

APPLICATION FOR **TEXT AMENDMENT** UNDER THE REGULATIONS OF THE McLEAN COUNTY ZONING ORDINANCE

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<p>ATTORNEY NAME: Schain Banks Kenny & Schwartz, Ltd. James R. Griffin ADDRESS: 70 West Madison, Ste. 5300 Chicago, IL 60602 PHONE: - home: work: 312-345-5700</p>	<p>FILING FEE \$ <u>500.00</u> RECEIPT NO. <u>2710</u> PUB. COSTS \$ <u>157.68</u> RECEIPT NO. _____ HEARING DATE <u>4-6-21</u> HEARING TIME <u>7:20</u> DECISION DATE <u>4-15-21</u></p>	<p>RECEIVED MAR 01 2021 ZONING FILE STAMP</p>

Application is hereby made to amend Section 350-43(OO)(2)(j) of the text of the McLean County Code as attached.

(Please attach amendment in exact language proposed.)

350-43(OO)(2)(j)

Height. The permitted maximum height of a WECS tower shall not exceed ~~550~~ 595 feet.

Text Amendment

Chapter 350 of the McLean County Code

The McLean County Zoning Ordinance

(Additions are indicated by text and stricken material by ~~text~~) **Section 350-43 Use**

Standards

(OO)(2)(j)

Height. The permitted maximum height of a WECS tower shall not exceed ~~550~~ 595 feet.

SAPPHIRE SKY WIND ENERGY LLC

APPLICATION FOR TEXT AMENDMENT TO INCREASE TURBINE HEIGHT TO 595 FEET

Sapphire Sky Wind Energy LLC (Sapphire Sky) applied to McLean County for a zoning ordinance text amendment to increase maximum wind turbine height from the current 550 feet limit to a maximum of 595 feet.

Sapphire Sky is developing the 250-megawatt (MW) Sapphire Sky Wind Energy Project (Project) in southeast McLean County. Sapphire Sky is a wholly owned subsidiary of Invenergy Wind Development North America LLC, an affiliate of Invenergy LLC, one of the world's leading energy companies. Invenergy is headquartered in Chicago and its affiliates have developed numerous energy projects in the State of Illinois, including two projects in McLean County: White Oak (2011) and Blooming Grove (2020). Sapphire Sky Wind Energy LLC acquired the project from Geronimo Energy at the end of 2020.

Sapphire Sky proposes to install Vestas 3.6 MW and Vestas 4.2 MW turbines for the Project. The Vestas 4.2 MW will be the primary turbine utilized for the Project. The Vestas turbines are among the most modern, efficient, quiet and powerful turbines currently being manufactured.

The tip height of the Vestas 3.6 MW turbine is approximately 568 feet, and the tip height of the Vestas 4.2 MW turbine is approximately 591 feet. Accordingly, Sapphire Sky requests a text amendment to increase the turbine height limit to 595 feet to accommodate the use of these turbines.

Sapphire Sky selected the Vestas 4.2 MW turbine and the Vestas 3.6 MW turbine for use in the Project for several reasons, including the following:

1. The larger name-plate capacity of these modern turbines permits the Project to be developed with fewer turbines yet still provide 250 MW of electrical output. For example, Invenergy's nearby Blooming Grove Wind Project utilized 94 turbines to achieve 250 MW of electrical output. Sapphire Sky is proposing to use only 64 turbines, 30 fewer, while still achieving an identical 250 MW of electrical output.
2. Importantly, although Sapphire Sky is proposing 30 fewer turbines than Blooming Grove, tax revenue to the local community from the Project will not be decreased. Tax revenue from the Project will be based upon the 250 MW total name-plate capacity of the Project, regardless of the number of turbines installed.
3. Use of fewer turbines also results in reduced geographic density of the turbines, which reduces sound and shadow flicker resulting from the Project.
4. Although wind turbines have minimal impact on usage of surrounding agricultural land, the use of fewer turbines decreases that impact even further by requiring less access roads and taking less ground out of agricultural production.

5. Setback distances from residences will be proportionally increased, as the McLean County Zoning Ordinance requires a residential setback of three times tip height.
6. The Vestas turbines meet all Federal Aviation Administration safety requirements.
7. The Vestas turbines are among the quietest turbines available for use, and the increased blade length allows the turbine to rotate more slowly than older model turbines, reducing the sound output of the turbines.

As manufacturers design more efficient and powerful turbines, the tip height has been increased as a result of greater blade length. Furthermore, taller turbines can gain access to higher wind speeds at higher altitudes, thereby producing larger amounts of electricity more efficiently. Utilizing the latest turbine technology is essential for wind energy projects to be economically competitive, especially since projects such as Sapphire Sky need to compete with nearby projects in other counties which already allow taller turbines. Indeed, over the past few years within the State of Illinois, wind energy projects approved with planned construction dates for 2021 or beyond have turbine heights above 550 feet. Sapphire Sky has undertaken studies to confirm that the proposed turbines for the Project will comply with all of the requirements of the McLean County Zoning Ordinance for sound, shadow flicker, setbacks and other regulations. The Vestas turbines also satisfy all of the technical safety specifications of the McLean County Zoning Ordinance.

The Federal Aviation Administration has already reviewed the proposed turbine heights and locations and issued formal determinations of no hazard. Accordingly, the proposed 591 feet turbines will not impact aviation safety.

The Illinois Department of Natural Resources has reviewed the proposed Project and closed consultation. The Department submitted its consultation letters to McLean County, and requested implementation of certain conditions. Sapphire Sky will comply with all conditions recommended by the Department. Sapphire Sky has completed preparation of the special use permit application for the Project. Sapphire Sky is ready to proceed with that application, contingent upon the McLean County Board's approval of the text amendment. If the special use is approved, Sapphire Sky plans to begin Project construction in late 2021 and for the Project to be operational by the end of 2022.