



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: October 7, 2025

TO: Kane County Zoning Board of Appeals

FROM: Natalie Zine | P: 630-232-3494 E: zinenatalie@kanecountyil.gov

SUBJECT: Zoning Petition No. 4668 "SV CSG SunTrust Solar"

GENERAL INFORMATION

APPLICANT

SunVest Solar, LLC, doing business as SV CSG SunTrust Solar, LLC

PROPERTY OWNER

Sun Grandchildren's Trust (Jennie Sun, as Trustee)

REQUESTED ACTION

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

SUBJECT PROPERTY

Approximately 39 acres of property located on the south side of IL Route 72, west of Interstate 90 in Rutland Township, Kane County, Illinois. (PINs: 02-23-300-005 and 02-26-100-007)

KANE COUNTY BOARD DISTRICT

09 Gary Daugherty

PROJECT DESCRIPTION

SunVest Solar, LLC, doing business as SV CSG SunTrust Solar, LLC is proposing to develop up to a 5 MW AC Solar Facility on +/- 39 acres of the +/- 127-acre property located on the south side of IL Route 72, west of Interstate 90 in Rutland Township, Kane County, Illinois. The proposed Solar Facility will be developed as part of the Illinois Power Agency and State of Illinois program that provides utility customers with the ability to secure part or all of their energy needs from solar energy. *See 'Project Narrative' for more information.*

SUBMITTAL DOCUMENTS

An application requesting the Special Use was received by the County on August 22, 2025. All received application documents for Petition 4668 are available for review on the [Pending Zoning Petitions](#) page of the Kane County Website. *See also "Exhibit A" Zoning Petition No. 4668 Submittal Documents attached.*

PUBLIC NOTICE

A Notice Letter was sent to all adjacent property owners within 250' of the subject property on September 18, 2025. Notice was published in the Daily Herald newspaper on September 20, 2025. And a public hearing sign was posted on the subject property on September 18, 2025.

In addition to adjacent property owners, notice of this Petition was also sent to Kane County staff, Rutland Township Supervisor and Highway Commissioner, the City of Elgin, the Village of Gilberts, KDOT, School District 300, and the Rutland-Dundee Fire Protection District.



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REVIEW & ANALYSIS

ZONING

The subject property is currently zoned F-Farming District and is bordered to the north by I-90, the Freeman Kame-Meager Forest Preserve, and the Village of Gilberts, and to the east, south, and west by F- Farming District. There have been no other zoning actions granted on the subject property in the past.

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 subject property is designated as Commerce/Employment in the Kane County 2040 Land Use Plan. This category encompasses a mix of non-residential land uses including office, industrial, and warehousing. 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.

MUNICIPAL PLANNING BOUNDARIES

The City of Elgin had no comment on this application because the subject property is within the Village of Gilberts jurisdictional area established by the Elgin-Gilberts intergovernmental agreement regarding jurisdictional boundaries.

The Village Gilberts has requested that any development be consistent with regional comprehensive planning efforts and notes that the Village has secured boundary agreements with its neighbors and in 2023 adopted an updated Comprehensive Plan to guide the orderly development of land and roads within the Village's future planning area. The specific land use identified in that area is primarily single-family detached residential.

WATER RESOURCES

The Water Resources department has reviewed the Zoning Petition and provided the following comments: These parcels contain Floodplain, both Zone A (unstudied floodplain) and Zone AE with Floodway. Solar Panels are not permitted in Floodway. The proposed plan avoids the Zone A floodplain to the North of Route 72 and the Floodway on the southern portion of the site. It appears Wetlands have also been avoided.



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They also recommend the following twelve (12) 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 Flood Protected to 2 feet above the Base Flood Elevation. Field Survey to delineate 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 the 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) reviewed this Petition. Per their comments, Illinois Route 72/Big Timber Road is under the jurisdiction of the Illinois Department of Transportation (IDOT). As such, the Petitioner shall obtain a temporary and final access permit from IDOT.

ENVIRONMENTAL HEALTH

The Kane County Health Department provided no comments.

FIRE PROTECTION DISTRICT

The Rutland-Dundee Fire Protection District has reviewed the Petition and provided the following comments: Higgins Road access shall be increased from sixteen (16) feet to twenty (20) feet in width.



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ADDITIONAL REPORTS & ANALYSIS

- Results and recommendations from the Illinois Department of Natural Resources (IDNR) obtained through the **Ecological Compliance Assessment Tool (EcoCAT)** – *The IDNR 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. All night lighting should follow IDA guidance.*
- Resource Preservation Review from the **Illinois State Historic Preservation Office (SHPO)** – *Determined that no significant historic, architectural, or archaeological resources will be affected within the proposed project area.*
- **Natural Resources Inventory (NRI) Report** from the Kane-DuPage Soil & Water Conservation District (SWCD) – *The LE value for this site is 32 and the SA value is 30 for a total LESA score of 62. This score represents Low Protection effort warranted.*
- Results of any **United States Fish and Wildlife Service's** Information for Planning and Consulting environmental review – received report.

Report from Consultant "Area M" – *The USFWS, IDNR, and Area M have largely determined the Project will have "No Effect" on most species, with tailored mitigation like avoiding key nesting or breeding seasons where slight risks remain. The natural heritage dataset includes records of six Sensitive Resources within the Project vicinity. However, Area M has determined that the Project, as communicated, May Affect, not likely to adversely affect or have No Effect on these species due to the absence of habitat, a lack of impacts, or a lack of official observations within the Project vicinity. However, migratory bird species are present within the Project vicinity and will be nesting on the landscape from April - September.*

The Illinois Natural Heritage Database contains records of one State-listed T&E species, and no dedicated Illinois Natural Preserves, or registered Land and Water reserves within the vicinity of the Project. Blanding's turtles have been document occurring in the vicinity of the project, however, due to a lack of impacts to this species, IDNR has terminated consultation for this Project with the following additional recommendations: establishing pollinator-friendly habitat wherever feasible, fencing should have a 6-inch gap along the bottom to prevent wildlife movement restriction and tree clearing should occur between November 1 and March 31. Additionally, Area M recommends, when feasible, conducting construction work outside of bird nesting season to mitigate for potential Take of species protected under the MBTA.

- Documentation demonstrating avoidance of protected lands as identified by IDNR and the Illinois **Nature Preserve Commission (INPC)** – *No State Dedicated Nature Preserves identified in the vicinity of the proposed solar facility.*
- Executed **Agricultural Impact Mitigation Agreement (AIMA)** with the Illinois Department of Agriculture was received with the Petitioner's application.
- **Natural Resources Impact Report from Consultant "Area M"**

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



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RECOMMENDED STIPULATIONS

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

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. Field Survey to delineate 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 the 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.
13. Vegetative screening consistent with the Kane County Zoning Ordinance shall be provided and shall include at minimum a continuous line of evergreen trees along the northern perimeter of the facility with a minimum planting height of 5 feet and a maximum separation distance of 15 feet on center.
14. 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.
15. All required access permits shall be obtained from the Illinois Department of Transportation (IDOT).
16. Higgins Road access shall be increased from sixteen (16) feet to twenty (20) feet in width.



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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.

NEXT STEPS

Petition 4668 will be considered by the **Development Committee** at its upcoming meeting currently scheduled for **10:30 a.m., Tuesday, October 21, 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 4668 will be considered by the **Kane County Board** at its upcoming meeting currently set for **9:45 a.m., Monday, November 10, 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.

ATTACHMENTS

- Exhibit A - Zoning Petition No. 4668 Submittal Documents



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"Exhibit A" Zoning Petition No. 4668 Submittal Documents

[4668_01_Kane County Zoning Application Signed \(Rcvd. 09-04-2025\).pdf](#)

[4668_02_Standards of a Special Use Worksheet \(08-22-2025\).pdf](#)

[4668_03_Project Narrative \(08-22-2025\).pdf](#)

[4668_04_Land Lease Recorded \(10-02-2024\).pdf](#)

[4668_05_ALTA Land Title Survey \(09-04-2025\).pdf](#)

[4668_06_Solar Equipment Manufacturer Specs Packet \(08-22-2025\).pdf](#)

[4668_07_Noise Impact Assessment \(07-30-2025\).pdf](#)

[4668_08-Decommissioning Plan \(08-01-2025\).pdf](#)

[4668_09-Decommissioning Bond DRAFT \(08-22-2025\).pdf](#)

[4668_13_Legal Description \(08-22-2025\).pdf](#)

[4668_14_List of Adjacent Properties within 250ft \(08-22-2025\).pdf](#)

[4668_15_Certification of Notification of Adjacent Property Owners \(08-22-2025\).pdf](#)

[4668_16_Copy of Neighbor Notice Letter \(08-22-2025\).pdf](#)

[4668_17_Geometric Site Plan \(08-11-2025\).pdf](#)

[4668_18A_Landscape Plan \(09-08-2025\).pdf](#)

[4668_18B_Vegetative Mangagement Plan \(August 2025\).pdf](#)

[4668_20_EcoCat & Area M Consultation \(August 2025\).pdf](#)

[4668_21_SHPO Review Letter & Consultant Report \(07-22-2025\).pdf](#)

[4668_22_NRI 25-060 Report \(08-14-2025\).pdf](#)

[4668_23_USFWS Letter \(09-05-2025\).pdf](#)

[4668_24_US Army Corps Request for Letter of No Permit Required \(08-16-2025\).pdf](#)

[4668_25_Executed AIMA \(05-28-2025\).pdf](#)

[4668_26_Protected Lands Map \(09-08-2025\).pdf](#)

[4668_27_IDOT Correspondence \(08-06-2025\).pdf](#)

[4668_28_Structural Engineer's Certificate \(08-21-2025\).pdf](#)

[4668_29_FEMA 100 Year Floodplain Map \(08-26-2025\).pdf](#)

[4668_30_Wetland Delineation Report \(August 2025\).pdf](#)

[4668_32_Preliminary Drain Tile Investigation \(08-20-2025\).pdf](#)

[4668_33_Preliminary Stormwater Management Report \(08-21-2025\).pdf](#)

[4668_34_Phase I ESA \(05-27-2025\).pdf](#)