



**PLAN COMMISSION AGENDA
VILLAGE HALL BOARD ROOM
25 E. STATE STREET
TUESDAY, NOVEMBER 6, 2018
7:00 PM**

ROLL CALL

APPROVAL OF MINUTES

1. Approval of Plan Commission Minutes dated September 4, 2018.

PUBLIC HEARING

1. **Petition #18-12 (111 N. River Road)** The petitioner requests a Special Use to allow Outdoor Storage in the I-1 Limited Industrial District, pursuant to Section 17.9.2 of the North Aurora Zoning Ordinance.

This petition has been formally withdrawn by the petitioner.

2. **Petition #18-11** The Village of North Aurora requests a text amendment to Title 17 of the North Aurora Municipal Code (Zoning Ordinance) amending provisions relative to solar energy collection panels.

NEW BUSINESS

1. **Petition #18-11** The Village of North Aurora requests a text amendment to Title 17 of the North Aurora Municipal Code (Zoning Ordinance) amending provisions relative to solar energy collection panels.

OLD BUSINESS

1. None.

PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES

ADJOURNMENT

**VILLAGE OF NORTH AURORA
PLAN COMMISSION MEETING MINUTES
SEPTEMBER 4, 2018**

CALL TO ORDER

Co-Chairman Jennifer Duncan called the meeting to order.

ROLL CALL

In attendance: Co-Chairman Jennifer Duncan, Commissioners Connie Holbrook, Mark Bozik, Doug Botkin, Anna Tuohy, Mark Rivecco, Tom Lenkart. **Not in attendance:** Commissioners Aaron Anderson and Chairman Mike Brackett.

Staff in attendance: Village Administrator Steve Bosco, Village Clerk Lori Murray. Brian Bennett of Rempe Sharpe was also in attendance.

APPROVAL OF MINUTES

1. Approval of Plan Commission Minutes dated 7/10/18

Motion for approval made by Commissioner Lenkart and seconded by Commissioner Tuohy. All in favor. **Motion approved.**

PUBLIC HEARING

- 1. Petition #18-09 Consideration of the Final Plat of Lincoln Valley Subdivision**
- 2. Petition #18-10 Consideration of the Lincoln Valley Phase 1 – Final Plat**

Co-Chairman Jennifer Duncan opened the meeting. There were no audience comments. The public hearing was then closed.

NEW BUSINESS

- 1. Petition #18-09 Consideration of the Final Plat of Lincoln Valley Subdivision**
- 2. Petition #18-10 consideration of the Lincoln Valley Phase 1 – Final Plat**

Village Administrator Steve Bosco said that the Plan Commission had already reviewed the preliminary plat of subdivision when they reviewed the PUD request. When that was moved from the Plan Commission to the Village Board, the Village Board then approved the subdivision which included the preliminary plat. The final plat (staff's review of the final approved subdivision and all of the lots with the village engineer) goes back to the Plan Commission for one last review. There was one change in that there was a request for a larger overland flow route on one of the lots. Bosco noted that there is a memo from Rempe Sharpe engineering where it says that all aspects of the plat are in exact accordance except that an upgraded 45-foot wide stormwater overland flow route has been added to the south perimeter of outlot 247 per Staff's request.

Commissioner Rivecco asked about outlot 254 (along Banbury on the southern end). Rivecco said he wanted to clarify that it was the overflow from the creek from the south side of Banbury Road. The rep from D.R. Horton who was in attendance confirmed this. Commissioner Lenkart inquired about outlot 247. Bosco said that the outlot designated as 247 is the common area which will be

turned over to the HOA. Commissioner Bozik asked if mass grading will be completed all at one time and then the three phases after that.

Bruce Mellen of D.R. Horton, 750 Bunker Court, Vernon Hills, IL, said that mass grading will be done once they close on the land. Phase 1 plat is the initial phase they are looking to develop streets and lots. Their plan is to have streets in before the end of the year to provide multiple points of access. Phase 2 and 3 will come in behind that. Timing is to be determined but probably shortly thereafter. Phase 1 in 2018, Phase 2 in 2019 and Phase 3 in 2020.

Bozik asked what will be done with Phases 2 and 3 as far as site maintenance soils. Will it be hydro seeded or left bare? Mellen said they have a plan in place that requires them to cover bare lots. It depends on where they are in the development. Bozik asked where the soil stockpile would be located. Bozik requested to keep it off the south property line where the townhomes will be located in order to ease the impact to them. Mellen said they are looking at the east side of the central pond for the stockpiles and another pile will be needed somewhere in the Phase 3 section.

Duncan asked if the four conditions pertaining to engineering issues had been addressed. Bosco said that the engineer is fine with the four conditions. The Village will not sign off until the developer has met the requests. The four conditions are: IDOT approval on the permit, engineering approval Phase 1 by the village engineer, IEPA sanitary and water permits have to be received and a public surety in the form of a LLC posted by D.R. Horton for 120% of public improvement for Phase 1.

Motion made by Commissioner Bozik and seconded by Commission Botkin to approve Petition 18-09 with the condition that there be no soil stockpiles on the south property line. **Roll Call Vote:** Rivecco – yes, Tuohy – yes, Lenkart – yes, Holbrook – yes, Bozik – yes, Botkin – yes. **Motion approved (6-0).**

Motion made by Commissioner Tuohy and seconded by Commissioner Rivecco to approve Petition 18-10. **Roll call Vote:** Tuohy – yes, Rivecco – yes, Lenkart – yes, Holbrook – yes, Bozik – yes, Botkin – yes. **Motion approved (6-0).**

PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES

Bosco noted that the Village has a concept plan from Teska for a gathering space in Riverfront Park to do some beautification upgrades to make the park more functional and attractive. They are looking to bring this back to the Village Board for the first meeting in October. Also looking at the spillway to the bridge to determine a way to beautify it and make it more structurally sound. The silo and the plaza were budgeted for this fiscal year.

Community & Economic Development Director Mike Toth has had discussions with another Burger King for North Aurora.

The Jeep dealership is looking for a nearby site for a separate dealership location. Commissioner Botkin mentioned that the owner of the Moka Coffee Shop had expressed his frustration regarding the process of getting his business up and running taking longer than he had

anticipated. Bosco said his frustration has been through his bidding process and not with the village. The owner had a budget for the project which was budgeted based on Wisconsin prices. His personal bids came back much higher than he anticipated. Bosco added that the owner is very close to getting a building permit.

ADJOURNMENT

Motion to adjourn made by Commissioner Botkin and seconded by Commissioner Bozik. All in favor. **Motion approved.**

Respectfully Submitted,

Lori J. Murray
Village Clerk

DRAFT



October 29, 2018

Attn: Mike Toth
Community and Economic Development Director
Village of North Aurora

Re: Application for Special Use
111 N. River Road
North Aurora, Illinois

Mr. Toth,

Please accept this letter as our notice to officially withdraw our application for special use for the property located at 111 N. River Road in North Aurora, Illinois. If you have any questions or there are any outstanding balances due from the notifications published for the public hearing pertaining to our application, please let me know.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Jonathan A. Bieritz', is written over a horizontal line.

Jonathan A. Bieritz, AIA
President
JB Architecture Group, Inc.

Staff Report to the Village of North Aurora Plan Commission

To: Plan Commission Members

cc: Steve Bosco, Village Administrator

Prepared By: Mike Toth, Community and Economic Development Director

Case Number: 18-11

Hearing Date: November 6, 2018

Request(s): The Village of North Aurora requests a Zoning Ordinance text amendment to Chapter 12.3(H) of the North Aurora Municipal Code (Zoning Ordinance) relative to solar energy collection panels.

BACKGROUND

The Zoning Ordinance allows solar panels to be placed on roof surfaces in any zoning district as a permitted accessory uses; however, in residential districts solar panels cannot cover more than twenty-five (25) percent of the total roof surface of a structure or be located on a roof face that faces the front yard of a lot. Freestanding solar panels are not permitted in any zoning district at this time.

Due to incentive programs available to residents, an influx of permits have been submitted for solar panels on residential roofs. As the Zoning Ordinance is limiting with regard to the placement of solar panels, the majority (if not all) of the submitted permits for solar panels have not met the aforementioned requirements of the Zoning Ordinance.

The inability to place roof-mounted solar panels on the front roof surface or cover more than twenty-five (25) percent of the roof area in residential districts is intended to limit the visual impact of such devices. Staff believes that the goals of neighborhood aesthetics can be achieved while still offering residents the ability to take advantage of the benefits of solar energy.

Staff is proposing a text amendment to remove the limitation of covering no more than twenty-five (25) percent of the roof area, along with other 'housekeeping' changes to the solar provisions. By maintaining the prohibition of solar panel placement on the front building elevation and removing the twenty-five (25) coverage percentage, the visual impact from the right-of-way would still be minimized, while offering residents greater flexibility to place solar panels on areas of the roof not facing front and corner side streets.

PROPOSED AMENDMENTS

12.3 - Accessory buildings, structures, and uses.

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H. Solar Energy Collection Panels and Solar Water Heating Systems.

1. *Solar panels shall be permitted ~~on any roof~~ in any zoning district as a permitted accessory uses. ~~No freestanding panels shall be allowed in any residential zoning district.~~ Solar panels shall only be permitted on the roof of a building or structure, unless otherwise specified in the subject zoning district.*
2. *Solar panels shall be flush with the roof line when possible, and shall not be elevated more than thirty (30) degrees off the roof pitch where it is attached or no more than five feet, whichever is less. Solar panels shall not extend beyond the roof line. ~~and shall be located no closer than ten (10) feet from an adjacent property line. Solar panels shall not cover more than twenty five (25) percent of the total roof surface of a structure, and Solar panels shall not be located on a any front entry roof elevation face that faces the front yard of a lot or on any roof elevation that is pitched towards a corner side lot line, except as provided in subsection 3 below. Solar panels may cover up to one hundred (100) percent of the roof of nonresidential buildings provided that they are fully screened from view on all sides of the building as viewed from ground level and all other rooftop access objectives are still met.~~*
3. *Solar shingles shall be permitted to cover any amount of a roof without the location limitation in subsection 2 above provided that they are incorporated into and made to appear as part of the roof, continuous in area without gaps, rectangular in shape and do not cause glare to reflect on to neighboring properties.*
4. *All frame and visible structural parts of a solar panel shall match the roof color. No solar panel shall be artificially lighted.*
5. *A building permit shall be required prior to erecting any solar panel. Mounting for such systems shall be in conformance with all electrical codes and building codes to ensure wind and weight loading requirements are met. Plans shall be stamped by a licensed structural engineer and by a qualified inspector for such installation.*
6. *An emergency direct current disconnect switch shall be provided in an accessible location near the electric meter to shut off such system in the event of an emergency.*

- ~~7. Solar panels shall not be permitted in any location other than the surface of the roof of the structure, unless otherwise specified in the subject zoning district.~~
- ~~8. Solar panels not in service for a period of one hundred eighty (180) days shall be removed and the property on which it is located restored to its original condition within thirty (30) days.~~
7. Solar panels shall be primarily used to generate energy for the property where it is located.

STANDARDS FOR TEXT AMENDMENTS

Does the proposed amendment promote the public health, safety, comfort, convenience and general welfare of the Village?

The proposed amendments are being proposed to promote the use of a renewable energy source.

Does the proposed amendment provide a relative gain to the public, as compared to the hardship imposed upon the applicant?

The proposed amendments would allow residents to take greater advantage of available incentive programs.

Is the proposed amendment consistent with the Comprehensive Plan?

The Comprehensive Plan does not include reference to this topic.

Is the proposed amendment consistent with the intent and general regulations of this Ordinance?

The proposed amendment is consistent with the intent and general regulations of the Zoning Ordinance. By maintaining the prohibition of solar panel placement on the front building elevation and removing the twenty-five (25) coverage percentage, the visual impact from the right-of-way would still be minimized.

Does the proposed amendment correct an error or omission, add clarification to existing requirements, or reflect a change in policy?

The proposed amendments reflect a change in policy with regard to solar energy collection panels.

Does the proposed amendment benefit the residents of the Village as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups?

The proposed amendments are being proposed to promote the use of a renewable energy source and allow residents to take greater advantage of available incentive programs.

Does the proposed amendment provide a more workable way to achieve the intent and purposes of this Ordinance and the Comprehensive Plan?

The Comprehensive Plan does not include reference to this topic.

Does the proposed amendment avoid creating nonconformities?

Yes, the proposed text amendments would correct any non-conforming solar energy collection panels that do not meet those specific regulations.

