Resolution of the County Board of Kankakee County, Illinois

RE: ZBA CASE #18-46; REZONING R1 TO A1 AND A SPECIAL USE PERMIT #121-99.C.34 (SOLAR FARM) SECTION 13; KANKAKEE TOWNSHIP (LEGACY SOLAR, LLC)

WHEREAS, an application pursuant to the terms of the Kankakee County Zoning Ordinance, has been filed Flageole Land Trust #2, property owner and Kankakee Solar 2, LLC, applicant, in the Office of the County Clerk of Kankakee County for a Rezoning from R1-Residential District to A1-Agriculture District and a Special Use Permit #121-99.c.34 (Solar Farm), 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 November 19, 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 Flageole Land Trust #2, property owner and Kankakee Solar 2, LLC, applicant, be approved with conditions; and,

WHEREAS, the Planning, Zoning, and Agriculture Committee (PZA), at its regularly scheduled and duly noticed meeting of November 21, 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 December 11, 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 rezoning and 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 November 21, 2018 are also supported by the record and are in the public interest and are also approved, confirmed, ratified and adopted.
3. Rezoning from R1-Residential District to A1-Agriculture District and a Special Use Permit #121-99.c.34 (Solar Farm), be approved with conditions on a parcel legally described in Exhibit A, a copy of which is attached herein and made a part hereof.

4. The conditions for the Special Use Permit Section 121-99.c.34 (Solar Farm) are as follows:

1. All ground cover established on the site shall be of a type which is pollinator friendly to help support agriculture.
2. All landscaping shall abide by any and all rules as outlined in the weed and grass control plan and is subject to the same penalties as weed and grass.
3. White pines shall be planted along the frontage of 2000 S Road.

PASSED and adopted this 11th day of December 2018.

Andrew H. Wheeler, County Board Chairman

ATTEST:

Dan Hendrickson, County Clerk
LEGAL DESCRIPTION:
TRACT 3: BEING A PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF
SECTION 13, TOWNSHIP 30 NORTH, RANGE 14 WEST OF THE SECOND
PRINCIPAL MERIDIAN, IN KANKAKEE COUNTY, ILLINOIS, AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A “PK” NAIL AT THE
NORTHEAST CORNER OF SAID NORTHWEST QUARTER: THENCE SOUTH 01
DEGREES 06 MINUTES 21 SECONDS EAST ALONG THE EAST LINE OF SAID
NORTHWEST QUARTER A DISTANCE OF 3000 FEET TO AN IRON ROD: THENCE
SOUTH 88 DEGREES 53 MINUTES 39 SECONDS WEST A DISTANCE OF 7.00
FEET TO AN IRON ROD: THENCE SOUTH 01 DEGREES 06 MINUTES 21 SECONDS
EAST A DISTANCE OF 245.00 FEET TO AN IRON ROD: THENCE NORTH 88
DEGREES 53 MINUTE 39 SECONDS EAST A DISTANCE OF 7.00 FEET TO AN
IRON ROD IN THE EAST LINE OF SAID NORTHWEST QUARTER: THENCE SOUTH
01 DEGREE 06 MINUTES 21 SECONDS EAST ALONG THE EAST LINE OF SAID
NORTHWEST QUARTER A DISTANCE OF 2392.54 FEET TO AN IRON ROD AT THE
SOUTHEAST CORNER OF SAID NORTHWEST QUARTER: THENCE SOUTH 87
DEGREES 05 MINUTES 24 SECONDS WEST ALONG THE SOUTH LINE OF SAID
NORTHWEST QUARTER A DISTANCE OF 1351.28 FEET TO AN IRON ROD:
THENCE NORTH 01 DEGREE 06 MINUTES 57 SECONDS WEST A DISTANCE OF
2660.28 FEET TO A “MAG” NAIL IN THE NORTH LINE OF SAID NORTHWEST
QUARTER: THENCE NORTH 88 DEGREES 47 MINUTES 01 SECOND EAST A
DISTANCE OF 1351.98 FEET TO THE POINT OF BEGINNING, CONTAINING 82.57
ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF
RECORD.
EXHIBIT B (ZBA Case #18-46)

Kankakee County Zoning Board of Appeals

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 Flageolo Land Trust #2 and applicant Legacy Solar, LLC in ZBA Case No. 18-46. The applicant and owner’s are seeking to change the zoning from the subject site from R1-Single Family Residential to A1-Agriculture and are requesting a special use permit to allow the construction of two 2MWac community solar gardens, known as Legacy Solar, on property located 1/4 mile east of IL Route 115 on the south side of W 2000 S Road in Kankakee Township. The City of Kankakee is one half mile east of this property.

After due notice required by law, the ZBA held a public hearing on this case on November 19, 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: The following public comment was offered at the public hearing. (Refer to transcripts for full details)

Steve Magruder – A County resident spoke in favor of the proposal and stated that the applicant uses local contractors and local labor. He has worked with them before.

Mark Waket – A County resident and environmentalist stated the project was a great idea and that we need to move towards renewable sources of energy.

Mark McCorkle – An adjoining property owner questioned why his property was surveyed. The applicant stated it was for a road project and had nothing to do with the solar farm project.

Analysis of Ten Standards: After considering all the evidence and testimony presented at the public hearing, the Board makes the following analysis of the ten (10) standards listed in Section 17.03.E3 (Standards for Map Amendments) of the Kankakee County Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed rezoning is consistent with the purpose and intent of the Zoning Ordinance.
The Board finds that since the passage of Kankakee County's first zoning ordinance in 1967, the Project Parcel and neighboring parcels have been zoned R-1, Residential in anticipation that the area would be developed for residential purposes. The balance of the neighboring parcels were zoned RE, Rural Estate with the intended purpose that the balance of the area would be developed for residential purposes. Over the years, only two small subdivisions surrounded by undeveloped land in agricultural use have been built. See Table 1.

The proposed rezoning/amendment is consistent with the purpose of the zoning code as described in the provisions of Section 121-2(7) of the Kankakee County, Illinois Code of Ordinances purpose assuring orderly growth. Because the surrounding area continues to retain the character and use of agriculture for five decades, rezoning to Ag-1 is consistent with its historical and perceived future. The proposed rezoning/amendment is intended to allow the development of a project that would be consistent with the existing uses of the Project Parcel and the adjacent parcels, and that would maintain the character of the Project Parcel for future uses after the useful life of the Solar Project.

2. **That the proposed rezoning is consistent with the goals, objectives, and policies of the County Comprehensive Plan.**

The Board finds that the 2030 Kankakee County Comprehensive Plan points out the significant amount of "undeveloped land" in Kankakee County. Undeveloped land defined as land that is not currently developed according to its zoned use. The plan further explains that land designated for residential use is especially excessive in rural Kankakee County. The Comprehensive Plan notes that this pattern is not consistent with retaining the character of the rural areas. The Project Parcel is located in an area that is used overall for agricultural row crop purposes. Changing the Project Parcel's zoning designation from R-1, Residential to A-1, Agricultural is consistent with the County's comprehensive plan and management of the identified excess land zoned for residential use. In addition, the Solar Project allowed by the rezoning will generate additional tax revenues to the County that will help address the maintenance and education cost burdens identified in the Comprehensive Plan.

3. **Explain how and if all required utilities, drainage, access to public rights-of-way, recreational facilities, educational facilities, and public safety facilities have been or will be provided, and possess adequate capacity or manpower.**

The Board finds that Ag-1, Agricultural zoning area permitted uses require less utilities and public facilities than those needed for R-1, Residential zones.

In addition, the proposed solar project does not require water and sanitary facilities, recreational facilities, or educational facilities and
places minimal burden on the public rights-of-way and public safety facilities.

4. **That the proposed rezoning is compatible with the existing uses of property and the zoning classification of property within the general area.**

The Board finds that the existing and historic uses of the Project Parcel and surrounding parcels with the exception of the small subdivision to the north are predominantly agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The rezoning/amendment is compatible and consistent with the area’s current land use with no impact to current residential uses. The Solar Project will not affect the existing uses or those enabled by the zoning classification of property within the general area of the Project Parcel. See Table 1.

5. **That the permitted uses in the zoning classification being requested will not substantially increase the level of congestion on public rights-of-way.**

The Board finds that agricultural use generates limited levels of congestion on public rights-of-way. The permitted uses under current zoning designation R-1, Residential have the potential to greatly increase congestion on public-rights-of-way. As described above, the proposed Solar Project will have limited impact on traffic during the construction period, and effectively no impact on traffic once operational and for the remainder of the useful life of the Solar Project.

6. **That the subject property is suitable for the permitted uses under the existing zoning classification.**

The Board finds the subject site might not be suitable for all permitted residential uses. Significant infrastructure upgrades such as roads, water, waste, and local gas and electric utility access would likely be required to accommodate more residences.

7. **That the subject property is suitable for the permitted uses under the proposed zoning classification.**

The Board finds that the subject property is suitable for the permitted uses under the proposed A-1, Agricultural zone as evidenced by its continued use for agricultural purposes, as well as the proposed use as a Solar Project, which is also a use consistent with the zoning ordinance.

8. **What is the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification?**
The Board finds that the Project Parcel has been zoned R-1, Residential since 1967 as are the parcels to the east, south, and west. No sustained trend in residential development has occurred in the area. The Project Parcel is bounded to the east, south, and west by parcels zoned R-1, Residential that continue to be used in agricultural production.

9. **Is the proposed rezoning/amendment within one and a half miles of a municipality?**

The Board finds that the proposed rezoning/amendment is within one and a half miles of the City of Kankakee.

10. **Does the LESA report reflect the suitability of the site for the proposed amendment requested and uses allowed therein?**

The Board finds that the Applicant has applied to the Kankakee Soil and Water Conservation District for a Natural Resource Information (NRI) Report which includes a LESA report. The results of that report will be forwarded to the Kankakee County Planning Department for review. See Exhibit C: Natural Resources Information Report Application Submittal.

**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 Solar Project will produce clean, renewable energy that will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The Solar Project supports the Illinois Future Energy Jobs Act’s (FEJA) goal of diversifying Illinois’ electricity supply through the development of new renewable energy resources helping to “avoid and reduce pollution, reduce peak demand, and enhance public health and well-being of Illinois residents.”

The Solar Project will provide economic and environmental benefits to the community. Kankakee County residents and businesses will have an opportunity to subscribe to the Solar Project. These subscribers will support clean energy in their community while benefiting from fixed electricity prices and electricity bill savings. The proposed Solar Project will serve the electricity needs of 600 to 800 homes. In addition, the Solar Project will create new tax revenues for Kankakee County, provide steady income to the Landowners, and generate local economic activity through local construction, materials, and services.
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 Zoning Ordinance anticipates that the Solar Energy Generation Facilities will be appropriately located in the A-1, Agricultural Zoning District. The Project Parcel is surrounded on three sides by ongoing agricultural activities. The Solar Project will not affect the existing use and enjoyment of property in the immediate vicinity, nor the values in the neighborhood. The Solar Project will be designed to enclose the solar panels and associated electrical equipment with fencing, and to comply with applicable state and local laws and ordinances designed to maintain the use and enjoyment of adjacent property and to maintain property values. The Solar Project is consistent with the uses contemplated in the current Zoning Ordinance, as well as with the existing and future uses of surrounding property in the district.

Property valuation experts from Cohn Reznick have studied the value of properties that adjoin solar farms in Illinois and Indiana and concluded that the solar farms do not adversely affect the property values in either the short or long term. The study included solar farms in LaSalle and Winnebago Counties in Illinois; as well as Elkhart, Lake, Madison, Marion and Porter Counties in Indiana. Experts analyzed property sale prices and marketability of single family homes and agricultural land that adjoins solar farms and compared this data to comparable properties in the same county. The study also included interviews with county assessors and local real estate professionals, all of whom concluded that solar farms in their area had not impacted property values. Similar research has been conducted in other states across the U.S. and none of these studies have found that solar farms adversely affect nearby property values. See Exhibit D: Property Value Impact Study.

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 operation of the Solar Project will not interfere with the development and improvement of surrounding property for other uses contemplated in the Zoning Ordinance. The Solar Project will provide local clean energy generation while minimizing impact on the landscape and preserving long-term optionality for the use of the parcel.

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

The Board finds that utilities: The Solar Project will not require additional utilities. Access Roads: Ingress and egress will be provided from W 2000 S Road by an improved, gravel access road that will enter the project through a gate with a maximum width of 24'. Drainage: Prior to construction, the Applicant will consult the Gar Creek Drainage District as well as perform a tile survey to locate drainage tile that may exist on the site. Any damage to drainage field tiles caused by construction or maintenance of the solar farm will be repaired to near original
condition. The Solar Project will adhere to the Illinois Environmental Protection Agency (IEPA) Construction Stormwater Permit Requirements, including obtaining a NPDES storm water permit. After construction, cover vegetation is expected to enhance drainage, erosion, and runoff through the improved absorption of rain and melting snow and ice.

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 ingress and Egress will be provided from W 2000 S Road by an improved, gravel access road. During the installation period, trucks no larger than a typical 18-wheeler will deliver materials, and equipment to the site. Trucks will unload and turn around onsite without having to back out onto or sit idle on W 2000 S Road, thereby minimizing traffic congestion. Smaller, pick-up trucks will be utilized by the installers and construction workers. All worker vehicles will be parked onsite during construction hours.

Post-construction, the Solar Project will generate minimal traffic, solely in connection with ongoing operations and maintenance. Engineers and maintenance technicians will visit the Solar Project in pick-up trucks and vans a few times a year for routine maintenance and any required repairs. Landscaping vehicles will visit the Solar Project periodically during the growing season.

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 Solar Project will conform to the applicable regulations of the Ag-i zoning district in compliance with the requirements set forth under Section 121-99(c)(34) of the Kankakee County, Illinois, Code, except as such regulations that may, in this instance, be modified by the board.

Conditions: The Board placed the following conditions upon their approval of this request.

1. All ground cover established on the site shall be of a type which is pollinator friendly to help support agriculture.
2. All landscaping shall abide by any and all rules as outlined in the weed and grass control plan and is subject to the same penalties as weed and grass.
3. White pines shall be planted along the frontage of 2000 S Road.

Recommendation: We find that the proposed rezoning requested does meet all the standards for recommending granting as found in Section 17.03.E3 of the Kankakee County Zoning Ordinance and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby
recommends that the zoning district classification of the property described above be changed from R1-Single Family Residential to A1-Agriculture.

We also 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:** A motion was made to approve the rezoning. The roll call vote was six (6) members for the motion to recommend granting, zero (0) opposed.

Respectfully submitted this 19th day of November, 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
The applicant, Legacy Solar LLC and owner, Flageolo Land Trust #2 are seeking to change the zoning of parcel 16-16-13-000-003 from R1-Single Family Residential to A1 - Agriculture and to receive a special use permit to allow the construction of a 2MW community solar energy facility, known as Legacy Solar, on property located 1/4 mile east of IL Route 115 on the north side of W 2000 S Road in Kankakee Township. The City of Kankakee is 1/2 mile east of this property.

An aerial photograph of the general area can be seen above.

Site Map
Kankakee County Planning Department

Finding of Fact Responses - Rezoning

A. How is the proposed rezoning/amenagement consistent with the purpose and intent of the zoning ordinance?

The following sections highlight the petitioner's responses to the findings and the Planning Department's comments for the proposed rezoning from R-1 Single.

B. How is the proposed rezoning/amenagement consistent with the goals, objectives, and policies of the county comprehensive plan?

The property in question was designated residential in 1976, with a plan for the property to be developed in the next 50 years. The petitioners request rezoning to A-I, agricultural, to allow for the development of a future plan consistent with the development needs of the area.

The proposed rezoning/amenagement is consistent with the purpose of the zoning code as described in the provisions of Section 12-2(7) of the Kane County Zoning Ordinance, which states, "The purpose of the rezoning/amendment is to be consistent with the development needs of the area as it is developed for residential purposes. The provisions of the rezoning/amendment are intended to save the character and use of agricultural land, and this rezoning/amendment is consistent with the purpose of the zoning code as described in the provisions of Section 12-2(7) of the Kane County Zoning Ordinance."
The County's comprehensive plan designates this property as a community growth area, which means the county should consider and follow the municipal comprehensive plan of the city of Kankakee. A map of the city's comprehensive plan is on the next page.

The County's comprehensive plan designates this property as a community growth area which means the county should consider and follow the municipal comprehensive plan of the city of Kankakee. A map of the city's comprehensive plan is on the next page.

Planning Department Analysis:

The majority of the surrounding area is used for agricultural purposes in the form of row crops. As you radicate further away, there are industrial uses to the north, small subdivisions to the east and agricultural uses to the west. The existing and historic uses of the project parcel and surrounding parcels with the exception of the small subdivisions to the north are agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The rezoning/amendment is compatible and consistent with the uses, current and future, of the area.

In addition, the proposed solar project does not require water and sanitary facilities, recreational facilities or educational facilities and places minimal burden on the public rights-of-way. The solar project is consistent with the existing uses of property within the general area of the project parcel. See Table I.

Planning Department Analysis:

The majority of the surrounding area is used for agricultural purposes in the form of row crops. As you radiate further away, there are industrial uses to the east and agricultural uses to the north, south, and west with the exception of two large residential subdivisions.

Planning Department Analysis:

The existing and historic uses of the project parcel and surrounding parcels within the general area of the project parcel are agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The existing and historic uses of the project parcel and surrounding parcels with the exception of the small subdivisions to the north are agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The rezoning/amendment is compatible and consistent with the uses, current and future, of the area.

Petitioner's Response:

Staff agrees, solar farm developments require no public utilities and minimal public services.

Petitioner's Response:

The proposed rezoning/amendment will be compatible with the existing uses of property and zoning classification of property with the exception of the small subdivisions to the north. The rezoning/amendment is compatible and consistent with the uses, current and future, of the area. The solar project will not affect the existing uses of those enabled by the zoning classification of property within the general area of the project parcel. See Table I.

Planning Department Analysis:

In addition, the proposed solar project does not require water and sanitary facilities, recreational facilities or educational facilities and places minimal burden on the public rights-of-way. The proposed solar project is compatible and consistent with the existing uses of property within the general area of the project parcel. See Table I.

Planning Department Analysis:

The existing and historic uses of the project parcel and surrounding parcels with the exception of the small subdivisions to the north are agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The rezoning/amendment is compatible and consistent with the uses, current and future, of the area.

Petitioner's Response:

The existing and historic uses of the project parcel and surrounding parcels with the exception of the small subdivisions to the north are agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The rezoning/amendment is compatible and consistent with the uses, current and future, of the area.

Planning Department Analysis:

The existing and historic uses of the project parcel and surrounding parcels with the exception of the small subdivisions to the north are agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The rezoning/amendment is compatible and consistent with the uses, current and future, of the area.

Planning Department Analysis:

The existing and historic uses of the project parcel and surrounding parcels with the exception of the small subdivisions to the north are agricultural (row crops) in nature. The land transitions to industrial use to the east and agricultural use to the west. The rezoning/amendment is compatible and consistent with the uses, current and future, of the area.
Planning Department Analysis:

The site appears to be suitable for the permitted uses listed in the R1 district. However, none of these uses have been established on the property over the past 50 years. The property lies in a rural setting and has not historically been used for residential purposes or any other permitted use.

C. IS THE SUBJECT PROPERTY SUITABLE FOR THE PERMITTED USES UNDER THE PROPOSED ZONING CLASSIFICATION?

Staff believes that, for the proposed uses as a solar project, which is also a use consistent with the zoning ordinance, the subject property is suitable for the permitted uses under the proposed A-1, Agricultural zone as evidenced by its continued use for agricultural purposes and because a solar farm is a use that is largely compatible with agricultural production. The trend of development in the area suggests that the property would be suitable.

The property in question was farmed in its present zoning classification. The project parcel has been zoned A-1, Residential since 1967. Petitioner's Response: The subject parcel has been zoned A-1, Residential since 1967. No sustained trend in residential development has occurred in the area. The property parcel is bounded to the east, south, and west by parcels zoned R-1, Residential, and to the north by unzoned land.

The trend in residential development has occurred in the area. The property parcel is bounded to the east, south, and west by parcels zoned R-1, Residential. The project parcel has been zoned A-1, Residential since 1967. No sustained trend in residential development has occurred in the area.

Planning Department Analysis:

The site appears to be suitable for the permitted uses listed in the R1 district. However, none of these uses have been established on the property over the past 50 years. The property lies in a rural setting and has not historically been used for residential purposes or any other permitted use.

C. IS THE SUBJECT PROPERTY SUITABLE FOR THE PERMITTED USES UNDER THE PROPOSED ZONING CLASSIFICATION?

Staff believes that, for the proposed uses as a solar project, which is also a use consistent with the zoning ordinance, the subject property is suitable for the permitted uses under the proposed A-1, Agricultural zone as evidenced by its continued use for agricultural purposes and because a solar farm is a use that is largely compatible with agricultural production. The trend of development in the area suggests that the property would be suitable.

The property in question was farmed in its present zoning classification. The project parcel has been zoned A-1, Residential since 1967. Petitioner's Response: The subject parcel has been zoned A-1, Residential since 1967. No sustained trend in residential development has occurred in the area. The property parcel is bounded to the east, south, and west by parcels zoned R-1, Residential, and to the north by unzoned land.

The trend in residential development has occurred in the area. The property parcel is bounded to the east, south, and west by parcels zoned R-1, Residential. The project parcel has been zoned A-1, Residential since 1967. No sustained trend in residential development has occurred in the area.

Planning Department Analysis:

The site appears to be suitable for the permitted uses listed in the R1 district. However, none of these uses have been established on the property over the past 50 years. The property lies in a rural setting and has not historically been used for residential purposes or any other permitted use.

C. IS THE SUBJECT PROPERTY SUITABLE FOR THE PERMITTED USES UNDER THE PROPOSED ZONING CLASSIFICATION?

Staff believes that, for the proposed uses as a solar project, which is also a use consistent with the zoning ordinance, the subject property is suitable for the permitted uses under the proposed A-1, Agricultural zone as evidenced by its continued use for agricultural purposes and because a solar farm is a use that is largely compatible with agricultural production. The trend of development in the area suggests that the property would be suitable.

The property in question was farmed in its present zoning classification. The project parcel has been zoned A-1, Residential since 1967. No sustained trend in residential development has occurred in the area. The property parcel is bounded to the east, south, and west by parcels zoned R-1, Residential, and to the north by unzoned land.

The trend in residential development has occurred in the area. The property parcel is bounded to the east, south, and west by parcels zoned R-1, Residential. The project parcel has been zoned A-1, Residential since 1967. No sustained trend in residential development has occurred in the area.
The planning staff agrees with the petitioner.

Planning Department Analysis:

C. Natural Resources Information Report - Special Use Permit.

- Does the LESA report reflect suitability of the site for the proposed rezoning/amendment requested and uses allowed thereon?

The planning staff agrees with the petitioner.

Planning Department Analysis:

Petitioner's Response: The proposed rezoning/amendment is within one and a half miles of the City of Kankakee.
Permitted in the A-I—Agricultural District of R-I—Single Family Residential District.

Petitioner's Response:

The Zoning Ordinance anticipates that the Solar Energy Generation Facilities will be appropriately located in the A-I, Agricultural Zoning District. The Project Parcel is surrounded on three sides by ongoing agricultural activities. The Solar Project will not affect the existing use and enjoyment of property in the immediate vicinity, nor the values in the neighborhood. The Solar Project will be designed to enclose the solar panels and associated electrical equipment with fencing, and to comply with applicable state and local laws and ordinances designed to maintain the use and enjoyment of adjacent uses and properties. The operation of the Solar Project will not interfere with the development and improvement of surrounding property or uses already permitted.

Planning Department Analysis:

The long-term analysis for the use of the parcel confirms that the surrounding area is primarily used for agricultural purposes and has always been so. The PropertyValue Impact Study provides evidence from an unbiased source that indicates that property values will not be harmed by the installation and siting of a solar project.

Impact Study:

The area surrounding the subject site is predominantly used for agricultural purposes and always has been. In addition, the Property Valuation experts from CohnReznick have studied the value of properties that adjoin solar farms in Illinois and Indiana and concluded that the solar farms do not adversely affect the property values in the short or long term. The study included solar farms in Winnebago and La Salle counties in Illinois; as well as solar farms in Lake, Marion, and Porter counties in Indiana. The study also included solar farms in Lasalle and Winnebago counties. The study also included interviews with county assessors and local real estate professionals, all of whom concluded that solar farms in these areas have found that solar farms adversely affect property values.

Planning Department Analysis:

Staff does not feel that the siting of a solar farm at this location would have any impact on the future development of surrounding properties or uses.
The applicant has stated that after initial construction, maintenance personnel will visit the site a few times per quarter. If this is true, these should be no lasting issues arising from the operation of the solar farm.

Planning Department Analysis:

Landscaping vehicles will visit the solar project periodically during the growing season.

Maintenance techniques will visit the solar project in pick-up trucks and vans a few times a year for routine maintenance and any required repairs.

Engineer and post-construction, the solar project will generate minimal traffic. Access in connection with ongoing operations and maintenance.

Petitioners' Response: Ingress and egress will be provided from W2000 SRoad by an improved, gravel access road. During the installation period, traffic utilizing the site will not be affected. Ingress and egress issues will be handled by the installers and contractors. During the installation period, truck traffic will be limited to typical 18-wheeler size. Smaller, pick-up trucks will be utilized by the installers and contractors. Truck traffic will be turned around at the site. During the installation period, traffic will be provided from W2000 SRoad by an improved, gravel access road.

Engineer's Response: Ingress and egress issues will be handled by the installers and contractors. During the installation period, traffic will be limited to typical 18-wheeler size. Smaller, pick-up trucks will be utilized by the installers and contractors. Truck traffic will be turned around at the site.

Landscaping vehicles will visit the solar project periodically during the growing season.

Maintenance techniques will visit the solar project in pick-up trucks and vans a few times a year for routine maintenance and any required repairs.

Engineer and post-construction, the solar project will generate minimal traffic. Access in connection with ongoing operations and maintenance.

Petitioners' Response: Ingress and egress will be provided from W2000 SRoad by an improved, gravel access road. During the installation period, truck traffic will be limited to typical 18-wheeler size. Smaller, pick-up trucks will be utilized by the installers and contractors. All work vehicles will be parked inside during construction hours.

Planning Department Analysis:

The applicant has stated that after initial construction, maintenance personnel will visit the site a few times per quarter. If this is true, these should be no lasting issues arising from the operation of the solar farm.
The Solar Project will conform to the applicable regulations of the Kankakee County, Illinois, Code, except as such regulations are modified by the Zoning Board of Appeals and the Kankakee County Board prior to approval.

Recommended Conditions—Recommended by Staff

Because of this fact and the need for these uses to be subject to special use permits, have a greater potential to adversely affect surrounding properties than permitted uses in a zoning district, these uses are subject to a special use permit generally have a higher intensity of plan and is subject to the same penalties as weed and grass.

1. All ground cover established on the site shall be of a type which is pollinator friendly to help support agriculture.

2. All landscaping shall abide by any and all rules as outlined in the weed and grass control plan and be subject to the same penalties as weed and grass.

By their nature, uses subject to a special use permit generally have a higher intensity of use than comparable uses in a zoning district. Because of this fact and the need for these uses to be subject to special use permits, these uses are subject to a special use permit generally have a higher intensity of use than comparable uses in a zoning district.
7. Municipal Planning Boundary:
Nearest Municipality: City of Kankakee
Distance: 1 mile east.

8. Comprehensive Plan Designation:
Kankakee County: Community Growth Area
Municipality: N/A
Township: N/A

9. Distance to Public Services and Facilities:
Police Protection: Kankakee County - 2 miles.
Fire Protection: Kankakee Fire Protection District
Water: Aqua - .5 miles.
Sewer: KRM - 5 miles.
School District: N/A

10. Miscellaneous Information:
County Board District: Ten (10) - Mr. Tholen