

MINUTES OF REGULAR MEETING

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

**1776 East Washington Street
Urbana, IL 61802**

DATE:	July 11, 2024	PLACE:	Shields-Carter Meeting Room
			1776 East Washington Street
TIME:	6:30 p.m.		Urbana, IL 61802

MEMBERS PRESENT: Brian Andersen, Chris Flesner, Lee Roberts, Jim Randol

MEMBERS ABSENT: Thaddeus Bates, Ryan Elwell, Cindy Cunningham

STAFF PRESENT: John Hall, Charlie Campo, Jacob Hagman

OTHERS PRESENT: Bud Parkhill

1. Call to Order

The meeting was called to order at 6:30 p.m.

2. Roll Call and Declaration of Quorum

The roll was called, and a quorum was declared present.

Mr. Hall said a temporary chair was needed due to Mr. Elwell's absence. Mr. Roberts moved to nominate Mr. Andersen, seconded by Mr. Flesner. The motion passed by voice vote.

Mr. Andersen informed the audience that anyone wishing to testify for any public hearing tonight must sign the witness register.

3. Approval of Minutes – None

4. Correspondence – None

5. Audience participation concerning matters other than cases pending before the Board -None

6. Continued Public Hearings

Case 129-AM-24

Petitioner: Troy Parkhill

Requests: Amend the Zoning Map to change the zoning district designation from the R-1 Single Family Residence Zoning District to the B-4 General Business Zoning District.

Location: A 1.81-acre tract in the Northeast Quarter of the Southeast Quarter of Section 15, Township 20 North Range 1 East of the Third Principal Meridian in Mahomet Township with an address of 503 South Lake of the Woods Rd, Mahomet.

Mr. Andersen called Bud Parkhill to the microphone and asked him to state his name and address and

1 proceed with his comments regarding the case.
2

3 Bud Parkhill of 204 N. Eastwood Drive of Mahomet, Illinois, approached the microphone. Mr. Parkhill
4 said he's been in Mahomet since 1954, and he's seen the property in question go from a residence with a
5 mechanics garage in the lower level to a bakery to a flower shop to a pottery shop over time. Mr. Parkhill
6 continued to say that the property has always had a residence upstairs and a small family business
7 downstairs. Mr. Parkhill acknowledged that zoning in Champaign County came into effect in 1973, and
8 the property was zoned for single-family and didn't consider that businesses had been in that location
9 previously.
10

11 Mr. Parkhill stated that the property was in deplorable shape and wasn't being lived in. Mr. Parkhill
12 mentioned that the owner died, and his widow decided to sell the property. Mr. Parkhill continued that he
13 owns properties to the west and the south of the property. Mr. Parkhill said that his son decided to purchase
14 this property as an investment property and is in the process of renovating the property, such as replacing
15 the roof and various other fixes. Mr. Parkhill said that his son has a tenant who is interested in renting the
16 building and running a business out of the lower level while living upstairs on the property.
17

18 Mr. Andersen asked if the Board had any questions for Mr. Parkhill. Mr. Randol asked for a status update
19 on getting a revised site plan from an engineer. Mr. Parkhill said they hired BKB Engineering a month
20 ago to do the site plan, and because of delays with the surveyor and others, they plan on having the site
21 plan by early August.
22

23 Mr. Randol asked what business was looking to rent the property. Mr. Parkhill said the possible tenants
24 are Topline Construction who is a general contractor. Mr. Randol asked if they wanted an office or to
25 store equipment. Mr. Parkhill said it would just be an office. Mr. Parkhill said they were looking into
26 doing a neighborhood home occupation and avoiding the rezoning process. Mr. Parkhill continued that
27 the property does have room for a truck or trailer but that the adjacent property, which he owns and is
28 zoned for industrial use, is available for parking and storage of any equipment if needed.
29

30 Mr. Flesner asked for clarification about a shed being built on the property. Mr. Parkhill said there is
31 currently a shed and a detached garage on the property that might be torn down, but there are no plans to
32 build a new shed. Mr. Campo confirmed that there is an existing shed and garage on the property, and
33 there has been discussion about removing the garage, but there are no plans to add a shed.
34

35 Mr. Randol asked Mr. Hall about accessible parking requirements for a neighborhood home occupation
36 or a business on this property. Mr. Hall said that accessible parking is required, and all new doors need to
37 be accessible. Mr. Hall continued that businesses doing over \$50,000 in repairs need to submit a statement
38 that the project complies with the accessibility code but that it is not needed for a home occupation
39 business. Mr. Hall said that it is difficult to follow all of the different regulations, but home occupations
40 have fewer requirements than a full business.
41

42 Mr. Flesner asked about possible problems if the people living above the business don't run the business
43 below. Mr. Hall said that he understands that the residents and business owners would be the same people,
44 anyone living in the upstairs residence would need to also be a part of the business.
45

46 Mr. Parkhill added that the renovations to the property have been up to code, such as having separate
47 entrances for the residence and the business. Mr. Parkhill said he spoke with Mr. Hall before buying the
48 property to ensure they did everything right according to the County. Mr. Parkhill continued that he has
49 contacted the Village of Mahomet about possibly running city sewer service to the property, but the

1 Village hasn't gotten back to him.

2
3 Mr. Andersen asked Mr. Hall about any protests for the zoning change. Mr. Hall said there were protests
4 from the Village of Mahomet and from a neighbor to the north of the property. Mr. Andersen asked if the
5 protests had been removed. Mr. Hall responded that they hadn't been removed. Mr. Campo confirmed
6 that the neighbor's letter of protest was sent to Board members in their packet.
7

8 Mr. Andersen said that since they are still waiting on the site plan, he will entertain a motion to continue
9 the case. Mr. Hall recommends hearing the case again on August 29th, 2024. Mr. Randol motioned to
10 continue the case until August 29th, 2024, the motion was seconded by Mr. Roberts. The motion passed
11 by voice vote.
12

13 Mr. Andersen entertained a motion to close the witness registry. The motion was made by Mr. Flesner
14 and seconded by Mr. Roberts. The motion passed by voice vote.
15

16 **Case 130-AT-24**

17 Petitioner: **Zoning Administrator**

18
19 Requests: **Amend the Champaign County Zoning Ordinance as follows regarding Battery
20 Energy Storage Systems (BESS):**

- 21 **1. Add the following definitions to Section 3.0 Definitions: BATTERY ENERGY**
- 22 **STORAGE MANAGEMENT SYSTEM (BESMS), BATTERY ENERGY**
- 23 **STORAGE SYSTEM (BESS), TIER-1 BATTERY ENERGY STORAGE**
- 24 **SYSTEMS, TIER-2 BATTERY ENERGY STORAGE SYSTEMS.**
- 25
- 26 **2. Add new paragraph 4.2.1 C.8. to provide that a BATTERY ENERGY**
- 27 **STORAGE SYSTEM may be authorized as a SPECIAL USE Permit in the AG-**
- 28 **1 and AG-2 Agriculture Districts as a second PRINCIPAL USE on a LOT with**
- 29 **another PRINCIPAL USE.**
- 30
- 31 **3. Amend Section 5.2 as follows:**
- 32 **a. Add "BATTERY ENERGY STORAGE SYSTEM" to be allowed by**
- 33 **Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural**
- 34 **Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy**
- 35 **Industry Zoning Districts.**
- 36 **b. Add Footnotes 32 and 33 regarding TIER-1 and TIER-2 requirements.**
- 37
- 38 **4. Add new Section 6.1.8 TIER-2 BATTERY ENERGY STORAGE SYSTEMS to**
- 39 **establish regulations including but not limited to:**
- 40 **a. General standard conditions**
- 41 **b. Minimum lot standards**
- 42 **c. Minimum separations**
- 43 **d. Standard conditions for design and installation**
- 44 **e. Standard conditions to mitigate damage to farmland**
- 45 **f. Standard conditions for use of public streets**
- 46 **g. Standard conditions for coordination with local fire protection district**
- 47 **h. Standard conditions for allowable noise level**
- 48 **i. Standard conditions for endangered species consultation**
- 49 **j. Standard conditions for historic and archaeological resources review**

- k. **Standard conditions for acceptable wildlife impacts**
- l. **Screening and fencing**
- m. **Standard condition for liability insurance**
- n. **Operational standard conditions**
- o. **Standard conditions for Decommissioning and Site Reclamation Plan**
- p. **Complaint hotline**
- q. **Standard conditions for expiration of Special Use Permit**
- r. **Application requirements**

5. Regarding BATTERY ENERGY STORAGE SYSTEMS fees, revise Section 9 as follows:

- a. **Add new paragraph 9.3.1 K. to add application fees for a BATTERY ENERGY STORAGE SYSTEMS Zoning Use Permit.**
- b. **Add new subparagraph 9.3.3 B.(9) to add application fees for a BATTERY ENERGY STORAGE SYSTEMS SPECIAL USE permit.**

Mr. Hall said they sent out a memo with the agenda explaining that a request was sent to the University of Illinois Fire Institute for comments and that copies of the amendment were available at a meeting of local fire protection district chiefs asking for comments. Mr. Hall said that all people given the memo were informed that the next BESS hearing would be at the July 11th, 2024, ZBA meeting, and no comments have been received yet. Mr. Hall said he hopes they receive comments in the future.

Mr. Hall said that Mr. Campo and himself worked on some recommended changes. Mr. Hall referenced a section on safety and went over the recommended changes. Mr. Hall said they added further standards, and the changes are noted in the memo. Under safety, they eliminated the comments asking for explanations from Illinois-licensed professional engineers. Mr. Hall said that the BESS will be package systems with manufacturers' literature, and the literature he's read discusses the safety measures because they are standard requirements. Mr. Hall said that since the information is available from the manufacturer, there is no need for an Illinois-licensed professional engineer to provide comments, so those redundant comments are being removed.

Mr. Hall next addressed fire suppression. Mr. Hall said that he believes that sprinklers should only be required if the BESS is in a building and that since most BESS will be in rural locations and unlikely to be in buildings. Mr. Hall recommended that sprinklers only be required when the BESS is going to be in a building. Mr. Hall said that each BESS comes with an "in a rack" fire suppression and that each battery has small-to-medium size compartments to hold the fire suppression and should keep any fires minimized and contained until the fire district can respond. Mr. Hall said that it is unlikely that BESS will be installed in buildings that house people, but it can't be ruled out.

Mr. Hall addressed ground-fault protection. Mr. Hall said that this is part of engineering and that a statement from an Illinois-licensed professional engineer is still needed. Mr. Hall said that ventilation should only be necessary to be discussed if the BESS is installed in a habitable building. Mr. Hall finished by saying that changes have been made to eliminate some of the previous questions but haven't addressed all of them. Mr. Hall said that he still hopes to get comments from fire protection districts at some point but recommends these changes and will include them as an attachment in the following memo. He wanted to get the changes before the Board so they could take them home.

Mr. Andersen commented that BESS are about the size of shipping containers placed on sites and spaced apart. Mr. Hall confirmed that BESS are smaller than shipping containers but are placed as a whole unit

1 on a foundation. Mr. Andersen asked for clarification on the spacing of the containers. Mr. Hall said that
2 he wants to get comments about spacing from fire protection districts. Mr. Hall said he attended a zoning
3 conference earlier this year, and it was recommended that BESS units only need to be ten feet apart. Mr.
4 Hall said that Mr. Randol pointed out that ten feet apart isn't enough room for fire trucks to drive between
5 units. Mr. Hall said he specifically hopes that fire protection districts say how far apart the BESS units
6 need to be to prevent the spread of fires. Mr. Hall said fire trucks typically need 14 to 20 feet of access,
7 which is double what Mr. Hall heard at the conference.

8
9 Mr. Andersen entertained a motion to continue the case until August 29th, 2024. Mr. Flesner made the
10 motion, seconded by Mr. Roberts. Motion passed by voice vote.

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12 **8. Staff Report – None**

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14 **9. Other Business – Review of Docket**

15
16 Mr. Roberts said he would be gone for the August 15th and August 29th meetings. Mr. Andersen said he
17 would be gone the August 29th meeting. Mr. Flesner said he might be gone for the August 29th meeting.

18
19 Mr. Hall said that if more zoning cases don't come in soon, he recommends that the Board cancel the
20 August 15th, 2024 ZBA meeting at the July 25th ZBA meeting.

21
22 Mr. Roberts motioned to adjourn, seconded by Mr. Flesner. The motion passed by voice vote.

23
24 **10. Adjournment – 6:55 pm**