

# **Zoning Petition No. 4664**

## **Anamite Solar**

**Zoning Board of Appeals Meeting**  
**Tuesday, August 5, 2025 at 7:00pm**



**KANE COUNTY, ILLINOIS**

ESTABLISHED JANUARY 16, 1836

# Petition Summary

## **Applicant**

Anamite Solar, LLC

## **Property Owner**

Alex R. Jayne and Linda Jayne, Co-Trustees of the Alex R Jayne Trust

## **Action Requested**

A Special Use Permit in the F-Farming Zoning District to allow for the development of a Commercial Solar Energy Facility.

## **Subject Property**

Approximately 19 acres located in Plato Township approximately ½ mile west of Nesler Road, north of the C.C. & P.R.R. railroad tracks (PINs 05-23-400-018; 05-23-400-020; 05-23-400-013; 05-23-400-015; 05-23-400-012).

## **Application**

An application was received by the County on June 20, 2025; application documents for Petition 4664 are available for review on the [Pending Zoning Petitions](#) page of Kane County's website.

## **Notice**

A Notice Letter was sent to all adjacent property owners within 250' of the subject property on July 17, 2025. Notice was published in the Daily Herald newspaper on July 19, 2025. And, a public hearing sign was posted on the subject property on July 17, 2025.

In addition to adjacent property owners, notice of this Petition was also sent to Kane County staff, Plato Township Highway Commissioner and Township Supervisor, City of Elgin City Administrator & Community Development Director, KDOT, School District 301, and the Pingree Grove & Countryside Fire Protection District.



# Location Map

Russell Rd  
Juliet Dr  
Capulet Cir  
Fitchie Creek Forest Preserve  
Elgin  
Range Rd  
Shadow Hill Dr  
Comstock Dr  
Buffalo Dr  
Cassidy Ln  
Shadow Hill Dr  
Kyra Ln  
Water Rd  
Monument Rd  
Sonora Dr  
Stagecoach Dr  
Prescott Ave  
Pawtuck Ave  
South St  
Weymouth Dr  
Bowes Bend Dr  
Quiet Trl  
Old Mill Ct  
Crawford Rd  
Corron Rd  
Pompton Ave  
Conifer Dr  
Valhalla Dr  
Oak Trees  
Nesler Rd  
Lori Ln  
Apache Run  
Santa Fe Trl  
Adobe Rdg  
Koshare Trl  
Hogan Hl  
Hopi Ln  
Pueblo Peak

Subject Property

Kane County – Plato TWP

Plato TWP – Section 8

County Board District: 14 Jonathan L. Gripe

**Subject Property**

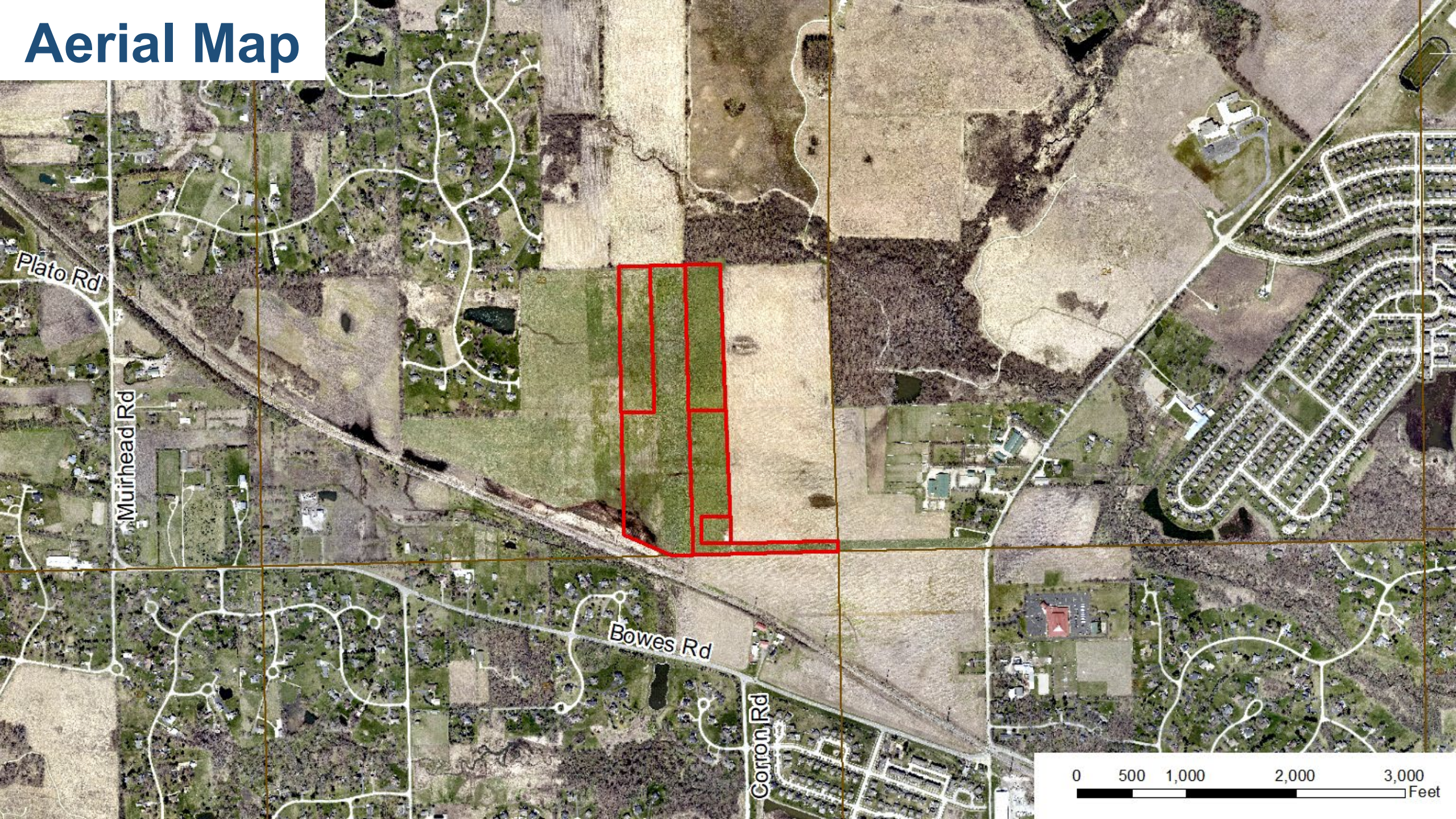
**County Board District: 14 Jonathan L. Gripe**

## Kane County – Plato TWP

## Plato TWP – Section 8

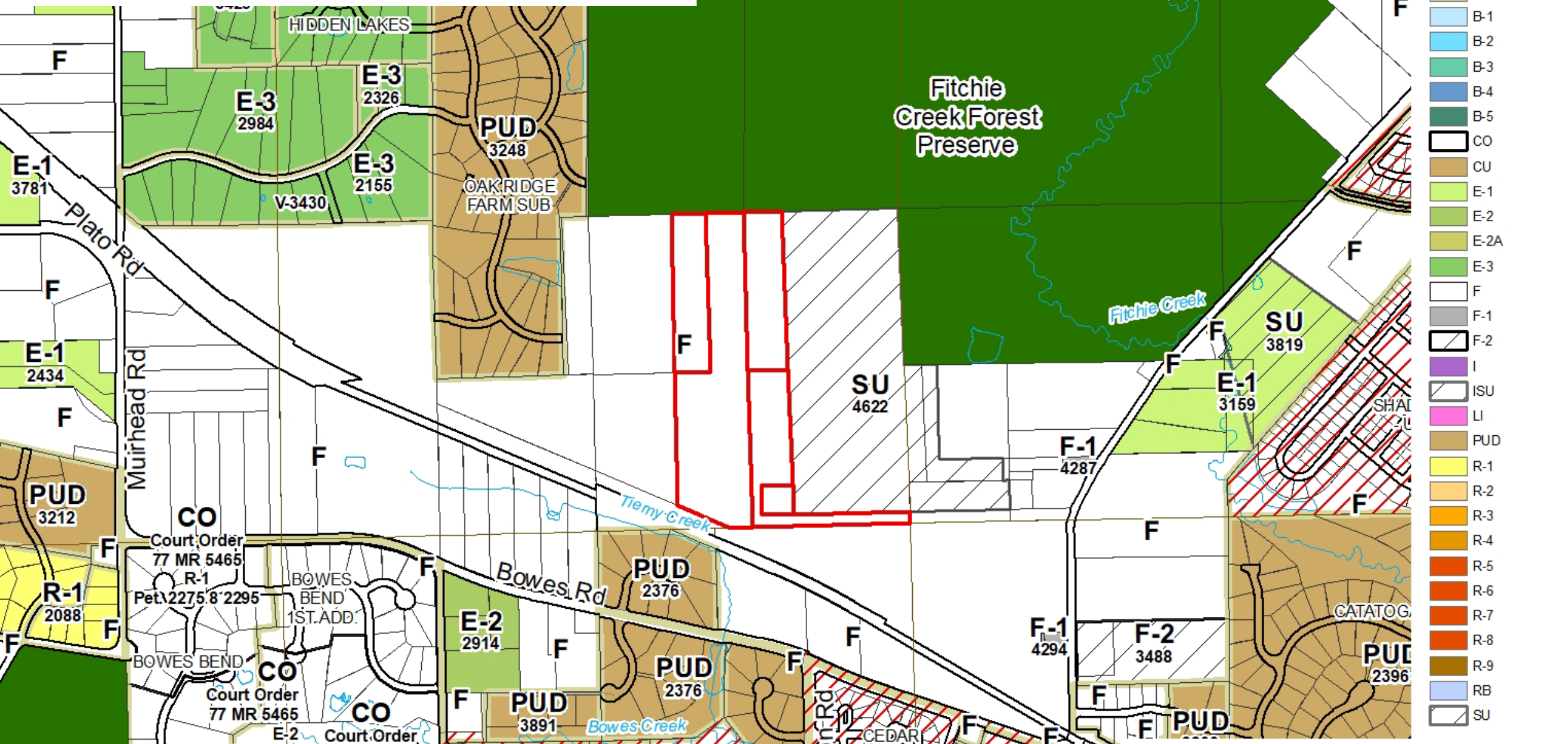


# Aerial Map





# Kane Co. Zoning Map



The subject property is currently zoned F-Farming District. Section 25-8-1-2 of the Kane County Zoning Ordinance provides that "Solar Utility" is a Special Use in the F-Farming District.

0 487.5 975 1,950 2,925 Feet



# 2040 Conceptual Land Use Strategy

Nesler Road - Plato Twp. – Petition #4664

Land Use Strategy Area:

## Critical Growth Area / Rt. 47 Corridor

### Core Themes

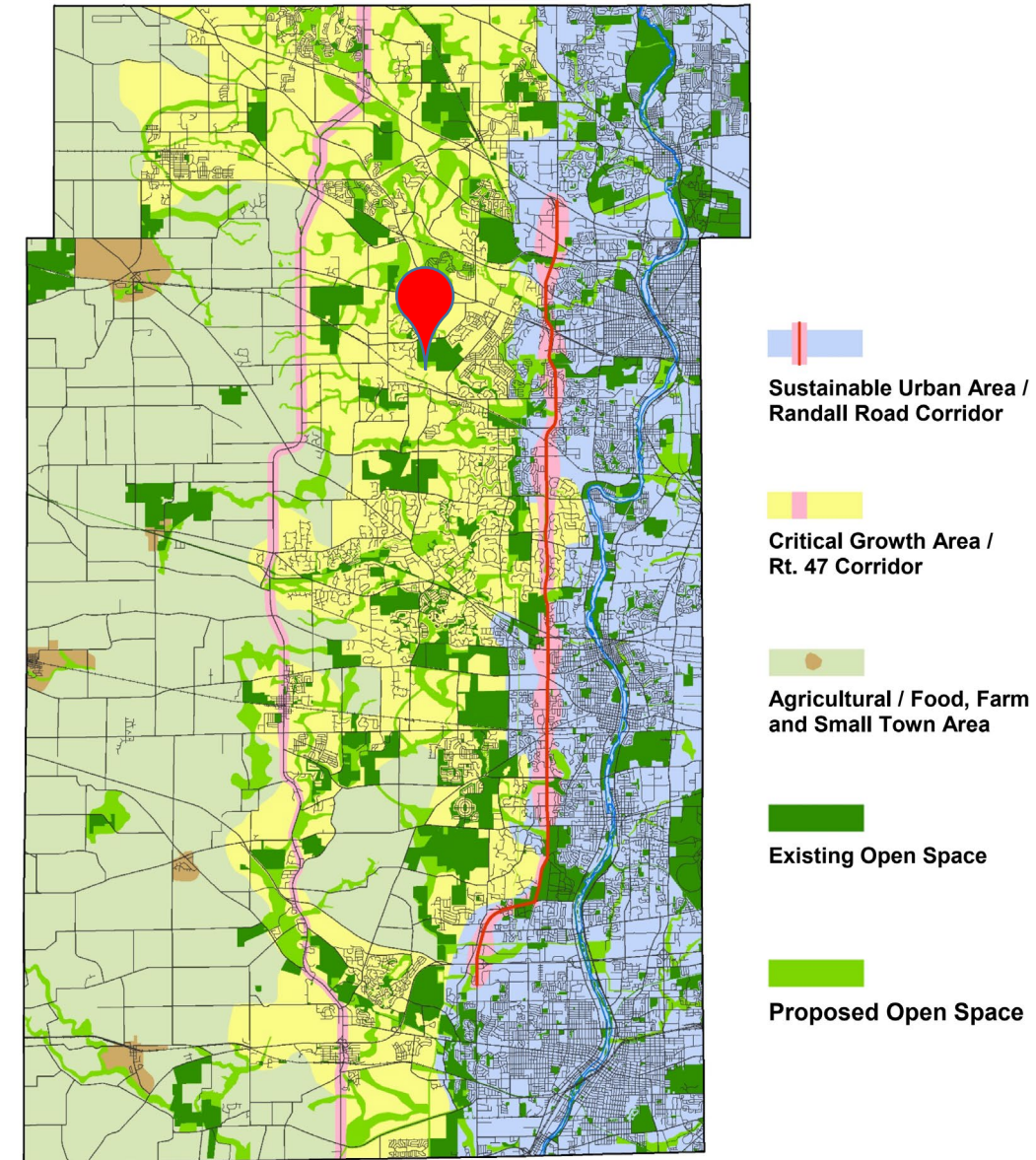
1. The Critical Growth Area continues to be where Kane County and the fast growing municipalities of the past two decades face the greatest challenges to sensible, managed growth
2. The Critical Growth Area is characterized by diversity and mix of planned municipal development, expanded transportation opportunities, additional open space initiatives, natural resource driven decision-making and healthy living

### The Conceptual Land Use Strategy Map:

A general land use map that divides the county into 3 major geographic corridors, each with unique land resources, development patterns, and planning opportunities.

## 2040 CONCEPTUAL LAND USE STRATEGY MAP

Adopted October 12, 2010





# 2040 Land Use Analysis

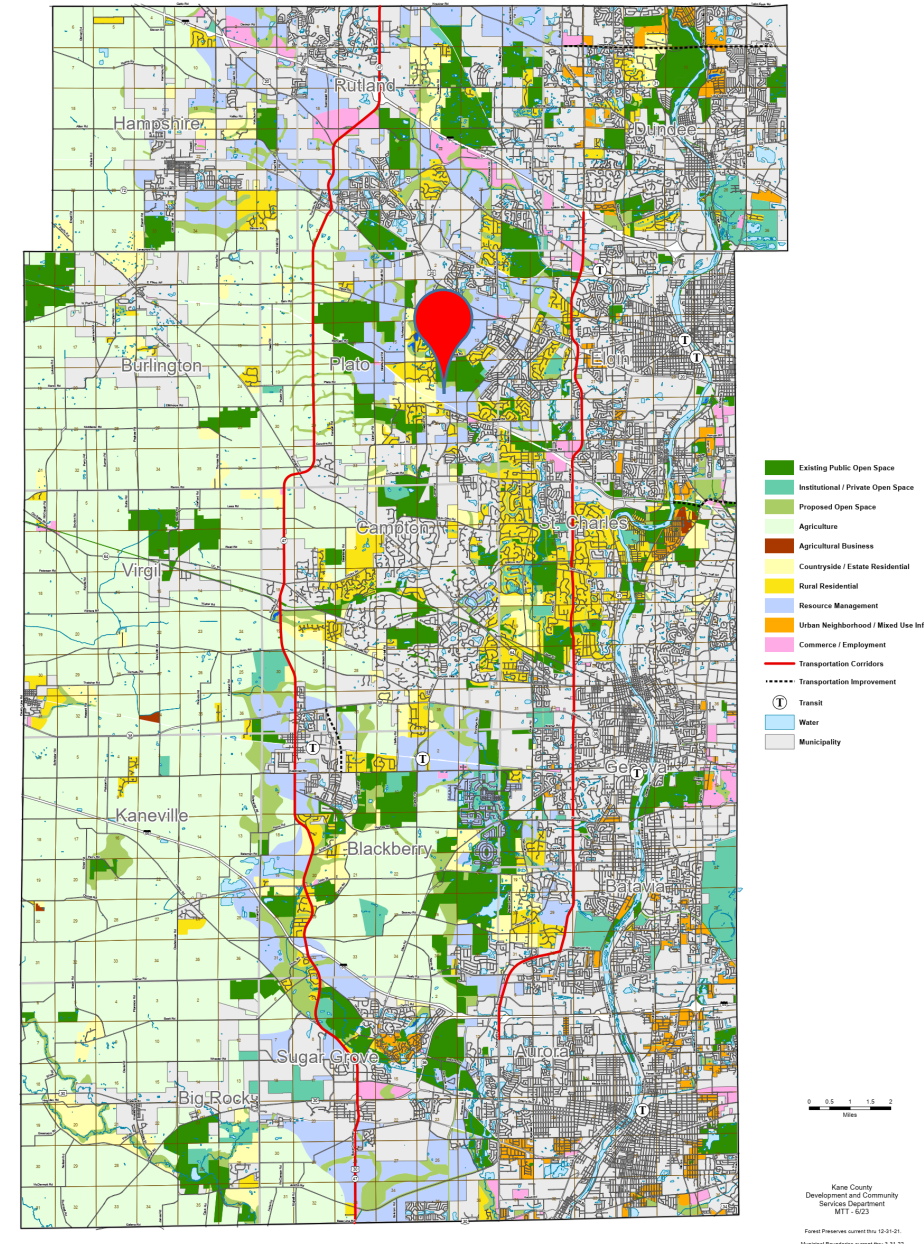
Nesler Road - Plato Twp. – Petition #4664

## 2040 Planned Use: **Resource Management**

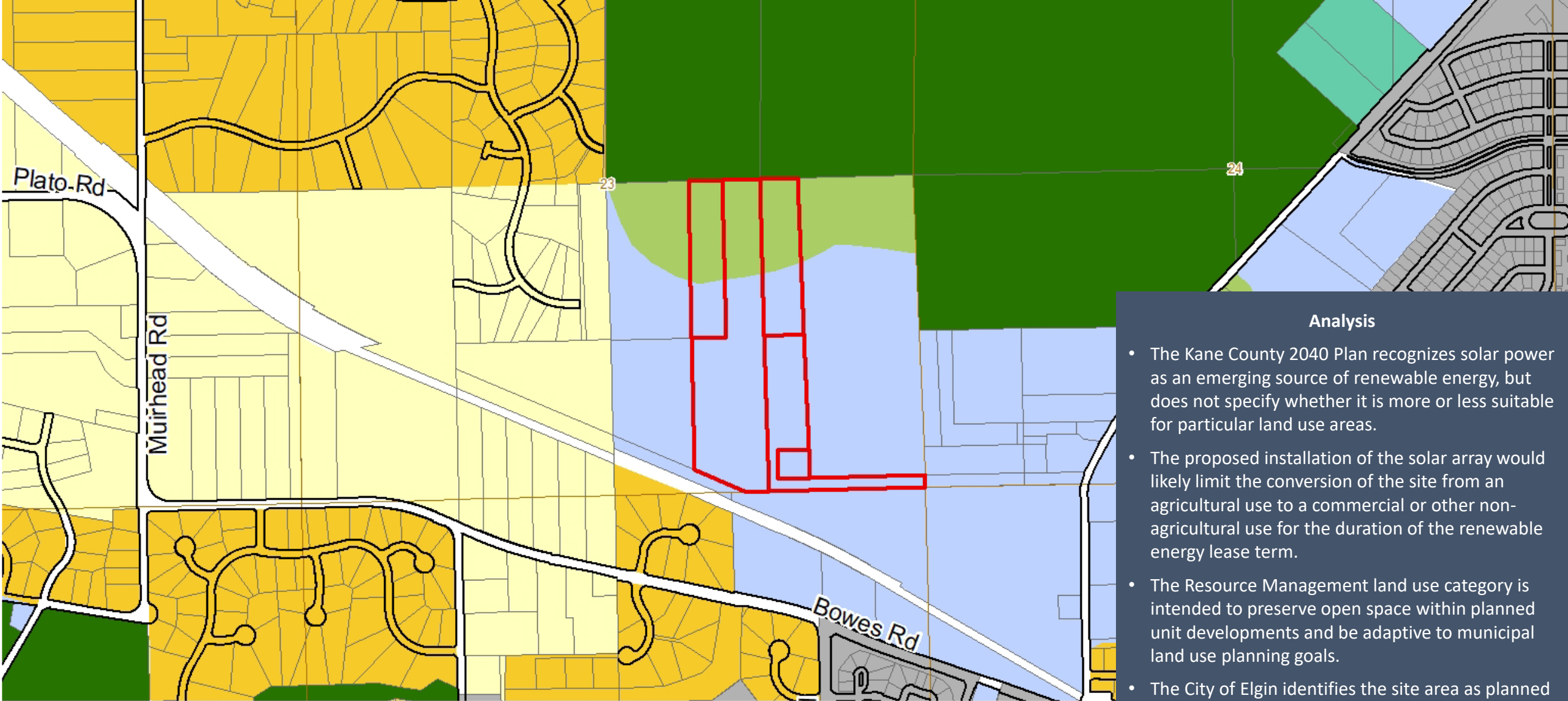
### Characteristics of Areas Planned for **Resource Management**

- Resource Management is a land use category that supports municipal and County compact, mixed use growth opportunities while emphasizing wise management of land and water resources
- Applies primarily to land within the Critical Growth Area
- Much of the growth in the Resource Management category will be the result of municipal annexations and land use decisions and, to a lesser extent, approval by the County as unincorporated development

## 2040 LAND USE







## 2040 Land Use



## Analysis

- The Kane County 2040 Plan recognizes solar power as an emerging source of renewable energy, but does not specify whether it is more or less suitable for particular land use areas.
- The proposed installation of the solar array would likely limit the conversion of the site from an agricultural use to a commercial or other non-agricultural use for the duration of the renewable energy lease term.
- The Resource Management land use category is intended to preserve open space within planned unit developments and be adaptive to municipal land use planning goals.
- The City of Elgin identifies the site area as planned for a combination of Single Family Detached, Neighborhood Commercial, and Transition Residential within its extraterritorial land use planning jurisdiction.

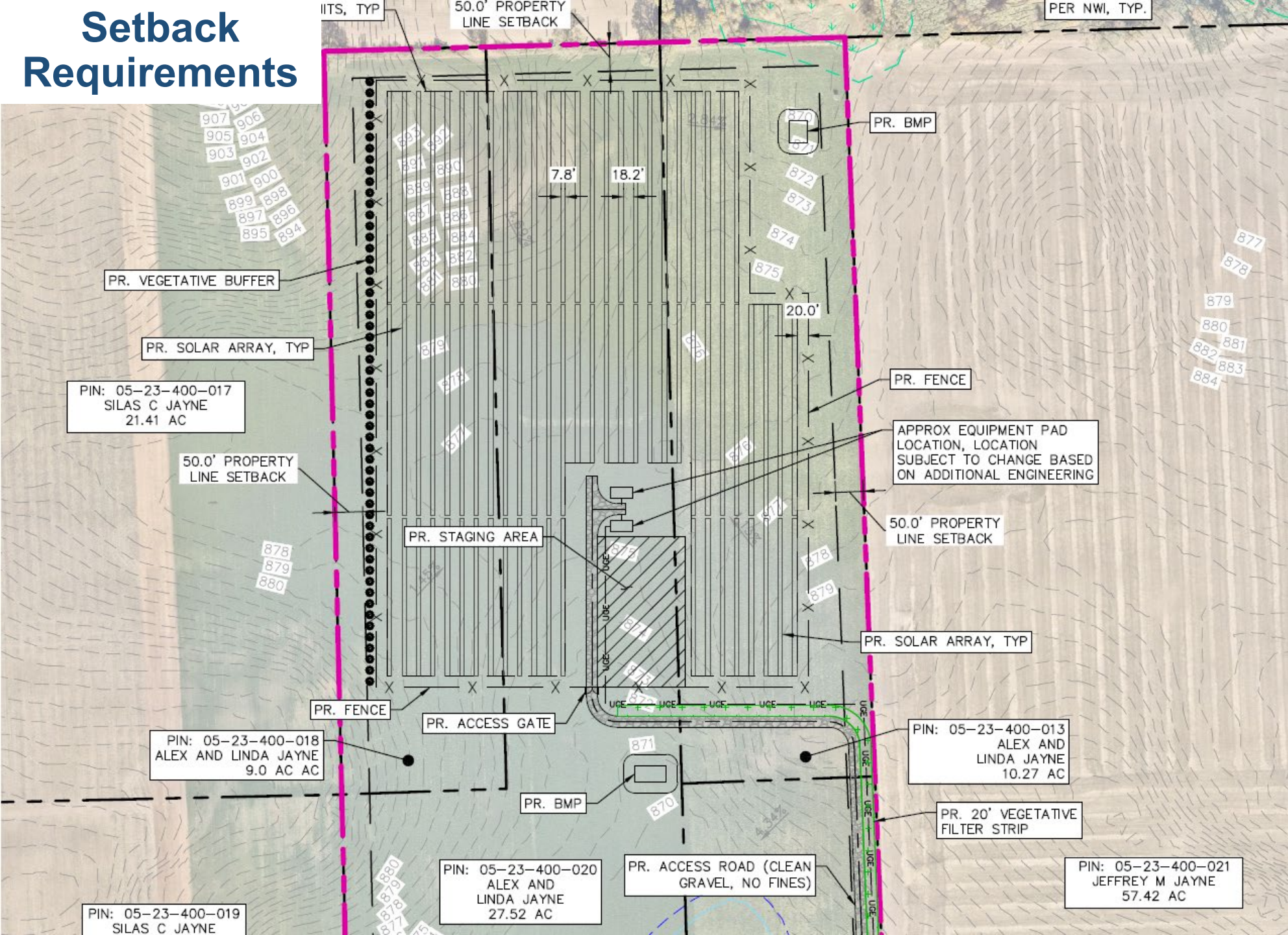




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# Setback Requirements



The Commercial Solar Energy Facility shall be sited as follows, with **setback distances** measured from the nearest edge of any component of the facility:

- 1) Occupied Community Buildings and Dwellings on Nonparticipating Properties: one hundred fifty (**150**) feet to the nearest point on the outside wall of the structure.
- 2) Boundary Lines of Participating Property: **None**.
- 3) Boundary Lines of Nonparticipating Property: fifty (**50**) feet to the nearest point on the property line of the nonparticipating property.
- 4) Public Road Rights-of-Way: fifty (**50**) feet to the nearest edge of the public road right-of-way.



Measurement Result

941.1 Feet (US)

Press CTRL to enable snapping.

Fitchie Creek Forest Preserve

OAK RIDGE FARM SUB

OAK RIDGE DR

LONGVIEW LN

QUIET TRL

PRAIRIE XING

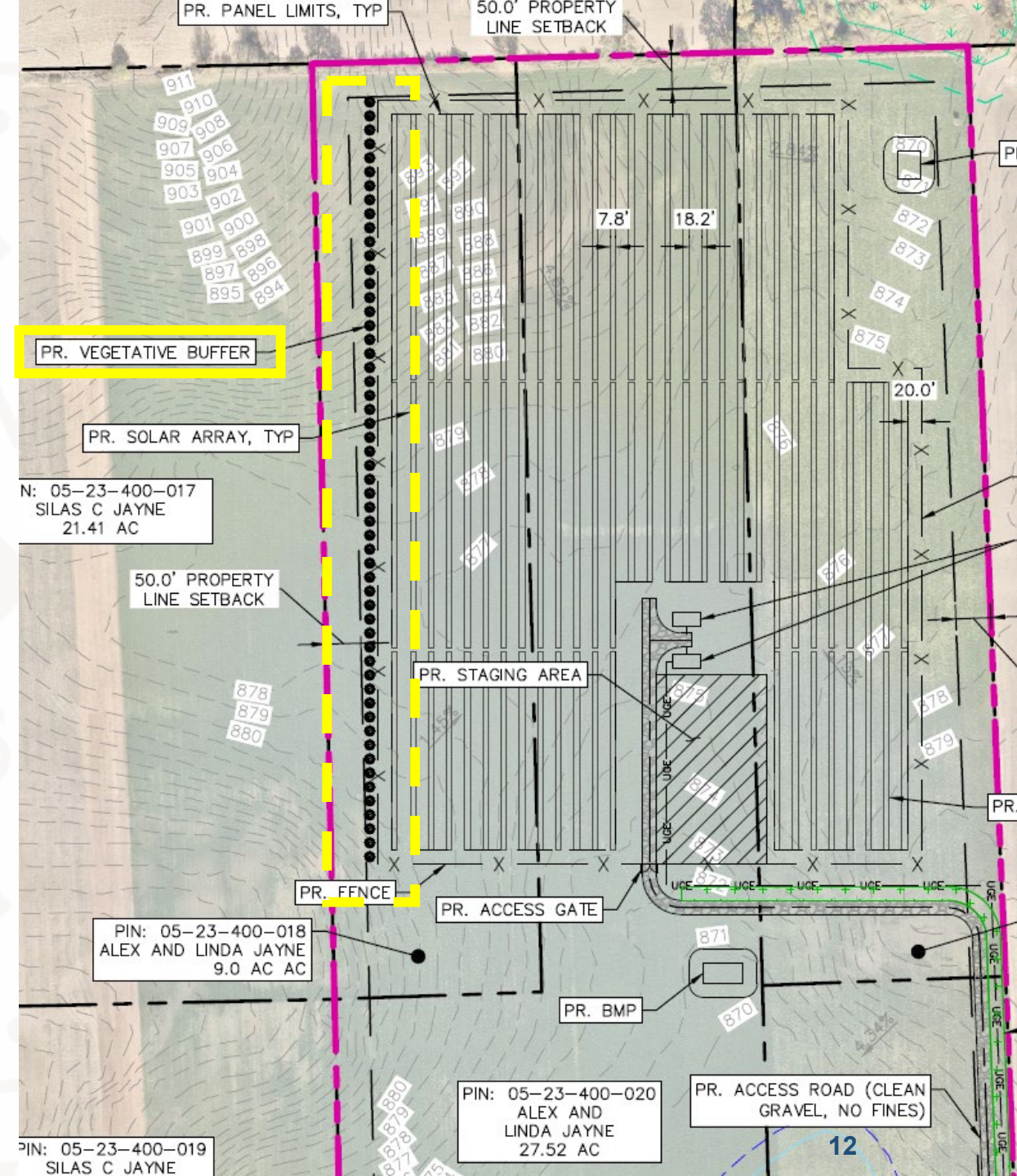
WILD BRIAR LN

Approximate  
Project  
Location



# Landscaping/Vegetation

- A vegetative screen shall be provided for any part of the Commercial Solar Energy Facility that is visible to Non-participating Residence(s).
- The landscaping screen shall be located between the required fencing and the property line of the participating parcel upon which the facility sits.
- The vegetative screening shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants.





# Fence Detail

**Fencing:** A fence of at least eight (8) feet and not more than twenty-five (25) feet in height shall enclose and secure the Commercial Solar Energy Facility.



# Water Resources

**The Water Resources department reviewed the Zoning Petition and recommends the following stipulations for approval:**

1. All panels in the Flood Fringe or adjacent to the Floodplain as defined by the Kane County Stormwater Ordinance will need to be Flood Protected to 2 feet above the Base Flood Elevation. Determination of the Base Flood Elevation will be required.
2. Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
3. An engineer's report will be required. Should the site introduce more than 25,000 sq ft of impervious area or more than 3 acres of disturbance, stormwater detention will be required. This impervious area is calculated cumulatively since 2002 for a site as per the Stormwater Ordinance. The Engineer's report must demonstrate that the peak flow for the site with the proposed development is not increased, stormwater detention may be required for the development to ensure this. Any required Stormwater Detention Management will require a viable outfall and may require off-site work.
4. Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration of runoff within the site based on this calculation and drainage in the area.
6. The configuration of the solar panels shall be evaluated to identify any potential erosion concerns. Particular attention shall be given to erosion risks at the drip edges of the panels and in sloped areas. Appropriate best management practices must be implemented to mitigate these risks. BMPs may include, but are not limited to, pre-seeding or pre-vegetation of the site prior to panel installation to establish ground cover and reduce soil displacement.
7. A drain tile study will be required, including upstream and downstream tile systems that rely on the drain tiles within the site. Water Resources is looking for the protection of the tile system that is in place, including but not limited to replacement in kind and observation and cleanout structures.
8. Plantings within the development will not interfere with drain tiles. Planting plan should address the placement of vegetation and trees with long root systems that can interfere with tile systems and cause off site issues including surcharged drain tiles and blow outs of the drain tile systems.
9. Soil samples shall be taken every 5 years from the site and analyzed for physical, chemical, and biological properties to demonstrate the soil health within the solar installations.
10. 80% vegetative coverage for plantings will be a requirement for the site.
11. A Wetland Delineation will be required. The Wetland Delineation shall meet the requirements of the Ordinance as described in Article VII Section 9-169 Requirements for a Wetland Delineation. Any Wetland Impacts must be mitigated.
12. Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.



# Transportation

- The **Kane County Department of Transportation (KDOT)** and the **Plato Township Highway Commissioner** reviewed this Petition.
- Per their comments, Nesler Road is under the jurisdiction of Plato Township. The Township indicated that the access that Anamite Solar will be using is existing, acceptable for the petitioner's needs, and that no additional access permits will be required.

# Environmental Health

- The **Kane County Health Department** reviewed this Petition and had no comments regarding the proposed use or site plan.

# Fire Protection

- The **Pingree Grove & Countryside Fire Protection District** reviewed this Petition and indicated "[their] only concern is the access road. Since it is located a long distance off Nesler Road, we would need to ensure it is installed to support access by our fire equipment, as outlined in our ground solar array code; the road needs to support 60,000 lbs. There may be other concerns once we see a more comprehensive set of plans."



# EcoCAT Report

## Illinois Department of Natural Resources (IDNR)

The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. **The Department has evaluated this information and concluded that adverse effects are unlikely.**

However, the Department recommends:

- Establishing pollinator-friendly habitat as groundcover wherever feasible.
- The site should be de-compacted before planting.
- Long term management of the site should be planned for prior to development to ensure successful native pollinator habitat establishment and prevent the spread of invasive species throughout the lifetime of this project. An experienced ecological management consultant should be hired to assist with long-term management.
- Required fencing, excluding areas near or adjacent to public access areas, should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Woven wire or a suitable habitat wildlife friendly fence should be used. Barbed wire should be avoided.
- Trees should be cleared between November 1st and March 31st.



# Resource Preservation Review

## Illinois State Historic Preservation Office (SHPO)

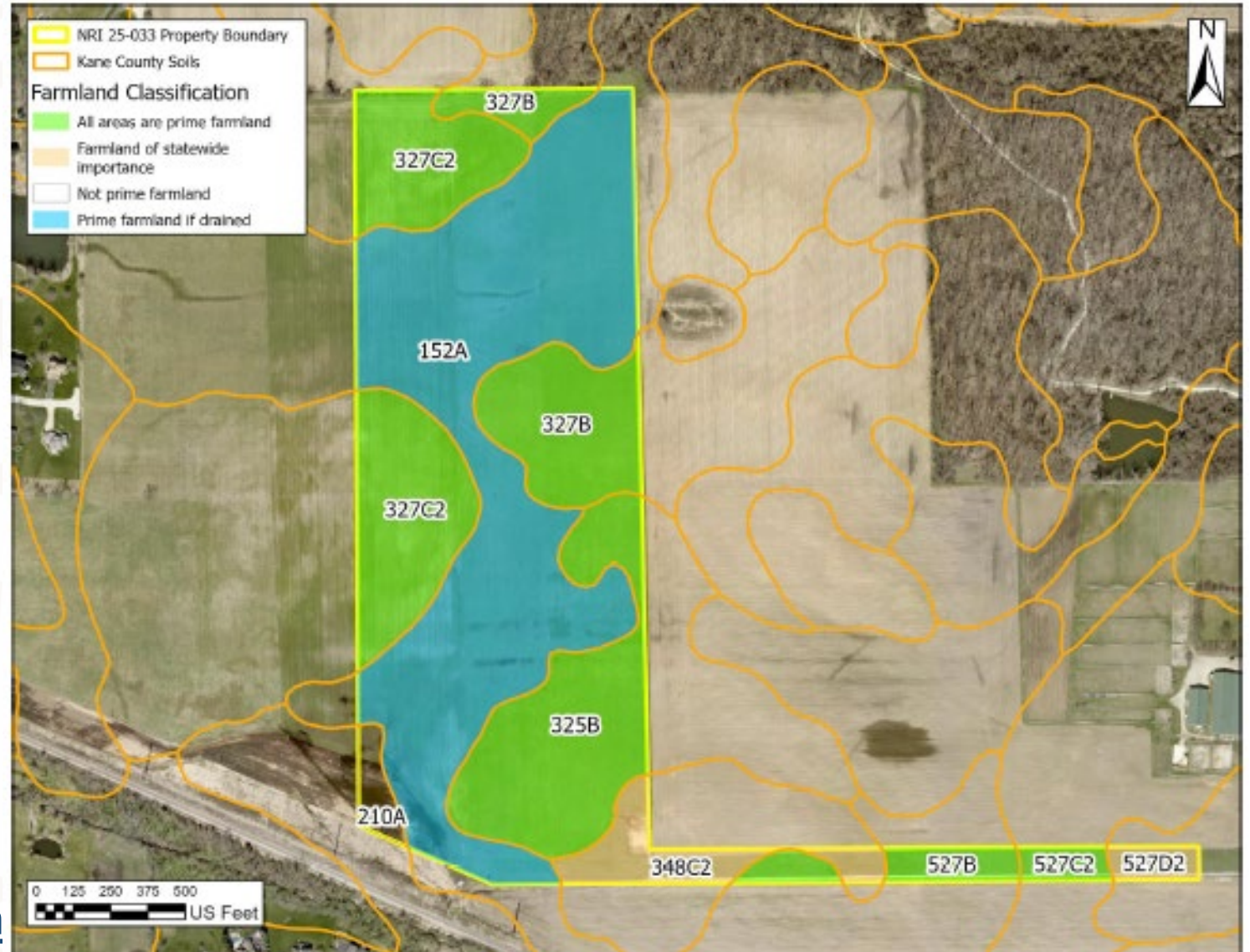
- **IL SHPO** determined that no historic properties were identified within the area of potential visual effects. Additionally, our files do not identify any known archaeological sites within the area of potential direct effects, nor is it within a high probability area for archaeological resources as defined in the Act.
- Accordingly, this project is **EXEMPT** from archaeological survey requests pursuant to Section 6 of the Act. An archaeological survey is not required under state law as there is no public funding nor is it on public land.



# NRI Report

Kane-DuPage Soil & Water Conservation District (SWCD)

- **Prime Farmland: Prime and Important Farmland occur on this tract.**
- **LESA:** Sites with a LESA score of 85 or greater are considered to warrant protection. This site has an **LE score of 29**, and a **SA score of 32**, with a **total score of 61**, placing it in the Low Protection category for farmland.
- **Land Planning and Development Concerns:** Based upon the LESA score and the Kane County Land Evaluation and Site Assessment, **this tract warrants Low Protection effort from development.**





# Section 7 Consultation

## United States Fish & Wildlife Service (USFWS)

- United States Fish & Wildlife Service's (USFWS) Section 7 Consultation dated May 9, 2025 concluded that there is a total of 4 threatened, endangered, or candidate species on this species list.
- Kimley-Horn reviewed the USFWS Information for Planning and Consultation (IPaC) website for federally listed threatened and endangered species. According to the website, four species are listed and may be present in the project vicinity in Kane County.
- The whooping crane is listed as experimental population, non-essential. The monarch butterfly and western regal fritillary are listed as proposed threatened. The eastern prairie fringed orchid is listed as threatened.
- The Project is located outside of any designated critical habitat areas. The action area for the Project is made up entirely of agricultural row crops. Minimal suitable habitat was identified within the Project area; therefore, no adverse effects are anticipated to the listed species. The EcoCAT showed no record of Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. The EcoCAT showed that the least bittern and yellow-headed blackbird may be present within the study area vicinity. The EcoCAT concluded that adverse effects are unlikely.
- **Based on the proposed project, [Kimley Horn] concludes that the Anamite Solar Project will have "no effect" on federally listed species, their habitats, or designated critical habitat. No "incidental take" is anticipated; thus, no consultation with the USFWS is required based on the current Project.**



# Additional Reviews/Analysis

- **United States Army Corps of Engineers (USACE)**
  - Applicant anticipates needing a level 2 wetlands delineation and is coordinating with the U.S. Army Corps of Engineers (USACE); all required documentation will be completed as part of the stormwater/building permit applications.
- **Illinois Nature Preserves Commission (INPC)**
  - No State Dedicated Nature Preserves identified in the vicinity of the proposed solar farm.
- **Illinois Department of Agriculture**
  - Executed AIMA Agreement was received.



# Recommended Stipulations of Approval

1. All panels in the Flood Fringe or adjacent to the Floodplain as defined by the Kane County Stormwater Ordinance will need to Flood Protected to 2 feet above the Base Flood Elevation. Determination of the Base Flood Elevation will be required.
2. Water Resources will require a stormwater permit for this development.<sup>8</sup> All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
3. An engineer's report will be required. Should the site introduce more than 25,000 sq ft of impervious area or more than 3 acres of disturbance, stormwater detention will be required. This impervious area is calculated<sup>9</sup> cumulatively since 2002 for a site as per the Stormwater Ordinance. The Engineer's report must demonstrate that the peak flow for the site with the proposed development is not increased, stormwater detention may<sup>10</sup> be required for the development to ensure this. Any required Stormwater<sup>11</sup> Detention Management will require a viable outfall and may require off-site work.
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12. Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.

# Special Use Standards / ZBA Findings

Section 25-4-8-2 of the Kane County Zoning Ordinance provides Standards for Special Use Permits; responses to these Standards have been provided by the Petitioner with their Zoning Application. **The Zoning Board of Appeals shall not recommend approval of a special use unless it finds:**

- A. 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;
- B. 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;
- C. 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;
- D. That adequate utility, access roads, drainage and/or other necessary facilities have been or are being provided;
- E. 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 and roads;
- F. 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.



# Zoning Entitlement Process

Regional Planning Commission:	N/A
Zoning Board of Appeals:	August 5, 2025
Development Committee:	August 19, 2025
Kane County Board:	September 9, 2025

Petition 4664, the subject of this public hearing, will be considered by the **Development Committee** at its upcoming meeting currently scheduled for **10:30 a.m., Tuesday, August 19, 2025** in the County Board Meeting Room, Building A, 2nd Floor, of the Kane County Government Center, 719 S. Batavia Ave., Geneva, Illinois. Persons in favor of or in opposition to this petition who wish to speak before the Development Committee must signify their intention to do so by signing a sheet provided for such purpose at the meeting at which such petition is to be considered.

Petition 4664, the subject of this public hearing, will be considered by the **Kane County Board** at its upcoming meeting currently set for **9:45 a.m., Tuesday, September 9, 2025** in the County Board Meeting Room, Building A, 2nd Floor, of the Kane County Government Center, 719 S. Batavia Ave., Geneva, Illinois. Persons in favor of or in opposition to this petition who wish to speak before the County Board must file their intention to do so with the Zoning Enforcement Officer no later than the Friday preceding the County Board meeting at which the petition is to be considered.



# ZP #4622 “Nesler Road Solar LLC”

