

ATTACHMENT A

Special Use Permit Application



Kane County Development & Community Services

Kane County Government Center
719 Batavia Ave, Geneva, IL 60134 - Building A | (630) 232-3485

ZONING APPLICATION: COMMERCIAL SOLAR FACILITY

APPLICANT INFORMATION

Name

Dundee Renewables, LLC

First Name

Last Name

Address

Attn: Allie Loschen
101 N Wacker Drive, Suite 200

Street Address

Chicago

IL

60606

City

State

Postal/Zip Code

Phone Number

217-898-2970

Email

aloschen@nexamp.com

Company

Nexamp, Inc.

Website

Nexamp.com

Authorized Agent/Primary Point of Contact

Yes, I am the Authorized Agent and Primary Point of Contact for this Zoning Petition Application.

PROPERTY OWNER INFORMATION

Name

LF4 Investment, LLC

First Name

Last Name

Address

1683 Castaway Ct.

Street Address

Hoffman Estates

IL

60010

City

State

Postal/Zip Code

Phone Number

847-987-9755

Email

louwinvestments24@gmail.com

Statement of Authorization (Owner's Signature)

9/20/2024

9/20/2024

Owner's Signature

Date

I, THE SUBJECT PROPERTY OWNER, HEREBY AUTHORIZE THE ABOVE LISTED AUTHORIZED AGENT TO ACT ON MY BEHALF IN THE PROCESSING OF THIS APPLICATION AND TO FURNISH, UPON REQUEST, SUPPLEMENTAL INFORMATION IN SUPPORT OF THIS ZONING PETITION APPLICATION. THIS PERSON WILL ACT ON MY BEHALF AS THE POINT OF CONTACT FOR ALL PETITION RELATED CORRESPONDENCE.



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SUBJECT PROPERTY INFORMATION

Street Address / Common Location

Boyer Rd, Dundee Township, Kane County, IL 60118

Parcel Identification Number(s)

03-06-300-002

Property Acres

19.8 AC

Township(s)

- | | | |
|--|--|--|
| <input type="checkbox"/> 01 Hampshire (HA) | <input type="checkbox"/> 06 Elgin (EL) | <input type="checkbox"/> 11 Blackberry (BL) |
| <input type="checkbox"/> 02 Rutland (RU) | <input type="checkbox"/> 07 Virgil (VI) | <input type="checkbox"/> 12 Geneva/Batavia (GE/BA) |
| <input checked="" type="checkbox"/> 03 Dundee (DU) | <input type="checkbox"/> 08 Campton (CA) | <input type="checkbox"/> 13 Big Rock (BR) |
| <input type="checkbox"/> 04 Burlington (BU) | <input type="checkbox"/> 09 St. Charles (SC) | <input type="checkbox"/> 14 Sugar Grove (SG) |
| <input type="checkbox"/> 05 Plato (PL) | <input type="checkbox"/> 10 Kaneville (KA) | <input type="checkbox"/> 15 Aurora (AU) |

Current Zoning District(s)

F - Farming

For reference, see the [Kane County Zoning Atlas Maps](#).

Current Land Use(s)

Cropland

2040 Future Land Use Designation(s)

Resource Management

For reference, see the [Kane County 2040 Plan](#).



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PROPOSED SPECIAL USE INFORMATION

Requested Special Use

Commercial Solar Energy Facility

Acres of Area Specific to Special Use Permit

19.8 AC

Brief Project Description

Construction and operation of a 5-MW(AC) Commercial Solar Energy Facility.

Supplemental Zoning Questions:

How does the proposed use relate to the existing uses of property within the general area of the property in question?

Please see attached Project Narrative.

What are the zoning classifications of properties in the general area of the property in question?

Please see attached Project Narrative.

How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

Please see attached Project Narrative.

What is the trend of development, if any, in the general area of the property in question?

Please see attached Project Narrative.

How does the projected use of the property relate to the Kane County 2040 Land Use Plan?

Please see attached Project Narrative.



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REQUIRED FINDINGS OF FACT (ZONING CODE SECTION 25-4-8-2)

Special Uses, as defined by the Zoning Ordinance, shall be considered at a public hearing before the Zoning Board of Appeals (ZBA). The ZBA shall make a recommendation to the County Board based on their Findings of Fact in regards to the standards of a special use. The ZBA shall not recommend approval of a Special Use Permit unless it finds the following the statements to be true and accurate. Please respond to the following statements A - F by explaining how your proposed Special Use relates to each of these factors. Responses should be as detailed as possible.

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

Please see attached Project Narrative.

B. 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.

Please see attached Project Narrative.

C. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Please see attached Project Narrative.

D. Adequate utility, access roads, drainage and/or other necessary facilities have been or are being provided.

Please see attached Project Narrative.

E. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads.

Please see attached Project Narrative.

F. The special use shall 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 county board pursuant to the recommendations of the zoning board of appeals.

Please see attached Project Narrative.



September 23, 2024

Mark Van Kerkhoff
Director
Kane County Development Department
Zoning Division, Kane County Government Center
719 S. Batavia Avenue
Geneva, IL 60134

Re: Special Use Permit Application – Dundee Renewables
Proposed 1.50-MW(AC) Commercial Solar Energy System

Applicant: Dundee Renewables, LLC
Project Location: Boyer Road, Kane County, IL

Dear Mr. Van Kerkhoff, Members of the Planning and Zoning Board, and City Council:

On behalf of Dundee Renewables, LLC., please find enclosed and below is our:

- Project narrative and with project details
- Special Use Permit Application:
 - Attachment A: Special Use Permit Application
 - Attachment B: Applicant Information
 - Attachment C: Copy of Trust Disclosure
 - Attachment D: Property Legal Description
 - Attachment E: Copy of Recorded Deed
 - Attachment F: ALTA/NSPS Survey
 - Attachment G: Lease Agreement
 - Attachment H: Manufacturer Specifications
 - Attachment I: Proof of Compliance with Noise Regulations
 - Attachment J: Certification of Notice to Adjacent Property Owners
 - Attachment K: Special Use Permit Site Plan Set
 - Attachment L: Preliminary Decommissioning Plan
 - Attachment M: Wetlands Investigation Report
 - Attachment N: IDNR SHPO Review and Sign Off Letter
 - Attachment O: NRI Report
 - Attachment P: USFWS Results
 - Attachment Q: Executed AIMA Agreement
 - Attachment R: USGS Topographical Map



- Application Fee (sent under separate cover)

Project Narrative:

Dundee Renewables, LLC is requesting approval of a Special Use Permit to allow for development and operation of a 1.50 MW (AC) ground-mounted distributed generation solar garden facility on the approximately 20-acre subject property (PIN: 03-06-300-002). Dundee Renewables, LLC is requesting for SUP approval to be valid for 2 years from the date of issuance. The arrays would be installed over existing farmland and enclosed with a fenced area for safety and security measures.

Nexamp Background:

In 2007, U.S. Army veterans Will Thompson and Dan Leary realized a vision for making a range of renewable energy options more affordable and accessible to homeowners and businesses throughout the Commonwealth of Massachusetts. The pair launched NexGen Energy Solutions, a turnkey provider of renewable energy and carbon solutions, in their hometown of North Andover, Massachusetts. NexGen became Nexamp later in 2007.

During the early years, Nexamp delivered a variety of energy systems for residential, commercial, municipal and agricultural customers. Energy solutions offered included solar PV, solar thermal, micro-wind, geothermal heating and cooling, and a wide array of energy efficiency services. In 2011, the company began shifting its focus fully toward commercial and industrial solar facilities, working with businesses and municipalities that wanted to offset their traditional utility energy power using on-site renewable solar generation.

2015 marked Nexamp's first Community Solar project and the beginning of a new chapter for the company. Leveraging its integrated approach of developing, building, owning and operating solar plants, Nexamp turned its focus to community solar, and alongside that the mission of making the benefits of solar power available to everyone—homeowners, renters, non-profits, small businesses, farms and more. Nexamp was named NECEC Clean Energy Company of the Year in 2015 and a Solar Power World Top 3 Commercial Solar Developer in 2017.

In 2016, Mitsubishi's Diamond Generating Corporation made a significant investment in Nexamp, and in 2018 the group made an additional investment that gave it a controlling interest. Nexamp secured an additional round of investment in 2021, this time with Generate Capital, a leading clean energy private equity firm. Serving a rapidly expanding network of individuals, property owners, businesses and communities that benefit from its nationally distributed portfolio of solar assets, Nexamp is a Massachusetts-based, nationally headquartered solar company that is laying the groundwork for a cleaner, more secure and resilient energy future.



Nexamp entered the Illinois market in 2018, and has since become a market leader, with a large share of the currently operating community solar projects in the state.

Project Details:

In your review of this Special Use Permit request, we ask that staff, the Planning and Zoning Board, and City Council consider the following:

I. Project components:

- Solar modules (i.e. panels) are mounted on racking that slowly rotate and track the sun; there are approximately 3,408 modules proposed to be installed;
- At full tilt, the height of the solar array will be no more than 20 feet in height;
- The solar modules are treated with anti-reflective coating to minimize glare;
- The racking is mounted to metal piles. Concrete foundations are not anticipated;
- The system will be remotely monitored, meaning there will be little traffic generated;
- Electrical cables will be connected to an existing overhead utility line located along western side of Boyer Road;
- Perimeter security fencing up to 8 ft. in height;
- Location of proposed structures is in compliance with City setback requirements;
- Existing drainage patterns will be maintained throughout the site to the maximum extent possible;
- Limited area of gravel driveway for site access and maintenance;
- The inverter and transformer will be located on a fenced-in concrete equipment pad;
- Disturbed areas will be re-vegetated with a pollinator friendly seed mix;

II. Construction:

- Estimated approximately 20 to 30 jobs will be created during construction;
- Most jobs will be local but some may be brought in if the skill set required is not available;
- Typical jobs created include construction jobs - i.e. equipment operators, electricians, fence installers, laborers and construction managers;

III. Development Schedule:

- Anticipated construction start is Spring 2025, depending on a number of factors;
- Duration of construction is typically +/- 6 months;



IV. Traffic:

- Construction traffic will typically be standard semi-tractor trailers – oversized loads are not anticipated;
- At the start of construction there may be a half dozen deliveries a day and will then taper off to 1 to 2 delivery trucks per day;
- There will be proximately 15 –25 employees at a time during construction;

V. Maintenance:

- There are typically several site visits per year to maintain the system;
- No employees will be permanently located on-site;
- The site will be remotely monitored;
- Typically, Nexamp relies on rainfall to clean the panel surfaces. As such, it is not anticipated chemicals for cleaning the solar panels will be used, stored or disposed of on this site;
- Typically, any snowfall will slide off the panels. Therefore, we do not anticipate any snow removal unless necessary.
- Nexamp anticipates utilizing sheep grazing for vegetative maintenance inside the array.

VI. Compliance with Standards for Special Use (Zoning Ordinance No. 25-4-8-2)

General standards. A special use permit shall be granted only if the planning and zoning board finds the application has demonstrated that the proposed use complies with the following general standards:

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

The proposed project contains equipment that has been tested for toxicity and impacts to public health and safety. The modules proposed for this project do not pose a material risk of toxicity. The entire solar array will be secured with a fence to provide safety and prevent unintended access to the project area. Of all the components, the inverter generates the most noise, which is comparable to household appliances. Additionally, the solar array is setback from nearby properties according to the County ordinance. As such, it is not anticipated to affect the public's comfort or welfare. There will be no lighting, odors, fumes, dust, or vibration generated from the operation of the solar facility.

(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 proposed project will not be injurious to the use and enjoyment of other property in the immediate vicinity. Once operational, the project is not anticipated to require additional



development or construction. For these reasons, the establishment of this special use will not present any adverse impacts to the other neighboring properties.

Although solar facilities are relatively new to Illinois, there is significant research showing solar farms do not materially impact property values of adjacent properties. There are various publicly available studies conducted by consulting firms such as Cohn Reznick conclude that properties adjacent to solar projects have not experienced consistent negative impacts on property values. Further, Nexamp has consulted with a certified general appraiser for other projects in the state, who concluded there is no available market data indicating that solar projects have a negative impact on nearby property values.

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

Once operational, the proposed special use will not generate traffic or activity aside from a few maintenance trips per year. Given its static and quiet operation, the proposed use will not impede the orderly development of surrounding properties for uses permitted in the district.

(4) *That adequate utility, access roads, drainage and/or other necessary facilities have been or are being provided;*

Adequate utilities, access drive, drainage, and/or other necessary facilities are available or will not be necessary to serve the proposed use. Generally, the proposed solar development does not require access to utilities such as natural gas, water, or sanitary sewer. The routing of the electrical infrastructure required to connect to the ComEd electric system is shown on the enclosed plans. The project will be required to maintain current drainage patterns with design considerations or stormwater management.

(5) *Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads;*

The proposed access point will be designed and constructed as required by the County Highway and Road District Commissioner to minimize traffic impacts on public streets. During construction, impacts to roads will be minimal as oversize truck loads will be not necessary. During operation, the facility will generate very little traffic as there will only be several scheduled on-site maintenance related visits per year.

(6) *That the special use shall 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 County Board pursuant to the recommendations of the Zoning Board of Appeals.*

Yes. The proposed special use shall conform to all applicable regulations of the district including Section 25-4-8-2 and Section 25-5-4-9 of the *Kane County, IL Code of Ordinances*.



On behalf of Dundee Renewables, LLC we thank you in advance for your consideration of our request for approval. We look forward to review of our submittal at the Public Hearing with the Planning and Zoning Board and the City Council. In the interim, please contact us with any questions regarding our submittal or if any additional information is required.

Sincerely,

Allie Loschen
Business Development Manager
P: 217-898-2970
E: ALoschen@nexamp.com