Resolution of the County Board
of
Kankakee County, Illinois

RE: ZBA CASE #18-21; SPECIAL USE PERMIT SECTION 121-99.C.34 (SOLAR FARM) IN THE A1-AGRICULTURAL DISTRICT SECTION 34 ST. ANNE TOWNSHIP (SV CSG ST. ANNE, LLC)

WHEREAS, an application pursuant to the terms of the Kankakee County Zoning Ordinance, has been filed by Larry & Linda Kleinert, property owner and SV CSG St. Anne, LLC, applicant, in the Office of the County Clerk of Kankakee County for a Special Use Permit to Section 121-99.c.34 (Solar Farm) in the A1-Agricultural District, on a parcel legally described herein Exhibit A, a copy of which is attached; and,

WHEREAS, the Zoning Board of Appeals held a duly noticed public hearing, on the application on May 14, 2018 and from the testimony and evidence presented findings were made as described in Exhibit B, a copy is attached and the ZBA recommends that the request of Larry & Linda Kleinert, property owner and SV CSG St. Anne, LLC, applicant, be approved; and,

WHEREAS, the Planning, Zoning, and Agriculture Committee (PZA), at its regularly scheduled and duly noticed meeting of May 16, 2018 having reviewed, discussed and considered the matter, has approved the request and adopted the findings and recommendation of the Zoning Board of Appeals, Exhibit B; and,

WHEREAS, all matters required by law of the State of Illinois and the Zoning Ordinance of Kankakee County have been completed; and,

WHEREAS the County Board at its regularly scheduled meeting of June 12, 2018 after review, discussion, and consideration, agrees with the findings of the Zoning Board of Appeals and committee minutes of the PZA Committee, and finds that the conclusions expressed are both reasonable and rationally supported by the evidence presented, and the special use permit will not be detrimental to the public health, safety, and economic and general welfare.

NOW, THEREFORE, be it resolved by the Kankakee County Board, State of Illinois as follows:

1. The findings of the Zoning Board of Appeals are hereby approved, confirmed, ratified, and adopted and the conclusions of the Planning, Zoning and Agriculture Committee based upon those findings are rational and in the public interest.

2. The findings, conclusions and recommendation expressed in the minutes of the Planning, Zoning, and Agriculture Committee meeting of May 16, 2018 are also supported by the record and are in the public interest and are also approved, confirmed, ratified and adopted.
3. Special Use Permit to Section 121-99.c.34 (Solar Farm) in the A1-Agricultural District, be approved on a parcel legally described in Exhibit A, a copy of which is attached herein and made a part hereof.

PASSED and adopted this 12th day of June, 2018.

Andrew H. Wheeler, County Board Chairman

ATTEST:

Dan Hendrickson, County Clerk
LEGAL DESCRIPTION:
THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34,
TOWNSHIP 30 NORTH, RANGE 12 WEST OF THE SECOND PRINCIPAL MERIDIAN.
KANKAKEE COUNTY, ILLINOIS.
EXHIBIT B  (ZBA CASE#18-21)
Kankakee County Zoning Board of Appeals

Mr. John Fethering, Chairman 189 East Court Street
Kankakee, IL 60901 (312) 937-2340

FINDINGS OF FACT AND RECOMMENDATION
OF THE KANKAKEE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Kankakee County Zoning Board of Appeals concerning an application from property owner Larry and Linda Kleinert and applicant SV CSG St. Anne 1, LLC in ZBA Case No. 18-21. The applicant and owners are seeking a special use permit to allow the construction of a 2 MW community solar garden, known as St. Anne 1, on property located on the east side of 8500 E Road one-quarter mile north of E 6000 S Road. Please refer to the application packet for detailed information about the project.

After due notice required by law, the ZBA held a public hearing on this case on May 14, 2018 in the County Board Room, 4th Floor, Kankakee County Administration Building, Kankakee, Illinois, and hereby report their findings of fact and their recommendation as follows:

Site Information: See Staff Report (attached herewith).

Public Comments: There were no objectors present. (Refer to transcripts for full details)

Analysis of Six Standards: After considering all the evidence and testimony presented at the public hearing, the Board makes the following analysis of the six (6) standards listed in Section 17.03.F4 (Standards for Special Uses) of the Kankakee County Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

The Board finds that the proposed community solar garden will have minimal impacts to the surrounding area. The height of the solar panels will be no taller than 15' feet. There will be a chain-linked fence around the perimeter of the project for security purposes. There will be no buildings on-site. The project will have one access point to S 8500 E Road, but there shouldn't be but one or two trips to the site per month during the operation period of the project. No additional utilities will be needed for the project.

2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
The Board finds that the community solar garden is temporary in nature, and once the project is complete it will revert back to farm ground. Community solar gardens are small in nature, and this proposed project will only take a portion of the parcel. The balance of the parcel will remain rural and agricultural in nature, much like the surrounding parcels.

3. **That the establishment of the special use will not substantially impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

   The Board finds that the proposed community solar garden will only take a small portion of the entire parcel. Once the project is finished the property will be restored to the condition prior to start of construction and the use will again become agriculture.

4. **That adequate utilities, access roads, drainage, or necessary facilities have been or will be provided.**

   The Board finds that no additional utilities are required for the community solar garden. We only need one short access drive off of S 8500 E Road. The project should not require any grading as we will be driving steel I-beam into the ground for to support the racking system that will hold the solar panels. We will establish a turf on the entire project site once construction is done, so the drainage and absorption of precipitation should be better than the current use of cultivated corn and soybeans.

5. **That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

   The Board finds that the proposed community solar garden will only need one access drive. We anticipate only one or two trips to the project site per month on average.

6. **That the special use will, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the board.**

   The Board finds that the community solar garden special use will conform to the applicable regulations of the district in which it is located.

**Conditions:** The Board does not recommend any conditions be placed on the approval of this special use permit.

**Recommendation:** We find that the proposed special use requested meets all the standards for recommending granting as found in Section 17.03.F4 of the *Kankakee County Zoning Ordinance* and that such a request is in the public interest. Therefore, the Zoning Board of Appeals hereby recommends
that the special use permit to establish a solar farm in the A1-Agriculture District on the property described in the application hereby be granted.

Roll Call Vote: The roll call vote was six (6) members for the motion to recommend granting, zero (0) opposed.

Respectfully submitted this 14th day of May, 2018 by the Kankakee County Zoning Board of Appeals.

John Fetherling, Chairman – Aye
David Deyoung – Aye
William Sawyer – Aye
Edwin Meents – Aye
William Hemm – Absent
Beth Scanlon – Aye
Gene Raedemacher – Aye

Exhibit A – Site Map, St. Anne Township
Larry and Linda Kleinert (Owner)  
SVCSG St. Anne I, LLC (Applicant)  
SUP Section 121-99-C34 (Solar Farm)  
P.I. No. 11-18-34-400-002  
St. Anne Township  

ZBA CASE 18-21  

STAFF REPORT
The applicant, SV C5G St Anne I, and owners Larry and Linda Klenerman are seeking a special use permit to allow the construction of a 2 MW community solar garden, known as "St. Anne I", on property located on the east side of 6500 E Road, one-quarter mile north of 6000 S Road. Please refer to the application packet for detailed information about the project. An aerial photograph of the general area can be seen above.
Finding of Fact

The following sections highlight the petitioner's responses to the findings and the Planning Department's comments for the proposed special use permit.

- Staff agrees with the applicant. Throughout the many different public hearings that the county has conducted regarding solar farm development and re
- The community solar garden is temporary in nature, and once the project is complete it will revert back to farm ground, community staff agrees with the applicant and does not currently see how the construction and operation of this solar farm would have any detrimental effects to the public health, safety, or welfare.

- The solar garden will not be a commercial venture. Approval of the special use will not be a commercial venture. Revisions to the special use will not be made.

- The following sections highlight the petitioner's responses to the findings and the Planning Department's comments for the proposed special use permit.
The applicant has stated that after initial construction, maintenance personnel will be minimal. If this is true, there should be no negative issue arising from the operation of the solar farm.

Planning Department Response:

The proposed community solar garden will only need one access drive. The applicant only one trip to the project site.

E. EXPLAIN HOW AND IF ACCREDITED MEASURES HAVE BEEN OR WILL BE TAKEN TO PROVIDE INGRESS AND EGRESS SO DESIGNED AS TO PROHIBIT TRAFFIC CONGESTION IN THE PUBLIC.

Traffic utilizing the site will not create any unnecessary issues with access.

The project does not require sewer or water and it does not appear that there will be any effect on drainage or drainage patterns. Due to the limited

Planning Department Response:

The current use of agricultural crops and soybeans will not create a negative impact on the area. The project site is isolated and does not appear to have any impact on the area.

The proposed community solar garden will only need one access drive off of 5850 E Road.

F. EXPLAIN IF A REAL ESTATE TRANSFER OR LAND USE PERMIT IS NECESSARY.

No additional measures are required for the community solar garden. The only need is one short access drive off of 5850 E Road.

Permitted in the A-1 Agricultural District.

Staff does not feel that the creation of a solar farm at the location would have any impact on the future development of surrounding properties or uses.

Planning Department Response:

No property use restrictions in the district.

C. EXPLAIN HOW THE ESTABLISHMENT OF THE SPECIAL USE WILL NOT SUBSTANTIALLY IMPAIR THE NORMAL AND OCCASIONAL DEVELOPMENT AND IMPROVEMENT OF THE SURROUNDING.

Finding of Fact Responses - Special Uase Permit
The SPECIAL USE, in ALL OTHER ASPECTS, conform to全村 ORDINANCES.

The TRUST IN WHICH IT IS LOCATED, except AS SUCH REGULATIONS MAY, IN EACH INSTANCE, be modified OR F. WILL THE SPECIAL USE, IN ALL OTHER ASPECTS, conform to the applicable REGULATIONS OR THE DIS-
Recommended Conditions

By their nature, uses subject to a special use permit generally have a higher intensity or have a greater potential to adversely affect surrounding properties. Because of this fact and the need for these uses to gain special approval, conditions can be placed on a special use permit to lessen their impact on surrounding properties and alleviate any concerns voiced by neighbors and public officials. The Planning staff recommends that the following conditions be imposed on this special use permit. These conditions and additional conditions may be imposed by the Zoning Board of Appeals and the Kankakee County Board prior to approval.

1. Staff will wait until after questions have been answered at the hearing to determine if recommending any conditions would be warranted.
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<thead>
<tr>
<th>Section</th>
<th>Information</th>
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<tbody>
<tr>
<td>1. Reference</td>
<td>ZBA Case 18-21</td>
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<tr>
<td>2. Location</td>
<td>Village of St. Anne</td>
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<tr>
<td>4. Existing Land Use</td>
<td>Agriculture.</td>
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<td>5. Surrounding Land Use</td>
<td>North: Agriculture; South: Agriculture; West: Agriculture; East: Agriculture.</td>
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<td>6. Surrounding County: Kankakee</td>
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<td>7. Municipal Planning Boundary</td>
<td>1 mile.</td>
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<td>8. Comprehensive Plan Designation</td>
<td>Non-applicable.</td>
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<td>9. Distance to Public Services and Facilities</td>
<td>Non-applicable.</td>
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<td>10. Recreational Information</td>
<td>Non-applicable.</td>
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