

**HIGHLAND, ILLINOIS  
MINUTES OF REGULAR SESSION  
COMBINED PLANNING & ZONING BOARD  
HIGHLAND AREA SENIORS CENTER, 187 WOODCREST DRIVE  
WEDNESDAY, DECEMBER 4, 2024  
7:00 PM**

**Call to Order:**

The December 4, 2024, meeting of the Combined Planning & Zoning Board was called to order at 7:00 PM by Chairman Anthony Walker.

**Roll Call:**

Members present: Chairman Anthony Walker, Deanna Harlan, Bill Koehnemann, Brad Korte, Shirley Lodes, Larry Munie, and Robert Vance.

Members absent: None.

Also present: Economic Development Director Mallord Hubbard; City Attorney Trent Carriger; Moran Economic Development's Director of Planning, Emily Calderon; Building & Zoning Inspector Mike Hanna; Director of Light & Power, Dan Cook; Hurel Johnson, PMP, Sr. Project Development Mgr. for SolAmerica Energy; twelve citizens, and, Deputy City Clerk Hediger, as recorder.

**Approval of Minutes:**

Brad Korte made a motion to approve the minutes of the November 6, 2024, Regular Session meeting of the Combined Planning & Zoning Board; seconded by Bob Vance. All members voted aye. The motion carried.

**Public Comments Relating to Items Not on the Agenda:**

No comments were made and no written comments were submitted by email or other means.

**Procedures - Public Hearings and Items Listed on the Agenda:**

Chairman Walker reviewed the procedures for testifying on items on this agenda during the hearings and offered to swear-in members of the public wishing to testify on any issue. Thirteen people took the oath.

**New Business:**

- a) Highland Affordable Solar, LLC (190 Ottley Dr. NE, Studio H, Atlanta, GA), is requesting a Zoning Amendment to rezone the property identified as 1-1-124-07-00-000-002, 01-1-24-06-00-000-025.002, and 01-1-24-06-00-000-020 (unaddressed on Highland Road) from "R-1-C" Single Family Residential District to "I" Industrial District. The property contains approximately 98 acres in total.

Emily Calderon, on behalf of the city, gave a combined staff report, covering related items a – d on the agenda.

- When the subject property was annexed into the city, it was automatically zoned R-1-C, single-family residential district, per city code. The applicant is requesting it be rezoned to "I", industrial district, so that it can be used for a solar energy farm, after securing the necessary special use permit.
- The applicant is requesting a special use permit, required by Section 90-201 (Use Table), to allow the construction and operation of a solar energy farm on the subject property.

- The applicant is requesting a variance from Section 90-214 (c)(3), to allow all DC wiring and limited AC wiring to be above-ground by necessity. All other wires/cables will be underground.
- The applicant is requesting a variance from Section 90-214 (c)(6), to allow targeted screening placement. Areas to the east, south and west are not within 500' of residents. Screening would focus on northern facilities adjacent to the property.

Staff recommended approval of all four items.

The hearing was opened for public comments on these four items.

Kay Ahaus of 200 Rinderer Road, Highland, stated that she has solar at her home and that she would like to see IMEA get away from unhealthy forms of power and that she is all for solar energy.

Mrs. Ahaus added for her friend, Lisa Cleveland, that this project will be convenient to the Sursee-Aviston, power transmission line.

Mr. Hurel Johnson, Representative for SolAmerica Energy, gave a presentation about the project. Some of the benefits include tax revenue, it is pollinator friendly, it provides an energy rate hedge, and it is a USDA PACE Program project. A change may be made to share an access road with the neighbor. Construction should take 6-9 months. During the active operational phase (30 year life) regular routine maintenance will be performed. This project will use First Solar Panels that are manufactured in the U.S. and single-axis tracker panels. The decommissioning phase returns the site to its original state. Decommissioning takes approximately six months and has a five-year evaluation cycle.

Shirley Bellm, the neighbor to this project, indicated that they have received no communications from SolAmerica regarding usage of the access road. They are concerned about poles vs. combines/farm equipment.

Deanna Harlan moved to recommend approval of Highland Affordable Solar, LLC's request to rezone the property identified as 1-1-124-07-00-000-002, 01-1-24-06-00-000-025.002, and 01-1-24-06-00-000-020 (unaddressed on Highland Road) from "R-1-C" Single Family Residential District to "I" Industrial District (approximately 98 acres); seconded by Brad Korte.

Shirley Lodes asked about usage of a common roadway. A representative of the Steiner family indicated that there is a shared access easement. Shirley Lodes asked if that would pose a problem for farm equipment. Mr. Horell stated that this option is under evaluation.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The Board recommendation to the city council will be for approval of this rezoning request.

- b) Highland Affordable Solar, LLC (190 Ottley Dr. NE, Studio H, Atlanta, GA), is requesting a Special Use Permit to use the property identified as 01-1-24-07-00-000-002, 01-1-24-06-00-000-025.002, and 01-1-24-06-00-000-020 (unaddressed on Highland Road) as a Solar Energy Farm. The property contains approximately 98 acres in total and is currently zoned R1-C Single Family Residential District.

Bob Vance moved to recommend approval of Highland Affordable Solar, LLC's request for a special use permit to use the subject property ("I" Industrial Zoning) as a Solar Energy Farm; seconded by Bill Koehnemann.

City Attorney Trent Carriger brought to the board's attention a memo written by the Building & Zoning Inspector, regarding review of the site plan after any changes are made throughout the permitting process. Inspector Mike Hanna noted that basically, the permit is conditional on successful site plan review subsequent to any changes made.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The Board recommendation to the city council will be for approval of the Special Use Permit, conditional on site plan review, if any changes are made.

- c) Highland Affordable Solar, LLC (190 Ottley Dr. NE, Studio H, Atlanta, GA), is requesting a Variance in order to allow all DC wiring (i.e., wiring between/connecting modules and connecting to either combiner boxes or inverters) and limited AC wiring (e.g., wires exiting the inverter prior going underground and transitions from underground or pad-mounted equipment to the utility's overhead distribution system) to be above-ground. The property is identified as 01-1-24-07-00-000-002, 01-1-24-06-00-000-025.002, and 01-1-24-06-00-000-020 (unaddressed on Highland Road), contains approximately 98 acres in total, and is currently zoned R1-C Single Family Residential District.

Shirley Lodes moved to approve Highland Affordable Solar, LLC's request for a variance to allow all DC wiring and limited AC wiring, within the solar project on the subject property, to be above-ground; seconded by Brad Korte.

With no board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The variance is approved.

- d) Highland Affordable Solar, LLC (190 Ottley Dr. NE, Studio H, Atlanta, GA), is requesting Variance from Section 90-214(c)(6) in order to omit the required Transitional Buffer Yard (TBY) on the east, south, and west sides of the property due to the distance (500 feet or more) from existing residential uses. The property is identified as 01-1-24-07-00-000-002, 01-1-24-06-00-000-025.002, and 01-1-24-06-00-000-020 (unaddressed on Highland Road), contains approximately 98 acres in total, and is currently zoned R1-C Single Family Residential District.

Bob Vance moved to approve Highland Affordable Solar, LLC's request for a variance to omit the required Transitional Buffer Yard (TBY) on the east, south, and west sides of the project on the subject property due to the distance (500 feet or more) from existing residential uses; seconded by Bill Koehnemann.

Larry Munie inquired where the "500 feet or more" distance originated. Emily Calderon indicated that the measurement was in the request as submitted by the applicant.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The variance is approved.

- e) Zoning Amendment for Table 3.1.B of Section 901-201 (Use Table) of the Zoning Code. The proposed zoning amendment would modify Use #43 (Parking Garage or Lot (private or public)) so that it is listed as a Special Use in the C2 Central Business District, rather than a Planned Use.

Calderon reported that currently a parking lot would go through the Planned Unit Development process. This change will make the requirements less onerous for applicants in the future. She reported the following findings of fact:

1. The proposed amendment is consistent with the city's Comprehensive Plan.
2. The proposed amendment will result in ease of development within the Commercial district, while still providing a necessary level of review and consideration by the CPZB and the city council.
3. The proposed amendment will not impact public utilities, public services, or traffic.
4. The proposed amendment promotes the health, safety, quality of life, comfort, and general welfare of the city.

Per Sec. 90-196 of the code, provisions for a Planned Unit Development are more appropriate for large tracts of land under common ownership, intended for mixed use development or a cohesive development project; while a singular parking lot on one tract of land is more appropriate for review as a Special Use, which takes into consideration nearby facilities. Staff recommends approval of this text amendment.

Koehnemann moved to recommend approval of the text amendment to Table 3.1.B of Section 901-201 (Use Table) of the municipal code to modify Use #43 (Parking Garage or Lot (private or public)) so that it is allowed by Special Use Permit in the C2 Central Business District, rather than a Planned Use Development; seconded by Korte.

Chairman Walker requested if parking garages need to be separated from parking lots. Calderon indicated that would be a change in definitions and Attorney Carriger indicated that due to another item on the agenda, this item needed to be addressed as is. The parking lot vs. parking garage issue could be addressed at another meeting.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The Board recommendation to the city council will be for approval of this text amendment.

- f) The City of Highland is requesting a Special Use Permit to use the property located at 516 9th Street (PIN: 01-2-24-05-06-101-012) as a parking lot. The property is 7,168 square feet in area, is currently zoned C2 (Central Business District). It is currently vacant.

Calderon reported for the city, that the subject property is a vacant lot and the application is for a 19-space parking lot for Family Bible Church. She reported the following findings of fact:

1. The proposed Special Use is consistent with the city's Comprehensive Plan.
2. The proposed parking lot would not have an adverse effect on public utilities or traffic circulation on nearby streets. This proposal will help traffic circulation by providing off-street parking for the church, so as to alleviate on-street parking.
3. The proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment.
4. The proposed Special Use will not have a detrimental impact on the value of neighboring property or the city's overall tax base.
5. The proposed Special Use will utilize public utilities.
6. There are no facilities near the proposed Special Use that require the need for special protection.

She noted that overall, use of this property as a parking lot will contribute to fewer cars parking on the street which will improve traffic circulation. The site plan shows this as a gravel parking lot, but the code requires this to be an asphalt parking lot, which would be addressed as part of the permit review and approval process. Staff is recommending approval of this on the condition that the required 6' tall privacy fence be installed on both the east and west sides of the parking lot.

Attorney Carriger noted that a written comment was submitted on this, but that the person who submitted it is also present. Rick Aholt of 512 9<sup>th</sup> Street, came forward to relay his concerns. He stated that when he was considering purchasing his house (next door to the subject property), he was concerned about the potential future uses of the subject property, so he asked the city's B&Z Administrator, who told him that as long as he continued to use his property as a residence, the property next to his would have to be used for residential use. He made another contact with B&Z when he saw the concrete entryway for the parking lot being installed and was told that the code has been changed and that a parking lot is allowed. He has concerns about the parking lot being a rock lot since the one on the other side of his property always has weeds growing up to 2 feet tall before it gets cut in the spring. He also expressed concern about the weed control methods used. He is opposed to this special use, especially with the 6 foot fence.

Bill Dempsey, Pastor of the Family Bible Church, believes this project will alleviate parking problems, but doesn't want to upset residents in the area. They are open to the CPZB's leadership to find a solution.

Korte moved to recommend approval of the Special Use Permit to use the property located at 516 9th Street (PIN: 01-2-24-05-06-101-012) as a parking lot; seconded by Vance.

Korte asked about placement of the privacy fence. Calderon indicated that it would start even with the front of the house next door and extend back from there. Korte noted that the residents have the same ability to install a 6 foot fence. Munie has some concern about the traffic exiting through the alley multiple times per week. Chairman Walker asked if there are lights on this lot.

Calderon checked the code and noted that any lights would have to be screened or pointed away from residences. Korte noted that this condition exists already in Highland. And, either of the adjacent property owners could install a 6' fence.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The Board recommendation to the city council will be for approval of this Special Use Permit.

g) Text Amendment to Article V (Design and Improvement Standards) Chapter 66 (Land Development Code). Specifically, the amendment will prohibit flag lots, prohibit oil and chip streets, modify pavement widths and thicknesses, update pavement, curb and gutter, and sidewalk construction standards, update sump pump standards, water main and fire hydrant standards, sanitary sewer line standards.

Calderon noted that Items G, H, and I, on the agenda were submitted by the Public Works Director. She presented the following findings of fact relevant to each of them:

1. The proposed text amendments are consistent with the city's Comprehensive Plan.
2. The proposed amendment is necessary not only to keep pace with engineering best practices, but also as a result of firsthand experience using and maintaining the city's infrastructure.
3. The proposed amendments will have positive long-term impacts on public utilities, public services, and traffic.

4. The proposed text amendments promote the health, safety, quality of life, comfort, and general welfare of the city.

Calderon added that the staff recommends approval of each of the text amendments to Article V in Chapter 66 (Land Development Code.)

There were no online or phone comments submitted and no public comments offered.

Vance asked if these changes would affect existing conditions. Calderon indicated that non-conforming situations already in place could be addressed in the future if time and funding allowed.

Harlan moved to recommend approval of the text amendment to Article V (Design and Improvement Standards) Chapter 66 (Land Development Code), which would prohibit flag lots, prohibit oil and chip streets, modify pavement widths and thicknesses, update pavement, curb and gutter, and sidewalk construction standards, update sump pump standards, water main and fire hydrant standards, and sanitary sewer line standards; seconded by Munie.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The Board recommendation to the city council will be for approval of this Text Amendment.

- h) Text Amendment to Article IV (Water Service) of Chapter 78 (Utilities). Specifically, the amendment will update the requirements for meter placement, installation of service pipes, water service connection requirements, add the requirement for licensed plumbers to perform certain work, amend fire service connection standards, and update main extension specifications. The amendment will also remove the connection fees listed in the ordinance so that these can be updated administratively from time to time.

Calderon reported that same as the last text amendment:

1. The proposed text amendments are consistent with the city's Comprehensive Plan.
2. The proposed amendment is necessary not only to keep pace with engineering best practices, but also as a result of firsthand experience using and maintaining the city's infrastructure.
3. The proposed amendments will have positive long-term impacts on public utilities, public services, and traffic.
4. The proposed text amendments promote the health, safety, quality of life, comfort, and general welfare of the city.

Vance moved to recommend approval of the text amendment to Article IV (Water Service) of Chapter 78 (Utilities), which would update the requirements for meter placement, installation of service pipes, water service connection requirements, add the requirement for licensed plumbers to perform certain work, amend fire service connection standards, and update main extension specifications. The amendment will also remove the connection fees listed in the ordinance so that these can be updated administratively from time to time; seconded by Koehnemann.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The Board recommendation to the city council will be for approval of this Text Amendment.

- i) Text Amendment to Division 3 (Building Sewers and Permits) of Article III (Sewers and Sewage Disposal) of Chapter 78 (Utilities). Specifically, the amendment will add Section 78-287 – Sewer

Service Laterals and update references to this Section. It will also update Section 78-283 – Size, slope, riser, and maintenance.

Calderon reported that, this text amendment is updating the sewer section of the code, adding some requirements for sewer service laterals and some additional changes with regard to slope and rise on sewer service laterals. It is needed for maintenance and updating the city's infrastructure. Findings of fact are as follows:

1. The proposed text amendments are consistent with the city's Comprehensive Plan.
2. The proposed amendment is necessary not only to keep pace with engineering best practices, but also as a result of firsthand experience using and maintaining the city's infrastructure.
3. The proposed amendments will have positive long-term impacts on public utilities, public services, and traffic.
4. The proposed text amendments promote the health, safety, quality of life, comfort, and general welfare of the city.

Lodes moved to recommend approval of the text amendment to Division 3 (Building Sewers and Permits) of Article III (Sewers and Sewage Disposal) of Chapter 78 (Utilities), which would add Section 78-287 – Sewer Service Laterals and update references to this Section. It will also update Section 78-283 – Size, slope, riser, and maintenance; seconded by Korte.

With no further board discussion, the vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried. The Board recommendation to the city council will be for approval of this Text Amendment.

j) Approval of the 2025 Combined Planning and Zoning Board meeting schedule.

Lodes moved to approve the calendar of meeting dates for 2025; seconded by Harlan.

Munie inquired if the July meeting should be moved due to the holiday and Harlan noted that the March date is Ash Wednesday.

Lodes inquired as to why the meetings are now being advertised in the Troy Times Tribune. The reason is that the owner and editor of The Pioneer was elected to the Highland City Council and believes printing billable items for the city represents a conflict of interest.

The vote was taken by roll call: Harlan, Koehnemann, Korte, Lodes, Munie, Vance, and Walker voted aye; the motion carried.

**Next Meeting:**

The next meeting of the Combined Planning & Zoning Board is scheduled for Wednesday, January 8, 2025.

**Adjournment:**

Korte made a motion to adjourn; seconded by Munie. All members voted aye. The motion carried and the meeting was adjourned at 8:16 PM.