



# COUNTY OF KANE

## DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT

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

### ZONING PETITION SUMMARY

**MTG DATE:** May 26, 2026

**TO:** Kane County Zoning Board of Appeals

**FROM:** Natalie Zine, *Building & Zoning Division Manager*  
P: 630-232-3494 | E: [zinenatalie@kanecountyil.gov](mailto:zinenatalie@kanecountyil.gov)

**SUBJECT:** Zoning Petition No. 4683 Douglas Family Butterfly Garden and Solar Farm LLC

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### GENERAL INFORMATION

#### APPLICANT

Douglas Family Butterfly Garden and Solar Farm LLC  
Hanna London (Project Manager)

#### PROPERTY OWNER

ALDER DRIVE, LLC

#### REQUESTED ACTION

A Special Use Permit in the F-Farming Zoning District to allow for the development of a 5 MW Commercial Solar Energy Facility.

#### SUBJECT PROPERTY

Approximately 32 acres of property located south of Norris Road, East of Bliss Road, in Blackberry Township, unincorporated Kane County, IL (PINs: 11-34-200-019, 11-34-400-005, 11-35-300-010)

#### KANE COUNTY BOARD DISTRICT

02 Kimberley Young

#### PROJECT DESCRIPTION

Douglas Family Butterfly Garden and Solar Farm LLC is seeking a Special Use Permit Application to construct, operate, and maintain a 5MWac Commercial Energy Solar Facility, without battery storage. The Project will be on approximately 31 acres of unincorporated land in Blackberry Township, Kane County, IL. The Project will have one (1) driveway off of Norris Road and will connect to the existing 34.5kV ComEd Distribution line running along Norris Road. The project will have vegetative screening along the eastern project boundary. See 'Project Narrative' for more information.

#### SUBMITTAL DOCUMENTS

An application requesting the Special Use was received by the County on April 10, 2026. All received application documents for the Petition are available for review on the [Zoning Petitions](#) page of the Kane County Website. See also "Exhibit A" Zoning Petition No. 4683 Submittal Documents attached.

#### PUBLIC NOTICE

The public hearing for this Petition was scheduled for May 26, 2026. A notice of public hearing sign was posted on the subject property on May 8, 2026. A notice letter was mailed to all adjacent property owners within 250' of the subject property on May 8, 2026. And notice was published in the Daily Herald newspaper on May 9, 2026.

In addition to adjacent property owners, notice of this Petition was also sent to Kane County staff, Kane County Forest Preserve, Blackberry Township, the Village of North Aurora, the Village of Sugar Grove, KDOT, Kaneland School District, and the Sugar Grove Fire District.



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### REVIEW & ANALYSIS

#### ZONING

The subject property is currently zoned F-Farming District and is bordered to the north, west, and south by additional F-Farming District; to the east there is some F-1 Rural Residential and E-2 Estate Residential zoning.

Section 25-8-1-2 of the Kane County Zoning Ordinance provides that “Solar Utility” is a Special Use in the F-Farming District; Section 25-5-4-9 of the Zoning Ordinance stipulates the rules and regulations for Commercial Solar Facilities.

Per Section 25-5-4-9, the site plan for a commercial solar energy facility must meet the following criteria:

1. Occupied residential dwellings on nonparticipating properties shall be located no less than 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.
5. No component of a solar panel, cell or modules may exceed twenty (20) feet in height above the ground at full tilt.
6. Vegetative screening shall be provided for any part of the Commercial Solar Energy Facility that is visible to Non-participating Residence(s).
7. Landscaping screening shall be located between the required fencing and the property line of the participating parcel upon which the facility sits.
8. 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.
9. A fence shall be installed around the perimeter of the facility area with a minimum height of eight (8) feet and not more than twenty-five (25) feet.

#### FUTURE LAND USE

The proposed installation falls within the Agriculture area of the Kane County 2040 Land Use Map. These areas have been determined preferable for low density residential development, small specialty farms, community-based agriculture, and other farming operations. 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.

This parcel falls within the Village of Sugar Grove’s planning area Jurisdiction. The Village’s Land Use Map identifies the parcels as planned for Estate Residential – with lot sizes recommended at 1 acre in size or greater. The Village’s Comprehensive Plan notes that Estate Residential areas should preserve existing trees and forests, sloping topography, wildlife habitat/corridors, and views and privacy.

#### MUNICIPALITIES

- North Aurora: No comments (Nathan Darga 05-20-2026)
- Sugar Grove: No comments (Danielle Marion 005-20-2026)
- Blackberry Township: “The only comment from our Board was that a couple feel there are too many of these being added in Blackberry but also understand the laws, so we are all good.” (Esther Steel, Supervisor 04-29-2026)

#### FOREST PRESERVE

No comments received.

#### SCHOOL DISTRICT

No comments received.

#### ENVIRONMENTAL HEALTH

No comments received.



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### **TRANSPORTATION**

The Kane County Department of Transportation (KDOT) reviewed this Petition and provided that, “The Petitioner shall obtain a temporary and final access permit from Blackberry Township” (Email 04-26-2026)

### **FIRE PROTECTION DISTRICT**

Brendan Moran, Fire Chief, Sugar Grove Fire Protection District: The access road looks fine; working with the applicant on an approved surface material (05-20-2026)

### **WATER RESOURCES**

The Water Resources department reviewed the Zoning Petition and provides the following comments (Anne Wilford 05-20-2026).

The Water Resources department recommends the following STIPULATIONS OF APPROVAL:

1. (Water Resources) This site contains a flood route. All panels within the flood route will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey and Engineering Study will be needed to delineate the flood route on the site.
2. (Water Resources) 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. (Water Resources) 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. (Water Resources) Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. (Water Resources) 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.
6. (Water Resources) 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. (Water Resources) 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. (Water Resources) Plantings within the development shall 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. (Water Resources) 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. (Water Resources) 80% vegetative coverage for plantings will be a requirement for the site.
11. (Water Resources) 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. (Water Resources) Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.



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### **ADDITIONAL REPORTS & ANALYSIS**

#### **Ecological Compliance Assessment Tool (EcoCAT) & Consultation Letter February 23, 2026**

The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated. However, the Department recommends the following:

- 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. All night lighting should follow IDA guidance.

#### **Illinois State Historic Preservation Office (SHPO) & Consultation Letter February 10, 2026**

The SHPO determined that the subject property is not eligible for listing on the National Register of Historic Places (NRHP). Additionally, the SHPO has determined that the indirect Area of Potential Effects (APE) contains the following properties eligible for listing on the NRHP, under Criterion A, for Agriculture, and under Criterion C, for Architecture, with a local level of significance:

- Old West Farm, 3S 152 Bliss Rd. (1851)
- 41W130 Norris Rd. (1844)

Their files do not identify any known archaeological sites within the direct APE, 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.

If any archaeological materials are encountered during construction, SHPO office must be notified. This letter is not a clearance for purposes of the Illinois Human Remains Protection Act (20 ILCS 3440). The project meets the Secretary of the Interior's Standards for Rehabilitation and will not adversely affect any historic properties. The project as proposed may proceed.

#### **Natural Resources Inventory (NRI) Report January 14, 2026**

The LE value for this site is 30 and the SA value is 39 for a total LESA score of 69. This score represents Low Protection effort warranted.

#### **United States Fish and Wildlife Service Consultation Letter January 13, 2026**

Kimley-Horn reviewed the USFWS Information for Planning and Consultation (IPaC) website for federally listed threatened and endangered species. According to the website, three species are listed and may be present in the project vicinity in Kane County. The monarch butterfly and western regal fritillary are listed as a proposed threatened and the whooping crane is listed as experimental population, non-essential. The study area is comprised of primarily agricultural row crops and minimal suitable habitat was identified within the Project area; therefore, no adverse effects are anticipated to the listed species. The EcoCAT showed that a state and federally endangered bat, the northern long-eared bat, may be in the vicinity of the study area. However, according to the Termination Letter, the IDNR noted that adverse effects are unlikely. 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.

Based on the proposed project, we conclude that the Douglas Family Farm Butterfly Garden and Solar Farm LLC 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.



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### **The U.S. Army Corps of Engineers**

No comments provided.

### **Executed Agricultural Impact Mitigation Agreement (AIMA)**

Received with the Zoning Application.

### **Documentation demonstrating avoidance of protected lands as identified by IDNR and the Illinois Nature Preserve Commission (INPC)**

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. A review of the Illinois Nature Preserves Commission (INPC) I-View tool showed that there were no INPC-protected lands in the vicinity of the project. The Lake Run Forest Preserve is located less than one-tenth of a mile to the north of the project. The Dick Young Forest Preserve is located approximately one mile to the north and northeast of the project. Both forest preserves are part of the Forest Preserve District of Kane County, and are not managed by the INPC. Based on the proposed project, engineering consultant Kimley Horn concludes that the Douglas Family Farm Butterfly Garden and Solar Farm LLC Project will have “no effect” on protected lands managed by the INPC; thus, no consultation with the INPC is required based on the current Project.

Copies of each of the complete reports listed above are provided on the Kane County website under the applicable petition number on the [Zoning Petitions](#) page for further review.

### **PUBLIC COMMENT**

Copies of any submitted public comments will be uploaded to the Kane County website under the applicable petition number on the [Zoning Petitions](#) page.

### **RECOMMENDED STIPULATIONS (FULL LIST)**

Should the Zoning Board of Appeals make a motion to recommend approval of this zoning request, staff recommends the following stipulations:

1. (Water Resources) This site contains a flood route. All panels within the flood route will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey and Engineering Study will be needed to delineate the flood route on the site.
2. (Water Resources) 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. (Water Resources) 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. (Water Resources) Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. (Water Resources) 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.
6. (Water Resources) 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. (Water Resources) 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.



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8. (Water Resources) Plantings within the development shall 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. (Water Resources) 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. (Water Resources) 80% vegetative coverage for plantings will be a requirement for the site.
11. (Water Resources) 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. (Water Resources) Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.
13. (Transportation) The Petitioner shall obtain a temporary and final access permit from Blackberry Township.
14. (Zoning) Landscape screening consistent with the Kane County Zoning Ordinance shall be reviewed and approved at time of building permit application.
15. The petitioner shall comply with all applicable requirements and recommendations outlined in the Illinois Department of Natural Resources (IDNR) letter dated February 23, 2026, as included in the Zoning Petition submittal.
16. The petitioner shall comply with all applicable requirements and recommendations outlined in the Illinois State Historic Preservation Office (SHPO) letter dated February 10, 2026, as included in the Zoning Petition submittal.

### ZONING STANDARDS

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.

The zoning applicant's responses to the Standards of a Special Use are available for review on the [Zoning Petitions](#) page of the Kane County website.



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### ZONING ENTITLEMENT PROCESS

#### ZONING BOARD OF APPEALS (PUBLIC HEARING)

This Petition will be considered by the Zoning Board of Appeals at its meeting currently scheduled for Tuesday, May 26, 2026 at 7:00 p.m., at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the first floor Auditorium room.

All interested parties are invited to attend the public hearing to ask questions and/or to present testimony for or against the petition.

#### DEVELOPMENT COMMITTEE

This Petition will be considered by the Development Committee at its meeting currently scheduled for Tuesday, June 16, 2026, at 10:30 a.m., at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the first floor Auditorium room.

Persons in favor of or in opposition to this petition who wish to speak before the Development Committee should register to speak by submitting a [Request to Speak Form](#) on the Kane County website no later than 12:00pm on the day prior to the meeting.

#### KANE COUNTY BOARD

This Petition will be considered by the full Kane County Board at its meeting currently set for Tuesday, July 14, 2026, at 9:45 a.m., at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the first floor Auditorium room.

Persons in favor of or in opposition to this petition who wish to speak before the County Board should register to speak by submitting a [Request to Speak Form](#) on the Kane County website no later than 12:00pm on the day prior to the meeting.

### ATTACHMENTS

- Exhibit A - Zoning Petition No. 4683 Submittal Documents



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### "Exhibit A" Zoning Petition No. 4683 Submittal Documents

[4683\\_01\\_Kane County Zoning Application \(04-10-2026\)signed\\_Redacted.pdf](#)

[4683\\_02\\_SUP Standards Worksheet \(04-10-2026\)signed.pdf](#)

[4683\\_03\\_Project Narrative.pdf](#)

[4683\\_04\\_Lease Agreement.pdf](#)

[4683\\_05\\_Plat of Survey \(02-10-2026\).pdf](#)

[4683\\_06\\_Solar Equipment Manufacturer Specs.pdf](#)

[4683\\_07\\_Noise Analysis \(03-31-2026\).pdf](#)

[4683\\_08-Decommissioning Plan & Cost Estimate \(04-06-2026\).pdf](#)

[4683\\_11\\_Transportation and Access Plan \(04-08-2026\).pdf](#)

[4683\\_13\\_Legal Description.pdf](#)

[4683\\_17\\_Geometric Site Plan \(04-09-2026\).pdf](#)

[4683\\_18\\_Landscape & Screening Plan \(04-09-2026\).pdf](#)

[4683\\_20\\_EcoCat Report & Consultation Letter \(02-23-2026\).pdf](#)

[4683\\_21\\_SHPO Letter \(02-10-2026\).pdf](#)

[4683\\_22\\_NRI 26-001 Report \(01-14-2026\).pdf](#)

[4683\\_23\\_USFWS Letter & Consultation Letter \(11-12-2025\).pdf](#)

[4683\\_24\\_USACE Correspondence.pdf](#)

[4683\\_25\\_Executed AIMA Agreement & Consultation Letter \(12-02-2025\).pdf](#)

[4683\\_26\\_Avoidance of Protected Lands Memo \(01-29-2026\).pdf](#)

[4683\\_28\\_Structural Engineer's Certificate \(12-10-2025\).pdf](#)

[4683\\_29\\_FEMA Map.pdf](#)

[4683\\_30\\_Level 2 Wetland Report \(03-30-2026\).pdf](#)

[4683\\_31\\_Topographical Map.pdf](#)

[4683\\_32\\_Preliminary Drain Tile Investigation \(01-21-2026\).pdf](#)

[4683\\_33\\_Preliminary Stormwater Management Report \(03-24-2026\).pdf](#)

[4683\\_34\\_Phase I ESA \(03-03-2026\).pdf](#)

[4683\\_35\\_Environmental Constraints Memo \(01-21-2026\).pdf](#)

[4683\\_36\\_Hydrologic Response of Solar Farms \(2013 Article\).pdf](#)

[4683\\_37\\_Health and Safety Impacts of Solar Photovoltaics \(2017 White Paper\).pdf](#)