

City of Oregon Planning Commission Meeting

The Planning Commission met Monday October 24th, 2022, at 5:30 pm.

Members Present: Rachel Brunner, Roger Cain, Randy Cropp, Jeff Hallock, Mark Herman, Rick Ryland, Karly Spell, and Commissioner Kurt Wilson.

Also, Present: Charles Armbruster, Barb Battaglini, Sandra & Dave Boehle, City Attorney Paul Chadwick, City Administrator Darin DeHaan, Bonita Diehl, Linda & Doug Engle, Judy Groharing, Johanna Hahne, Cheryl Hilton, Ron Klein, Dan Luepkes, Ryan Magnoni, Bill Preston, Terry Schuster, Susie & Sal Tranchina, and Mayor Ken Williams.

Chairman Mark Herman called the meeting to order.

Mark Herman opened the public hearing at 5:30 pm. He stated USS Ducks Solar LLC has submitted an application for a Variance for ground solar.

Ryan Magnoni with USS Ducks Solar LLC spoke regarding the variance application to build a solar farm. He talked about the revisions that were made to the project since the last variance request. He said the project was still with the same landowner, Dan Luepkes. He has also worked with the City of Oregon, other landowners, Ogle County, and ComEd on how to make the project feasible while still bringing benefits to the residents of the City of Oregon. He stated the main change to the project was to the location of the project. He said previously the project was to the far west of the Century Hills Subdivision. They learned that the residents and the City of Oregon were for the solar project, just not at that location. The solar farm location has been moved to the parcel located west of the previous location. The parcel is not located within the city limits of Oregon and will need to be annexed into the city's jurisdiction. He also stated the project will have a landscape screening to block the project, making it out of sight. The access to the solar farm was also changed. Previously the entry to the subdivision would be used to allow construction access. The new proposed construction access will be farther west where the landowner currently accesses the land for farming purposes. The project will still produce about five megawatts of power. It could support about one thousand one hundred and twenty-five homes when the project is up and running. He said if the power were to go out, about seventy percent of the city could be self-sufficient if the project was up and running. He also said another benefit would be the taxes received by the project, about forty-two thousand dollars per year in additional taxes. Roughly twenty-five thousand of that would go to the Oregon School District. He also stated the entire site would have a pollinator habitat to allow for better farming when the project is completed in about twenty years. The solar farm will be a temporary use and the land will be returned to agriculture upon completion. He stated he believes the project should be approved because it would increase the tax base, allow the landowner to increase his future financial security, and enhance the air, soil, and water quality without harming any human or animal. He also said the application should be approved because it is consistent with the City of Oregon ordinance and previously approved projects within Ogle County. He asked the committee to look at all the benefits and approve recommendation to the City Council.

Ron Klein, who lives in the subdivision, said he is against the solar farm. He stated the location is too close to the subdivision. He also believes that the solar farm will only grow in size. Ryan Magnoni stated the project cannot become any larger, the state will not allow for a project any larger than five megawatts. They would also have to receive approval from the city to expand the project.

Judy Groharing is also against the proposed project and expressed concern about the location being so close to residents. She stated the proposed location is the only land available for growth. She also does not understand the screening that will be used to block the solar farm. She stated she can see the entire proposed location from her home. She asked the committee to put themselves in the residents who live in the Century Hills Subdivision. She said it is now right behind their homes. Ryan Magnoni said the screening would be trees and shrubs that would not lose leaves in the fall and would be a specific height. Commissioner Kurt Wilson stated the variance application says Black Hills Spruce and quick growing Cardinal Dogwood shrubs to provide screening. Ryan Magnoni said those trees are the standard that they use, the city would need to approve the trees that would be used.

Doug Engle said they were told the land would be used for expansion of the subdivision. He stated that it was difficult to put the first subdivision in, but it got done. He is wondering where the city wants to go for the future of the town. He said if the city wants people to come to the City of Oregon they must have somewhere to go, and the expansion of the subdivision would be a beautiful place to grow. He also said the solar farm would not be avoidable and unseen. He asked the committee if they had visited the proposed site and invited them all to his home to see the location for themselves.

Dan Luepkes, landowner, stated he respects everyone's opinion. He said when everyone speaks about growth, the landowner has to be in favor of it. He said generally the landowner is responsible to put in the roads and infrastructure for growth. He understands that people do not want this in their backyards. He said if there were more homes built or a solar farm, there would still be people against it, there are going to be different opinions with any project.

Roger Cain said the committee looked hard at the proposals. He said they look at the attractiveness of the city to potential people moving here. There are people looking for communities that have or are thinking of issues such as solar energy. He said they also talked to real estate agents about the housing market. He said he understands the concerns of the residents but needs to move forward with the best interest of the city.

Rick Ryland said he respects what the residents are saying. He said he is very hesitant to tell a property owner who he can sell the property to or how the property owner can use the property. He said he needs to do what is best for the city. He stated that the property next to Park West is premium property. He said the solar company, the city, and the landowner both worked to find another suitable location.

City Attorney Paul Chadwick asked if mailing and public notice requirements were met according to statute. City Clerk Cheryl Hilton stated yes.

Rachel Brunner moved to close the public hearing at 6:01 pm, Seconded by Karly Spell.

Motion carried. No Nays.

Rachel Brunner moved to approve the Variance and Annexation Agreement submitted by USS Ducks Solar LLC, Seconded by Commissioner Kurt Wilson.

Brunner, Aye. Cain, Aye. Ryland, Aye. Spell, Aye. Herman, Aye. Hallock, Nay. Cropp, Nay. Wilson, Aye.

The recommendation will be presented to the City Council at the next scheduled meeting.

Roger Cain moved to approve the August 16th, 2022, minutes, Seconded by Rachel Brunner.

Motion carried. No Nays.

City Administrator Darin DeHaan said during the construction process of River's Edge Experience, Merlin Hagemann went through several phases trying to get the right number needed for occupancy. The fire department would not approve an occupancy of three hundred without the installation of sprinklers. He has added a fire suppression wall, spray foam insulation into the rafters, and egress windows and doors. The request would be for a variance on the occupancy of the 2015 fire code. The city adopted the code in its entirety and can vary any aspect of the code. The request is asking the Planning Commission to review everything that has been done during the construction process. If the Planning Commission feels the fire code could be varied, then it would go to the City Council for review. Roger Cain asked how he would get educated on the issue. There are many things that factor into occupancy. Mayor Ken Williams said the current occupancy is one hundred on each side. He also said the fire code has been adjusted already with the Trestle Ridge Subdivision. He stated that if there is less than five thousand square feet, the max occupancy is one hundred people unless there is a sprinkler system. The City of Chicago changed that portion of the code to be twelve hundred square feet and three hundred occupancy. This is what the city is looking to do. There are no hallways, no pyrotechnics, and they have a direct alarm system to the fire department. Roger Cain said he does not feel qualified to make this type of decision without being better educated on the matter. Mayor Ken Williams stated the fire chief would be at the public hearing to present why he feels the fire code should be strictly followed. City Administrator Darin DeHaan said the fire chief uses an outside consultant to look at the plans.

Rachel Brunner moved to set the public hearing for November 15th, 2022, for a variance of the 2015 International Building Code to increase occupancy from 150 to 300 at the River's Edge Experience, Seconded by Mark Herman.

Motion carried. No Nays.

City Administrator Darin DeHaan said Dollar General is looking at adding a second location in front of the metal reclaimer's location. Representatives from Dollar General will be at the next meeting via Zoom to present to the Planning Commission.

Karly Spell moved to adjourn the meeting at 6:16 pm, Seconded by Randy Cropp. Motion carried. No Nays.

Cheryl Hilton, City Clerk