, staff heard concerns about property screening of the project. Staff believes that screening all four sides of the project is a reasonable measure.

Aerial Photograph



City of Highland
Building and Zoning





e Only

ed: _____

sed: _____

Sent: _____

ig Date: _____

Zoning File #: _____

APPLICANT INFORMATION:

Applicant: Summit Ridge Energy C/O Mark Zwiieg Phone: 612-297-4489

Address: 1515 Wilson Boulevard, Suite 300 Zip: 22209

Email Address: mzwiieg@srenergy.com

Owner: Grandview Farms Limited Partnership C/O Dr. William Drake Phone: 618-887-9720

Address: 10295 State Route 143, Marine, IL Zip: 62601

Email Address: wkdrake@ezeeweb.com

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 01-1-24-06-00-000-017.002

Present Use of Property: Cultivated agricultural land

Proposed Use of Property: Community Solar Farm

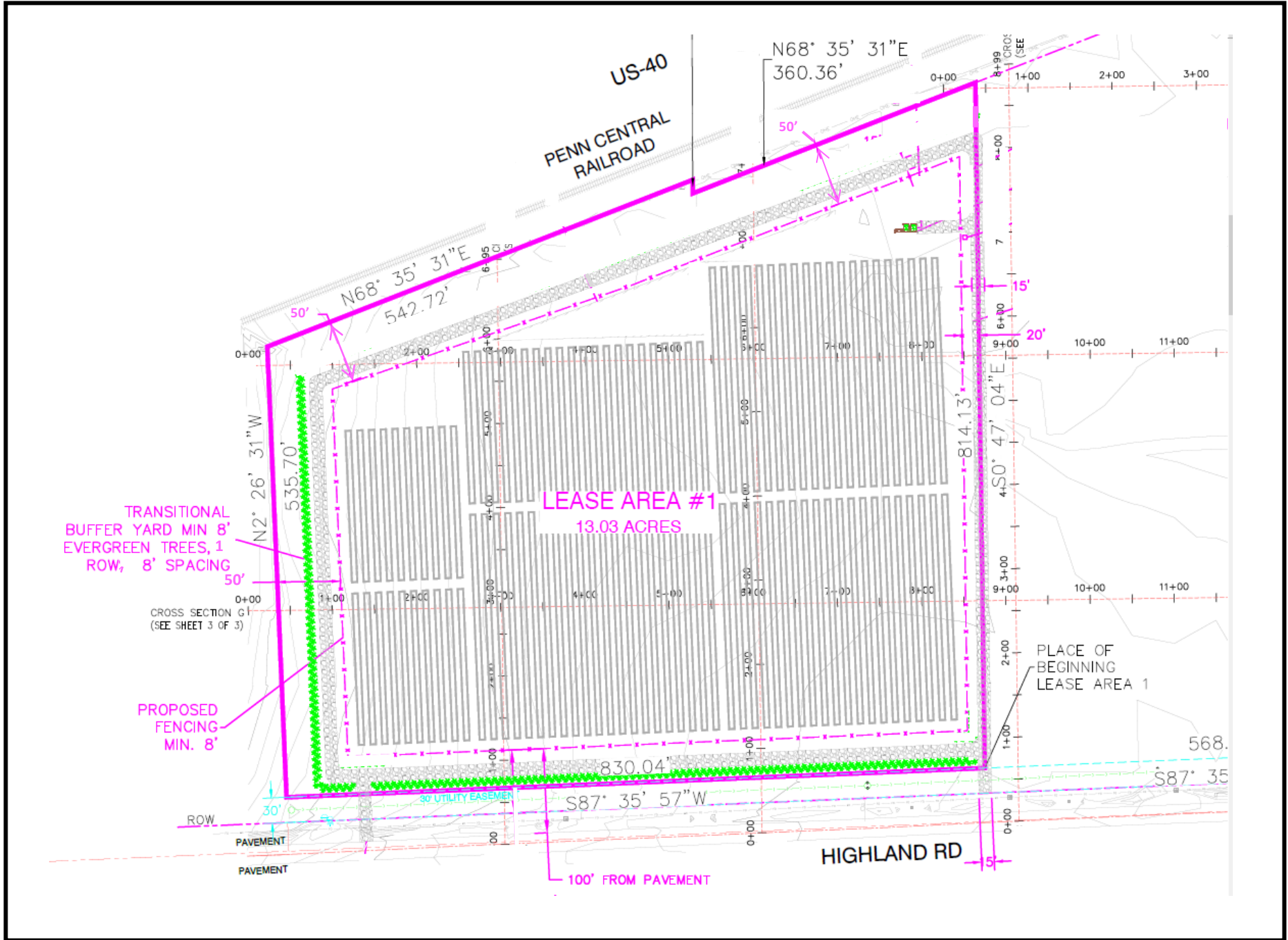
Variance Requested: Requesting a reduction of the side yard(s) and rear yard setback from 75 feet to 50 feet.

Requesting a reduction in the transition buffer yard from 4 sides of the project boundary down to 2 sides (North and West) of the project boundary.

Code Section: Section 90-214. (c)(1) Setbacks, Section 90-214. (c)(6) Transitional Buffer Yard

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Single Family Residential</u>	<u>0040 -Single Dwelling District</u>
South	<u>Farm Home Site - Residential</u>	<u>0111 - Farm with Home or Buildings</u>
East	<u>Improved - Industrial</u>	<u>0080 - Industrial</u>
West	<u>Single Family Residential</u>	<u>0431 - Single Family - Residential</u>



Narrative Statement

The purpose of the 25ft setback variance request is to create more usable area for the remaining portion of the subject parcel for the already City approved community solar farm, while accommodating a recently proposed Ameren transmission substation on the eastern 10 acre portion of the subject parcel. The purpose of the transitional buffer yard variance is to reduce the burden of maintaining a portion of a transitional buffer yard area that does not provide a high level of aesthetic value for the residential uses located in close proximity of the proposed solar farm. Both variance requests will not affect the character of surrounding properties. The City of Highland will benefit from the proposed changes through the increased utility of the eastern portion of the subject parcel for future infrastructure or commercial development.

3/22/22

City of Highland
Attn; Breann Vazquez – Director of Community Development
1115 Broadway
Highland, IL 62249

RE: Grant of Permission to File Variance Application– Highland Solar Farm

I William Drake, as Authorized Manager of Grandview Farms Limited Partnership (property owner of the parcel of land referenced as P.I.N. 01-1-24-06-00-000-017.002), hereby grant permission to Mark Zwiig of Summit Ridge Energy to file for a variance for both the reduction of setback area and reduction of the transitional buffer yard for the proposed solar farm located adjacent to Highland Road.

IN WITNESS THEREOF, each of the undersigned, dated this 22nd day of March, 2022.

Property Owner Signature: _____
Printed Name: William Drake

This instrument was signed and acknowledged before me on March 22, 2022, by William Drake.

Signature of Notary Public: Starla Kay Schuchardt (SEAL)



LEGAL DESCRIPTION

That part of the South half of the Northwest quarter of Section 6, Township 3 North, Range 5 West of the Third Principal Meridian, Madison County, Illinois, described as follows:

Commencing at the Southeast corner of the Northwest quarter of said Section 6; thence South 88 degrees 30 minutes 58 seconds West, (assumed bearing), along the South line of the Northwest quarter of said Section 6, a distance of 100.00 feet to the point of beginning of the following described tract, said point also being the Southwest corner of a tract of land recorded in the Recorder's Office of Madison County, Illinois, in Book 1424 on Page 405; thence continuing South 88 degrees 30 minutes 58 seconds West along said South line, a distance of 1396.88 feet to its intersection with the Southerly extension of the East line of a tract of land conveyed to Duane E. and Martha L. Warnecke, as recorded in the Recorder's Office of Madison County, Illinois, in Book 2869 on Page 453; thence North 1 degree 29 minutes 02 seconds West along said East line and the Southerly extension thereof, a distance of 599.81 feet to the Southeasterly right of way line of the Penn Central Railroad; thence North 69 degrees 33 minutes 00 seconds East along said Southeasterly right of way line, a distance of 542.72 feet to the Northwest corner of a tract of land conveyed to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., now the Penn Central Railroad, as recorded in the Recorder's Office of Madison County, Illinois, in Book 876, on Page 297; thence South 0 degrees 10 minutes 20 seconds West along the West line of said tract conveyed in Book 876 on Page 297, a distance of 16.02 feet to the Southwest corner thereof; thence North 69 degrees 33 minutes 00 seconds East along the Southeasterly line of said tract conveyed in Book 876 on Page 297, a distance of 1074.50 feet to the East line of the Northwest quarter of said Section 6; thence South 00 degrees 10 minutes 20 seconds West, along said East line of the Northwest quarter, a distance of 674.26 feet to the Northeast corner of the previously mentioned tract recorded in Book 1424 on Page 405; thence South 88 degrees 30 minutes 58 seconds West along the North line of said tract and being parallel with the South line of said Northwest quarter, a distance of 100 feet to the Northwest corner of said tract; thence South 0 degrees 10 minutes 20 seconds West along the West line of said tract recorded in Book 1424 on Page 405, a distance of 435.6 feet to the point of beginning.

Situated in Madison County, Illinois.

Permanent Parcel No.: 01-1-24-06-00-000-017.002