

*Everything You Need!*

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October 23, 2020

Honorable Mayor and City Council  
Kewanee City Hall  
401 E. Third Street  
Kewanee, Illinois 61443-2365

RE: Report from Plan Commission for August 27 & October 23, 2020 Meetings.

The Plan Commission convened on August 27 & October 22, 2020 via ZOOM.

At the August 27, 2020 Meeting, Commission members Edleman, Mirocha and Sayers, were absent. For business, there was one Special Use Permit application to be heard.

At the October 22, 2020 Meeting, Commission members Costenson, Edleman, Hemphill and Hodge were absent.

During the August meeting, an application for a Special Use Permit for a Solar Development Site was heard and continued until the September meeting. After the August meeting, Sunpin Solar requested that the case be continued until the October Meeting.

During the October meeting, there were two cases to be heard. One for potential changes to an existing Special Use Permit for a beer garden at 831 Lake St. The second case was the continuation from the August 27, 2020 meeting for a Special Use Permit for a Solar Development Site.

**Case Number 1: Hearing on Don Grabbe, DBA Guppy's Lake LLC., Beer Garden Special Use Permit.**

This case was brought back to the Plan Commission for a hearing to make changes or possibly revoke due to noise complaints received by the City. The Plan Commission requested additional information and tabled the case until the November meeting.

**Case Number 2:**

**Parcel 25-05-100-001-0021 Located at N. 570<sup>th</sup> and Red Adams Rd., Special Use Permit for a Solar Development Site.**

**Property Owner:** Kewanee Economic Development Corporation, Kathy Albert, 404 E. Third St., Kewanee, IL. 61443.

**Address:** N. 570th and Red Adams Rd.

**Legal Description:** NW, EX RR, & PT NW SW, EX SUB STATION SEC 5 T14N R5E LANDS INCORP [EZ][TIF], Henry County, Illinois.

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**Location:** Just west of the railroad tracks at Page St.

**Dimensions:** 2663.1 feet East to West, 1773.42 feet North to South

**Area:** 135.89 Acres or 5,919,368 Square feet, approximately.

**Existing buildings or uses:** Agriculture.

**Current Zoning District:** M-2 Manufacturing District - General.

**Surrounding Zoning:** M-2 Manufacturing District to the East - General. Agriculture to the North, West & South which is also outside city limits.

**Existing Land Use:** Heavy Industrial.

**Proposed Land Use Map:** Heavy Industrial.

#### Background Information:

Sunpin Solar Development contacted me earlier this summer in reference to the zoning at the proposed site and what permits would be needed. They were advised of the Special Use Permit requirement and building permit process. Please see the attached documents that describe the use and operations.

The following are stipulations that have been placed on a similar Special Use Permit.

1. The Special Use Permit to allow a Ground Mounted Solar Development is granted to Sunpin Energy Services, LLC and their assigns.
2. No work shall begin prior to receiving an approved building permit from the City.
3. All work shall comply with all applicable building and zoning codes.
4. All work shall be inspected and approved to the satisfaction of the City prior to the Solar Development going live.
5. Any violations of the terms and conditions of the Special Use Permit are subject to review and possible revocation by the Plan commission and City Council.
6. All activities associated with this Special Use Permit for a Ground Mounted Solar Development shall be conducted in full compliance with the Kewanee City Code and the laws and regulations of the State of Illinois.

#### Special Use Permit Criteria (155.157 C)

- (1) That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community;
- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, and
- (3) That the proposed use will comply with the regulations and conditions specified in this chapter for such use, and with the stipulations and conditions made a part of the authorization granted by the Council.

The City has no argument against the requested Special Use.

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**The Public Hearing:**

At 7:00 p.m. on August 27, 2020, the hearing on the proposed Special Use Permit for a Solar Development Site was held. **Jamie Boyd** of Sunpin Solar, was present to represent the application. Also present to represent the application was **David Russian** of Gei Consultants, **Katie Unke** who is a wetlands & permitting expert for Gei and **Kerri Price** who is a civil engineer with Gei. **Kathy Albert** of the KEDC was also present to represent the application.

- Morrison started the meeting by reading the Special Use request and asked who was in attendance to represent the application.
- Jamie Boyd stated that Sunpin Solar entered into an option and lease agreement with the KEDC in 2019 to develop a ground mounted solar development on the subject property. It is planned to be a 24.75 megawatt project and has an interconnect agreement with Ameren. They have also done in-depth environmental studies and are now ready to proceed with the permitting process.
- David Russian stated that Gei Consultants has been working with Sunpin by providing engineering design & studies, environmental investigation as well as civil engineering consultation for the solar project.
- Morrison asked about the layout of the solar project. Russian stated that the project covers most of the land except those areas that comply with setbacks or wetland requirements.
- Kerri Price stated the total lot area is 123.3 acres and the area being developed is 111.5 acres because of the setback and wetland requirements.

Kathy Albert of the KEDC was present to speak in support of the petition.

- Albert stated that the KEDC board did extensive research prior to entering into a lease agreement with Sunpin. Albert said that the KEDC board feels comfortable with Sunpin because of the history Sunpin has with the installation of Solar Development projects.

There were two present to speak in opposition of the petition.

- Bill Leaf stated that he felt the subject property would be better used as farm land or as a manufacturing use. Leaf said he feels that there are other parcels of land not suitable for farming that would be a better choice for a solar project.
- Robert Turner had several comments referring to the Chinese and his opinions of the way the Chinese conduct business.
- Turner stated that he had conversations with a representative of Sunpin about the project and that Turner wants Sunpin to either buy his property or install a surround.
- Turner feels that the KEDC should have told him in the beginning what their plans were.

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- Morrison asked Turner to state what his actual objection to the project is.
- Turner stated he doesn't want to live next to a solar farm.
- Morrison asked what Turner wanted in terms of the surround.
- Turner wants trees planted surrounding his property.
- Turner went on to say he does not want to see Sunpin build anywhere in the United States because of sanctions with China and the COVID virus.
- Morrison reminded Turner to stay on track with what the actual objection is, which is Turner doesn't want to see the solar development.
- Boyd stated that Sunpin is a U.S. owned company that was created and is owned in the United States.
- Boyd said that she has contacted a nursery to research trees to plant around Turner's property. Boyd added that only the North and West sides will face the Solar project so there is no need to plant trees along the South and East sides.
- Morrison asked Boyd if Sunpin is willing to try to work out something with Turner to make him happy. Boyd stated that Sunpin is indeed willing to try to work out some sort of agreement with Turner but only on the sides effected by the project.
- Morrison asked Turner if he is ok with working with Boyd and Sunpin on an agreement of some sort for a surround of trees on the sides effected by the project. Turner stated he would be willing to try to work something out.
- The Plan Commission agreed that the petition should be tabled until the next meeting to give time for Sunpin and Turner to come to an agreement for the surround.
- This concluded the meeting of August 27, 2020 at 7:54 p.m.

**October 23, 2020 Continued:**

At 7:34 p.m. on October 23, 2020, the hearing on the proposed Special Use Permit for a Solar Development Site was held. **Jamie Boyd** of Sunpin Solar, was present to represent the application. Also present to represent the application was **Kathy Albert** of the KEDC was also present to represent the application.

- Morrison began by stating that the property is an M-2 Manufacturing District and has been since at least 2002.
- Albert stated that the KEDC, Sunpin and the City of Kewanee has been working on this project for about two and a half years. Albert said that the planning for the project has been very thorough and Sunpin has navigated through the process professionally and promptly. She also said that the project works well in this location because the KEDC has the land available and it's close to the Ameren substation as well.
- Boyd stated that the nursery, they were speaking with to place screening for Turners property, has rescinded their proposal and that Sunpin has decided that they will be

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refraining from adding screening. This decision has been made after an article in the Galva news where Turner stated that he changed his request from screening to a full on purchase of his property for \$220,000.00 plus moving expenses and that he never really cared if screening was installed around his property. Sunpin is requesting the Special Use Permit, as is, and without screening.

- Jeff Wilsey from Wildwood, Mo. spoke in support of the petition on behalf of his parents who live at 24400 Page St. Wilsey stated that he supports this project moving forward and he believes this has moved to an absurd level that the project is some sort of Chinese conspiracy.
- City Manager Gary Bradley made a brief statement. Bradley stated that solar farms are taxed at \$218,000.00 per mega-watt. The rate couldn't be determined exactly until build out because the size could change. That could equate to roughly \$200,000.00 per year for all of the taxing jurisdictions. This property is within the TIF district so it's possible there could be some arrangements between the City and any of the taxing jurisdictions for revenue sharing. Bradley went on to say that the City Council has not entered into any negotiations with any of the taxing bodies at this time.
- Robert Turner was present to speak in opposition of the petition. Turner stated that there's been some misunderstanding about the Sunpin ownership. He said that Sunpin solar is not an American company.
- City Attorney Justin Raver advised Turner that we cannot discriminate on things like nation of origin of a company.
- Turner went on to speak about the owner of Sunpin and his origin.
- Morrison advised Turner to please state his objections to this case.
- Turner requested to see if there are any laws in the State of Illinois that you can build a solar farm adjacent to a private residence.
- Morrison stated we are dealing with land that is zoned M-2 Manufacturing District.
- Turner then requested to hear what the fire plan is, in case the solar farm catches on fire.
- Morrison stated the Kewanee Fire Department would have to respond.
- Turner said he doesn't understand why it is so important to do business with organizations that no one knows where they are from and what their intent is.
- Morrison read the list of what is allowed within a M-2 District.
- Turner asked Morrison of all the American companies out there, why did we choose one that is from China?
- City Attorney Raver advised Turner that we cannot stop a Chinese company from working here and we cannot discriminate on things like nation of origin of a company.
- Morrison stated that the business has a California address.
- Turner replied that is where the business is but that's not where they are from.

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- Morrison asked Turner to tell the Plan Commission what exactly his objections are to the Special Use Permit.
- Turner asked why didn't we choose an American company to do business with.
- Bradley stated that California is American and Sunpin is clearly an American company.
- Turner said the Solar project was kept secret and the KEDC should have told him before he bought the property.
- Morrison asked if Turner would like a boundary between his property and the Solar project.
- Turner stated he would like them to buy his property.
- Mayor Gary Moore responded to Turner's concerns on solar development fires. Moore stated that solar farms present a very low hazard and Photon Magazine reported that no more than 1 in every 10,000 installations has caused fire hazard concerns. That is a very low risk. Moore stated that the Kewanee Fire Department is very well trained and if they have not had the required training for this type of risk, they will.
- Turner said this will be the only Solar project in the country that is installed in the middle of an agricultural area. Turner said all Solar projects, that he could find, are installed in green spaces and deserts.
- Boyd stated that Sunpin is required, by Ameren, to have safety equipment installed and that the type of Solar panels installed have a very low risk of incident in fact it is rated at less than .001 percent of incident.
- Turner asked what plans have been made for decommissioning this Solar project.
- Morrison verified with Albert that the lease is for 20 years and if not renewed, the land will be returned to the state it is right now. Albert said that is correct.
- Steve Faber spoke in support of the petition. Faber said that he felt that he has been very well informed of the project over the last 2 years and that our Fire Departments is one of the best in the area and can take care of electrical fires.
- Edwards stated at the closing of the discussion that typically a prospective buyer of a property should perform their due diligence of the zoning of a property prior to finalizing a real estate transaction.
- Bradley stated that there was an open public meeting at Wethersfield possibly before Turner moved to his current address.

**Recommendation:**

After discussing the facts and testimony presented, the Plan Commission recommends, by a vote of five in favor of the application, none opposed to the application, four absent, that the application to grant a Special Use Permit for a Solar Development Site at N 570<sup>th</sup> and Red Adams Rd. St. be approved by the City Council.

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Additionally, the Plan Commission recommends by a vote of five in favor, none opposed, four absent that the following stipulations be placed on the Special Use Permit.

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There being no further business, the meeting adjourned at 8:17 p.m.

Respectfully yours,



Steve Morrison, Chairman



PLAN COMMISSION

Date

10/22/2020

Attendance Case #1

Case #2

Staffs

COSTENSON	X	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no absent
EDLEMAN	X	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no absent
HEMPHILL	X	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no absent
MINELLA	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MIROCHA	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MORRISON	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
HODGE	X	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no <del>absent</del>	yes abstain	no absent
SAVERS	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent
MILROY	✓	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent	yes abstain	no absent

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