



AGENDA  
McLEAN COUNTY ZONING BOARD OF APPEALS  
Wednesday, January 2, 2019  
Room 400, Government Center  
115 East Washington Street, Bloomington, IL

CALL TO ORDER BY CHAIR

ROLL CALL BY SECRETARY AND DECLARATION OF A QUORUM

APPROVAL OF MINUTES

APPEARANCE BY MEMBERS OF THE PUBLIC *(An opportunity is provided for members of the public to address the public officials on matters not listed below. Public comment will not exceed 20 minutes. Each member of the public will be allowed 3 minutes of commentary.)*

7:00 P.M. - Case SU-18-27, an application of AES DE DevCo NC, LLC in case SU-18-27 on parcel 21-20-200-003. It is requesting a special use to allow a Solar Power Generating Facility in the Agriculture District; on property located in Bloomington Township immediately southwest of the intersection of South Morris Ave. and Brigham School Rd. This is a recommendation to the County Board.

7:20 P.M. - Case SU-18-28, an application of ASD McLean IL Solar IV, LLC by Amp Solar Development, Inc. in case SU-18-28 on parcel 20-35-476-002. It is requesting a special use to allow a Solar Power Generating Facility in the Agriculture District; on property located in Dale Township immediately southeast of 1075 East Road approximately .50 miles south of 850 North Rd. This is a recommendation to the County Board.

7:30 P.M. - Case SU-18-29, an application of ASD McLean IL Solar V, LLC by Amp Solar Development, Inc. in case SU-18-29 on parcel 02-01-300-011. It is requesting a special use to allow a Solar Power Generating Facility in the Agriculture and M-2 General Manufacturing Districts; on property located in Gridley Township immediately northeast of the intersection of US Route 24 and 2280 East Rd. This is a recommendation to the County Board.

7:40 P.M. - Case SU-18-30, an application of ASD McLean IL Solar VI, LLC by Amp Solar Development, Inc. in case SU-18-30 on parcel 02-09-400-002. It is requesting a special use to allow a Solar Power Generating Facility in the Agriculture District; on property located in in Gridley Township immediately northeast of the intersection of 3000 North Rd. and 2025 East Rd. This is a recommendation to the County Board.

DISCUSSION OF PETITIONS

NEXT MEETING DATE – 7:00 P.M., Tuesday, February 5, 2019

ADJOURNMENT

## RECORD OF MINUTES

### McLEAN COUNTY ZONING BOARD OF APPEALS

Tuesday, December 4, 2018

Room 400, Government Center

115 E. Washington Street, Bloomington, Illinois

1. CALL TO ORDER: Chair, James Finnigan called the meeting to order at 7:00 PM.
2. ROLL CALL: Secretary Philip Dick called the roll and noted the presence of a quorum as follows: James Finnigan, Julia Turner, Drake Zimmerman, Michael Kuritz, Rick Dean, Brian Bangert and Chris Carlton (Alternate Member). Member Marc Judd was absent. Also present were Darrell Mitchell, Zoning Enforcement Officer and Trevor Sierra, Assistant State's Attorney.
3. APPROVAL OF MINUTES: Motion was made by Zimmerman/Kuritz to approve the minutes from the November 6, 2018 Zoning Board of Appeals meeting.

The roll call vote was seven members for the motion to approve, none opposed and Member Marc Judd was absent.

4. APPEARANCE BY MEMBERS OF THE PUBLIC: No one came forward to speak on matters not on the agenda.
5. REGULAR AGENDA:

**Case SU-18-26**, application of Adam Wyant in case SU-18-26 on parcel 17-06-200-005. He is requesting a special use to allow a single family residence in the Agriculture District for the son of farm owners on land in Martin Township at 30446 Mackinaw River Rd., Colfax, IL.

Secretary Dick called the case, provided exhibits to the board and submitted a staff report for review. He indicated the seven standards for a special use could be met, provided compliance with a recommended stipulation. He indicated that staff recommended approval of the application with the proposed stipulation.

Adam Wyant, 20038 N 3075 East Rd., Colfax, IL, appeared to give testimony and was affirmed. Mike Wyant, 20038 N 3075 East Rd., Colfax, IL, appeared to give testimony and was sworn.

In response to questions from the Board, Adam Wyant indicated that the white area on the aerial photo to the east was formerly planted in trees, and the white area on the aerial photo to the west is occupied by Dave Kennedy's tile installation business.

Catherine Metsker, 20645 N 825 East Rd., Carlock, IL appeared to ask a question to staff about where the closest proposed wind turbine would be located. Mr. Dick indicated that he did not know.

Mike Wyant indicated that the closest proposed wind turbine would be over two miles away.

Motion was made by Kuritz/Turner to recommend approval of case SU-18-26 with the recommended stipulation.

The roll call vote was seven members for the motion to recommend approval, none opposed and Member Judd was absent.

JANUARY MEETING DATE: The Chair announced that the next meeting would be on Wednesday, January 2, 2019 at 7:00 PM.

ADJOURNMENT: The Chair declared the meeting adjourned at 7:18 PM.

**STAFF REPORT FOR A SPECIAL USE**

**McLean County Department of Building and Zoning**

**CASE NUMBER SU-18-27**

**1. REFERENCE:**

- a. Hearing date: January 2, 2019
- b. Applicant's name and address: AES DE DevCo NC, LLC, 4875 Pearl E. Circle, Suite #200, Boulder, CO 80301
- c. Land owner's name and address: Kieser Farms c/o Joe Kieser, 1890 N 700 East Rd., McLean, IL 61754

**2. LOCATION AND CURRENT/PROPOSED ZONING AND LAND USE:**

- a. Property location: Immediately southwest of the intersection of South Morris Avenue and Brigham School Road
- b. Township: Bloomington Township
- c. Parcel Number: 21-20-200-003
- d. Existing zoning: Agriculture District
- e. Applicant request: For a special use to allow two co-located 2-Megawatt Solar Power Generating Facilities in the Agriculture District
- f. Existing land use: Crop production

**3. DIMENSIONS:**

- a. Size of Parcel: 40 acres of project area, 74 acres in parcel
- b. Road Frontage: Approximately 1,600 feet on the west side of South Morris Avenue

**4. EXISTING LAND FEATURES:**

- a. Topography: Gently sloping
- b. Drainage: To the south
- c. Vegetation: Crop production
- d. Public Road: Asphalt road 21 feet in width

**5. SURROUNDING ZONING:**

- a. North: R-1 Single Family Residence District
- b. South: R-1 Single Family Residence District
- c. East: R-1 Single Family Residence District
- d. West: R-1 Single Family Residence District

**6. SURROUNDING LAND USE:**

- a. North: Crop production
- b. South: Crop production
- c. East: Crop production
- d. West: Crop production

**7. LAND EVALUATION SITE ASSESSMENT (LESA) REPORT:**

McLean County Soil and Water Conservation District staff report on soil for subject site:

- a. Soils -- Score of **95.1** points out of a maximum possible evaluation score of **100** points.

McLean County Building and Zoning Department staff report on site assessment for the subject site:

- b. Site Assessment -- Score of **116** points out of a maximum possible evaluation score of **200** points.
- c. Total LESA review score is **211.1 points** out of a maximum of **300** points.

**EVALUATION RESULT:**

The LESA Report indicates that a total score of **219 points and below** means that the property is of **low** value for agricultural land protection.

- 8. **STAFF ANALYSIS:** The analysis of the seven standards listed in Article VIII Section 350-56 of the McLean County Code (Standards for Special Use Permits) as they apply to this zoning request is as follows:

- 1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The property is surrounded by land in crop production that is in the R-1 Single Family Residence District. However, since the Zoning Ordinance requires a solar farm to be 200 feet from an R-1 District boundary, the applicant obtained a variance in Case ZV-18-06 on November 6, 2018 to allow the solar panels in the proposed solar farm to be 20 feet from an R-1 District. The applicant proposes to establish two co-located 2-megawatt solar power generating facilities on this property. Except for the 200-foot setback requirement from an R-1 District, the application will meet all of the County use standards for a solar power generating facility.

The application indicates that this facility will contain rows of Photovoltaic (PV) cell panels mounted on posts set in the ground. These rows of panels are referred to as "solar arrays". AES Distributed Energy will mount the solar arrays on a tracking system, which allows them to follow the sun throughout the day. The solar arrays will be designed with an anti-reflective coating. The applicant indicates the solar arrays will be a maximum 10 feet in height.

The applicant submitted an EcoCAT communication from the Illinois Department of Natural Resources which indicates that there is no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves or registered Land and Water Reserves in the vicinity of the project location.

A decommissioning plan that includes an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture and financial assurance acceptable to the County need to be provided.

A contact person for the applicant will need to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.

The applicant has submitted a letter to the Illinois Historic Preservation Office. The projects are under review and can be found in log number #004113018.

- 2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. The property is surrounded by land in crop production. Ground cover that encourages

pollination, recommended by the McLean County Soil and Water Conservation District, will need to be installed. The solar arrays will be designed with an anti-reflective coating.

3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. The property is surrounded by land in crop production. Nearby property that is currently in crop production will continue to be desirable for such use.
  4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The property has approximately 1,600 feet of frontage on the west side of South Morris Avenue. The Bloomington Township Fire Protection District will provide fire protection for the subject property. Pre-development drainage patterns will be retained. The solar panels will be placed on the existing grade of the land. The applicant will provide certified plans for storm water detention/retention before a permit is issued for the proposed solar power generating facility. The applicant will need to have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm. The applicant has obtained a signoff from the County Health Department.
  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.** This standard is met. It appears that safe site distance can be provided at the proposed entrance. The applicant has been in communication with the Bloomington Township Road Commissioner about creating a road use agreement and obtaining an entrance permit for the proposed solar farm.
  6. **The establishment, maintenance and operation of the special use will be in conformance with the intent of the district in which the special use is proposed to be located.** This standard is met. The preamble states "Provide for the location and govern the establishment and operation of land uses which are compatible with agriculture and are such a nature that their location away from residential, commercial and industrial areas is most desirable".
  7. **The proposed special use, in all other respects, conforms to the applicable regulations of the district in which it is located.** This standard is met.
9. **CONCLUDING OPINION:** Staff recommends that this application meets all of the standards set forth in Article VIII Section 350-56 (Standards for Special Use Permits), provided compliance with the following stipulations:
- 1) An entrance permit shall be obtained from the Bloomington Township Road Commissioner before a construction permit is issued.
  - 2) The applicant shall provide certified plans for storm water detention/retention before a construction permit is issued.
  - 3) The applicant shall complete consultation with the Illinois Historic Preservation Office before a construction permit is issued.

- 4) The applicant shall have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm.
- 5) The solar panels shall be installed with an anti-reflective coating.
- 6) Groundcover that encourages pollination that is recommended by the McLean County Soil and Water Conservation District needs to be installed.
- 7) A contact person for the applicant will need to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.
- 8) Development shall follow the plans and documents submitted with the application and with Zoning Regulations including Article VI Section 350-43.OO (3) (Use Standards for a solar power generating facility).

Respectfully submitted,



Philip Dick, AICP, Director

**STAFF REPORT FOR A SPECIAL USE**

**McLean County Department of Building and Zoning**

**CASE NUMBER SU-18-28**

**1. REFERENCE:**

- a. Hearing date: January 2, 2019
- b. Applicant's name and address: ASD McLean IL Solar IV, LLC by Amp Solar Development, Inc., 55a Port St E, Port Credit, ON
- c. Land owner's name and address: Fritz Beich, 3415 Tanglely Rd., Houston, TX 77005

**2. LOCATION AND CURRENT/PROPOSED ZONING AND LAND USE:**

- a. Property location: Immediately southeast of 1075 East Road approximately .50 miles south of 850 North Rd.
- b. Township: Dale Township
- c. Parcel Number: 20-35-476-002
- d. Existing zoning: A-Agriculture District
- e. Applicant request: For a special use to allow a Solar Power Generating Facility in the Agriculture District
- f. Existing land use: Crop production

**3. DIMENSIONS:**

- a. Size of Parcel: 27 acres
- b. Road Frontage: Approximately 1,380 feet on the southeast side of 1075 East Road – County Highway 41

**4. EXISTING LAND FEATURES:**

- a. Topography: Relatively flat
- b. Drainage: To the south
- c. Vegetation: Crop production
- d. Public Road: Asphalt road 21 feet in width

**5. SURROUNDING ZONING:** A-Agriculture District on all sides

**6. SURROUNDING LAND USE:**

- a. North: Crop production
- b. South: Crop production
- c. East: Crop production
- d. West: Crop production across Interstate I-55

**7. LAND EVALUATION SITE ASSESSMENT (LESA) REPORT:**

McLean County Soil and Water Conservation District staff report on soil for subject site:

- a. Soils -- Score of **97.7** points out of a maximum possible evaluation score of **100** points.

McLean County Building and Zoning Department staff report on site assessment for the subject site:



- b. Site Assessment -- Score of **162** points out of a maximum possible evaluation score of **200** points.
- c. Total LESA review score is **259.7 points** out of a maximum of **300** points.

**EVALUATION RESULT:**

The LESA Report indicates that a total score of **230 points and above** means that the property is of **very high** value for agricultural land protection.

- 8. **STAFF ANALYSIS:** The analysis of the seven standards listed in Article VIII Section 350-56 of the McLean County Code (Standards for Special Use Permits) as they apply to this zoning request is as follows:

- 1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The applicant proposes to establish two co-located 2-megawatt solar power generating facilities on this property, which will meet all of the County setback requirements and use standards for a solar power generating facility.

The application indicates that this facility will contain rows of Photovoltaic (PV) cell panels mounted on posts set in the ground. These rows of panels are referred to as "solar arrays". Amp Solar Development will mount the solar arrays on a tracking system, which allows them to follow the sun throughout the day. The solar arrays will be designed with an anti-reflective coating. The applicant indicates the solar arrays will be a maximum 15 feet in height.

The applicant submitted an EcoCAT communication from the Illinois Department of Natural Resources which indicates that there is no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves or registered Land and Water Reserves in the vicinity of the project location, and that the consultation is terminated.

A decommissioning plan that includes an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture and financial assurance acceptable to the County need to be provided.

The application indicates that they will provide a contact person to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.

The application indicates that a one-mile search from the site was conducted using the Illinois Historic Preservation Agency Geographic Information System. And no historic sites were identified.

- 2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. The property is surrounded by land in crop production. Ground cover that includes native species, encourages pollination, recommended by the McLean County Soil and Water Conservation District, will need to be installed.

3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. Nearby land in crop production will continue to be desirable for such use.
4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The property has approximately 1,380 feet on the southeast side of 1075 East Road – County Highway 41. The Dale Township Fire District will provide fire protection for the subject property. Pre-development drainage patterns will be retained as much as possible. The applicant will provide certified plans for storm water detention/retention before a permit is issued for the proposed solar power generating facility. The applicant will need to have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm. The applicant has obtained a sign-off from the County Health Department.
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.** This standard is met. It appears that safe site distance can be provided at the proposed entrance. The applicant has been in communication with the County Engineer and will need to obtain an entrance permit from him before a construction permit will be issued for the proposed solar farm.
6. **The establishment, maintenance and operation of the special use will be in conformance with the intent of the district in which the special use is proposed to be located.** This standard is met. The preamble states “Provide for the location and govern the establishment and operation of land uses which are compatible with agriculture and are such a nature that their location away from residential, commercial and industrial areas is most desirable”.
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the Agriculture District.** This standard is met. According to the Zoning Ordinance, “The Land Evaluation and Site Assessment (LESA) System has been designed to provide a rational process for assisting local officials in making farmland conversion decisions through the local zoning process.” Although this property has a high LESA score, the applicant indicates that a landscape plan will include a non-invasive ground cover that is suitable for the local environment, supportive of pollinators, and will reduce the dependence of mowing and spraying for weeds/invasive species. After the subject property is returned to its original condition, as required by the Zoning Ordinance, the land can be returned to crop production. It was reported that up to 35% of corn grown in McLean County was used to make ethanol. Harvesting the sun to produce electricity in the Agriculture District with solar farms is similar, and another way to produce significant value from farmland in addition to producing corn and soybean crops.
9. **CONCLUDING OPINION:** Staff recommends that this application meets all of the standards set forth in Article VIII Section 350-56 (Standards for Special Use Permits), provided compliance with the following stipulations:
  - 1) An entrance permit shall be obtained from the County Engineer before a construction permit is issued.

- 2) The applicant shall provide certified plans for storm water detention/retention before a construction permit is issued.
- 3) The applicant shall complete consultation with the Illinois Historical Preservation Agency (IHPA) before a construction permit is issued.
- 4) The applicant shall have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm.
- 5) The solar panels shall be installed with an anti-reflective coating.
- 6) Groundcover that encourages pollination that is recommended by the McLean County Soil and Water Conservation District needs to be installed.
- 7) A contact person for the applicant will need to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.
- 8) Development shall follow the plans and documents submitted with the application and with Zoning Regulations including Article VI Section 350-43.00 (3) (Use Standards for a solar power generating facility).

Respectfully submitted,



Philip Dick, AICP, Director

**STAFF REPORT FOR A SPECIAL USE**

**McLean County Department of Building and Zoning**

**CASE NUMBER SU-18-29**

**1. REFERENCE:**

- a. Hearing date: January 2, 2019
- b. Applicant's name and address: ASD McLean IL Solar V, LLC by Amp Solar Development, Inc., 55a Port St E, Port Credit, ON
- c. Land owner's name and address: Benjamin Klein, 29712 N 2280 East Rd., Gridley, IL 61744

**2. LOCATION AND CURRENT/PROPOSED ZONING AND LAND USE:**

- a. Property location: Immediately northeast of the intersection of US Route 24 and 2280 East Road
- b. Township: Gridley Township
- c. Parcel Number: 02-01-300-011
- d. Existing zoning: A-Agriculture and M-2 General Manufacturing Districts
- e. Applicant request: For a special use to allow a Solar Power Generating Facility
- f. Existing land use: Crop production and grain bins

**3. DIMENSIONS:**

- a. Size of Parcel: 17 acres
- b. Road Frontage: Approximately 800 feet on the east side of 2280 East Road and approximately 1,330 feet on the north side of US Route 24

**4. EXISTING LAND FEATURES:**

- a. Topography: Relatively flat
- b. Drainage: To the west
- c. Vegetation: Crop production
- d. Public Road: 2280 East Road is oil and chip 15.6 feet in width

**5. SURROUNDING ZONING: A-Agriculture District on all sides**

**6. SURROUNDING LAND USE:**

- a. North: Crop production
- b. South: Crop production
- c. East: Crop production
- d. West: Crop production

**7. LAND EVALUATION SITE ASSESSMENT (LESA) REPORT:**

McLean County Soil and Water Conservation District staff report on soil for subject site:

- a. Soils -- Score of **82.1** points out of a maximum possible evaluation score of **100** points.

McLean County Building and Zoning Department staff report on site assessment for the subject site:

- b. Site Assessment -- Score of **169** points out of a maximum possible evaluation score of **200** points.
- c. Total LESA review score is **251.1 points** out of a maximum of **300** points.

**EVALUATION RESULT:**

The LESA Report indicates that a total score of **230 points and above** means that the property is of **very high** value for agricultural land protection.

8. **STAFF ANALYSIS:** The analysis of the seven standards listed in Article VIII Section 350-56 of the McLean County Code (Standards for Special Use Permits) as they apply to this zoning request is as follows:

1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The applicant proposes to establish a 2-megawatt solar power generating facility on this property, which will meet all of the County setback requirements and use standards for a solar power generating facility.

The application indicates that this facility will contain rows of Photovoltaic (PV) cell panels mounted on posts set in the ground. These rows of panels are referred to as "solar arrays". Amp Solar Development will mount the solar arrays on a tracking system, which allows them to follow the sun throughout the day. The solar arrays will be designed with an anti-reflective coating. The applicant indicates the solar arrays will be a maximum 15 feet in height.

The applicant submitted an EcoCAT communication from the Illinois Department of Natural Resources which indicates that there is no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves or registered Land and Water Reserves in the vicinity of the project location, and that the consultation is terminated.

A decommissioning plan that includes an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture and financial assurance acceptable to the County need to be provided.

The application indicates that they will provide a contact person to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.


The application indicates that a one-mile search from the site was conducted using the Illinois Historic Preservation Agency Geographic Information System. And no historic sites were identified.

2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. The property is surrounded by land in crop production. Nearby land in crop production will continue to be desirable for such use. Ground cover that includes native species, encourages pollination, recommended by the McLean County Soil and Water Conservation District, will need to be installed.

3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. Nearby land in crop production will continue to be desirable for such use.
4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The property has approximately 800 feet of frontage on the east side of 2280 East Road and approximately 1,330 feet on the north side of US Route 24. The Gridley Township Fire Protection District will provide fire protection for the subject property. Pre-development drainage patterns will be retained as much as possible. The applicant will provide certified plans for storm water detention/retention before a permit is issued for the proposed solar power generating facility. The applicant will need to have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm. The applicant has obtained a sign-off from the County Health Department.
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.** This standard is met. It appears that safe site distance can be provided at the proposed entrance to 2280 East Road. The applicant has been in communication with the Gridley Township Road Commissioner and will need to obtain an entrance permit from him before a construction permit will be issued for the proposed solar farm.
6. **The establishment, maintenance and operation of the special use will be in conformance with the intent of the district in which the special use is proposed to be located.** This standard is met. The preamble states "Provide for the location and govern the establishment and operation of land uses which are compatible with agriculture and are such a nature that their location away from residential, commercial and industrial areas is most desirable".
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the Agriculture District.** This standard is met. According to the Zoning Ordinance, "The Land Evaluation and Site Assessment (LESA) System has been designed to provide a rational process for assisting local officials in making farmland conversion decisions through the local zoning process." Although this property has a high LESA score, the applicant indicates that a landscape plan will include a non-invasive ground cover that is suitable for the local environment, supportive of pollinators, and will reduce the dependence of mowing and spraying for weeds/invasive species. After the subject property is returned to its original condition, as required by the Zoning Ordinance, the land can be returned to crop production. It was reported that up to 35% of corn grown in McLean County was used to make ethanol. Harvesting the sun to produce electricity in the Agriculture District with solar farms is similar, and another way to produce significant value from farmland in addition to producing corn and soybean crops.
9. **CONCLUDING OPINION:** Staff recommends that this application meets all of the standards set forth in Article VIII Section 350-56 (Standards for Special Use Permits), provided compliance with the following stipulations:

- 1) An entrance permit shall be obtained from the Gridley Township Road Commissioner before a construction permit is issued.
- 2) The applicant shall provide certified plans for storm water detention/retention before a construction permit is issued.
- 3) The applicant shall complete consultation with the Illinois Historical Preservation Agency (IHPA) before a construction permit is issued.
- 4) The applicant shall have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm.
- 5) The solar panels shall be installed with an anti-reflective coating.
- 6) Groundcover that encourages pollination that is recommended by the McLean County Soil and Water Conservation District needs to be installed.
- 7) A contact person for the applicant will need to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.
- 8) Development shall follow the plans and documents submitted with the application and with Zoning Regulations including Article VI Section 350-43.OO (3) (Use Standards for a solar power generating facility).

Respectfully submitted,



Philip Dick, AICP, Director

**STAFF REPORT FOR A SPECIAL USE**

**McLean County Department of Building and Zoning**

**CASE NUMBER SU-18-30**

**1. REFERENCE:**

- a. Hearing date: January 2, 2019
- b. Applicant's name and address: ASD McLean IL Solar VI, LLC by Amp Solar Development, Inc., 55a Port St E, Port Credit, ON
- c. Land owner's name and address: Shirley Carr, 124 Boulder Dr., Gridley, IL 61744

**2. LOCATION AND CURRENT/PROPOSED ZONING AND LAND USE:**

- a. Property location: Immediately northeast of the intersection of 3000 North Road and 2025 East Road – County Highway 29
- b. Township: Gridley Township
- c. Parcel Number: 02-09-400-002
- d. Existing zoning: A-Agriculture District
- e. Applicant request: For a special use to allow a Solar Power Generating Facility in the Agriculture District
- f. Existing land use: Crop production

**3. DIMENSIONS:**

- a. Size of Parcel: 27 acres
- b. Road Frontage: Approximately 1,320 feet on the east side of 2025 East Road – County Highway 29 and approximately 1,320 feet on the north side of 3000 North Road

**4. EXISTING LAND FEATURES:**

- a. Topography: Relatively flat
- b. Drainage: To the north
- c. Vegetation: Crop production
- d. Public Road: 2025 East Road – County Highway 29 is an asphalt road 22.1 feet in width; and 3000 North Road is oil and chip 21.5 feet in width

**5. SURROUNDING ZONING:** A-Agriculture District on all sides

**6. SURROUNDING LAND USE:**

- a. North: Crop production
- b. South: Crop production
- c. East: Crop production
- d. West: Crop production and single family residence

**7. LAND EVALUATION SITE ASSESSMENT (LESA) REPORT:**

McLean County Soil and Water Conservation District staff report on soil for subject site:

- a. Soils -- Score of **98.1** points out of a maximum possible evaluation score of **100** points.

McLean County Building and Zoning Department staff report on site assessment for the subject site:



- b. Site Assessment -- Score of **168** points out of a maximum possible evaluation score of **200** points.
- c. Total LESA review score is **266.1 points** out of a maximum of **300** points.

**EVALUATION RESULT:**

The LESA Report indicates that a total score of **230 points and above** means that the property is of **very high** value for agricultural land protection.

8. **STAFF ANALYSIS:** The analysis of the seven standards listed in Article VIII Section 350-56 of the McLean County Code (Standards for Special Use Permits) as they apply to this zoning request is as follows:

1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The applicant proposes to establish two co-located 2-megawatt solar power generating facilities on this property, which will meet all of the County setback requirements and use standards for a solar power generating facility.

The application indicates that this facility will contain rows of Photovoltaic (PV) cell panels mounted on posts set in the ground. These rows of panels are referred to as "solar arrays". Amp Solar Development will mount the solar arrays on a tracking system, which allows them to follow the sun throughout the day. The solar arrays will be designed with an anti-reflective coating. The applicant indicates the solar arrays will be a maximum 15 feet in height.

The applicant submitted an EcoCAT communication from the Illinois Department of Natural Resources which indicates that there is no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves or registered Land and Water Reserves in the vicinity of the project location, and that the consultation is terminated.

A decommissioning plan that includes an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture and financial assurance acceptable to the County need to be provided.

The application indicates that they will provide a contact person to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.

The application indicates that a one-mile search from the site was conducted using the Illinois Historic Preservation Agency Geographic Information System. Two historic sites were found within one mile of the site, both are in the Village of Gridley and more than ¾ of a mile from the subject property.

2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. A single-family residence located across the road to the west of the proposed solar farm will not likely be negatively impacted. The electrical transformers for the facility, the part of the facility that creates a humming noise, will be located approximately 1,100 feet from the residence and would not likely heard by the

residents. Nearby property in residential use will continue to be desirable for such use, and nearby land in crop production will continue to be desirable for such use. Ground cover that includes native species, encourages pollination, recommended by the McLean County Soil and Water Conservation District, will need to be installed.

3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. Nearby property in residential use will continue to be desirable for such use, and nearby land in crop production will continue to be desirable for such use.
4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The property has approximately 1,320 feet of frontage on the east side of 2025 East Road – County Highway 29 and approximately 1,320 feet on the north side of 3000 North Road. The Gridley Township Fire Protection District will provide fire protection for the subject property. Pre-development drainage patterns will be retained as much as possible. The applicant will provide certified plans for storm water detention/retention before a permit is issued for the proposed solar power generating facility. The applicant will need to have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm. The applicant has obtained a signoff from the County Health Department.
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.** This standard is met. It appears that safe site distance can be provided at the proposed entrance to 2025 East Road - County Highway 29. The applicant has been in communication with the County Engineer and will need to obtain an entrance permit from him before a construction permit will be issued for the proposed solar farm.
6. **The establishment, maintenance and operation of the special use will be in conformance with the intent of the district in which the special use is proposed to be located.** This standard is met. The preamble states “Provide for the location and govern the establishment and operation of land uses which are compatible with agriculture and are such a nature that their location away from residential, commercial and industrial areas is most desirable”.
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the Agriculture District.** This standard is met. According to the Zoning Ordinance, “The Land Evaluation and Site Assessment (LESA) System has been designed to provide a rational process for assisting local officials in making farmland conversion decisions through the local zoning process.” Although this property has a high LESA score, the applicant indicates that a landscape plan will include a non-invasive ground cover that is suitable for the local environment, supportive of pollinators, and will reduce the dependence of mowing and spraying for weeds/invasive species. After the subject property is returned to its original condition, as required by the Zoning Ordinance, the land can be returned to crop production. It was reported that up to 35% of corn grown in McLean County was used to make ethanol. Harvesting the sun to produce electricity in the Agriculture District with solar farms is similar, and another way to produce significant value from farmland in addition to producing corn and soybean crops.

9. **CONCLUDING OPINION:** Staff recommends that this application meets all of the standards set forth in Article VIII Section 350-56 (Standards for Special Use Permits), provided compliance with the following stipulations:
- 1) An entrance permit shall be obtained from the County Engineer before a construction permit is issued.
  - 2) The applicant shall provide certified plans for storm water detention/retention before a construction permit is issued.
  - 3) The applicant shall complete consultation with the Illinois Historical Preservation Agency (IHPA) before a construction permit is issued.
  - 4) The applicant shall have all field tile damaged in the construction process repaired by a competent contractor, with experience in such repair, during the life of the solar farm.
  - 5) The solar panels shall be installed with an anti-reflective coating.
  - 6) Groundcover that encourages pollination that is recommended by the McLean County Soil and Water Conservation District needs to be installed.
  - 7) A contact person for the applicant will need to be kept on file with the Department of Building and Zoning for issues/complaints upon completion of the facility.
  - 8) Development shall follow the plans and documents submitted with the application and with Zoning Regulations including Article VI Section 350-43.00 (3) (Use Standards for a solar power generating facility).

Respectfully submitted,



Philip Dick, AICP, Director