

COMMITTEE OF THE WHOLE
APRIL 18, 2023
VILLAGE BOARD ROOM
2200 HARNISH DRIVE, ALGONQUIN
7:45 P.M.

Trustee Auger– Chairperson
Trustee Spella
Trustee Glogowski
Trustee Dianis
Trustee Smith
Trustee Brehmer
President Sosine

AGENDA

- 1. Roll Call – Establish a Quorum**
- 2. Public Comment – Audience Participation**
(Persons wishing to address the Committee must register with the Chairperson prior to roll call.)
- 3. Community Development**
 - A. Consider an Amendment to the School District 158 Square Barn Road Campus PUD for a Solar Panel Installation
- 4. General Administration**
- 5. Public Works & Safety**
- 6. Executive Session (if needed)**
- 7. Other Business**
- 8. Adjournment**



Village of Algonquin

2200 Harnish Drive, Algonquin, IL
(847) 658-2700 | www.algonquin.org

AGENDA ITEM

<u>MEETING TYPE:</u>	Committee of the Whole
<u>MEETING DATE:</u>	April 18, 2023
<u>SUBMITTED BY:</u>	Jason C. Shallcross, AICP Patrick M. Knapp, AICP
<u>DEPARTMENT:</u>	Community Development Department
<u>SUBJECT:</u>	Approval of an Amendment to the School District 158 Square Barn Road Campus PUD for a Solar Panel Installation

ACTION REQUESTED:

Huntley Community School District 158 is requesting an amendment to the Planned Development for the Huntley School District 158 Square Barn Road Campus to install additional solar panels between the Administration Building and one of the existing solar panel installations.

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission reviewed the request for the amendment to Ordinance 2003-O-51 and as amended as Ordinance 2018-O-26 at the April 10, 2023, Planning and Zoning Commission Meeting.

The Planning and Zoning Commission accepted (approved 7-0) staff's findings as the findings of the Planning and Zoning Commission and recommended approval, as outlined in the staff report for case PZ-2023-04 and subject to staff's recommended conditions.

DISCUSSION:

The Subject Property was approved as a PUD, Planned Development, as Ordinance 2003-O-51 and then amended as Ordinance 2018-O-26 which approved the construction of two (2) solar panel utility installations. A condition of this Ordinance was a requirement that any future expansion or addition to the solar panel installations come back before the Planning & Zoning Commission and Village Board for review as a separate PUD Amendment.

For this request, the Petitioner will be constructing the 0.7-acre solar panel addition to meet the increased electrical needs of the School District's buildings and fleet. The solar panel addition includes an enclosure fence that matches the seven-foot (7') existing fence to the north and will include native plantings throughout the site.

The initial solar panel installation will occur in the 0.7-acre area represented in the green polygon to the right. With this approval, the Petitioner is also requesting that only a staff review with approval from the Community Development Director be required for future solar panel installations in the blue polygon areas as long as the future installations have the same character as the existing installations and can meet all conditions. Key conditions include the same height and style of fencing and the continuation of the six-foot (6') trees along the west side of the installation between the solar panels and the farm field. If these conditions cannot be met, the Petitioner will need to come back for Planning & Zoning Commission and Village Board Approval.

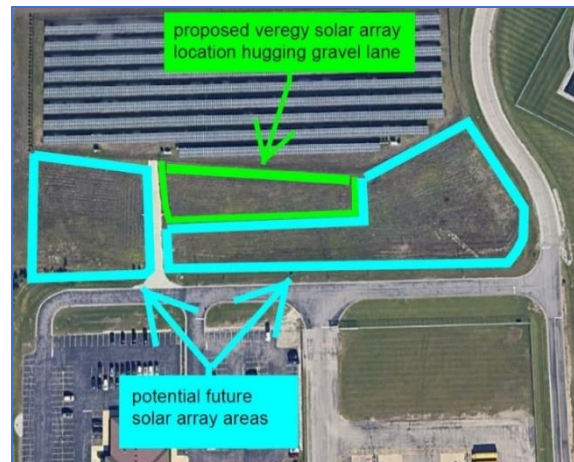


Figure 1: Solar Panel Approval Area

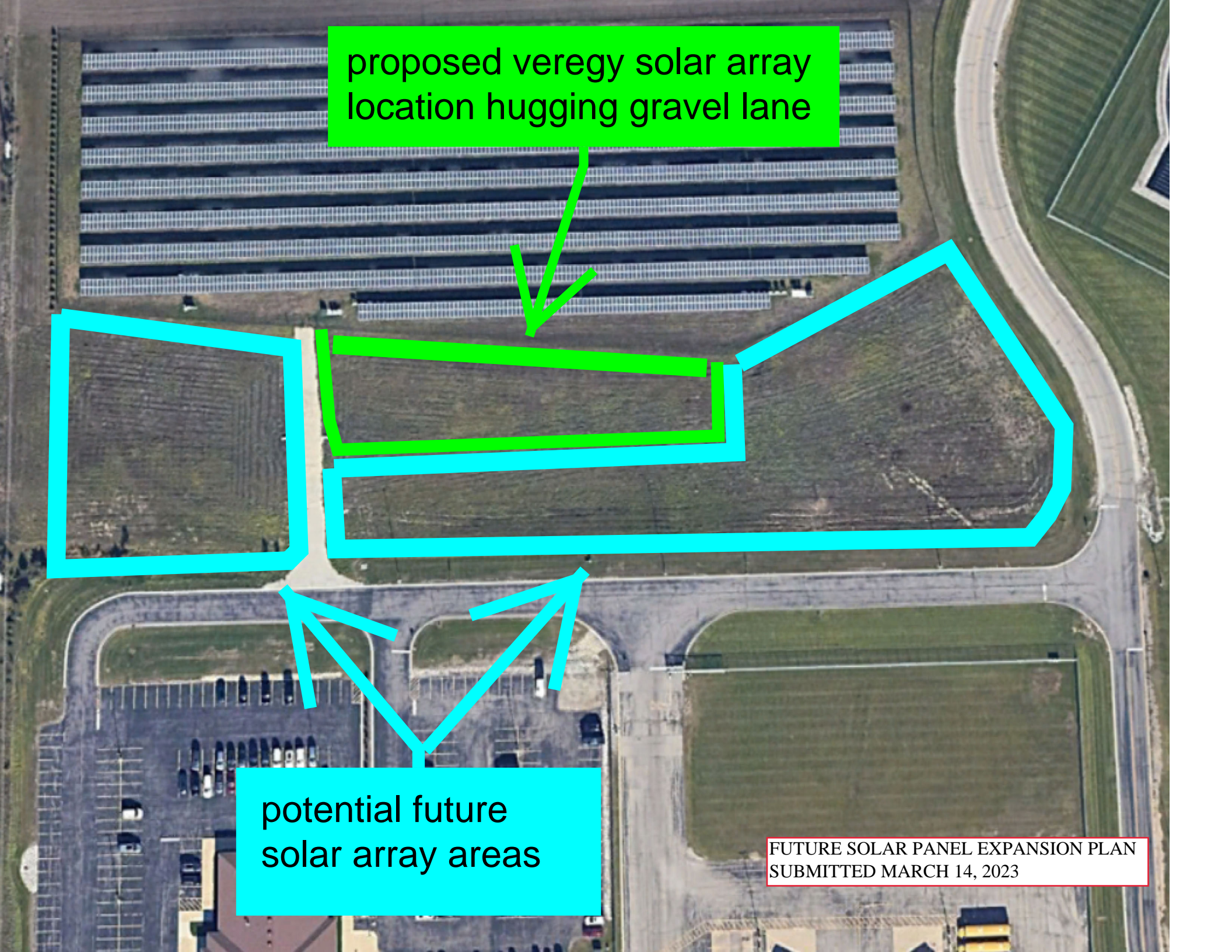
RECOMMENDATION:

Staff recommends approval of an amendment to Ordinance 2003-O-51 and as amended as Ordinance 2018-O-26, as outlined in the staff report for Case No. PZ-2023-04, subject to the following conditions:

- The conditions of Ordinance 2018-O-26 shall still be in effect except that Solar Panel additions that have the same character as the existing installation and are installed in the areas highlighted in the Future Solar Panel Expansion Plan, submitted on March 14, 2023, shall only require Community Development Director approval.

ATTACHMENTS:

- Exhibit A. Future Solar Panel Expansion Plan submitted on March 14, 2023
- Exhibit B. April 10, 2023, Planning and Zoning Staff Report for PZ-2023-04
- Exhibit C. Ordinance 2003-O-51
- Exhibit D. Ordinance 2018-O-26

An aerial photograph of a solar farm expansion plan. The image shows a large area of solar panels at the top, a central cleared area outlined in red, and a parking lot at the bottom. Annotations include a green box with text and arrows pointing to the solar panels, a red outline for a future expansion area, and a blue box with text and arrows pointing to the cleared area and parking lot.

proposed veregy solar array
location hugging gravel lane

potential future
solar array areas

FUTURE SOLAR PANEL EXPANSION PLAN
SUBMITTED MARCH 14, 2023



STAFF REPORT FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

Jason C. Shallcross, AICP
Director of Community Development

Patrick M. Knapp, AICP
Senior Planner

Date: March 28, 2023

Case Number:
PZ-2023-04

Applicant/Property Owner:
Josh Pottebaum/Huntley Community School District 158

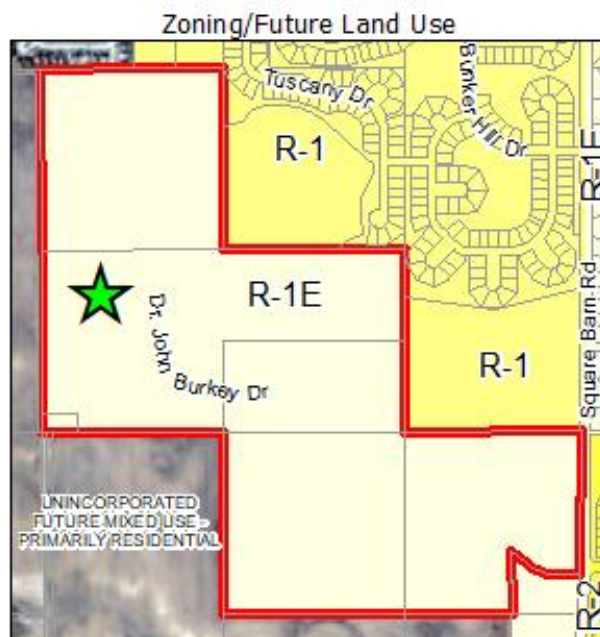
Public Hearing Date:
April 10, 2023

Property Address/Location:
650 Dr. John Burkey Drive, Algonquin, IL

Brief Summary of Request and Background

Josh Pottebaum of VEREGY and representing Huntley Community School District, is requesting an amendment to the Planned Development for the Huntley School District 158 Campus. This amendment will permit the installation of additional solar panels on the Huntley School District 158 Campus.

Staff supports the Petitioner's request as the proposal meets the findings and satisfies the long-term goals of the Village's Comprehensive Plan and Future Land Use Map.



Existing Zoning	Existing Land Use/Improvements	Surrounding Zoning Land Use	Property Size
R-1E One-Family Res Incorporated	School Campus	North: R-1 Residential East: R-1 Residential R-2 Residential South: A-1 Agriculture West: A-1 Agriculture	200 acres

Staff Recommendation Summary

Approve

Deny

Approve with Conditions

Discussion of Staff Recommendation

Request

Josh Pottebaum of VEREGY, the “Petitioner” representing Huntley Community School District, is requesting an amendment to the Planned Development for the Huntley School District 158 Campus, the “Subject Property”. This amendment will permit the installation of additional solar panels between the Administration Building and one of the existing solar panel installations.

History

The Subject Property was approved as a PUD, Planned Development, in September of 2003 as Ordinance 2003-O-51 “An Ordinance Approving Zoning Upon Annexation And Preliminary Planned Unit Development For Certain Property Known As The School District 158 Square Barn Road Campus, And Granting Final Development Approval And A Special Use Permit For Phase 1 Of The School Campus”. The PUD was then amended in September of 2018 to approve the construction of two (2) solar panel utility installations. This was Ordinance 2018-O-26 “An Ordinance Approving a Major PUD Amendment for Solar Panel Utility Installations on the Huntley Community School District 158 Square Barn Road Campus”. A condition of Ordinance 2018-O-26 was a requirement that any future expansion or addition to the solar panel installations shall come back before the Planning & Zoning Commission and Village Board for review as a separate PUD Amendment.

Installation

The Petitioner will be constructing the 0.7-acre solar panel addition to meet the increased electrical needs of the School District’s buildings and fleet. The solar panel addition includes an enclosure fence that matches the seven-foot (7’) existing fence to the north and will include native plantings throughout that follow the guidance of the McHenry County Unified Development Ordinance for solar farms.

The initial solar panel installation will occur in the 0.7-acre area represented in the green polygon to the right. With this approval, the Petitioner is also requesting that only a staff review and approval from the Community Development Director be required for future solar panel installations in the blue polygon areas. All installations in these areas will be required to meet the conditions of the first amendment which includes a landscaping requirement that the west side of the installation includes a dense mix of evergreen, deciduous, and decorative trees a minimum of six feet (6’) in height.

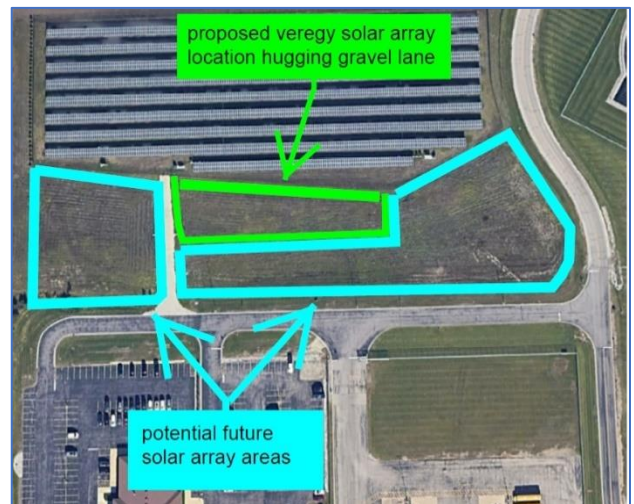


Figure 1: Solar Panel Approval Area

Comprehensive Plan Designation

The Village’s Future Land Use Map designates the Subject Property as Municipal/Institutional. This Request will meet the requirements of the Future Land Use Map.

Next Steps

The Request by the Petitioner will go to the Committee of the Whole for discussion and advancement to the Village Board. If the Village Board approves the Request, the approving Ordinance will be recorded and the solar panel installation can occur.

Standards & Findings

The Planning and Zoning Commission shall review the Standards & Findings of Fact outlined in Exhibit “A” and 1) accept them without changes, 2) accept them with changes, or 3) reject the findings. The Planning and Zoning Commission should use the Findings of Fact to guide their recommendation to the Village Board on the petitioner’s request.

Staff Recommendation

Staff recommends approval of the amendment to Ordinance 2003-O-51 (*An Ordinance Approving Zoning Upon Annexation and Preliminary Planned Unit Development for Certain Property Known as the School District 158 Square Barn Road Campus, and Granting Final Development Approval and a Special Use Permit for Phase 1 of the School Campus*) and subsequently amended as Ordinance 2018-O-26 (*An Ordinance Approving a Major PUD Amendment for Solar Panel Utility Installations on the Huntley Community School District 158 Square Barn Road Campus*) consistent with the findings of fact outlined in this report, subject to the conditions listed below. Based on these findings, Staff recommends that the Planning and Zoning Commission make a motion to adopt Staff’s findings as the findings of the Planning and Zoning Commission and recommend **approval** of the following motion:

1. “To approve an amendment to Ordinance 2003-O-51 and as amended as Ordinance 2018-O-26, as outlined in the staff report for Case No. PZ-2023-04, subject to the following conditions:
 - a. The conditions of Ordinance 2018-O-26 shall still be in effect except that the areas highlighted in the Future Solar Panel Expansion Plan submitted on March 14, 2023, shall only require Community Development Director approval, and that all enclosure fences shall match the height and color of the existing enclosure fence immediately to the north.”

The Village Board’s decision is final for this case.

I concur:



Jason C. Shallcross, AICP

Director of Community Development

Attachments:

- Exhibit A Standards & Findings of Fact
- Exhibit B Alta Land Title Survey, prepared by WT Group, and last revised August 4, 2020
- Exhibit C Future Solar Panel Expansion Plan submitted on March 14, 2023
- Exhibit D Ordinance 2003-O-51
- Exhibit E Ordinance 2018-O-26

Exhibit A – Standards & Findings of Fact

Planned Development Standards – Section 21.11.E of the Algonquin Zoning Ordinance provides that a Planned Development shall conform to the following requirements:

1. The number of dwelling units erected shall not exceed the number permitted by the regulations of the district in which it is located, except in cluster developments where a density bonus may be granted as part of the planned development.
2. If a building is permitted to exceed the height limit of the district in which it is located, the yards and open spaces around such building shall be increased by an amount equal to the height that the building exceeds the height limit of the district measured in feet.
3. If more intensive uses are permitted than are allowed by the district regulations, there must be clear evidence that such uses are appropriate, provided the Planning and Zoning Commission finds:
 - a. That the use permitted by such exceptions is necessary or desirable and is appropriate with respect to the primary purpose of the development;
 - b. That the uses permitted by such exception are not of such a nature or so located as to exercise a detrimental influence on the development nor on the surrounding neighborhood;
 - c. That, in an industrial development, such additional uses allowed by exception shall conform to the performance standards of the district in which the development is located as set forth in Section 21.4 herein;
 - d. That the use exceptions allowed are on file in the Community Development Department;
4. The amount of off-street parking must be adequate to serve the needs of the projects. The Planning and Zoning Commission and Village Board may require more or less off-street parking than is otherwise required by this Chapter if it is determined the use(s) warrants the deviation.
5. If any open space or recreational facility is to be used solely by the residents of the project, adequate provisions shall be made for assessments against the property within the project so that such facilities can be properly improved, maintained, and operated.
6. All residential planned developments that involve annexation shall include clearly identifiable community-wide benefit improvements to the Village. Benefits may include the following, but shall not be limited to those listed: expansion of Village infrastructure that can serve other parts of the community; creation of a community park; dedication of right-of-way or construction of a collector road; and component of a larger mixed-use development that includes commercial uses. The larger the residential unit count, the larger the community-wide benefit improvements.
7. All commercial planned developments that include lots fronting on any major collector or arterial roadway shall provide landscaped open space between each building and parking lot. Said landscaped area shall include combinations of trees, shrubs, and seasonal plantings that shall be planted on top of earthen berms. The appropriate land area, height of the berm, and exact plant material specifications shall be reviewed and approved by the Village Board as part of the final planned development review process.

Staff Response:

Staff is supportive of the proposed amendment to the Planned Development for the Subject Property. The additional solar panels will not negatively impact the Subject Property or adjacent properties. Staff does not believe that the amendment for the Subject Property will reduce the health, safety, morals, or general welfare of the public as the solar panels are screened and do not produce sound, traffic, or other nuisances.

ORDINANCE NO. 2003 - O - 51**An Ordinance Approving Zoning Upon Annexation and Preliminary Planned Unit Development for Certain Property Known as the School District 158 Square Barn Road Campus, and Granting Final Development Approval and a Special Use Permit For Phase 1 of the School Campus**

WHEREAS, the Village of Algonquin has been requested by a petition submitted by Stephen L. Swanson, Superintendent for School District 158, Thomas E. Carey as Trustee under the New Lenox State Bank Trust Number 989 and Harry Mathers of Kaco, Incorporated the sole beneficiary of New Lenox Bank Trust Number 989, the property owners who are the owners of record of all land within the territory hereinafter described, to annex and zone certain territory; and

WHEREAS, a public hearing was held by the Algonquin Planning and Zoning Commission, after due notice in the manner provided by law; and

WHEREAS, the Algonquin Planning and Zoning Commission, after deliberation, has made a report and recommended the granting of said zoning upon annexation and preliminary planned development for the subject property, and granting final development approval and a special use permit for phase one of the school campus; and

WHEREAS, the Village Board has considered the findings of fact, based upon the evidence presented at the public hearing, presented to the Algonquin Planning and Zoning Commission by the petitioners.

NOW, THEREFORE, BE IT ORDAINED by the Acting President and Board of Trustees of the VILLAGE OF ALGONQUIN, McHenry and Kane Counties, Illinois, as follows:

SECTION 1: That the following described property shall be zoned upon annexation to R1-E PUD One-Family Dwelling, to be developed under the terms of a planned development consistent with the Development and Engineering Plans prepared by Manhard Consulting, with a latest revision date of February 17, 2003, the Algonquin Zoning Ordinance and the terms and conditions listed hereafter:

The Northwest Quarter, The Southwest Quarter And The Southeast Quarter Of The Northeast Quarter Of Section 35 And The Northeast Quarter Of The Southeast Quarter Of Section 35, All In Township 43 North, Range 7 East Of The Third Principal Meridian, In McHenry County, Illinois,

Together With:

The Northwest Quarter Of The Southwest Quarter Of Section 36, Township 43 North, Range 7 East Of The Third Principal Meridian, In McHenry County, Illinois,

Together With:

That Part Of The East Half Of The West Half Of The Southeast Quarter Of Section 26, Township 43 North, Range 7 East Of The Third Principal Meridian, In McHenry County, Illinois, Described As Follows:

Beginning At The Southeast Corner Of The West Half Of The Southeast Quarter Of Said Section 26; Thence North 00 Degrees 01 Minutes 52 Seconds West (Assumed), 586.48 Feet Along The East Line Of Said West Half; Thence North 65 Degrees 23 Minutes 39 Seconds West, 146.32 Feet To A Point On A Non-Tangent Curve; Thence Southeasterly 87.04 Feet, Along A Non-Tangent Curve, Concave Northwesterly, Having A Radius Of 313.00 Feet, And A Chord Bearing South 44 Degrees, 31 Minutes, 21 Seconds West, And A Chord Distance Of 86.76 Feet To A Point Of Tangency; Thence South 52 Degrees, 29 Minutes, 22 Seconds West, 59.80 Feet To A Point Of Curvature; Thence Westerly, 291.61 Feet, Along A Curve, Concave Northerly, Having A Radius Of 433.00 Feet, And A Chord Bearing South 71 Degrees, 46 Minutes, 57 Seconds West, And A Chord Distance Of 286.13 Feet To A Point Of Tangency; Thence North 88 Degrees, 55 Minutes, 29 Seconds West, 148.00 Feet To A Point On The West Line Of Said East Half, Said Point Also Being The Northeast Corner Of Lot 776 In Spring Lake Farm South Unit 2, Recorded February 9, 1995 As Document Number 95r004680; Thence South 00 Degrees, 03 Minutes, 13 Seconds East, 470.17 Feet Along The East Line Of Said Spring Lake Farm South Unit 2 To A Point On The South Line Of Said Southeast Quarter; Thence North 89 Degrees, 19 Minutes, 53 Seconds East, 660.99 Feet, Along Said South Line To The Point Of Beginning.

Said property, containing approximately 190 acres, is located along the south side of Algonquin Road, west of Square Barn Road and southwest of the existing Manchester Lakes Subdivision.

SECTION 2: The preliminary development plan for the entire subject property, and the final development plan and special use permit for phase one, which includes three schools and a transportation building, is hereby approved with the following documents, provisions and conditions which the future development of the property must conform thereto:

- A. That all offsite and onsite utilities serving the subject property shall be underground, and site construction, utility installation and grading shall not commence until a Site Development Permit has been issued by the Village, and water and sanitary sewer permits have been issued by the Illinois Environmental Protection Agency;
- B. The Engineering plans, prepared by Manhard Consulting, with a latest revision date of February 17, 2003 shall be revised to include comments from the May 5, 2003 memorandum from Schefflow Engineers, the May 5, 2003 Huntley Fire Protection District, the May 6, 2003 EquiPoise memorandum and additional comments from Public Works;
- C. The Private Property Enforcement Agreement shall be executed with the Algonquin Police Department;
- D. The site shall provide appropriate pedestrian connections to adjacent property, including the extension of the bike path along Square Barn Road. Bike racks shall also be included at each school;

- E. A landscape plan shall be submitted for review. The landscaping shall be phased over the next few years according to an approved plan;
- F. A traffic plan shall be submitted for review and approval by the Village, to show bus and parent drop-off areas and proposed traffic signage;
- G. Square Barn Road improvements shall occur as part of phase one of the school campus. All engineering plans shall be submitted for review and approval by the Village.

SECTION 3: That all requirements set forth in the Zoning Ordinance of the Village of Algonquin, as would be required by any owner of property zoned in the same manner as the Subject Property shall be complied with, except as otherwise provided in this Ordinance.

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

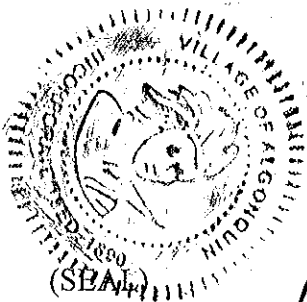
SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Aye: President John C. Schmitt. Trustees: Constance Donner, Robert Smith, Barbara Read, and Jim Steigert

Nay: None

Absent: Trustee John Spella

Abstain: None



APPROVED:

Acting Village President John C. Schmitt

ATTEST:

Village Clerk Gerald S. Kautz

Passed: September 16, 2003

Approved: September 16, 2003

Published: September 16, 2003

Prepared by:
Village Staff

Reviewed by:
H. David Rogers, Village Attorney
Zukowski, Rogers, Flood & McArdle
50 Virginia Street
Crystal Lake, Illinois 60014

ORDINANCE NO. 2018 - O - 26

An Ordinance Approving a Major PUD Amendment for Solar Panel Utility Installations on the Huntley Community School District 158 Square Barn Road Campus (650-800 Academic Drive)

WHEREAS, the Village of Algonquin, McHenry and Kane Counties, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the Village of Algonquin has been requested by a petition signed by Doug Renkosik with Huntley Community School District 158, the property owner, to approve a Major PUD Amendment on certain territory legally described as follows:

THE NORTHWEST QUARTER, THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35 AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, ALL IN TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN McHENRY COUNTY, ILLINOIS,

TOGETHER WITH,

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN McHENRY COUNTY, ILLINOIS,

TOGETHER WITH,

THAT PART OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN McHENRY COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 26; THENCE NORTH 00 DEGREES 01 MINUTES 52 SECONDS WEST (ASSUMED), 586.48 FEET ALONG THE EAST LINE OF SAID WEST HALF; THENCE NORTH 65 DEGREES 23 MINUTES 39 SECONDS WEST, 146.32 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHEASTERLY 87.04 FEET, ALONG A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 313.00 FEET, AND A CHORD BEARING SOUTH 44 DEGREES, 31 MINUTES, 21 SECONDS WEST, AND A CHORD DISTANCE OF 86.76 FEET TO A POINT OF TANGENCY; THENCE SOUTH 52 DEGREES, 29 MINUTES, 22 SECONDS WEST, 59.80 FEET TO A POINT OF CURVATURE; THENCE WESTERLY, 291.61 FEET, ALONG A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 433.00 FEET, AND A CHORD BEARING SOUTH 71 DEGREES, 46 MINUTES, 57 SECONDS WEST, AND A CHORD DISTANCE OF 286.13 FEET TO A POINT OF TANGENCY; THENCE NORTH 88 DEGREES, 55 MINUTES, 29 SECONDS WEST, 148.00 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 776 IN SPRING LAKE FARM SOUTH UNIT 2, RECORDED FEBRUARY 9, 1995 AS DOCUMENT NUMBER 95R004680; THENCE SOUTH 00 DEGREES, 03 MINUTES, 13 SECONDS EAST, 470.17 FEET ALONG THE EAST LINE OF SAID SPRING LAKE FARM SOUTH UNIT 2 TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES, 19 MINUTES, 53 SECONDS EAST, 660.99 FEET, ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

and commonly known as 650-800 Academic Drive, Algonquin, IL 60102 ("Subject Property"); and

WHEREAS, a public hearing was held before the Algonquin Planning and Zoning Commission, after due notice in the manner provided by law; and

WHEREAS, the Algonquin Planning and Zoning Commission, after deliberation, has made a report and recommended approval of the Major PUD Amendment for the Subject Property; and

WHEREAS, the Village Board of Trustees has considered the findings of fact, based upon the evidence presented at the public hearing to the Algonquin Planning and Zoning Commission by the petitioners.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF ALGONQUIN, McHenry and Kane Counties, Illinois, as follows:

SECTION 1: A Major PUD Amendment for solar panel utility installations is hereby approved for the Subject Property, which includes the following conditions:

- A. The petitioner shall be required to modify the plans and / or provide additional information to address the comments in the enclosed Public Works memorandum dated August 16, 2018;
- B. The proposed security fencing shall be a maximum six feet in height – consistent with village code – and shall be vinyl coated in a decorative black / brown / or green color, rather than standard chain-link silver. No barbed wire material shall be used on the fencing;
- C. In addition to the landscaping ground cover the petitioner will be planting within the installation areas, landscaping shall also be incorporated around the outside perimeter of the fencing. In particular, the west side of Location 1 and the west and south sides of Location 2 shall include a dense mix of evergreen, deciduous and decorative trees a minimum initial six (6) feet in height;
- D. The location of the fence line shall be setback a minimum twenty (20) feet from the property lines, to maintain a buffer area as well as accommodate the necessary landscaping elements that will be required around the perimeter adjacent to future development. The proposed landscaping shall be reviewed and approved by the Village's Public Works Department and the petitioner shall be required to install the landscape elements concurrent with the construction of the solar installations;
- E. The motion-sensing security light at the entrance gate shall be shielded and downcast. A photometric plan shall be required for review by Village Staff if any additional site lighting is proposed for the solar installations and shall comply with the village's standards that lights be shielded, downcast, and no trespass light shall spill onto adjacent property;
- F. The petitioner shall perform and submit for Village Staff review a field tile investigation for the location of the proposed pilings. The petitioner shall resolve any potential conflicts by either relocating the proposed location of the pilings or relocating the field tiles to maintain positive drainage;
- G. Any future petition that would involve new expansion or addition to the installations—for example increase in height or construction of a new location—shall be required to come back before the Planning & Zoning Commission and Village Board for review as a separate PUD Amendment;
- H. If either solar installation location is not operated for a continuous period of 12 months, it shall be considered abandoned and the School District shall remove the same within 90 days of receipt of

notice from the Village. Failure to remove an abandoned installation within said 90 days shall be grounds to remove the installation at the School District's expense.

SECTION 2: That all requirements set forth in the Algonquin Zoning Ordinance, as would be required by any owner of property zoned in the same manner as the Subject Property shall be complied with, except as otherwise provided in this Ordinance.

SECTION 3: The findings of fact on the petition to approve the PUD Amendment are hereby accepted.

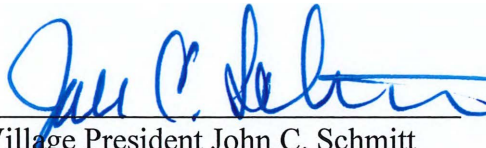
SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Aye: Sosine, Spella, Glogowski, Steigert, Brehmer
Nay: None
Absent: Jasper
Abstain: None

APPROVED:


Village President John C. Schmitt

(SEAL)

ATTEST: 
Village Clerk Gerald S. Kautz

Passed: September 4, 2018

Approved: September 4, 2018

Published: September 5, 2018

Prepared by: Village Staff

Reviewed by: Kelly Cahill, Village Attorney
Zukowski, Rogers, Flood & McArdle
50 Virginia Street
Crystal Lake, Illinois 60014