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**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560

**AGENDA**

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**Wednesday, December 11, 2024 – 7:00 p.m.**

**CALL TO ORDER**

**ROLL CALL:** Bill Ashton (Chair), Eric Bernacki, Tom Casey, Dave Hamman, Karin McCarthy-Lange (Secretary), Keith Landovitz, Ruben Rodriguez (Vice-Chairman), Bob Stewart, Claire Wilson, and Seth Wormley

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**      Approval of Minutes from October 23, 2024, Meeting (Pages 3-16)

**PETITIONS**

1.      **Petition 24 – 30 – Nicholas S. Bellone on Behalf of Ament Solar 1, LLC (Tenant) and Janet M. Dhuse on Behalf of the Janet Dhuse Declaration of Family Trust Dated March 1, 2013 (Owner) (Pages 17-24)**  
Request:      Special Use Permit for a Commercial Solar Energy Facility and Variance to Section 36-282(17)(a) of the Kendall County Code to Allow a Commercial Solar Energy Facility on Land within One Point Five (1.5) Miles of Municipality without an Annexation Agreement  
PINs:      05-16-300-006 and 05-17-400-005  
Location:      South of 9949 and 10021 Ament Road, Yorkville in Kendall Township  
Purpose:      Petitioner Would Like to Install a Commercial Solar Energy Facility; Property is Zoned A-1
  
2.      **Petition 24 – 31 – Kendall County Zoning Administrator (Pages 25-28)**  
Request:      Text Amendments to Sections 36-282(20)(j), 36-282(32)(b), and 36-282(54) of the Kendall County Code by Increasing the Road Weight Limit Requirements from 73,280 Pounds to 80,000 Pounds in the Zoning Regulation Requirements for Composting Facilities, Landscaping Businesses, and Storage Facilities for Motor Vehicles, Boats, Trailers, and Recreational Vehicles  
Purpose:      Petitioner Would Like to Increase the Weight Requirement to Match State Law
  
3.      **Petition 24 – 32 – Kendall County Zoning Administrator (Pages 29-31)**  
Request:      Text Amendment to Section 36-1051(12) of the Kendall County Code by Transferring the Enforcement Authority of Window Sign Zoning Regulations from the County Sheriff or Designee to the Zoning Administrator or Designee  
Purpose:      Petitioner Would Like Consistent Regulatory Authority Throughout the Entire Zoning Portion of the Kendall County Code
  
4.      **Petition 24 – 33 – Kendall County Zoning Administrator (Pages 32-34)**  
Request:      Text Amendments to the Kendall County Code by Adding Parks to the Appropriate Place Alphabetically in the List of Permitted Uses in the R-4, R-5, R-6, and R-7 Zoning Districts and Related Text Changes  
Purpose:      Petitioner Would Like to Add Parks to the List of Permitted Uses in the R-4, R-5, R-6, and R-7 Zoning Districts

5. **Petition 24 – 34 – Kendall County Regional Planning Commission (Pages 35-40)**  
Request: Text Amendment to Section 36-247(7)(a) of the Kendall County Code by Reducing the Setback from Pipelines to Occupied Principal Structures  
Purpose: Petitioner Would Like to Reduce the Setback for Pipeline Greater Than 10 Inches in Diameter which Carry/Conduct Flammable or Hazardous Material from 500 Feet from Occupied Principal Structures to 25 Feet from Occupied Principal Structures
6. **Petition 24 – 35 – Kendall County Regional Planning Commission (Pages 41-43)**  
Request: Text Amendment to the Kendall County Code Amending the Parking Regulations in Front Yard Setbacks  
Purpose: Petitioner Would Like to Allow Parking in the Interior ½ of the Front Yard Setback on Properties Zoned A-1

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS:

1. Review of Invitation List for February 2025 Annual Meeting (Pages 44-45)
2. Discussion of Land Resource Management Plan Update

OLD BUSINESS:

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 24-26 Tremain Rezoning
2. Petition 24-28 Pasteris Special Use Permit Amendment on Johnson Road

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT      Next Regular Meeting January 22, 2025

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building  
Rooms 209 and 210  
111 W. Fox Street, Yorkville, Illinois*

**Unapproved - Meeting Minutes of October 23, 2024 - 7:00 p.m.**

Chairman Bill Ashton called the meeting to order at 7:01 p.m.

**ROLL CALL**

Members Present: Bill Ashton, Eric Bernacki, Tom Casey, Dave Hamman, Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Claire Wilson, and Seth Wormley

Members Absent: Bob Stewart

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

Others Present: Dan Kramer and Peter Pasteris

**APPROVAL OF AGENDA**

Member Rodriguez made a motion, seconded by Member Landovitz, to approve the agenda. With a voice vote of nine (9) ayes, the motion carried.

**APPROVAL OF MINUTES**

Member McCarthy-Lange made a motion, seconded by Member Landovitz, to approve the minutes of the September 25, 2024, meeting with a correction reflection that Members McCarthy-Lange and Stewart were absent for the vote on Petition 24-22. With a voice vote of nine (9) ayes, the motion carried.

**PETITIONS**

**Petition 24-26 Timothy A. Tremain**

Mr. Asselmeier summarized the request.

The Petitioners would like a map amendment rezoning approximately three point six more or less (3.6 +/-) acres located on north side of River Road between 11327 and 11209 River Road from R-1 One Family Residential District to R-3 One Family Residential District in order to build two (2) houses at the property.

The property was rezoned in 2007 by Ordinance 2007-03 and is Lot 1 of the Glen Nelson Subdivision.

The property is less than ten (10) acres in size as is eligible for rezoning under Section 8:07.H of the Kendall County Zoning Ordinance.

As of the date of this meeting, the Petitioner has not indicated if they will be dividing the land through a Plat Act Exemption or if they will be pursuing a re-subdivision of the property.

The application materials and zoning plat were provided.

The property is approximately three point six (3.6) acres in size.

The County's Future Land Use Map calls for the property to be Rural Residential. The United City of Yorkville's Future Land Use Map calls for the property to be Estate/Conservation Residential.

River Road is a Township maintained Minor Collector.

The zoning plat shows a fifteen foot (15') trail easement along the southern portion of the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural, Wooded, Single-Family Residential, and a Private Road.

The adjacent properties are zoned A-1, R-1, and R-3.

The County's Future Land Use Map calls for the area to Rural Residential. The United City of Yorkville's Future Land Use Map calls for the area to be Estate/Conservation Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-3 in the County and Residential inside Yorkville south of the Fox River.

The A-1 special use permits to the east is for a campground (PNA Camp).

EcoCAT Report submitted and consultation was terminated; there were protected resources in the area, but adverse impacts were unlikely.

The application for NRI was submitted on August 20, 2024. The LESA Score was 141 indicating a low level of protection. The NRI was provided.

Petition information was sent to Bristol Township on August 23, 2024. Bristol Township had no concerns regarding the proposal. A letter from Bristol Township was provided.

Petition information was sent to the United City of Yorkville on August 23, 2024. The Yorkville Planning and Zoning Commission reviewed the proposal at their meeting on October 9, 2024, and recommended favorably of the proposal. An email to that effect was provided. The proposal went to the Yorkville City Council on October 22, 2024, and the Yorkville City Council issued a positive recommendation.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 23, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on September 3, 2024. The Petitioner's Attorney provided a history of the subdivision and the Petitioner's plan to build houses on the subject property. Any new houses would use the existing private road to access River Road; there would be no new cuts on River Road. Discussion occurred regarding the Estate/Conservation Residential classification in Yorkville's plan; this designation was placed on properties where Yorkville had not conducted a large amount of analysis of future land uses. Discussion also occurred regarding the trail easement. The earliest the Petitioner would construct houses would be 2025. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

The Petitioner would like to rezone the property in order to build a maximum of two (2) houses on the property.

The site is currently vacant. Any future buildings would have to meet applicable building codes.

No utility information was provided.

The property fronts Glen Nelson Drive, which is a private road. The zoning plat noted that the property cannot access River Road.

Any parking would be for residential purposes.

Based on the proposed uses, no new odors were foreseen.

Lighting would be for residential purposes and would have to follow applicable ordinances.

Landscaping would be for residential uses.

Signage would be for residential purposes and would have to meet applicable regulations.

The owners of the property would have to follow applicable noise control regulations based on residential uses.

Stormwater control would be evaluated as part of the building permit.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes and single-family residential purposes.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-1, and R-3. In particular, the properties immediate south of the subject property are zoned R-3.

The suitability of the property in question for the uses permitted under the existing zoning classification. One (1) single-family home could be built on the subject property under the present R-1 zoning classification. If a property owner wanted to construct additional homes, a map amendment to a zoning district that allows for small lots, such as the R-3 zoning classification, would be needed.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Rural Residential on the Future Land Use Map and the R-3 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

Member Rodriguez asked about driveway access to the property. Mr. Asselmeier responded that the properties would connect their driveways to Glen Nelson Drive; the properties would not have direct access to River Road for their driveways.

Discussion occurred regarding ownership of Glen Nelson Drive. Dan Kramer, Attorney for the Petitioner, explained that the lot owners share responsibilities related to Glen Nelson Drive.

Mr. Kramer explained that the Petitioner has not yet designed their house.

Mr. Kramer said prospective buyers want smaller lots because of less lawn maintenance.

Member Wilson made a motion, seconded by Member McCarthy-Lange, to recommend approval of the requested map amendment.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Casey, Hamman, Landovitz, McCarthy-Lange, Rodriguez, Wilson, and Wormley

Nays (0): None

Absent (1): Stewart

Abstain (0): None

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on October 28, 2024.

**Petition 24-28 Peter J. and Laurie Jo Pasteris on Behalf of the Peter J. Pasteris, Jr. Revocable Declaration of Living Trust**

Mr. Asselmeier summarized the request.

On April 21, 2015, the County Board approved Ordinance 2015-06, granting a special use permit for a banquet facility at 1998 Johnson Road. The special use permit contained the following conditions and restrictions:

1. The facility was to be operated by a description and site plan attached to the ordinance.
2. The principal use of the property is for residential purposes and/or farming.
3. A maximum of two hundred (200) persons at any one time (with a 10% tolerance).
4. All events must be catered unless approved by the Health Department.
5. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing required permits associated with any proposed remodeling, alteration, construction or expansion of existing and structures on the premises.
6. Retail sales are permitted as long as the retail sales will be ancillary to the main operations.
7. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty (60) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

**EXEMPTION:** Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is

exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

8. Porta Johns (and other temporary bathroom facilities need to be removed within 2 business days after each event.
9. Events can run from May 1<sup>st</sup> through November 15<sup>th</sup> and the temporary tent can be erect from May 1<sup>st</sup> through November 15<sup>th</sup>.
10. Entities having jurisdiction may inspect the property annually including, but not limited to the Planning, Building and Zoning Department, Health Department, Sheriff's Office, and Fire Protection District in order to ensure the conditions of the special use permit are still being met and the permit is still applicable for the operation.

A copy of Ordinance 2015-06 was provided.

In 2019, a minor amendment to the special use permit was approved allowing the bathroom trailer and tent to be set up starting April 15<sup>th</sup>. Minor amendments were also approved in 2020, 2021, and 2022 allowing the bathroom trailer and tent to be set up from April 8<sup>th</sup> to November 30<sup>th</sup> for the next operating season.

The Petitioners submitted the following amendments to the special use permit which were revised at the October 9, 2024, ZPAC meeting:

1. Increase the capacity of people to three hundred (300) with a ten percent (10%) tolerance for a maximum capacity of three hundred thirty (330) people. The wait staff would not be included in these numbers (Amended at ZPAC).
2. Replace the existing tent with a permanent building that is approximately one hundred twenty-eight feet by sixty-four feet (128' X 64') in substantially the location shown on the site plan.
3. Install permanent restrooms in the facility with a septic permit from the Kendall County Health Department replacing the mobile trailer restroom.
4. Have events year-round.
5. Add the property identified by parcel identification number 06-10-200-001 to the special use permit.
6. Add the ability to add a business sign.

To date, the renderings of the building have not been finalized, but the maximum height of the building at its tallest point will be approximately thirty-five feet (35') with taller spires. No maximum height restriction is proposed for the special use permit.

No other changes to the site or business operations were proposed.

The application materials and proposed site plan were provided.

The lot size will be approximately fourteen (14) acres following the addition of the parcel to the west of the original special use permit.

The Future Land Use Map calls for this property to be Suburban Residential. Plainfield's Future Land Use Map calls for this property to be Countryside Residential.

Johnson Road is a Township Road classified as a Minor Collector.

Plainfield has a trail planned along Johnson Road.

There were no floodplains or wetlands on the property.

The adjacent land uses are Single-Family Residential and Agricultural.

The adjacent properties are zoned A-1 and R-2.

The County's Future Land Use Map calls for the area to be Suburban Residential and Rural Residential. Plainfield Future Land Use Map calls for the area to be Countryside Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-2 in the County and R-1 PUD and Industrial inside Plainfield.

The A-1 SU to the west is for a seasonal festival.

EcoCat submitted on September 13, 2024, and consultation was terminated.

The NRI application was submitted as on September 16, 2024. To date, the NRI was not completed, but the preliminary LESA Score was 190 indicating a low level of protection.

Na-Au-Say Township was emailed information on September 23, 2024. The Na-Au-Say Township Board reviewed this proposal at their meeting on October 21, 2024, and Mr. Asselmeier read an email from Na-Au-Say Township Supervisor Brad Blocker stating that the Township had some questions about the proposal, but the Township Board approved a favorable recommendation.

The Plainfield Fire Protection District was emailed information on September 23, 2024. Prior to application submittal, the Plainfield Fire Protection District submitted an email outlining the District's sprinkler and alarm requirements. This email was provided.

The Village of Plainfield was emailed information on September 23, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on October 9, 2024. Discussion occurred regarding maximum building height; no restriction would be placed in the special use permit regarding building height. Discussion also occurred regarding the location of the septic system; it would be away from the horse pasture. Discussion occurred regarding a movable sign; the Petitioners agreed to supply information about the sign and that information would be included in the special use permit. To date, no information has been submitted regarding the sign. The wait staff would not be included in the capacity count. ZPAC recommended approval of the proposal with the conditions proposed by Staff, adding the ten percent (10%) tolerance to the capacity, and excluding wait staff from the capacity count by a vote of seven (7) in favor, zero (0) in opposition, and three (3) members absent. The minutes of the meeting were provided.

The proposed Findings of Fact were as follows:



That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The original special use permit was established in 2015. The only complaints that were submitted since the establishment of the special use permit were noise related complaints and those complaints were addressed. The proposal still requires buildings to obtain applicable permits and the site may be subject to periodic inspections to confirm compliance with the special use permit. A Health Department approved septic system to replace temporary restroom facilities is proposed and the septic system would be better for public health than the temporary trailers.

That the special use will not be substantially 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. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed amendments should not impact neighboring property owners. Restrictions are already in place regarding noise and public safety.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. No changes to the already approved ingress/egress or drainage are proposed. Utilities, other than the installation of a septic system approved by the County, shall remain unchanged.

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 recommendation of the Zoning Board of Appeals. This is true.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 10-21 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.”

Staff recommended approval of the requested amendments to the existing special use permit for a banquet facility subject to the following conditions and restrictions:

1. The Description and Site Plan attached to Ordinance 2015-06 are amended to incorporate the site plan attached hereto as Exhibit A. Further, if a conflict exists between the Description and Site Plan attached to Ordinance 2015-06 and the site plan attached hereto as Exhibit A, the site plan attached hereto as Exhibit A shall take precedent.
2. Condition 2 of Ordinance 2015-06 is hereby repealed in its entirety and is replaced with the following:  
“A maximum of three hundred (300) persons with a ten percent (10%) tolerance at any one (1) time. Wait staff shall not be included in the capacity count.” **(Amended at ZPAC)**
3. Condition 7 of Ordinance 2015-06 is hereby repealed in its entirety.
4. Condition 8 of Ordinance 2015-06 is hereby repealed in its entirety and is replaced with the following:  
“Events may be held year-round.”

5. No signs are shown on the site plan. The owner of the business allowed by the special use permit may request a sign in the future using the minor amendment process, provided that the proposed sign meets the requirements of the Kendall County Zoning Ordinance.
6. The remaining conditions and restrictions contained in Ordinance 2015-06 shall remain valid and effective.
7. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
8. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
9. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

Dan Kramer, Attorney for the Petitioner, explained the history of the farm and business. The Petitioner rarely has requests for events with over three hundred (300) attendees. The Petitioner also wants to be able to have events year-round. The majority of events are Friday and Saturday nights, with occasional Sunday events. Disc jockeys have to plug into the Petitioner's sound system; this procedure is done to control noise. Many customers will get buses or carpool to the subject property for events which reduces the amount of traffic on nearby roads. Mr. Kramer also discussed Na-Au-Say Township being a dry township.

Member Wilson said the proposed building would curtail noise.

Member Wilson asked about the sprinkling requirements. Mr. Kramer said yes and explained the process related to fire suppression.

Member Wilson also favored having real bathrooms at the property. Discussion occurred regarding the bathroom trailers.

Member Hamman said that he attended an event at the property. He felt the venue was well run.

Mr. Kramer explained the steeples proposed for the building. Mr. Pasteris explained the design of the proposed barn, based on a barn from Lexington, Kentucky. The building will be steel with a concrete foundation with shiplap wood inside to absorb sound.

Mr. Kramer and Mr. Pasteris explained the proposed sign and the location of the proposed sign. The sign will be in the hay field setback from the road.

Member Landovitz requested clarification regarding noise complaints. Mr. Kramer said that one (1) individual was opposed to the special use permit and called in a couple noise complaints that were unfounded. This individual has moved. Mr. Pasteris said that disc jockeys have to plug into his sound system and drives around in golf cart with a decimeter to check for noise levels.

Member Landovitz asked about hours of operation. Mr. Pasteris said access to the property starts at 8:00 a.m. Events start at 4:00 p.m., except on Fridays when they start at 5:00 p.m. No song starts after 11:00 p.m. and guests are typically gone by 11:30 p.m. On Sundays, events are finished by 10:00 p.m.

Member Landovitz asked about parking given the request for an increase in capacity. Mr. Pasteris explained the parking situation and expressed no concerns regarding the existing parking area to handle the increase in numbers of attendees at events.

Member Landovitz asked about the septic system. Mr. Kramer explained the septic permit process and the location of the septic field. Mr. Pasteris explained the location of the septic tank and the firm that will do the work.

Member Wilson asked what the backup plan was if the Health Department does not grant a capacity of three hundred (300) with the septic system. Mr. Pasteris said the building was designed for more than three hundred (300) people. He did not foresee any problems related to the well, septic system, and water tank for fire suppression. The property does not have a full kitchen. Member Wormley noted that a commercial sized well would be necessary if events reached a certain threshold of attendees. The proposed special use permit amendment allows the Petitioner to have larger events, but the well and septic system will ultimately dictate how many people can be on the property.

Mr. Kramer explained the qualifications of local caterers.

Member Wilson made a motion, seconded by Member Bernacki, to recommend approval of the major amendment to the special use permit with the conditions proposed by Staff.

The votes were as follows:

Ayes (9): Ashton, Bernacki, Casey, Hamman, Landovitz, McCarthy-Lange, Rodriguez, Wilson, and Wormley  
Nays (0): None  
Absent (1): Stewart  
Abstain (0): None

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on October 28, 2024.

Discussion occurred regarding making townships wet. Chairman Ashton explained how Lisbon and Seward Townships became wet. Discussion occurred regarding cannabis regulations.

#### **CITIZENS TO BE HEARD/PUBLIC COMMENT**

None

#### **NEW BUSINESS**

None

#### **OLD BUSINESS**

#### **Discussion of Amendments to the Kendall County Zoning Ordinance Pertaining to Obstructions and Parking in Required Setbacks; Commission Could Initiate Text Amendments**

Mr. Asselmeier summarized the issues.

At their meeting on September 25, 2024, the consensus of the Kendall County Regional Planning Commission was to allow parking in the interior seventy-five feet (75'), if there was no ROW dedication, and the interior fifty feet (50'), if the ROW was dedicated, whichever was greater on properties zoned A-1.

Staff was unsure if the Commission wanted to change the parking requirements on any of the B or M zoned properties.

Member Landovitz asked about the different setbacks in the B Districts. Mr. Asselmeier explained the uses in the B Districts.

In the B districts, Petitioners could pursue variances.

Scenic routes would not be a consideration for parking setbacks.

The consensus of the Commission was that the amendment apply to A-1 zoned properties only.

The proposal goes to ZPAC on November 5, 2024.

### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier reported that Petition 24-14 was rejected by the County Board. Petitions 24-21 and 24-22 were approved by the County Board.

Member Wilson asked what the votes were for Petition 24-14. Mr. Asselmeier responded that two (2) votes occurred. The first vote was to table the proposal with three (3) County Board Members (Flowers, Koukol, and Shanley) voting for the proposal. The second vote was to approve the proposal and two (2) County Board Members (Flowers and Shanley) voted for the proposal. One (1) County Board Member was absent.

Member Wormley discussed the process of advancing the proposal to the County Board. He noted poor communication with the Petitioner. He discussed the vote at the Regional Planning Commission. He encouraged Commissioners to go on record when they cast votes if a Commissioner has concerns. Member Wormley favored working with Seward Township instead of voting down the proposal.

Member Bernacki discussed the history of the project and the pre-approval the township level.

It was noted that funding for updating the Land Resource Management Plan was approved in upcoming budgets, which had not occurred when the proposal started the adoption process.

Member Wilson discussed lack of transparency at Seward Township. She favored having Commissioners offer reasons for having negative votes and positive votes as well.

Member Rodriguez noted that the Mayor of Shorewood attended and spoke at the County Board meeting regarding the Seward Township proposal. Member Wormley noted the developments in Shorewood's area and the confusion that would be created if the County did an update that was different than the approved plan in the near future. All concerns, including protecting the watershed, need to be discussed during the review process.

Member Wilson discussed Seward Township's finances. Seward Township has accumulated a lot of money. She favored having townships submit a full disclosure of their finances when they come to the County asking for money.

Chairman Ashton discussed the finances of the Multi-Township Assessment District and lack of assistance to Lisbon Township to purchase furniture for the Multi-Township's use.

### **OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that the application deadline for the December meeting is in the middle of November. Presently, there is a request for a special use permit for a commercial solar facility on Ament Road, text KCRPC Meeting Minutes 10.23.24

amendments related to road weight limits, window sign enforcement regulations, add parks to the list of permitted uses in the R-4, R-5, R-6, and R-7 zoning districts, changing the setback of pipelines from house, and the parking setback for A-1 zoned properties.

### **ADJOURNMENT**

Member Wilson made a motion, seconded by Member Hamman, to adjourn. With a voice vote of nine (9) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:27 p.m.

Respectfully submitted by,  
Matthew H. Asselmeier, AICP, CFM, Director

Enc.



**KENDALL COUNTY  
REGIONAL PLANNING COMMISSION  
OCTOBER 23, 2024**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE  
MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR  
ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Kram		

## Matt Asselmeier

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**From:** Krysti Barksdale-Noble <[knoble@yorkville.il.us](mailto:knoble@yorkville.il.us)>  
**Sent:** Tuesday, October 22, 2024 8:22 PM  
**To:** Matt Asselmeier  
**Cc:** Sara Mendez  
**Subject:** RE: [External]RE: Kendall County Petition 24-27

Matt,

Positive recommendation for both Petitions 24-26 and 24-27 from the City Council.

Best Regards,

***Krysti J. Barksdale-Noble, AICP***

*(she/her)*

Community Development Director

United City of Yorkville

651 Prairie Pointe Drive

Yorkville, Illinois 60560

📞(630) 553-8573

💡(630) 742-7808

🌐 [www.yorkville.il.us](http://www.yorkville.il.us)

**From:** Matt Asselmeier <[masselmeier@kendallcountyil.gov](mailto:masselmeier@kendallcountyil.gov)>  
**Sent:** Thursday, October 10, 2024 8:34 AM  
**To:** Krysti Barksdale-Noble <[knoble@yorkville.il.us](mailto:knoble@yorkville.il.us)>  
**Cc:** Sara Mendez <[smendez@yorkville.il.us](mailto:smendez@yorkville.il.us)>  
**Subject:** RE: [External]RE: Kendall County Petition 24-27

Thanks,

Matthew H. Asselmeier, AICP, CFM  
Director  
Kendall County Planning, Building & Zoning  
111 West Fox Street  
Yorkville, IL 60560-1498  
PH: 630-553-4139  
Fax: 630-553-4179

**From:** Krysti Barksdale-Noble <[knoble@yorkville.il.us](mailto:knoble@yorkville.il.us)>  
**Sent:** Thursday, October 10, 2024 8:28 AM  
**To:** Matt Asselmeier <[masselmeier@kendallcountyil.gov](mailto:masselmeier@kendallcountyil.gov)>  
**Cc:** Sara Mendez <[smendez@yorkville.il.us](mailto:smendez@yorkville.il.us)>  
**Subject:** [External]RE: Kendall County Petition 24-27

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CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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**From:** Na-Au-Say Township <naausaysupervisor@gmail.com>

**Sent:** Tuesday, October 22, 2024 10:11 AM

**To:** Brad Blocker <bblocker@currancontracting.com>

**Cc:** Real estate <[REDACTED]>; r\_wheeler03@hotmail.com; naausayroad@hughes.net; Daniel J. Kramer <[REDACTED]>

**Subject:** Re: Pasteris Special Use Amendment

Matt,

The Township met on this Petition at our meeting last night. There was some questions and after discussions there was a motion to give a favorable recommendation for amendment to the special use. Vote was taken and motion passed.

Please feel free to contact me if any questions.

On Mon, Oct 7, 2024 at 3:21 PM Brad Blocker <bblocker@currancontracting.com> wrote:





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**MEMORANDUM**

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To: Kendall County Regional Planning Commission

From: Matthew H. Asselmeier, AICP, CFM, Director

Date: December 4, 2024

Re: Proposed Commercial Solar Energy Facility South of 9949 and 10021 Ament Road  
(PINs: 05-16-300-006 and 05-17-400-005), Yorkville in Kendall Township (Petition 24-30)

In October 2024, the County received an application for a special use permit and variance to allow a commercial solar energy facility on the subject property.

When Kendall Township reviewed the proposal in November, the Kendall Township Board had the following concerns:

1. "That it appears specifically and in writing that any fiduciary instrument (i.e. Bond) be attached to the Title and or abstract of the Subject Property presently identified as *AMENT ROAD SOLAR FARM*. In so much as that responsibility will pass to any and all owners until the end of the deconstruction phase of the project.
2. That the concerns expressed above regarding the subsoil drainage issues be specifically addressed in any SUP, and failure to do so will result in a violation of the terms of the agreement and a monetary penalty will be applied.
3. That the concerns regarding the noxious weeds shall be specifically spelled out in the SUP and future agreements."

In an effort to work with Kendall Township, the Petitioner submitted a request for a continuance to the January 2025 Kendall County Regional Planning Commission meeting and the January 2025 Kendall County Zoning Board of Appeals hearing. The Petitioner's cover email and cover letter, not including attachments, are attached to this memo.

The next Kendall Township Planning Commission meeting is December 16, 2024, and the next Kendall Township Board meeting is December 17, 2024.

The complete record of this Petition can be found on the County's website at <https://www.kendallcountyil.gov/home/showpublisheddocument/31510/638665763806870000>.

If you have any questions regarding this memo, please let me know.

MHA

Enc.: December 3, 2024, Email and Letter from Nicholas Bellone and Tom Ryan (Cover Letter and Email Only)

## Matt Asselmeier

---

**From:** Nicholas Bellone <nbellone@newleafenergy.com>  
**Sent:** Tuesday, December 3, 2024 2:38 PM  
**To:** Steve Grebner  
**Cc:** Matt Asselmeier; Tom Ryan; Steve Gengler; Cathy Scalise; Doug Westphal; jakecoopfarms@gmail.com; Don Hirsch; Carolyn Pottinger; Timothy Karales; Doug Thanepohn; bjandersonfarms [REDACTED]; mikehomerding@ [REDACTED]; mbsweeney919 [REDACTED] Nick Standiford  
**Subject:** [External]Re: Position of Kendall Township on the proposed Ament Road Solar Farm 1 LLC Special Use Permit Request 24-30  
**Attachments:** NLE Response Letter to Kendall Twp\_241203.pdf

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CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Good Afternoon,

In response to the email sent by the Kendall Township Board, New Leaf has put together the attached memo to help address the concerns. We are happy to be put on the next township agenda for December 16th and 17th to go over these concerns and our solutions. In the meantime feel free to reach out with any additional questions or comments.

It is important to us that the Township's concerns are addressed prior to attending the hearings at the county level. With that said, we would like to request a continuance on our Kendall County hearing dates (RPC: Dec. 11th & ZBA: Dec. 16th) to the following month (RPC: Jan. 22nd & ZBA : Jan. 27th) in hopes that these have been resolved.

Thank you,  
Nick



**Nicholas Bellone**

Civil Project Engineer I

[nbellone@newleafenergy.com](mailto:nbellone@newleafenergy.com) Cell: 401.644.6824

On Fri, Nov 22, 2024 at 2:01 PM Steve Grebner <[sgrebner@kendalltpw.com](mailto:sgrebner@kendalltpw.com)> wrote:

ATTN: Kendall County Zoning Board et. al

Please note that on Monday November 18th the Kendall Township Planning Commission entertained New Leaf Energy Representatives to present the *AMENT ROAD SOLAR FARM 1 LLC* Project. While the

## Ament Solar 1, LLC (Kendall County Petition 24-30)

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December 3, 2024

### **VIA EMAIL**

Kendall Township  
c/o Steve Grebner, Clerk  
sgrebner@kendalltwp.com

### **RE: Ament Solar 1, LLC's Response to Kendall Township**

Dear Members of the Kendall Township Board,

New Leaf Energy / Ament Solar 1, LLC (the Applicant) is in receipt of the Township's emailed plan review comments from November 22, 2024. In its correspondence, the Township listed three (3) proposed conditions that the Township's Planning Commission recommended after New Leaf representatives presented about the proposed 5-megawatt commercial solar energy facility to be located on Ament Road (Kendall County Petition 24-30). The Township's correspondence also included certain questions, issues, and requests from the Township Board. In the Township's correspondence, it requested that the County table any decision on Petition 24-30 until the Township's comments are resolved.

In the hopes of receiving a positive recommendation from the Township, the Applicant hereby requests that the County continue its upcoming public hearings to January 22, 2025 (for the Regional Planning Commission) and January 27, 2025 (for the County's Zoning Board of Appeals). As for the Township Planning Commission's proposed conditions and the Township Board's questions, issues, and requests, the Applicant responds as follows:

### **Township Planning Commission's Proposed Conditions**

1. The entity will maintain and repair the subsurface drainage throughout the entirety of the lease to be repaired within the timeframe indicated in the special use permit (sup). The entity will commit to, as part of their maintenance schedule, perform a physical inspection of the property to include drain tile observation for damage and necessary repair. The surrounding property owners shall be provided a copy of the existing drain tile survey of subject property as well as any changes made as part of this project.

**The Applicant agrees to comply with Section 36-282(17)(o) of the Kendall County Zoning Ordinance, which requires the Applicant to repair or pay for repairs to damages to the drainage system within a reasonable time after construction. A**

copy of Kendall County's Solar and Wind Ordinance is enclosed herewith for the Township's reference. *See Zoning Ord., §36-282(17)(o)* ("[t]he facility owner shall repair or pay for the repair of all damage to the drainage system caused by the construction of the commercial solar energy system within a reasonable time after construction of the commercial solar energy facility is complete. The specific time shall be set in the special use permit.").

The Applicant will repair any damaged drain tiles in the project limits prior to commercial operation of the solar farm. The Applicant will also repair any damaged drain tile in the project limits that occurs after decommissioning. There is not anticipated to be any damaged drain tile while the project is operating, as there will be no site activities other than power generation and maintenance. However, the applicant agrees to repair any drain tile malfunctions that occur within the project limits during the project's operational lifespan. As for a drain tile study, the Applicant provided a preliminary drain tile study to the County. A copy is enclosed for the Township's reference. The Applicant agrees to provide a copy of the final drain tile study to the adjacent property owners after the study is completed. The Applicant also agrees to provide a copy of the final drain tile study to the Township.

2. We would request that there be a subsurface drainage repair bond to ensure there are sufficient funds available for any required repair of materials and labor at the time of agreement. All replacement tile shall equal to or greater than its current flow. **As set forth above, the Applicant agrees to comply with Section 36-282(17)(o) of the County's Zoning Ordinance, which requires that damaged drain tile be repaired within a reasonable time after the construction of the solar farm.**

**Additionally, County staff has recommended several conditions for the special use (the Conditions). A copy of the County's Staff Report for Petition 24-30 is enclosed herewith. The Applicant agrees to comply with the Conditions, including but not limited to Condition #10, which requires that all conditions and restrictions be followed or the special use permit could be amended or revoked. *See Staff Report, p. 8, Condition #10* ("Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.")**

3. The planning and zoning committee also recommends as part of the comprehensive MONITORING AND MANAGEMENT PLAN AMENT ROAD SOLAR FARM – KENDALL COUNTY (section 1-6) specific attention to the noxious weeds including but not limited to water hemp, and Giant Ragweed.

The Applicant agrees to comply with Section 36-282(17)(m) of the County's Zoning Ordinance, which requires the Applicant to install vegetative groundcover consistent with state law and IDNR guidelines. See Zoning Ord., §36-282(17)(m) ("A commercial solar energy facility owner shall plant, establish, and maintain for the life of the facility vegetative ground cover consistent with State law and the guidelines of the Illinois Department of Natural Resources' vegetative management plans. The vegetation management plan shall be required at the time of application submittal.")

The Applicant also agrees to comply with the County's proposed Condition #1, which requires that the site be developed in accordance with the submitted site plan and vegetative management plan. See County's Staff Report, p. 7, Condition #1. In this case, the Applicant's Management and Monitoring (M&M) plan (enclosed for the Township's reference) states that:

- "Mow[ing] (including weed whipping) the planted areas to a height of 8-12 inches, 3 times during the early growing season or as needed to control non-native and invasive annual species." See M&M Plan, p. 6.
- "As the planted areas mature... the plant communities will stabilize and be effectively managed through a reduced schedule of spot mowing, selective herbicide application, and hand pulling as necessary." See M&M Plan, p. 7.

To further satisfy the concerns of the Township in regards to the noxious weeds of water hemp and giant ragweed, the Applicant modified Section 2.4 of its Monitoring and Management Plan to state:

- "At the end of each growing season, none of the three most dominant species within the planted areas shall be non-native, invasive, or noxious weed species, including but not limited to: Giant and Common Ragweed (Ambrosia trifida & artemisiifolia), Wild Carrot (Daucus carota), Purple Loosestrife (Lythrum salicaria), Teasel (Dipsacus spp.), Reed Canary Grass (Phalaris arundinacea), Sweet Clover (Melilotus spp.), Common Buckthorn (Rhamnus cathartica), Kentucky Blue Grass (Poa pratensis), Thistle (Cirsium spp.), Honeysuckle (Lonicera sp.), Common Reed (Phragmites australis), Sandbar Willow (Salix interior), and Water Hemp (Amaranthus tuberculatus)." See M&M Plan, pp. 5-6.

The Applicant also agrees to comply with the County's proposed Condition #9, which requires all laws to be followed, including noxious weed laws. See County's Staff Report, p. 8, Condition #9 ("The property owner and operator of the use allowed by this special use permit shall follow all applicable Federal, State, and

**Local laws related to the operation of this type of use.” Noxious weed laws are currently in effect that would require the removal of water hemp and giant ragweed.**

**The Applicant also agrees to comply with the County’s proposed Condition #10, which conditions the special use permit on compliance with its terms and conditions. See County’s Staff Report, p. 8, Condition #10 (“Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.”).**

#### **Township Board’s Questions, Issues, and Requests**

4. The Township Board voiced concerns as to whether the Recommendations would apply to “ANY AND ALL future owners of the subject property.”

**The Applicant agrees to comply with the County’s proposed Condition #12, which treats the approval as a covenant running with the land and binding on successors, heirs and assigns. See County’s Staff Report, p. 10, Condition #12. (“This special use permit and variance shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.”)**

5. That it appears specifically and in writing that any fiduciary instrument (i.e. Bond) be attached to the Title and or abstract of the Subject Property presently identified as AMENT ROAD SOLAR FARM. In so much as that responsibility will pass to any and all owners until the end of the deconstruction phase of the project.

**The Applicant agrees to comply with Section 36-282(17)(g) of the County’s Zoning Ordinance, which requires the Applicant to comply with its decommissioning obligations under its Agricultural Impact Mitigation Agreement. See Zoning Ord., §36-282(17)(g) (“The County shall not require standards for construction, decommissioning, or deconstruction of a commercial solar energy system or related financial assurances to be more restrictive than agricultural impact mitigation agreement set in State law. The amount of any decommissioning payment shall be limited to the cost identified in the decommissioning or deconstruction plan, as required by the agricultural impact mitigation agreement, minus the salvage value of the project. A copy of the agricultural impact mitigation agreement shall be submitted with the application materials.”).**

**A copy of the AIMA that the Applicant submitted to the County is enclosed for the Township’s reference. As set forth in the AIMA, if the Applicant does not decommission the site, then the County may draw on the decommissioning**

bond, which is \$425,897.37. *See Decommissioning Estimate, p. 6; see also AIMA p. 12, §17(F)* ("Upon Abandonment, the County may take all appropriate actions for Deconstruction including drawing upon the Financial Assurance."). There would be no need to record the bond on the subject property, as it will be provided to the County.

6. That the concerns expressed above regarding the subsoil drainage issues be specifically addressed in any SUP, and failure to do so will result in a violation of the terms of the agreement and a monetary penalty will be applied.

**The Applicant agrees to comply with Section 36-282(17)(o) of the County's Zoning Ordinance, which requires the Applicant to repair or pay for repairs to damages to the drainage system within a reasonable time after construction.**

**The Applicant also agrees to comply with the County's proposed Condition #10, which conditions the special use permit on compliance with its terms and conditions. See County's Staff Report, p. 8, Condition #10.**

**The Applicant also agrees to comply with the County's proposed Condition #12, which treats the approval as a covenant running with the land and binding on successors, heirs and assigns. See County's Staff Report, p. 9, Condition #12. ("This special use permit and variance shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.").**

7. That the concerns regarding the noxious weeds shall be specifically spelled out in the SUP and future agreements.

**See Response to Item #3, above.**

8. It is therefore the position of the Kendall Township Board that no action to approve this Project should go forward until the local body of government in which the project resides has these questions answered to their satisfaction.

**The Applicant believes that the above responses satisfy the Township's questions, issues, and requests. The Applicant is available to answer questions at the Kendall Township Planning Commission meeting on December 16<sup>th</sup> and Board meeting on December 17<sup>th</sup>. Given that the Township Board will not have its recommendation for Petition 24-30 before the RPC or ZBA dates (on December 11<sup>th</sup> and December 16<sup>th</sup>, respectively), the Applicant agrees to continue the County's public hearings to January 22, 2025 (for the Regional Planning Commission) and January 27, 2025 (for the County's Zoning Board of Appeals).**

9. In addition there was a request to the NewLeaf Representatives for contact information for non participating property owners for other completed projects that is as of yet outstanding.

**The contact information of non-participating parcels surrounding previous New Leaf Energy projects is publicly available. New Leaf Energy can supply information pertaining to previous projects if needed. New Leaf representatives are available to answer questions about their projects at the upcoming meetings.**

10. The Next Kendall Township Planning Commission Meeting is presently scheduled for December 16th 2024 at 7:00 PM and the next full board meeting will be Tuesday December 17th at 7:30 PM.

**Thank you – a New Leaf representative will plan to attend and answer any questions in hopes of receiving a positive recommendation from the Township.**

Sincerely,

Tom Ryan

Senior Project Developer, New Leaf Energy

Cc: Matt Asselmeier, AICP, CFM - [masselmeier@kendallcountyil.gov](mailto:masselmeier@kendallcountyil.gov)

Encl. Kendall County Solar and Wind Ordinance  
Kendall County Staff Report  
Preliminary Drain Tile Study  
Management and Monitoring Plan  
Decommissioning Estimate  
Agricultural Impact Mitigation Agreement





## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

To: Kendall County Regional Planning Commission  
From: Matthew H. Asselmeier, AICP, CFM, Director  
Date: December 4, 2024  
Re: Proposed Text Amendment Regarding Road Weight Classification for Siting of Composting Facilities, Landscaping Businesses, and Storage Facilities for Motor Vehicles, Boats, Trailers, and Recreation Vehicles (Petition 24-31)

Effective January 1, 2010, the State of Illinois raised the weight limits on local roads from seventy-three thousand two hundred eighty (73,280) pounds to eighty thousand (80,000) pounds. Local road authorities could still post roads for lesser amounts, but unposted roads were raised to the higher weight limit.

The zoning regulations for composting facilities, landscaping businesses, and storage facilities for motor vehicles, boats, trailers, and recreational vehicles retained the old number.

Staff is proposing to raise the number to match State regulations. The redlined version of the amendments are as follows:

#### Section 36-282 (20) (j) (Regulation of Composting Facilities)

Truck weights shall be limited to ~~seventy-three thousand two hundred eighty (73,280)~~ **eighty thousand (80,000)** pounds.

#### Section 36-282 (32) (b) (Regulation of Landscaping Businesses)

The business shall be located on, and have direct access to, a State, County or collector highway as identified in the County's Land Resource Management Plan, having an all-weather surface, designed to accommodate loads of at least ~~seventy-three thousand two hundred eighty (73,280)~~ **eighty thousand (80,000)** pounds unless otherwise approved in writing by the agency having jurisdiction over said highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the special use.

#### Section 36-282 (54) (Regulation of Storage Facilities for Motor Vehicles, Boats, Trailers, and Recreational Vehicles)

Storage facilities for motor vehicles, boats, trailers, and other recreational vehicles, provided that the business shall be located on, and have direct access to, a State, County or collector highway as identified in the County's Land Resource Management Plan, having an all-weather surface, designed to accommodate loads of at least ~~seventy-three thousand two hundred eighty (73,280)~~ **eighty thousand (80,000)** pounds. Unless specifically permitted under a special use permit, all storage shall be in enclosed buildings. Self-storage or mini-warehouse facilities are specifically prohibited in the A-1 Agricultural District.

Petition information was sent to the Townships on October 25, 2024.

ZPAC reviewed the proposal at their meeting on November 5, 2024, and voted to forward the

proposal to the Kendall County Regional Planning Commission by a vote of seven (7) in favor and zero in opposition with three (3) members absent. The minutes of the meeting are provided.

If you have any questions regarding this memo, please let me know.

MHA

Encs.: November 5, 2024, ZPAC Meeting Minutes (This Petition Only)

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)**  
**November 5, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department  
Lauren Belville – Health Department  
David Guritz – Forest Preserve  
Brian Holdiman – PBZ Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Seth Wormley – PBZ Committee Chair

Absent:

Meagan Briganti – GIS Department  
Greg Chismark – WBK Engineering, LLC  
Fran Klaas – Highway Department

Audience:

James Kerrigan, Nicholas Bellone, and Nicholas Standiford

**PETITIONS**

**Petition 24-31 Kendall County Zoning Administrator**

Mr. Asselmeier summarized the request.

Effective January 1, 2010, the State of Illinois raised the weight limits on local roads from seventy-three thousand two hundred eighty (73,280) pounds to eighty thousand (80,000) pounds. Local road authorities could still post roads for lesser amounts, but unposted roads were raised to the higher weight limit.

The zoning regulations for composting facilities, landscaping businesses, and storage facilities for motor vehicles, boats, trailers, and recreational vehicles retained the old number.

Staff is proposing to raise the number to match State regulations. The redlined version of the amendments are as follows:

Section 36-282 (20) (j) (Regulation of Composting Facilities)

Truck weights shall be limited to ~~seventy-three thousand two hundred eighty (73,280)~~ **eighty thousand (80,000)** pounds.

Section 36-282 (32) (b) (Regulation of Landscaping Businesses)

The business shall be located on, and have direct access to, a State, County or collector highway as identified in the County's Land Resource Management Plan, having an all-weather surface, designed to accommodate loads of at least ~~seventy-three thousand two hundred eighty (73,280)~~ **eighty thousand (80,000)** pounds unless otherwise approved in writing by the agency having jurisdiction over said highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the special use.

Section 36-282 (54) (Regulation of Storage Facilities for Motor Vehicles, Boats, Trailers, and Recreational Vehicles)

Storage facilities for motor vehicles, boats, trailers, and other recreational vehicles, provided that the business shall be located on, and have direct access to, a State, County or collector highway as identified in the County's Land Resource Management Plan, having an all-weather surface, designed to accommodate loads of at least ~~seventy-three thousand two hundred eighty (73,280)~~ **eighty thousand (80,000)** pounds. Unless specifically permitted under a special use permit, all storage shall be in enclosed buildings. Self-storage or mini-warehouse facilities are specifically prohibited in the A-1 Agricultural District.

Petition information was sent to the Townships on October 25, 2024. No comments received.

ZPAC Meeting Minutes 11.05.24

Mr. Guritz made a motion, seconded by Commander Langston, to forward the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

Ayes (7): Asselmeier, Belville, Guritz, Holdiman, Langston, Olson, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (3): Briganti, Chismark, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on December 11, 2024.

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

Mr. Guritz made a motion, seconded by Commander Langston, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:31 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director

Enc.



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## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

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To: Kendall County Regional Planning Commission  
From: Matthew H. Asselmeier, AICP, CFM, Director  
Date: December 4, 2024  
Re: Proposed Text Amendment Related to Enforcement of Window Sign Regulations  
(Petition 24-32)

As part of the codification review process, the Sheriff Department requested that the enforcement regulations for window signs contained in Section 36-1051 (12) be amended.

The redlined version of the text is as follows:

Window signs. Window signs shall be affixed only to the interior surface of the glass and shall not be located on any windows above the first floor of the building. Such signs shall not exceed thirty-five (35) percent of the window surface area for each building face. Signs shall not be affixed in such a manner that a safety hazard to customers or staff of the establishment is created by the obstruction of vision. The **County Sheriff Zoning Administrator** or designee shall be empowered to require the removal or relocation of any such sign deemed to be a safety hazard.

To Staff's knowledge, the above section of the Zoning Ordinance portion of the Kendall County Code is the only section of the Zoning Ordinance portion of the Kendall County Code where enforcement was assigned to someone other than the Zoning Administrator or their designee.

Information was sent to the Townships on October 25, 2024.

ZPAC reviewed the proposal at their meeting on November 5, 2024, and voted to recommend approval of the proposal by a vote of seven (7) in favor and zero in opposition with three (3) members absent. The minutes of the meeting are provided.

If you have any questions regarding this memo, please let me know.

MHA

Encs.: November 5, 2024, ZPAC Meeting Minutes (This Petition Only)

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
November 5, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department  
Lauren Belville – Health Department  
David Guritz – Forest Preserve  
Brian Holdiman – PBZ Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Seth Wormley – PBZ Committee Chair

Absent:

Meagan Briganti – GIS Department  
Greg Chismark – WBK Engineering, LLC  
Fran Klaas – Highway Department

Audience:

James Kerrigan, Nicholas Bellone, and Nicholas Standiford

**PETITIONS**

**Petition 24-32 Kendall County Zoning Administrator**

Mr. Asselmeier summarized the request.

As part of the codification review process, the Sheriff Department requested that the enforcement regulations for window signs contained in Section 36-1051 (12) be amended.

The redlined version of the text is as follows:

Window signs. Window signs shall be affixed only to the interior surface of the glass and shall not be located on any windows above the first floor of the building. Such signs shall not exceed thirty-five (35) percent of the window surface area for each building face. Signs shall not be affixed in such a manner that a safety hazard to customers or staff of the establishment is created by the obstruction of vision. The ~~County Sheriff Zoning Administrator~~ or designee shall be empowered to require the removal or relocation of any such sign deemed to be a safety hazard.

To Staff's knowledge, the above section of the Zoning Ordinance portion of the Kendall County Code is the only section of the Zoning Ordinance portion of the Kendall County Code where enforcement was assigned to someone other than the Zoning Administrator or their designee.

Information was sent to the Townships on October 25, 2024. No comments received.

Mr. Guritz made a motion, seconded by Commander Langston, to recommend approval of the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

Ayes (7): Asselmeier, Belville, Guritz, Holdiman, Langston, Olson, and Wormley

Nays (0): None

Abstain (0): None

Absent (3): Briganti, Chismark, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on December 11, 2024.

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Mr. Guritz made a motion, seconded by Commander Langston, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:31 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director

Enc.



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**MEMORANDUM**

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To: Kendall County Regional Planning Commission  
From: Matthew H. Asselmeier, AICP, CFM, Director  
Date: December 4, 2024  
Re: Proposed Text Amendment Related to Parks in the R-4, R-5, R-6, and R-7 Districts  
(Petition 24-33)

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Parks are presently special uses in the A-1, M-1 and M-2 Districts and they are permitted uses in the R-1, R-2, R-3, and RPD Districts.

The Oswegoland Park District operates Winrock Park at 21 Winrock Road, SuzanJohn Park at 29 Hampton Road, and Augusta Lake Park at 116 Augusta Road. Winrock Park is zoned R-7 and the other two (2) parks are zoned R-6.

The above parks are presently legally non-conforming which could create regulatory issues if the Oswegoland Park District decided to make changes to the parks; Staff is not aware of any proposed changes at this time.

Staff proposes to add parks to the list of permitted uses in the R-4, R-5, R-6, and R-7 Districts by amending Section 36-535 adding parks in the appropriate place alphabetically to the list of permitted uses in these districts and related text changes.

No property can be rezoned to the R-4, R-5, R-6, or R-7 zoning districts.

Information was sent to the Townships and Park Districts on October 25, 2024.

ZPAC reviewed the proposal at their meeting on November 5, 2024, and voted to recommend approval of the proposal by a vote of seven (7) in favor and zero in opposition with three (3) members absent. The minutes of the meeting are provided.

If you have any questions regarding this memo, please let me know.

MHA

November 5, 2024, ZPAC Meeting Minutes (This Petition Only)



**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
November 5, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:01 a.m.

**Present:**

Matt Asselmeier – PBZ Department  
Lauren Belville – Health Department  
David Guritz – Forest Preserve  
Brian Holdiman – PBZ Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Seth Wormley – PBZ Committee Chair

**Absent:**

Meagan Briganti – GIS Department  
Greg Chismark – WBK Engineering, LLC  
Fran Klaas – Highway Department

**Audience:**

James Kerrigan, Nicholas Bellone, and Nicholas Standiford

**PETITIONS**

**Petition 24-33 Kendall County Zoning Administrator**

Mr. Asselmeier summarized the request.

Parks are presently special uses in the A-1, M-1 and M-2 Districts and they are permitted uses in the R-1, R-2, R-3, and RPD Districts.

The Oswegoland Park District operates Winrock Park at 21 Winrock Road, SuzanJohn Park at 29 Hampton Road, and Augusta Lake Park at 116 Augusta Road. Winrock Park is zoned R-7 and the other two (2) parks are zoned R-6.

The above parks are presently legally non-conforming which could create regulatory issues if the Oswegoland Park District decided to make changes to the parks; Staff is not aware of any proposed changes at this time.

Staff proposes to add parks to the list of permitted uses in the R-4, R-5, R-6, and R-7 Districts by amending Section 36-535 adding parks in the appropriate place alphabetically to the list of permitted uses in these districts and related text changes.

No property can be rezoned to the R-4, R-5, R-6, or R-7 zoning districts.

Information was sent to the Townships and Park Districts on October 25, 2024. No comments received.

Mr. Guritz made a motion, seconded by Commander Langston, to recommend approval of the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

Ayes (7): Asselmeier, Belville, Guritz, Holdiman, Langston, Olson, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (3): Briganti, Chismark, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on December 11, 2024.

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Mr. Guritz made a motion, seconded by Commander Langston, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:31 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director

Enc.



## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

To: Kendall County Regional Planning Commission  
From: Matthew H. Asselmeier, AICP, CFM, Director  
Date: December 4, 2024  
Re: Proposed Text Amendment Related to Setbacks of Pipelines from Occupied Principal Structures (Petition 24-34)

Section 36-247 (7) (a) of the Kendall County Code contains the following regulations regarding the setback of certain pipelines from Occupied Principal Structures:

“All pipelines greater than ten (10) inches in diameter which carry/conduct flammable or hazardous material shall be located a minimum of five hundred (500) feet from any occupied principal structure.”

In July 2024, the Kendall County Regional Planning Commission requested Staff to contact the municipalities and neighboring counties to ask what their regulations were pertaining to setback and the reason for their respective setback. A table with that information is attached.

Staff also contacted a representative from a pipeline company to see what the industry standard was for temporary construction easements. That email is attached.

At their meeting on September 25, 2024, the Kendall County Regional Planning Commission, by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent voted to initiate a text amendment to the Kendall County Zoning Ordinance reducing the setback from five hundred (500) feet to twenty-five feet (25).

The redlined version of the proposal is as follows:

“All pipelines greater than ten (10) inches in diameter which carry/conduct flammable or hazardous material shall be located a minimum of ~~five hundred (500)~~ **twenty-five (25)** feet from any occupied principal structure.”

The Commission’s reasons for the proposal were as follows:

1. The present five hundred (500) foot regulation negatively impacted a property owner’s ability to use their land by consuming too much land for setback purposes.
2. The present five hundred (500) foot regulation did not address public health and safety. The regulation of pipeline depth more adequate addresses public health and safety. Pipelines become a problem for public health and safety when they are disturbed and, if a pipeline is disturbed, five hundred (500) feet would not be an adequate setback to prevent property damage.

Information was sent to the Townships on October 25, 2024.

ZPAC reviewed the proposal at their meeting on November 5, 2024, and voted to forward the proposal to the Kendall County Regional Planning Commission by a vote of seven (7) in favor and zero in opposition with three (3) members absent with the suggestion that the setback be five feet

(5') as measured from the permanent easement line instead of being measured from the pipeline.  
The minutes of the meeting are provided.

If you have any questions regarding this memo, please let me know.

MHA

Encs.: Comparison Table

August 20, 2024, Email from Andrew Black

November 5, 2024, ZPAC Meeting Minutes (This Petition Only)

<b>Municipality</b>	<b>Distance</b>	<b>Reason</b>
Aurora	N/A	
Joliet	N/A	
Lisbon		
Millbrook		See Kendall County
Millington	N/A	
Minooka		
Montgomery	N/A	
Newark	N/A	
Oswego	N/A	Pipeline are in ROWs or easements and cannot build a home on easement.
Plainfield	N/A	
Plano	N/A	
Plattville		See Kendall County
Sandwich	N/A	
Shorewood	N/A	
Yorkville	50'	The pipeline industry has a recommended 50' setback for any building. This is measured from the end off of the easement in which the pipeline is placed. This only applies to "high Hazard" pipelines. The IEPA has issued a recommendation in some of their handout that 50' off the easement is recommended and no blasting or explosive excavation with in 325' of the easement. That is the standard we would use in Yorkville unless the Illinois Environmental Protection Agency were to provide use with a different standard.

<b>County</b>	<b>Distance</b>	<b>Reason</b>
DeKalb	N/A	Regulations repealed in 2009.
Kane	3'	The 3' rule is for any easement.
DuPage	N/A	
Will	N/A	
Grundy	500'	Unsure Why that Distance is Used
LaSalle	N/A	
Kendall	500'	

N/A=No regulation

## Matt Asselmeier

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**From:** Andrew Black <andrewblack@ohiovalleyacquisition.com>  
**Sent:** Tuesday, August 20, 2024 1:09 PM  
**To:** Matt Asselmeier  
**Subject:** [External]RE: Pipeline Easement Question

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Matt

The temporary construction workspace is traditionally 50' but it can vary. ANR has 50' on one side of the easement and 10' on the opposite side overlapping our existing easement. There is also Additional Temporary Workspace, for this project it is an additional 25-50' depending on the location and the purpose for the workspace. Both the temporary and additional temporary workspace revert to the landowner upon project completion. After project completion ANR will only maintain the permanent easement, mowing will be done on a scheduled basis determined by operations. Residential and agricultural areas will not be maintained by the company.

*Andrew D Black*

Non-Environmental Permit Coordinator

Ohio Valley Acquisition

Representing Columbia Gas Transmission, ANR Pipeline Subsidiaries of TC Energy

[AndrewBlack@ohiovalleyacquisition.com](mailto:AndrewBlack@ohiovalleyacquisition.com)



**From:** Matt Asselmeier <masselmeier@kendallcountyil.gov>  
**Sent:** Monday, August 19, 2024 8:35 AM  
**To:** Andrew Black <andrewblack@ohiovalleyacquisition.com>  
**Cc:** Aaron Thompson <aaron\_thompson@tcenergy.com>  
**Subject:** Pipeline Easement Question

Andrew:

What is the industry standard for the width of a temporary construction easement for general upkeep and maintenance of a pipeline?

Thanks,

Matthew H. Asselmeier, AICP, CFM  
Director  
Kendall County Planning, Building & Zoning  
111 West Fox Street  
Yorkville, IL 60560-1498  
PH: 630-553-4139

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
November 5, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department  
Lauren Belville – Health Department  
David Guritz – Forest Preserve  
Brian Holdiman – PBZ Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Seth Wormley – PBZ Committee Chair

Absent:

Meagan Briganti – GIS Department  
Greg Chismark – WBK Engineering, LLC  
Fran Klaas – Highway Department

Audience:

James Kerrigan, Nicholas Bellone, and Nicholas Standiford

**PETITIONS**

**Petition 24-34 Kendall County Regional Planning Commission**

Mr. Asselmeier summarized the request.

Section 36-247 (7) (a) of the Kendall County Code contains the following regulations regarding the setback of certain pipelines from Occupied Principal Structures:

“All pipelines greater than ten (10) inches in diameter which carry/conduct flammable or hazardous material shall be located a minimum of five hundred (500) feet from any occupied principal structure.”

In July 2024, the Kendall County Regional Planning Commission requested Staff to contact the municipalities and neighboring counties to ask what their regulations were pertaining to setback and the reason for their respective setback. A table with that information was provided.

Staff also contacted a representative from a pipeline company to see what the industry standard was for temporary construction easements. That email was provided.

At their meeting on September 25, 2024, the Kendall County Regional Planning Commission, by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent voted to initiate a text amendment to the Kendall County Zoning Ordinance reducing the setback from five hundred (500) feet to twenty-five feet (25).

The redlined version of the proposal is as follows:

“All pipelines greater than ten (10) inches in diameter which carry/conduct flammable or hazardous material shall be located a minimum of ~~five hundred (500)~~ **twenty-five (25)** feet from any occupied principal structure.”

The Commission's reasons for the proposal were as follows:

1. The present five hundred (500) foot regulation negatively impacted a property owner's ability to use their land by consuming too much land for setback purposes.
2. The present five hundred (500) foot regulation did not address public health and safety. The regulation of pipeline depth more adequate addresses public health and safety. Pipelines become a problem for public health and safety when they are disturbed and, if a pipeline is disturbed, five hundred (500) feet would not be an adequate setback to prevent property damage.

Information was sent to the Townships on October 25, 2024. No comments received.

ZPAC Meeting Minutes 11.05.24

Chairman Wormley noted that most pipeline easement are fifty (50) feet, unless there is a unique issue.

The proposal originally started at the Comprehensive Land Plan and Ordinance Committee.

Mr. Guritz made a motion, seconded by Mr. Holdiman, to forward the proposal to the Kendall County Regional Planning Commission.

Mr. Guritz asked why the distance from the pipeline was selected as the starting point of the setback measurement instead of starting the measurement at the easement line. Chairman Wormley explained that some members of the Kendall County Regional Planning Commission favored smaller setbacks and some that favored larger setbacks as outlined by the Federal Energy Regulatory Commission.

Mr. Guritz discussed building next to the easement; he felt a setback from the easement was more appropriate instead of a setback from the pipeline. The setback would be from a permanent easement.

The depth requirement was five (5) feet, older depths ranged.

Mr. Guritz suggested a five (5) foot setback from the permanent easement line.

The votes were follows:

Ayes (7):	Asselmeier, Belville, Guritz, Holdiman, Langston, Olson, and Wormley
Nays (0):	None
Abstain (0):	None
Absent (3):	Briganti, Chismark, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on December 11, 2024.

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

Mr. Guritz made a motion, seconded by Commander Langston, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:31 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director

Enc.





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## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

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To: Kendall County Regional Planning Commission  
From: Matthew H. Asselmeier, AICP, CFM, Director  
Date: December 4, 2024  
Re: Proposed Text Amendment Related to Allowing Parking in the Front Yard Setback of A-1 Zoned Properties (Petition 24-35)

Section 36-1013 (f) (6) (a) (1) of the Kendall County Code contains the following regulations regarding parking in the front yard setbacks:

“No parking and drive aisles are permitted in a required front setback except the interior one-half ( $\frac{1}{2}$ ) of the front yard in an M-1 Limited Manufacturing District or M-2 Heavy Industrial District.”

During the review of the special use permit for a landscaping business between 3900 and 3716 Stewart, Staff was requested to investigate allowing parking in a portion of the required front yard setbacks.

The front yard setbacks for properties zoned A-1 are one hundred fifty feet (150') from the centerline and one hundred feet (100') from the right-of-way line.

The consensus among the members of the Kendall County Regional Planning Commission was that this requirement was too large and prevented property owners from using their land effectively.

At their meeting on October 23, 2024, the Kendall County Regional Planning Commission decided to initiate a text amendment to the Kendall County Code allowing parking in the A-1 Zoning District in the interior seventy-five feet (75') from the centerline for properties where the right-of-way was not dedicated and the interior fifty feet (50') from the right-of-way line where a right-of-way existed.

Accordingly, the redlined version of the text is as follows:

“No parking and drive aisles are permitted in a required front setback except the interior one-half ( $\frac{1}{2}$ ) of the front yard in **A-1 Agricultural District**, M-1 Limited Manufacturing District, or M-2 Heavy Industrial District.”

Information was sent to the Townships on October 25, 2024.

ZPAC reviewed the proposal at their meeting on November 5, 2024. Discussion occurred regarding the history of front yard setback regulations. ZPAC voted to recommend approval of the proposal by a vote of seven (7) in favor and zero in opposition with three (3) members absent. The minutes of the meeting are provided.

If you have any questions regarding this memo, please let me know.

MHA

Encs.: November 5, 2024, ZPAC Meeting Minutes (This Petition Only)

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)**  
**November 5, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department  
Lauren Belville – Health Department  
David Guritz – Forest Preserve  
Brian Holdiman – PBZ Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Seth Wormley – PBZ Committee Chair

Absent:

Meagan Briganti – GIS Department  
Greg Chismark – WBK Engineering, LLC  
Fran Klaas – Highway Department

Audience:

James Kerrigan, Nicholas Bellone, and Nicholas Standiford

**PETITIONS**

**Petition 24-35 Kendall County Regional Planning Commission**

Mr. Asselmeier summarized the request.

Section 36-1013 (f) (6) (a) (1) of the Kendall County Code contains the following regulations regarding parking in the front yard setbacks:

“No parking and drive aisles are permitted in a required front setback except the interior one-half (½) of the front yard in an M-1 Limited Manufacturing District or M-2 Heavy Industrial District.”

During the review of the special use permit for a landscaping business between 3900 and 3716 Stewart, Staff was requested to investigate allowing parking in a portion of the required front yard setbacks.

The front yard setbacks for properties zoned A-1 are one hundred fifty feet (150') from the centerline and one hundred feet (100') from the right-of-way line.

The consensus among the members of the Kendall County Regional Planning Commission was that this requirement was too large and prevented property owners from using their land effectively.

At their meeting on October 23, 2024, the Kendall County Regional Planning Commission decided to initiate a text amendment to the Kendall County Code allowing parking in the A-1 Zoning District in the interior seventy-five feet (75') from the centerline for properties where the right-of-way was not dedicated and the interior fifty feet (50') from the right-of-way line where a right-of-way existed.

Accordingly, the redlined version of the text is as follows:

“No parking and drive aisles are permitted in a required front setback except the interior one-half (½) of the front yard in **A-1 Agricultural District**, M-1 Limited Manufacturing District, or M-2 Heavy Industrial District.”

Information was sent to the Townships on October 25, 2024. No comments received.

Mr. Holdiman asked if the setback was whichever was greater. Mr. Asselmeier said that, in terms of the setback, the whichever was greater language had been removed from the zoning regulations.

Mr. Guritz asked why the current provisions were in place and what about the impact of changing the regulations. Mr. Asselmeier explained that the requirement of not allowing parking in front yard setbacks had been in the Zoning Ordinance for a long time. However, the setback in the A-1 District had increased over time. Mr. Holdiman noted the increase of

businesses in the agricultural district, like landscaping businesses, that have the need for parking. Mr. Asselmeier said the ordinance already sets the number of parking spaces based on use; stormwater regulations would also apply.

Mr. Guritz made a motion, seconded by Ms. Belville, to recommend approval of the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

Ayes (7): Asselmeier, Belville, Guritz, Holdiman, Langston, Olson, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (3): Briganti, Chismark, and Klaas

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on December 11, 2024.

#### **PUBLIC COMMENT**

None

#### **ADJOURNMENT**

Mr. Guritz made a motion, seconded by Commander Langston, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:31 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Director

Enc.

Group Type	Name	Organization	Position	Email
School Districts	Dr. Lane Abrell	Newark High School District #18	Interim Superintendent	<a href="mailto:labrell@nchs18.org">labrell@nchs18.org</a>
	Mrs. Demetra Turman	Newark Grade School District #66	Superintendent	<a href="mailto:dturman@ncsd66.org">dturman@ncsd66.org</a>
	Mr. William Pender	Lisbon School District #90	Superintendent	<a href="mailto:wpender@lisbon.k12.il.us">wpender@lisbon.k12.il.us</a>
	Dr. Matt Zediker	Yorkville Community Unit School District #115	Superintendent	<a href="mailto:mzediker@y115.org">mzediker@y115.org</a>
	Dr. Andalib Khelghati	Oswego School District #308	Superintendent	<a href="mailto:akhelghati@sd308.org">akhelghati@sd308.org</a>
	Dr. Glenn Wood	Plainfield School District #202	Superintendent	<a href="mailto:gwood@psd202.org">gwood@psd202.org</a>
	Dr. Robert Schifflbauer	Minooka Community Unit School District #111 Education Center	Superintendent	<a href="mailto:rschifflbauer@mchs.net">rschifflbauer@mchs.net</a>
	Dr. Rachel Kinder	Minooka Community Unit School District #201	Superintendent	<a href="mailto:rkinder@min201.org">rkinder@min201.org</a>
	Mr. Thomas Sodaro	Sandwich School District #430 720 S. Wells	Superintendent	<a href="mailto:tsodaro@sandwich430.org">tsodaro@sandwich430.org</a>
	Mr. Tracy Thurwanger	Plano School Community Unit School District #88	Superintendent	<a href="mailto:tthurwanger@plano88.org">tthurwanger@plano88.org</a>
		Plano School Community Unit School District #88	General Email	<a href="mailto:adminoffice@plano88.org">adminoffice@plano88.org</a>
	Dr. Jessica Sonntag	Hinckley-Big Rock School District #429	Superintendent	<a href="mailto:jsonntag@hbr429.org">jsonntag@hbr429.org</a>
Park/Forest Preserve Districts	Dr. Craig Ortiz	Morris School District #101	Superintendent	<a href="mailto:cortiz@morrishs.org">cortiz@morrishs.org</a>
	Mr. Tom Betsinger	Oswegoand Park District Prairie Point Center	Executive Director	<a href="mailto:tbetsinger@oswegoandpd.org">tbetsinger@oswegoandpd.org</a>
	Mr. Jeff Palmquist	Fox Valley Park District Cole Center	Director of Planning	<a href="mailto:jpalmquist@fvpd.org">jpalmquist@fvpd.org</a>
	Ms. Jen Paprocki	Fox Valley Park District Cole Center	Executive Director	<a href="mailto:jpaprocki@fvpd.net">jpaprocki@fvpd.net</a>
	Mr. Carlo Capalbo	Plainfield Park District	Executive Director	<a href="mailto:capalbo@plfdparks.org">capalbo@plfdparks.org</a>
	Mr. Bob Collins	Plainfield Park District	Director of Planning	<a href="mailto:Collins@plfdparks.org">Collins@plfdparks.org</a>
Fire Districts	Mr. Bill Novicki	Sandwich Park District	Executive Director	<a href="mailto:bill.novicki.spd@gmail.com">bill.novicki.spd@gmail.com</a>
	Mr. Fred Kreinbrink	Little Rock-Fox FPD	Chief	<a href="mailto:fkreinbrink@lrffpd.com">fkreinbrink@lrffpd.com</a>
	Mr. Jeremy Messersmith	Bristol-Kendall FPD	Chief	<a href="mailto:jmessersmith@BKFire.org">jmessersmith@BKFire.org</a>
	Mr. Mike Torrence	Bristol-Kendall FPD	Fire Marshall	<a href="mailto:mtorrence@BKFire.org">mtorrence@BKFire.org</a>
	Mr. Josh Flanders	Oswego FPD	Chief	<a href="mailto:firechief@oswegoofire.com">firechief@oswegoofire.com</a>
	Mr. Derek Hagerty	Sandwich FPD	Chief	<a href="mailto:dhagerty@sandwichfd.org">dhagerty@sandwichfd.org</a>
	Mr. Jeff Mathre	Newark FPD	Chief	<a href="mailto:jeffmathre@yahoo.com">jeffmathre@yahoo.com</a>
	Newark Fire General Email	Newark FPD	General Email	<a href="mailto:newarkfire@sbcglobal.net">newarkfire@sbcglobal.net</a>
	Mr. Vito Bonomo III	Plainfield FPD	Chief	<a href="mailto:vbonomo@plainfieldfd.com">vbonomo@plainfieldfd.com</a>
	Mr. Alex Marchewka	Lisbon-Seward FPD	Chief	<a href="mailto:amarchewka@lisbonsewardfd.com">amarchewka@lisbonsewardfd.com</a>
	Lisbon-Seward General	Lisbon-Seward FPD	General Email	<a href="mailto:lisbonsewardfiredepartment@gmail.com">lisbonsewardfiredepartment@gmail.com</a>
	Mr. Thomas P. Meyers, Jr.	Montgomery-Countryside FPD	Chief	<a href="mailto:Chiefmeyers@montgomeryfire.org">Chiefmeyers@montgomeryfire.org</a>
	Mr. David McCabe	Aurora Fire Department	Chief	<a href="mailto:McCabeD@aurora.il.us">McCabeD@aurora.il.us</a>
	Mr. Al Yancey, Jr	Minooka FPD	Chief	<a href="mailto:yanceya@minookafire.com">yanceya@minookafire.com</a>
	Mr. Paul Hertzmann	Troy FPD	Chief	<a href="mailto:PHertzmann@troypfd.com">PHertzmann@troypfd.com</a>
	Mr. Jeff Carey	City of Joliet Fire Department	Chief	<a href="mailto:jcarey@joliet.gov">jcarey@joliet.gov</a>
Municipalities	Mr. John Purcell	United City of Yorkville	Mayor	<a href="mailto:jpurcell@yorkville.il.us">jpurcell@yorkville.il.us</a>
	Mr. Bart Olson	United City of Yorkville	Administrator	<a href="mailto:holson@yorkville.il.us">holson@yorkville.il.us</a>
	Ms. Krysti Barksdale-Noble	United City of Yorkville	Community Development Director	<a href="mailto:knoble@yorkville.il.us">knoble@yorkville.il.us</a>
	Mr. Terry D'Arcy	City of Joliet	Mayor	<a href="mailto:tdarcy@joliet.gov">tdarcy@joliet.gov</a>
	Ms. Beth Beatty	City of Joliet	City Manager	<a href="mailto:bbeatty@joliet.gov">bbeatty@joliet.gov</a>
	Mr. Dustin Anderson	City of Joliet	Community Development Director	<a href="mailto:danderson@joliet.gov">danderson@joliet.gov</a>
	Ms. Jayne Bernhard	City of Joliet	Planner	<a href="mailto:jbernhard@joliet.gov">jbernhard@joliet.gov</a>
	Mr. Ryan Kauffman	Village of Oswego	President	<a href="mailto:rkauffman@oswegoil.org">rkauffman@oswegoil.org</a>
	Mr. Daniel Di Santo	Village of Oswego	Administrator	<a href="mailto:DDiSanto@oswegoil.org">DDiSanto@oswegoil.org</a>
	Mr. Rod Zenner	Village of Oswego	Development Services Director	<a href="mailto:rzenner@oswegoil.org">rzenner@oswegoil.org</a>
	Mr. John Argoudelis	Village of Plainfield	President	<a href="mailto:jargoudelis@goplainfield.com">jargoudelis@goplainfield.com</a>
	Mr. Joshua Blakemore	Village of Plainfield	Administrator	<a href="mailto:jblakemore@goplainfield.com">jblakemore@goplainfield.com</a>
	Mr. Jonathan Proulx	Village of Plainfield	Director of Planning	<a href="mailto:jproulx@goplainfield.com">jproulx@goplainfield.com</a>
	Ms. Jacqueline Kowalski	Village of Millbrook	President	<a href="mailto:jkowalski@thevillageofmillbrook.com">jkowalski@thevillageofmillbrook.com</a>
	Mr. Doug Hollev	Village of Millington	Mayor	<a href="mailto:millington372@icloud.com">millington372@icloud.com</a>
	Ms. Lenee Kissel	Village of Millington	Clerk	<a href="mailto:Lenee.K-cleneedoug1231@gmail.com">Lenee.K-cleneedoug1231@gmail.com</a>
	Mr. Paul Pope	Village of Lisbon	Mayor	<a href="mailto:v-lisbon@att.net">v-lisbon@att.net</a>
	Mr. Ric Offerman	Village of Minooka	President	<a href="mailto:ric.offerman@minooka.com">ric.offerman@minooka.com</a>
	Mr. Dan Duffy	Village of Minooka	Administrator	<a href="mailto:dan.duffy@minooka.com">dan.duffy@minooka.com</a>
	Mr. Gabriel Friend	Village of Minooka	Building & Zoning Officer	<a href="mailto:gabriel.friend@minooka.com">gabriel.friend@minooka.com</a>
	Mr. Jim Davis	Village of Newark	Village President	<a href="mailto:President@newark-il.us">President@newark-il.us</a>
	Ms. June McCord	Village of Plattville	President	<a href="mailto:jlmccord6835@aol.com">jlmccord6835@aol.com</a>
	Ms. Beth Fals	Village of Plattville	Village Clerk	<a href="mailto:barbaugh1@att.net">barbaugh1@att.net</a>
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	<b>Vacant</b>	<b>Na-Au-Say Twp.</b>	Plan Commission Chairman	<b>N/A</b>
	<b>No Planning Commission</b>	<b>Big Grove Twp.</b>	<b>Plan Commission Chairman</b>	<b>N/A</b>
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Township Supervisors				
Township Highway Commissioners				