

**KENDALL COUNTY
REGIONAL PLANNING COMMISSION**

*Kendall County Historic Court House
Court Room
110 W. Madison Street, Yorkville, Illinois*

Approved - Meeting Minutes of May 28, 2025 - 7:00 p.m.

Chairman Keith Landovitz called the meeting to order at 7:01 p.m.

ROLL CALL

Members Present: Bill Ashton, Eric Bernacki (Arrived at 7:03 p.m.), Keith Landovitz, Karin McCarthy-Lange, Ruben Rodriguez, Bob Stewart, and Seth Wormley

Members Absent: Tom Casey, Dave Hamman, and Claire Wilson

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

Others Present: Dan Gorman, Doug Winsor, and Annette Wolf

APPROVAL OF AGENDA

Member Ashton made a motion, seconded by Member McCarthy-Lange, to approve the agenda. With a voice vote of six (6) ayes, the motion carried.

APPROVAL OF MINUTES

Member Wormley made a motion, seconded by Member Stewart, to approve the minutes of the January 22, 2025, meeting. With a voice vote of six (6) ayes, the motion carried.

Member Stewart made a motion, seconded by Member Rodriguez, to approve the minutes of the February 1, 2025, Annual Meeting. With a voice vote of six (6) ayes, the motion carried.

Member Bernacki arrived at this time (7:03 p.m.).

PETITIONS

Petition 25-04 Daniel J. Gorman on Behalf of USA Energy Independence, LLC (Prospective Buyer) and Stanley L. Zepelak on Behalf of the Lucaya Asset Management, LLC (Current Owner)

Mr. Asselmeier summarized the request.

The Petitioner is seeking a special use permit for a commercial solar energy facility and a 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.

The application materials, including the boundary survey, stormwater information, including the wetland delineation report, site plan, vegetative management plan, decommissioning information, and the Agricultural Impact Mitigation Agreement were provided.

The property is located between 9417 and 9221 Corneils Road in Bristol Township.

The property is approximately thirty-seven (37) acres in size with approximately twenty (20) acres inside the fence.

The existing land use is Agricultural and the property is zoned A-1.

The County's Future Land Use Map calls for the property to be Suburban Residential (Max 1.00 DU/Acre) and Yorkville's Future Land Use Map calls for the property to be Estate/Conservation Residential.

Corneils Road is a Minor Collector Road maintained by Bristol Township.

The United City of Yorkville has a trail planned along Corneils Road.

There are no floodplains on the property. There is one (1) farmed wetland on the property and two (2) additional wet areas on the property identified in the wetland delineation report.

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

The adjacent properties are zoned A-1 and R-3 in the County and R-2, R-2D, R-3, and B-3, inside Yorkville.

The County's Land Resource Management Plan calls for the area to be Urbanized Communities, Suburban Residential, and Commercial.

Yorkville's Comprehensive Plan calls for the area to be Estate/Conservation Residential and Metra Station Transit Oriented Development.

Properties within one half (1/2) of a mile are zoned A-1, A-1 SU, R-3, B-1, and B-3 in the County and R-2, R-2D, R-3, R-4, and B-3 inside Yorkville.

The A-1 special use permit to the east is for a landscaping business. The A-1 special use permit to the west is for a welding business.

Approximately thirty-three (33) homes, not including the homes in the original town of Bristol Station are located within half (1/2) of a mile of the subject property. Raging Waves water park is also located within half (1/2) of a mile of the subject property.

EcoCAT Report identified protected resources in the area, but negative impacts were unlikely. The Illinois Department of Natural Resources recommended establishing pollinator friendly habitat as groundcover where feasible and the site should be de-compacted before planting. The letter from the Illinois Department of Natural Resources was provided.

The LESA Score was 179 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Bristol Township on April 23, 2025.

Prior to submittal to Kendall County, the Bristol Township Board reviewed the proposal on April 7, 2025, but that meeting was for informational purposes only.

Petition information was sent to the United City of Yorkville on April 23, 2025.

Prior to formal application submittal, the United City of Yorkville submitted an email stating they would not pursue annexation at this time. The email notes the proximity of several homes to the subject property; the proposal does not meet Yorkville's one thousand foot (1,000') setback requirement from Corneils Road; the proximity to a wetland was noted; five (5) new utility poles were proposed. Yorkville's email was provided.

On March 25, 2025, Yorkville submitted an email requesting a forty-foot (40') right-of-way dedication. On April 2, 2025, Bristol Township submitted an email agreeing to the requested dedication. These emails were provided.

Yorkville plans to review this proposal at their June meetings.

Petition information was sent to the Bristol-Kendall Fire Protection District on April 23, 2025. No comments were received.

ZPAC reviewed the proposal at their meeting on May 6, 2025. It was clarified that the special use permit runs with the land. Soil tests had not occurred at the property. A condition adding a community impact agreement was discussed. Mr. Klaas did not agree that the project would generate no air, noise, or water pollution as outlined in the first finding of fact for the special use permit. He believed that the production, installation, and decommissioning of solar panels did create pollution. Mr. Guritz questioned the installation of Spruce trees as outlined in the landscaping plan. ZPAC issued a neutral recommendation with an amendment adding the community impact agreement to the list of conditions 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. Following the ZPAC meeting, the Petitioner offered to replace the Spruce trees with evergreens of a similar height and width.

Per § 36-282(17) of the Kendall County Code, commercial solar energy facilities businesses can be special uses on A-1 zoned property subject to the following conditions:

- a. All commercial solar energy facilities and test solar energy systems located within one point five (1.5) miles of a municipality shall either annex to the municipality or obtain an annexation agreement with the municipality requiring the municipality's regulations to flow through the property. Petitioner is requesting a variance.
- b. The setbacks for commercial solar energy facilities shall be measured from the nearest edge of any component of the facility as follows:

Occupied Community Buildings or Dwellings on Nonparticipating Properties-One hundred fifty feet (150') from the nearest point on the outside wall of the structure

Boundary Lines of Participating Properties-None

Boundary Lines of Nonparticipating Properties-Fifty feet (50') to the nearest point on the property line of the nonparticipating property

Public Road Rights-Of-Way-Fifty feet (50') from the nearest edge

The above setbacks do not exempt or excuse compliance with electric facility clearances approved or required by the National Electrical Code, the National Electrical Safety Code, Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors. Per the site plan, the closet nonparticipating structure is greater than two hundred fifty feet (250') from the solar panels. The solar panels are greater than five hundred feet (500') from Corneils Road.

- c. A commercial solar energy facility's perimeter shall be enclosed by fencing having a height of at least six feet (6') and no more than twenty-five feet (25'). This is true. Per the application materials, the fence is proposed to be six feet (6') in height. As noted in the site plan, the fence will be six inches (6")

above the finished grade. The fence will be chain link topped with barbed wire.

- d. No component of a solar panel as part of a commercial solar energy facility shall have a height of more than twenty feet (20') above ground when the solar energy facility's arrays are at full tilt. This is true. Per the site plan, the maximum height will be ten feet, eleven and three-eighths inches (10'-11 3/8").
- e. The above setback, fencing, and component height requirements may be waived subject to written consent of the owner of each affected nonparticipating property. This written consent shall be submitted at the time of application submittal. No such consent requested or needed.
- f. Sound limitations for components in commercial solar energy facilities shall follow the sound limitations established by the Illinois Pollution Control Board. A noise study was provided.
- 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 an 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. The decommissioning plan was provided and was outlined in the Agricultural Impact Mitigation Agreement. The Petitioner is offering a bond of Fifty Thousand Dollars (\$50,000). The Petitioner is agreeable to not fight the County in court, if the County wished to acquire title to the subject property in the event that the decommissioning bond is insufficient to cover all of the costs.
- h. A vegetative screening shall be placed around the commercial solar energy facility. The site plan references a row of Black Hills Spruce and a row of Buttonbush. The spruce will be six feet (6') minimum in height within three (3) years of planting and the Buttonbush will be four feet (4') minimum in height within three (3) years of planting. The vegetative management plan was provided. The types of vegetation, timing of planting, and maintenance plan are included in the vegetative management plan. Following the ZPAC meeting, the Petitioner offered to replace the Spruce trees with evergreens of a similar height and width.
- i. Commercial solar energy facility applicants shall provide the results and recommendations from consultations with the Illinois Department of Natural Resources obtained through the Ecological Compliance Assessment Tool (EcoCat) or a comparable successor tool. The commercial solar energy facility applicant shall adhere to the recommendations provided through this consultation. The EcoCat was submitted and the recommendation was to establish pollinator friendly habitat as groundcover where feasible and the site should be de-compacted before planting. The letter from the Illinois Department of Natural Resources was provided.
- j. Commercial solar energy facility applicants shall provide the results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor toll that is consistent with the U.S. Fish and Wildlife Service's Land-Based Wind Energy Guidelines and any applicable United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review. This was provided with the application material. Five (5) threatened or endangered species were in the area.
- k. A facility owner shall demonstrate avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Nature Preserve Commission or consider the recommendations of the Illinois Department of Natural Resources for setbacks from protected lands, including areas identified by the Illinois Nature Preserve Commission. While the site is designed around one (1) farmed

wetland, there are other wet areas on the property that need to be examined through the stormwater permit review process.

- l. A facility owner shall provide evidence at the time of application submittal of consultation with the Illinois State Historic Preservation Office to assess potential impacts on State-registered historic sites under applicable State law. This information was provided. The State Historic Preservation Office is requesting a Phase I Archeological Survey.
- 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 vegetation management plan, including timelines for planting and maintenance of the vegetation, was provided,
- n. The facility owner shall enter into a road use agreement with the jurisdiction having control over the applicable roads. The road use agreement shall follow applicable law. The facility owner shall supply the Kendall County Planning, Building and Zoning Department with a copy of the road use agreement. This provision shall be waived if the jurisdiction having control over the applicable roads does not wish to enter into an agreement. To date, the road use agreement negotiations are ongoing. The application materials and the site plan show at a fifteen foot (15') wide gravel road inside a twenty foot (20') road easement on the southeast corner of the property. The entrance off of Corneils Road will be forty feet (40') wide.
- o. The 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. No drain tile information was provided. There is a statement in the application materials saying that no drain tile exists on the property.

No buildings are planned for the site. Any structures proposed for the site, including the solar arrays, shall obtain applicable permits.

The property is presently farmland. No wells, septic systems, or refuse collection points were identified.

The proposed area of disturbance is approximately point six-five acres (0.65). The County has concerns regarding the wet areas identified in the wetland delineation report and the farmed wetland identified on the property. The Petitioner submitted a stormwater permit application.

The temporary laydown area shown on the site plan is not proposed to be gravel.

Four (4) infiltration basins are shown on the site plan. Three (3) of these basins would be installed if required by the stormwater pollution prevention plan. No information regarding the infiltration basin was provided.

WBK Engineering submitted a letter on May 27, 2025. They had six (6) comments including determining if the wetlands are jurisdictional, providing a narrative describing existing and proposed conditions, providing a drain tile study, and providing an easement over the property for vegetative management. WBK Engineering's letter was provided.

The application materials and the site plan show a fifteen foot (15') wide gravel road inside a twenty foot (20') road easement on the southeast corner of the property. The entrance off of Corneils Road will be forty feet (40') wide.

No permanent parking was proposed. There will be a staging area during construction.

No lighting was proposed.

The Petitioner proposed installing one (1) sign at the vehicular access gate stating emergency contact information.

A glare study was provided.

No information was provided regarding impacts on property values

No odors were foreseen.

A noise study was provided.

If approved, this would be the second special use permit for a commercial solar energy facility in unincorporated Kendall County.

The proposed Findings of Fact for the special use permit were as follows:

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 Project will generate clean, renewable electricity while producing no air, noise, or water pollution, or ground contamination. The front portion of the parcel closest to Corneils Road will be retained for agricultural use and/or future residential use. The Petitioner submitted a vegetative management plan outlining the types of vegetation that will be planted, the timing of planting, and a maintenance plan for the vegetation.

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 makes 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 proposal will not interfere with the use and enjoyment of nearby properties. The surrounding properties are zoned A-1 and various residential classifications and will not be prevented from continuing any existing use or from pursuing future uses. The proposal's operations would be quiet and minimal traffic will occur after installation is completed. The solar panels are setback from Corneils Road and screened by vegetation from neighboring houses to avoid negative visual impacts.

Adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposal will have adequate utility interconnections designed in collaboration with ComEd. The proposal does not require water, sewer, or any other public utility facilities to operate. The Petitioner will also build all roads and entrances at the facility and will enter into an agreement with Bristol Township regarding road use. After initial construction traffic, landscape maintenance and maintenance to the

project components are anticipated to occur on an as-needed basis, consistent with the vegetative management plan. Existing traffic patterns will not be impacted in the post-construction operations phase. While no drain tile is believed to be on the subject property, damaged drain tile will be repaired as outlined in the Agricultural Impact Mitigation Agreement and a condition attached to this special use permit.

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. If the requested variance is granted, the proposal meets all applicable regulations.

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. The proposal is also consistent with a goal and objective found on page 3-4 of the Land Resource Management Plan, "Support the public and private use of sustainable energy systems (examples include wind, solar, and geo-thermal)." However, the proposal is located on property classified as Residential on the Future Land Use Map and the Kendall County Regional Planning Commission recommended denial of similar proposals.

The proposed findings of fact for the variance were as follows:

The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The subject property is located within one point five (1.5) miles of the United City of Yorkville. Information was provided stating that the United City of Yorkville did not wish to annex the property or enter into a pre-annexation agreement.

The conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Other A-1 zoned properties within one point five (1.5) miles of a municipality could request a similar variance, if the municipality refuses to annex or enter into a pre-annexation agreement.

The alleged difficulty or hardship has not been created by any person presently having an interest in the property. The difficulty was created because the United City of Yorkville did not wish to enter into a pre-annexation agreement or annex the property.

The granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. Granting the variance would not be detrimental to the public or substantially injurious to other properties.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The proposed variance would not impair light or air on adjacent property, cause congestion, increase the danger of fire, or negatively impact property values.

Given that the Kendall County Regional Planning Commission previously recommended denial of proposals on properties classified as Residential on the County's Future Land Use Map, and because of lack of clarity in State law regarding using the LaSalle and Sinclair Factors in evaluating applications of special use permits for

commercial solar facilities, Staff's recommendation is neutral. Assuming that conditions can be imposed on the special use permit, the proposed conditions and restrictions are as follows:

1. The site shall be developed substantially in accordance with the submitted site plan, vegetative management plan, decommissioning plan, road access plan (yet to be submitted), and Agricultural Impact Mitigation Agreement. The Black Hills Spruce shall be planted in one (1) row and the Buttonbush shall be planted in a second row.
2. A variance to section 36-282(17)(a) of the Kendall County Code is hereby granted allowing a commercial solar energy facility within one point five (1.5) miles of a municipality without an annexation or pre-annexation agreement.
3. The developer and/or owner of the subject property allowed by this special use permit shall enter into a community impact agreement with Kendall County (**Added at ZPAC**).
4. In the event that the decommissioning bond is insufficient to cover the costs of decommissioning the site as outlined in the decommissioning plan, the owners of the subject property shall not contest in court if the County wishes to obtain title to the subject property to cover the costs of decommissioning the use allowed by this special use permit.
5. Within ninety (90) days of the approval of the special use permit, the owners of the subject property shall dedicate a strip of land forty feet (40') in depth along the southern property line to Bristol Township. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
6. None of the vehicles or equipment parked or stored on the subject property allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
7. All of the vehicles and equipment stored on the subject property allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
8. Any structures, including solar arrays, constructed, installed, or used allowed by this special use permit shall not be considered for agricultural purposes and must secure applicable building permits.
9. One (1) warning sign shall be placed near or on the entrance gate. This sign shall include, at minimum, the address of the subject property and a twenty-four (24) hour emergency contact phone number. Additional signage may be installed, if required by applicable law.
10. KenCom and other applicable public safety agencies shall be supplied the access code to the Knox Box/security gate.
11. Damaged drain tile will be repaired on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
12. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
13. 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.
14. 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.
15. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

16. 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.

Member McCarthy-Lange asked if Yorkville reviewed the proposal. Mr. Asselmeier responded that Yorkville is reviewing the proposal at their June meetings. Commissioners reviewed the email from Yorkville explaining their reasons for declining annexation.

It was noted that Bristol Township had not issued a recommendation on the proposal; they had an informational meeting on the proposal.

It was noted that residential uses are located south of the subject property and the area where they want to place the solar panels.

Chairman Landovitz noted that the property and general area is very close to Yorkville. He asked if the proximity to Yorkville was discussed during the application process. Mr. Asselmeier noted that the property touches Yorkville on several sides and the Petitioner was advised to talk to Yorkville regarding annexation. The Petitioner contacted Yorkville and submitted the email from Yorkville stating that Yorkville did not want to pursue annexation at this time.

Chairman Landovitz asked if any discussion occurred regarding the decommissioning bond. Mr. Asselmeier responded that the Agricultural Impact Mitigation Agreement outlines when the County can re-negotiate the decommissioning bond amount and the Petitioner was agreeable to not fight the County in court if the County wanted to take title to the property, if the decommissioning bond was not sufficient.

The question was asked regarding future land uses in the area. Mr. Asselmeier responded that both the County and Yorkville plan the area to be residential with Yorkville also planning a small amount of commercial in the area.

Member Wormley discussed the limitations placed on the County by State law. He favored getting Yorkville's input on the proposal. He discussed Yorkville's setback requirement of one thousand feet (1,000'), which is much larger than the County's requirements. He discussed the need for a community impact agreement to reimburse the County for lost tax revenues since the property would not be developed into houses.

Dan Gorman, Petitioner, said that he met with Bristol Township and several neighbors. He said the Township was in favor of the proposal. They are working on a road use agreement. He noted that the parcel was selected in order to have large setback between the solar arrays and Corneils Road. Another house could be constructed between the solar panels and Corneils Road. He discussed the proposed screening. He discussed the electricity that will be produced at the site and the benefits to the community. He discussed the benefits of native plantings and the vegetative management plan. He discussed the wet areas on the property. He discussed Yorkville's classification of Corneils Road in relation to setbacks. Mr. Gorman explained the purchase process of the property. Discussion occurred regarding the various setback requirements. He stated that the conditions of the special use permit would run with the land; future buyers would be subject to the conditions of the special use permit. He explained how the bond amount was calculated.

Member Bernacki noted the size of the bond was smaller than bonds for other solar projects.

Doug Winsor, Neighbor, favored the development of the proposal compared to development of a residential subdivision. The neighborhood is currently low density residential and agricultural. He was in favor of a residential or commercial development in the front setback. He expressed concerns regarding drainage and explained how drain tile will be impacted by the proposal. A stormwater management permit would be required for the project. He was in favor of the proposal.

Annette Wolf discussed the drainage pattern of the area. Any drain tile issues would be addressed as part of the solar panel development. She favored looking at solar panels instead of looking at homes.

Member Stewart thanked the Petitioner for reaching out to the neighbors prior to the submittal of the application.

Member McCarthy-Lange thanked the neighbors for having one (1) spokesperson.

Mr. Gorman explained that expanding the site was not possible.

Member Wormley favored continuing the Petition until comments could be received from Yorkville and until the State's Attorney's Office could complete their review of the community impact agreement template. Mr. Asselmeier explained the procedure for continuing the proposal. Mr. Gorman explained the impact related to financing of the project if a continuance occurred. Member Bernacki also favored continuing the proposal in order to get comments from Bristol Township and Yorkville.

Member Bernacki made a motion, seconded by Member Stewart, to continue the Petition until the June 25, 2025, Kendall County Regional Planning Commission meeting.

The votes were as follows:

Ayes (7): Ashton, Bernacki, Landovitz, McCarthy-Lange, Rodriguez, Stewart, and Wormley

Nays (0): None

Absent (0): None

Abstain (3): Casey, Hamman, and Wilson

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on June 2, 2025, for initiation of the hearing and will be return to the Kendall County Regional Planning Commission on June 25, 2025.

Member Rodriguez commended the Petitioner on the proposal and working with the neighbors.

Chairman Landovitz thanked everyone for collaborating on this project. He is supportive of the proposal, but there are sound reasons to continue the Petition.

Petition 25-05 Kendall Zoning Administrator

Mr. Asselmeier summarized the request.

In an effort to reduce the number of paper copies applicants are required to submit for certain zoning actions, Staff proposes the following amendments to the subdivision and zoning portions of the Kendall County Code:

Section 30-98(c) (Final Plat Submittal)

An application for approval of the final plat, including all engineering drawings and specifications, shall be filed with the Planning, Building, and Zoning Department, and ~~ten (10)~~ **three (3)** copies of the petition shall be filed with the Plat Officer or designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

Section 30-98(d) (Final Plat Submittal)

Accompanying the copy of the application for approval of the final plat shall be ~~four (4)~~ **three (3)** copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.

Section 30-197(b)(2) (Standards and Requirements for Restoration, Planting, Maintenance, and Monitoring of Natural Open Space)

~~Five (5)~~ **Three (3)** printed copies and one (1) electronic copy (PDF) of all required submittals shall be provided to the KCPBZ, who shall forward copies to the Director of the County Forest Preserve District, the County Soil and Water Conservation District, and the County Engineer or consultant engineer. Each organization receiving a copy of the plans shall have twenty-one (21) days to provide written comments to the KCPBZ office. The KCPBZ office shall then compile all comments and inform the applicant if the plans are approved, or what changes are needed to receive approval. Within twenty-one (21) days of approval of the landscape/planting plan, the applicant shall provide the KCPBZ office a written cost estimate by a qualified contractor or contractors, including separate estimates for trees, ornamental plantings, and natural areas.

Section 36-155(c)(1) (Final Plan Approval for Residential Planned Developments)

A copy of the petition shall be filed with the PBZ Department, and ~~ten (10)~~ **three (3)** copies of the petition shall be filed with the Director of PBZ or designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

Section 36-184(1) (Site Plan Approval)

ZPAC. One (1) copy of the complete application, along with ~~eight (8)~~ **three (3)** copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the

Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review.

Information was sent to the Townships on April 23, 2025. No comments were received.

ZPAC reviewed the proposal at their meeting on May 6, 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.

Discussion occurred regarding the application materials. The application checklist will be reviewed by the Planning, Building and Zoning Committee at a future date.

Member Wormley made a motion, seconded by Member Rodriguez, to recommend approval of the text amendment.

The votes were as follows:

Ayes (7): Ashton, Bernacki, Landovitz, McCarthy-Lange, Rodriguez, Stewart, and Wormley
Nays (0): None
Absent (0): None
Abstain (3): Casey, Hamman, and Wilson

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on June 2, 2025.

Petition 25-06 Kendall Zoning Administrator

Mr. Asselmeier summarized the request.

In an effort to reduce the number of physical meetings required as part of the development and zoning processes, Staff has been asked to prepare a proposal which would abolish ZPAC as a formal committee of the County and transfer the duties of ZPAC to various Staff members.

A few items to note:

1. The present members of ZPAC and their successors in their respective positions would still receive notification of Petitions and would be allowed to submit comments on the Petitions in the timeframes stated in this proposed text amendment.
2. Since ZPAC would no longer be a formal committee, the Open Meetings Act would no longer apply to the correspondence and gatherings of former ZPAC members as they relate to Planning, Building and Zoning matters.
3. The Planning, Building and Zoning Committee probably would amend the application approval timeline to account for ZPAC not meeting. In such a case, the application deadline for map amendments, text amendments, special use permits, and major amendments to special use permits would be no later than thirty (30) days prior to the Zoning Board of Appeals hearing. For site plan reviews, no specific deadline would exist. For applications for plats of vacations, the deadline would effectively remain unchanged at three (3) weeks prior to the Planning, Building and Zoning Committee meeting.

The redlined proposal is as follows:

Subdivision Code

Section 30-37 Administration; organization

~~Eight~~ **(8) Seven (7)** offices in the County are concerned with the administration of this chapter. For the purposes of clarity these offices along with their pertinent functions are listed below:

(1) *The Plat Officer.* There is hereby created the Plat Officer who shall exercise the authority and have the responsibility provided in this chapter. The Plat Officer shall administer the provisions of this chapter and, in addition thereto, and in furtherance of said authority, shall:

- a. Maintain permanent and current records of this chapter, including amendments thereto.
- b. Receive and file all preliminary and final plats.
- c. Forward copies of the preliminary plat to other appropriate agencies for their recommendations and report.
- d. Receive and file all final plats and check their compliance with the preliminary plat.
- e. Make all other determinations required of the Plat Officer by the regulations herein.
- f. Discourage the subdividing of lands that are far in advance of the needs of the development of the County; or which, by their locations, cannot be efficiently served by public utilities, fire protection, or other community services; or which are located in areas subject to flooding, or are topographically unsuitable for development; or which, for any other reason, are being unwisely or prematurely subdivided.

(2) *Township Highway Commissioner and County Engineer.* The Township Highway Commissioner and County Engineer shall review with Plat Officer all preliminary subdivision plans and make determinations concerning street and drainage design standards and engineering specifications as stipulated herein.

(3) *Planning, Building, and Zoning Committee (PBZC).* The Planning, Building, and Zoning Committee shall review the preliminary plat and final plat and exercise the authority and have the responsibilities provided in this chapter.

(4) *Kendall County Regional Plan Commission (KCRPC).* The Kendall County Regional Plan Commission shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

(5) *County Soil and Water Conservation District.* The County Soil and Water Conservation District shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

(6) *County Health Department.* The County Health Department shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

~~**(7) Zoning and Platting Advisory Committee (ZPAC).** The Zoning and Platting Advisory Committee shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.~~

~~(8)~~ (7) *Sanitary and/or water reclamation districts.* Sanitary and/or water reclamation districts shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

Section 30-76 Preliminary Plat Procedure

The procedure for preliminary plats shall be as follows:

(1) The applicant shall prepare a preliminary plat, which shall include all of the property to be subdivided, properties that are adjacent and considered to be contiguous to the proposed subdivision, together with improvement plans and other supplementary material as specified.

(2) The applicant shall submit to the Plat Officer this preliminary plat accompanied with a completed application for a preliminary plat of subdivision with the appropriate filing fees.

~~(3) The application will be placed on the agenda for the next regularly scheduled meeting of the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation.~~

~~(4)~~ (3) ~~At the same time, the~~ The Plat Officer and the County Engineer will collaborate with the subdivider in assembling plans for the design and construction of streets, drainage systems and other such improvements as may be required by ordinance.

~~(5)~~ (4) A copy of the application and preliminary plat shall also be submitted, by the applicant, to the plan Commission of the townships in which the proposed subdivision is located and submit to the nearest municipality, if the corporate limits of the municipality are not more than one and one-half (1½) miles from the property lines of the proposed development.

~~(6)~~ (5) The application shall be reviewed by ~~ZPAC County Staff~~ for compliance with the regulations of this chapter and all other ordinances of the County ~~during a regularly scheduled meeting~~ within thirty (30) days of the date of the submittal of the completed application of the preliminary plat.

~~(7)~~ (6) Following ~~a recommendation by ZPAC review by County Staff~~, the application shall be placed on the agenda of the next regularly scheduled meeting of the Kendall County Regional Plan Commission (KCRPC).

~~(8)~~ (7) The application shall be reviewed by KCRPC for compliance with the regulations of this chapter and all other ordinances of the County within thirty (30) days of ~~the recommendation made by ZPAC receipt of comments from County Staff~~, provided that all necessary revisions and/or supplemental information requested by ~~ZPAC County Staff~~ has been supplied to the Plat Officer.

~~(9)~~ (8) KCRPC, within a reasonable time after the first discussion of the proposal, shall:

a. Recommend approval or disapproval of the proposed preliminary subdivision plat and record in the official minutes its recommendation, which may include the recommendations of the County Engineer, the County Engineering Consultant, other affected agencies and/or the Plat Officer.

b. If KCRPC finds that changes, additions or corrections are required on the preliminary plat prior to a recommendation being made by KCRPC, KCRPC shall so advise the applicant. The applicant may resubmit the preliminary plat with revisions for its consideration at the next available regular meeting of KCRPC.

~~(40)~~ (9) Upon recommended approval of the preliminary plat by KCRPC, an application for the final plat of subdivision shall be filed within one (1) year, unless otherwise extended per the provisions of this chapter per [Section 30-98](#).

~~(44)~~ (10) The following qualifications shall govern approval of the preliminary plat:

a. Approval of a preliminary plat by KCRPC is tentative only, involving merely the general acceptability of the layout as submitted. Final approval of the preliminary plat shall be granted by the County Board at the time of final plat approval. An applicant may seek approval from KCRPC of the preliminary plat simultaneously with the final plat and/or rezoning petition at the applicant's choosing.

b. KCRPC shall require such changes or revisions as are deemed necessary in the interest of the needs of the County.

c. Approval of the preliminary plat shall be effective for a maximum period of one (1) year, unless upon application of the developer, KCRPC grants an extension. The application for said extension shall not require the submittal of additional copies of the plan of subdivision.

~~(42)~~ (11) The final approval of the preliminary plat is contingent upon payment of all fees for review and approval in accordance with [Section 30-39](#).

Section 30-78 Other Plat (vacation, dedication, etc.) procedure

(e) Upon receiving the complete application and review by the PBZ (Planning, Building and Zoning) staff for compliance with the regulations of this section and all other ordinances of the County the item will be **placed on the agenda for the next regularly scheduled meeting of the Zoning, Platting and Advisory Committee (ZPAC) forwarded to appropriate departments** for review and recommendation to the Planning, Building and Zoning Committee (PBZC) of the County Board. After **the ZPAC meeting review by appropriate departments**, this item will be placed on the agenda for the next regularly scheduled meeting of the PBZ for review and recommendation to the full County Board.

(f) Upon completion of the review by the PBZC a recommendation shall be made and the minutes of the **ZPAC and** PBZC meeting containing such recommendations shall be submitted to the full County Board.

Section 30-98 Generally (Final Plats)

(d) Accompanying the copy of the application for approval of the final plat shall be **four (4) three (3)** copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.

(f) The application will be ~~placed on the agenda of the next Zoning and Platting Advisory Committee (ZPAC) meeting~~ forwarded to other appropriate departments for review and comment.

(g) The application shall be reviewed by ~~ZPAC County Staff~~ within thirty (30) days of the date of the complete original submission of the final plat. ~~A recommendation shall be made by ZPAC and the minutes of ZPAC meeting containing such a recommendation~~ Comments from County Staff shall be submitted to KCRPC for review and recommendation.

(h) Following ~~a recommendation by ZPAC~~ comments from County Staff, the application shall be placed on the agenda for the next regular meeting of KCRPC.

(i) The application shall be reviewed by KCRPC within sixty (60) days of ~~ZPAC recommendation receipt of comments from County Staff by the Plat Officer~~ provided any necessary revisions or supplemental information requested by ~~ZPAC County Staff~~ have been supplied prior to KCRPC meeting.

Section 30-135 Blocks

(c) Pedestrian crosswalks not less than ten (10) feet wide shall be required where deemed necessary by the ~~Zoning and Platting Advisory Committee~~ County Staff to provide for pedestrian circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

Zoning Code

Section 36-2 Definitions

~~Zoning and Platting Advisory Committee (ZPAC) means an informal, strictly advisory committee and not a County Board committee comprised primarily of County staff and advisors. Membership includes, but is not limited to, representatives from the County PBZ Department, the Highway Department, the Health Department, the Sheriff's Department, Forest Preserve District, Soil and Water Conservation District, and the County Engineer or consultants. The PBZ Chairman or designee, as needed, from the Planning, Building and Zoning (PBZ) Committee shall serve on ZPAC.~~

Section 36-35 (b) Zoning Administrator Powers and Duties

(5) Receive, file and forward applications for zoning map and text amendments, special uses, variances, planned developments and other matters which under this chapter require referral to the Regional Planning Commission, the ZBA, ~~the ZPAC~~, the PBZ Committee, or the full County Board.

Section 36-36 County Regional Planning Commission Duties

(1) To receive from the Zoning Administrator copies of all applications for amendments and special use permits along with the ~~Committee report from the ZPAC and report thereon with its recommendations~~ comments and recommendations of other appropriate departments.

Section 36-42 (c) Amendments

(2) A copy of such application shall thereafter be forwarded to ~~the ZPAC County Staff~~, the Regional Planning Commission and to the County ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.

Section 36-112 (Processing Special Use and Planned Developments)

a) An application for a special use shall be filed with the Zoning Administrator.

~~(b) A copy of such application shall be forwarded to the ZPAC for review, comment, and recommendation.~~

~~(e) (b)~~ A copy of such application ~~and the Committee report from the ZPAC~~ shall thereafter be forwarded to the Regional Planning Commission for review, comment, and recommendation.

~~(d) (c)~~ A copy of such application and the ~~reports report~~ from the ~~ZPAC and~~ Regional Planning Commission shall thereafter be forwarded to the ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.

~~(e) (d)~~ The recommendation and findings of the ZBA shall be forwarded to the PBZ Committee of the County Board for review and recommendation prior to final action by the County Board.

Section 36-125 (c) Planned Developments

(2) The applicant shall request a concept review of the planned development/special use, by letter addressed to the Secretary of the Regional Planning Commission, to be ~~placed on the agenda of ZPAC reviewed by County Staff~~ and the next regular meeting of the Regional Planning Commission for a preliminary discussion and concept review of the proposed planned development at such meeting, which may be continued from time to time. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the Regional Planning Commission with the proposed development, which shall include, but not necessarily be limited to, the following:

a. A tentative sketch plan, which may be in freehand sketch form, showing the location and extent of the types of land uses proposed.

b. The existing topography at five (5) foot contour intervals which may be taken from USGS information.

c. Existing streets surrounding the subject property.

d. Existing utilities, including storm drainage facilities.

e. The following shall be provided by either graphic exhibits or written statement:

1. The density of commercial uses, including maximum lot coverage and building height.

2. The off-street parking and other service facilities proposed.

3. The exception or variations to the County zoning or subdivision requirements being requested as part of the planned development application.

(4)

a. The formal petition for a planned development shall be filed with the Zoning Administrator. The Zoning Administrator or deputies shall be responsible for distributing the complete application to the following at the appropriate time:

~~1. ZPAC.~~

~~2. 1.~~ Members of the Regional Planning Commission.

~~3. 2.~~ ZBA.

~~4. 3.~~ The County Board.

Section 36-154 (c) Preliminary Site Plan/Plat Approval

(1) The applicant shall request the preliminary plan/plat approval in addition to a petition for a zoning map amendment, by letter addressed to the PBZ or designee, ~~to be placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the proposed development.~~

(4) The petition shall be reviewed by ~~the ZPAC County Staff~~ within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The director or staff shall submit ~~minutes of the ZPAC meeting applicable documents~~ containing such recommendation ~~shall be submitted~~ to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.

(5) The petition shall be heard by the Regional Planning Commission within sixty (60) days of ~~the ZPAC meeting receipt of comments from County Staff~~ provided any necessary revisions or supplemental information requested by ~~ZPAC have County Staff have~~ been supplied at least thirty (30) days in advance of the Regional Planning Commission meeting. Upon completion of their review of the preliminary plan or plat, a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the ZBA, along with any written correspondence received from any municipality or township.

Section 36-155 (c) Final Plat Approval

(4) The petition will be ~~placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the final plat for the proposed development, forwarded to other appropriate departments for review and comment.~~

(5) The petition shall be reviewed by ~~the ZPAC County Staff~~ within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The ~~minutes of the ZPAC meeting~~ ~~comments of County Staff~~ containing such recommendation shall be submitted to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.

(6) The petition shall be reviewed by the Regional Planning Commission within sixty (60) days of the ~~date of the ZPAC meeting receipt of comments from County Staff by the Plat Officer~~ provided any necessary revisions or supplemental information requested by ~~ZPAC have~~ County Staff has been supplied at least thirty (30) days in advance the Regional Planning Commission meeting. Upon completion of their review of the final plat, a recommendation shall be made, accompanied by such plats, exhibits and agreements as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the PBZ Committee of the County Board for review and recommendation to the County Board.

Section 36-182 (2) (d) Site Design Standards

Traffic studies may be required by the ~~ZPAC~~ County Staff or the PBZ Committee. Such traffic studies should address:

1. Projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
2. Projected traffic flow patterns, including vehicular movements at all major intersections likely to be affected by the proposed use of the site.

Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be provided.

Section 36-183 (b) Filing (for Site Plan Approval)

(b) *Filing*. Petitions for site plan review shall be filed in writing with the Zoning Administrator and shall be accompanied by such documents and information as the ~~ZPAC~~ County Staff or the PBZ Committee may require. Such documents and information shall include, but are not limited to, the following:

- (1) Completed petition for site plan review in a format developed by the County;
- (2) Application fee;
- (3) Generalized location map;
- (4) Plats and drawings depicting compliance with the aforementioned site design standards.

Section 36-184 Procedure (Site Plan Approval)

A written application for site plan review shall be submitted to the PBZ Department, which will schedule the item for review. Consultation with the appropriate County staff and consultants is encouraged throughout this process to ensure a minimum delay. If requested by the applicant, the County will review applications for site plan review concurrently with separate requests for rezoning or platting. The review process will include the following:

- (1) ~~ZPAC: Zoning Administrator~~. One (1) copy of the complete application, along with ~~eight (8)~~ three (3) copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator. ~~at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the~~

~~proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review.~~ Upon submittal of a complete application, the Zoning Administrator shall forward the application and other relevant material to appropriate departments for review and comment. The appropriate departments will be given fourteen (14) days from the date that the Zoning Administrator submitted documents to them to submit comments to the Zoning Administrator. If all applicable regulations have been addressed, the Zoning Administrator shall approve the site plan. If changes are required to bring the site plan into compliance, the Zoning Administrator shall inform the applicant of the required changes and give the applicant an opportunity to amend the site plan. If the applicant fails to bring the site plan into compliance with applicable regulations, the site plan application will be denied.

(2) *PBZ Committee*. Site plan decisions by ~~ZPAC~~ the Zoning Administrator may be appealed to the PBZ Committee.

Information was sent to the Townships on April 23, 2025. No comments were received.

ZPAC reviewed the proposal at their meeting on May 6, 2025. Discussion occurred regarding the process of reviewing applications, if the proposal was approved. The overall opinion was the proposal would improve efficiency for the various reviewing departments. Petition information would still be emailed. The earliest the proposal could be approved by the County Board is July 15, 2025. There could still be ZPAC meetings in June, July, and August. 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.

Member Wormley noted the importance of maximizing County Staff's time by having one (1) less meeting. Some of the recent ZPAC meetings have been under ten (10) minutes.

Member Stewart made a motion, seconded by Member Rodriguez, to recommend approval of the text amendment.

The votes were as follows:

Ayes (7): Ashton, Bernacki, Landovitz, McCarthy-Lange, Rodriguez, Stewart, and Wormley

Nays (0): None

Absent (0): None

Abstain (3): Casey, Hamman, and Wilson

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on June 2, 2025.

CITIZENS TO BE HEARD/PUBLIC COMMENT

Member Ashton thanked the people that made positive comments amount his tenure as Regional Planning Commission Chairman; he was very appreciative.

NEW BUSINESS

Appointment of Bill Ashton to the Comprehensive Land Plan and Ordinance Committee

Chairman Landovitz announced the appointment of Bill Ashton to the Comprehensive Land Plan and Ordinance KCRPC Meeting Minutes 5.28.25

Committee.

Update on Comprehensive Plan Update Project

Discussion occurred regarding the May 27, 2025, open house at Ellis House.

Member Wormley walked attendees through the various pages of the project website, which was designed by Teska Associates. He encouraged attendees to spread the word regarding upcoming open houses and the survey on the project website to get diverse views. He also discussed the work by municipalities on their respective plans and planning processes.

OLD BUSINESS

None

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Mr. Asselmeier reported that Petition 24-35 was approved by the County Board.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Asselmeier reported that Petition 25-04 will be only Petition on the agenda.

ADJOURNMENT

Member McCarthy-Lange made a motion, seconded by Member Bernacki, to adjourn. With a voice vote of seven (7) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:33 p.m.

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

Encs.

[illegible]



May 27, 2025

Mr. Matt Asselmeier
Kendall County Planning, Building, & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Subject: Zepelak 9318 Corneils Road – Solar Farm WBK Project 19-102.CL

Dear Mr. Asselmeier:

We have received and reviewed the following information for the subject project:

- Stormwater Management Permit Application prepared by Lucaya Asset Management LLC dated April 7, 2025 and received April 16, 2025.
- Site Plan Prepared by Enterprise Energy Dated March 18, 2025 and received April 16, 2025.
- Vegetation Installation and Management Plan Prepared by Enterprise Energy Dated March, 2025 and received April 16, 2025.
- Stormwater and Wetland Supporting Documents Prepared by Area M Dated March, 2025 and received April 16, 2025.

The following comments require resolution prior to our recommendation for approval of plans and stormwater permit.

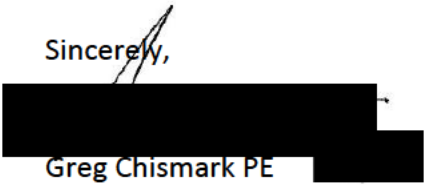
General Comments

1. Per requirement in Section 16-174.C.1 please provide copies of all other related permits or permit applications by other jurisdictions or agencies. Wetlands are noted on site and although it appears avoidance is the approach, coordinate with USACE for concurrence and clearance to proceed. Provide correspondence with USACE regarding this project.
2. If wetlands are jurisdictional indicate required wetland limits and buffers.
3. We recommend the use of infiltration basins to mitigate peak flow and also to offset increases in runoff volumes. Existing drainage patterns direct surface runoff towards existing residential structures. This location is particularly sensitive.
4. Provide a stormwater narrative that describes existing and proposed conditions as well as quantifies the changes in peak flows to existing outfall locations.
5. A drain tile survey is required for this project.
6. Since vegetative land cover is a critical component of the project an easement over the property for vegetation management as it relates to stormwater management is requested.

The applicant's design professionals are responsible for performing and checking all design computations, dimensions, details, and specifications in accordance with all applicable codes and regulations, and obtaining all permits necessary to complete this work. In no way does this review relieve applicant's design professionals of their duties to comply with the law and any applicable codes and regulations, nor does it relieve the Contractors in any way from their sole responsibility for the quality and workmanship of the work and for strict compliance with the permitted plans and specifications.

If you have any questions or comments, please contact us at (630) 443-7755.

Sincerely,



Greg Chismark PE
WBK Engineering, LLC