

**KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE**  
***Kendall County Historic Court House***  
***Court Room***  
***110 W. Madison Street, Yorkville, Illinois***  
**4:00 p.m.**  
**Meeting Minutes of August 14, 2025**

**CALL TO ORDER**

The meeting was called to order by Chairman Wormley at 4:50 p.m.

**ROLL CALL**

Committee Members Present: Brian DeBolt, Dan Koukol, Ruben Rodriguez, and Seth Wormley

Committee Members Absent: Elizabeth Flowers

Also Present: Matthew H. Asselmeier, Director, Wanda A. Rolf, and Dan Gorman

**APPROVAL OF AGENDA**

Member Rodriguez made a motion, seconded by Member Koukol, to approve the agenda as presented. With a voice vote of four (4) ayes, the motion carried.

**APPROVAL OF MINUTES**

Member Koukol made a motion, seconded by Member Rodriguez, to approve the minutes of the June 9, 2025, meeting. With a voice vote of four (4) ayes, the motion carried.

**PUBLIC COMMENT**

None

**Expenditure Report**

***Review of Expenditures from June 2025***

The Committee reviewed the Expenditure Report.

***Review of Expenditures from July 2025***

The Committee reviewed the Expenditure Report.

**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.

On July 30, 2025, the Petitioner informed the Department that they wished to amend their site plan to reorient the positioning of the panels.

Since the site plan was not entered into evidence at the Zoning Board of Appeals hearing, Staff recommends that the proposal be referred back to the Zoning Board of Appeals for rehearing. The earliest a rehearing could occur is September 29, 2025.

Daniel J. Gorman, Senior Developer for USA Energy Independence, LLC, spoke about the change of site plan. The solar panels will be placed lower to the ground. The new racking will be seven feet (7') tall instead of the original ten feet (10') tall. Mr. Gorman stated that his company has always used domestic racking, but other companies have not used this type of racking. Other solar companies have switched to domestic racking which is causing a backlog.

Member Koukol asked how many projects the Petitioner is currently working on. Mr. Gorman responded he is working on four (4) at the present time.

Member Rodriguez asked when the project would start. Mr. Gorman stated the project would start in the spring of next year.

Member DeBolt made a motion, seconded by Member Rodriguez, to refer the proposal back the Zoning Board of Appeals.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.

Assuming proper notification occurs, the proposal will be on the September 29, 2025, Zoning Board of Appeals agenda.

*Petition 25-05 Kendall County 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. To date, no comments have been 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.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on May 28, 2025. Discussion occurred regarding the application materials and application checklists; these will be reviewed by the Planning, Building and Zoning Committee at a future date. The Kendall County Regional Planning Commission 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 Kendall County Zoning Board of Appeals held a public hearing on this proposal on June 2, 2025. Nobody from the public testified at the public hearing. Discussion occurred regarding the need for three (3) paper copies. The Kendall County Zoning Board of Appeals recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with one (1) Member absent. The minutes of the hearing were provided.

The draft ordinance was provided.

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

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.

The proposal goes to the Kendall County Board on August 19, 2025, on the consent agenda.

*Petition 25-06 Kendall County 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 was provided.

Information was sent to the Townships on April 23, 2025. To date, no comments have been 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.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on May 28, 2025. Discussion occurred regarding 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. The Kendall County Regional Planning Commission 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 Kendall County Zoning Board of Appeals conducted a public hearing on this proposal on June 2, 2025. Nobody from the public testified at the public hearing. The Kendall County Zoning Board of Appeals recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with one (1) Member absent. The minutes of the hearing were provided.

The draft ordinance was provided.

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.

~~(10)~~ (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](#).

~~(11)~~ (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.

~~(12)~~ (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 De-~~

~~partment, 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.~~

~~(c)~~ (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, to-

gether 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.

Member DeBolt asked why the members of ZPAC are relinquishing their commission. Mr. Asselmeier answered that most of the members of ZPAC are employees of the County or organizations associated with the County. It is easier for the members to receive materials electronically and submit their comments directly to Mr. Asselmeier, instead of having a meeting.

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

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.

The proposal goes to the Kendall County Board on August 19, 2025, on the consent agenda.

Petition 25-07 Brock VanAsdlen

Mr. Asselmeier summarized the request.

On May 9, 1989, the Kendall County Board granted a special use permit for an agricultural heliport at the subject property. Ordinance 1989-13 was provided.

Condition 1 of the special use permit stated the special use permit would terminate if the State rescinded the permit at the property.

On July 15, 2025, the Petitioner submitted a request for voluntary revocation of the special use permit. This request is attached to the draft revocation ordinance.

The draft revocation ordinance was provided.

The subject property is zoned A-1. If the special use permit is revoked, the property will retain its A-1 zoning classification.

Member Koukol asked if there would be a problem if the property owner kept the special use permit. Mr. Asselmeier answered that it would be a question regarding their taxes. In this case, the property owner voluntarily gave permission to revoke the special use permit.

Member Rodriguez asked how PBZ knew these property owners were not utilizing their special use permit. Mr. Asselmeier stated that if the special use permit was not used for two (2) years the County Board can revoke the special use permit. Mr. Asselmeier noted that the Department's Summer Intern examine site plans of special use permits against the County's aerals.

Some property owners opted to keep their special use permits.

Member Koukol made a motion, seconded by Member Rodriguez, to recommend approval of the revocation.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried.

The proposal goes to the Kendall County Board on August 19, 2025, on the consent agenda.

#### Petition 25-11 Nancy Updike

Mr. Asselmeier summarized the request.

On July 14, 1981, the Kendall County Board granted a special use permit for a private landing strip at the subject property. Ordinance 1981-06 was provided.

On July 24, 2025, the Petitioner submitted a request for voluntary revocation of the special use permit. This request is included with the draft revocation ordinance.

The draft revocation ordinance was provided.

The subject property is zoned A-1. If the special use permit is revoked, the property will retain its A-1 zoning classification.

Member DeBolt made a motion, seconded by Member Koukol, to recommend approval of the revocation.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.

The proposal goes to the Kendall County Board on August 19, 2025, on the consent agenda.

**NEW BUSINESS:**

*Approval of a Community Benefit Agreement Between USA Energy Independence 1, LLC and the County of Kendall, Illinois*

Mr. Asselmeier summarized the request.

This proposal requires the developer of the solar project between 9417 and 9221 Corneils Road to pay the County to offset the loss of property tax revenue caused by the development of a solar farm instead of other uses on the subject property.

The developer shall pay the County Fifteen Thousand Dollars (\$15,000), the equivalent of approximately Three Thousand Dollars (\$3,000) per megawatt, annually. The payment shall increase five percent (5%) every five (5) years.

The first payment is due within thirty (30) days after the project achieves commercial operations and subsequent payments are due by the anniversary of the first payment or on a mutual agreed date.

This proposal has the same terms as the Community Benefit Agreement for the solar project in the 10000 Block of Ament Road.

The proposal was provided.

Member DeBolt asked how many acres are on the property. Mr. Asselmeier responded that the property is thirty-seven (37) acres and the fenced in area with the solar panels will be twenty (20) acres.

Member DeBolt made a motion, seconded by Member Koukol, to recommend approval of the proposal.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.



The proposal goes to the Kendall County Board on August 19, 2025, on the consent agenda.

*Approval of Updated Zoning Application Calendars for 2025*

Mr. Asselmeier summarized the request.

With the pending passage of text amendments abolishing ZPAC (Petition 25-06), the application calendars for preliminary plats, final plats, RPD concept plans, RPD preliminary plats, RPD final plats, other plats, text amendments, map amendments, special use permits, and major amendments to special use permits needed to be amended to reflect the removal of ZPAC as a formal meeting.

The application calendar for site plans was abolished because ZPAC was the only committee that met to review the applications.

The proposed calendars were presented.

Member DeBolt made a motion, seconded by Member Rodriguez, to approve the amended calendars.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried.

*Approval of an Agreement with Teska Associates, Inc. for Planning Services for a Period of One Year at a Cost Not to Exceed \$175 Per Hour; Related Invoices to be Paid from the Planning, Building and Zoning Department's Consultant Line Item (11001902-63630)*

Mr. Asselmeier summarized the request.

Teska Associates, Inc. has been Kendall County's Planning Consultant for the last twenty plus (20+) years. They served the County when the Senior Planner/Director position was vacant and/or in a backup capacity.

The proposed contract would continue this practice for the next year. Teska Associates, Inc. would answer general zoning questions and provide staff for various committees in the absence of the Planning, Building and Zoning Director. The contract would be valid for one (1) year. Teska Associates, Inc. would bill the County on a bi-weekly basis when services are rendered.

The changes from the 2024-2025 contract are as follows:

1. In the first paragraph, the County's address is updated to 807 W. John Street.
2. In Item C, the pay rate for an Associate increased from One Hundred Fifteen Dollars (\$115) per hour to One Hundred Twenty Dollars (\$120) per hour.
3. In Attachment A, ZPAC is removed from the list of meetings in Number 2.

This proposal is different and separate than the contract that the County has with Teska Associates, Inc. to update the County's Comprehensive Plan.

As noted in Item B, Mike Hoffman is the assigned Staff member from Teska Associates, Inc. If Mike is unavailable, the contract would need to be amended.

The proposed contract was provided.

Member DeBolt made a motion, seconded by Member Rodriguez to recommend approval of the proposal.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.

The proposal goes to the Kendall County Board on August 19, 2025, on the consent agenda.

*Approval of a Request from Michael Isadore to Renew a Special Use Permit for Swimming Lessons Granted by Ordinance 1982-02 at 15331 Burr Oak Road, Plano*

Mr. Asselmeier summarized the request.

On May 11, 1982, the County Board approved Ordinance 82-2 which granted a special use permit for swimming lessons at 15331 Burr Oak Road. Condition 1 required that the special use permit be renewed annually.

On July 1, 2025, the property owner, Michael Isadore, submitted a request to renew the special use permit.

On July 29, 2025, Staff emailed the Health Department and Sheriff's Department asking they had any objections to this renewal. To date, no objections have been received.

Member Koukol made a motion, seconded by Member DeBolt, to approve the renewal.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.

#### NPDES Survey Results

Mr. Asselmeier summarized the results.

The County sent the NPDES survey to the townships at the end of June. 2025 was the seven (7th) time the County sent the survey.

Five townships responded this year compared to seven (7) townships in 2024 and four (4) townships in 2023, 2022, 2021, and 2020, and five (5) townships in 2019. Big Grove Township responded for the first time since 2020. Na-Au-Say Township responded for the first time since 2021. This was the first time that Oswego Township did not respond. Lisbon Township responded every year.

The topic of how to properly store and dispose common household products remained the most popular topics for increased learning among four (4) townships. However, this topic was the least popular topic in one (1) township. Incorporating green infrastructure was the topic of middle interest for three (3) townships; this topic historically has been the topic of middle interest. Composting was the topic of least interest for the three (3) other townships.

The Townships generally do not use the stormwater information on the County's website; this has been historically the case.

Five (5) townships felt that the quality of surface water was important to the residents of their township. Five (5) townships also felt that protecting the quality of surface water was important to their agency's work.

Over the years, respondents have not utilized volunteer information on the County's website and that remained true in 2025.

Respondents were least interested in river clean-ups and most interested in electronics recycling; this has been historically the case.

There were no illicit discharges in any of the responding townships.

The majority of respondents would like the County to perform more visual inspections and perform more grab samples downstream when illicit discharges occur. The Townships have historically responded the same way to this question.

Townships historically felt that the County does an adequate job of inspecting soil erosion and sediment control at construction sites and this remained true with in the 2025 survey with four (4) townships agreeing with this statement.

2025 was the second year with the question regarding good housekeeping. Only three (3) townships felt that they had a clear understanding of good housekeeping compared to one (1) township in 2023 and the County offered a training on the topic in 2024. Only one (1) township said they attended the training and four (4) townships said the training should be repeated.

2023 was the first year where the majority of responding townships felt the County was taking the necessary steps to reduce flooding and this trend continued in 2024 and 2025. Lisbon and Seward responded no to this question in 2024, but said yes in 2025. Na-Au-Say Township responded no to the flooding question.

The survey composite and comparison of the previous survey responses were provided.

The committee reviewed the NPDES survey results.

*Discussion of Short-Term Rental Regulations; Committee Could Initiate Text Amendments to the Kendall County Code Related to Short-Term Rental Regulations*

Mr. Asselmeier summarized the request.

The County Board approved the existing short-term rental regulations as part of the Zoning Ordinance Update Project in 2020 (Ordinance 2020-17).

The regulations are as follows:

Section 36-2 Definitions:

“Short-term rental means a one (1) family dwelling, two (2) family dwelling, or accessory structure with residentially allowed occupancy permits that are rented for a maximum thirty (30) days.”

Section 36-971 (a) (15) Accessory buildings, uses, and structures:

“Short-term rental provided the property is annually registered with the County Planning, Building and Zoning Department.”

There has been internal discussion about amending these regulations, including setting a maximum number of occupants at sixteen (16), clarifying revocation requirements, creating a penalty period where the property cannot obtain renewal, and requiring a pre-application meeting with various County departments. In addition, there has been discussion that the Department create an informational packet for prospective short-term rental property owners and add short-term rentals to the list of categories for Health Department site evaluations.

As of July 31, 2025, there are thirteen (13) short-term rentals registered with the County. None of the registered properties have a maximum occupancy greater than sixteen (16). The number of registered properties does not include the two (2) properties that have special use permits to be bed and breakfast establishments.

Member Koukol asked if the proposals were made from the Staff. Mr. Asselmeier responded that they were from internal discussions to obtain clarity on the short-term rentals who may not be following the rules.

Member Koukol asked how many short-term rentals the County currently has. Mr. Asselmeier stated there were thirteen (13) short term rentals registered with the County.

Member Koukol asked what types of complaints are made. Mr. Asselmeier stated that the biggest complaints were parking, noise, and the owners of the short-term rentals that are registered with the County would like to make sure their competitors are registered and properly inspected.

Member DeBolt asked about the short-term rental on Corneils Road. Mr. Asselmeier stated that that application stated there are nine (9) bedrooms but the septic system was designed for five (5) bedrooms.

Member DeBolt asked what the next step would be. Mr. Asselmeier stated the Department is gathering evidence that the owner is advertising the property as a short-term rental. Member DeBolt asked what the fines were. Mr. Asselmeier responded that the fine is Five Hundred Dollars (\$500) per week until it is resolved.

Chairman Wormley wanted to encourage all neighbors to attend meetings. Member DeBolt would like PBZ to issue certified letters to the neighbors of the short-term rentals notifying them of upcoming meetings.

The committee would like to initiate a plan for short term rentals. Mr. Asselmeier will contact other municipalities in the area that have short term rentals and discuss the regulations they have in place.

Member DeBolt made a motion, seconded by Member Rodriguez to recommend the initiation of a text amendment related to short-term rental regulations.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley  
Nays (0): None  
Abstain (0): None  
Absent (1): Flowers

The motion carried.

Staff will work with Chairman Wormley on the final language of the proposal and bring the proposal back to the Committee if there are significant changes before running the proposal through the process. If there are no significant changes from what was discussed, the proposal will go through the process.

### **OLD BUSINESS:**

#### **Update on the Comprehensive Plan Update Project**

Mr. Asselmeier reported that all of the workshops have been completed and the deadline to submit surveys online is August 17, 2025.

#### **Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township; Committee Could Approve the Issuance of a Citation**

Mr. Asselmeier stated that, after two (2) months of waiting the on the update of the stormwater permit application, the County informed the property owner that a citation is pending. The Petitioner's engineer submitted the paperwork to IDNR and are working on resolving the issues they had with their application.

#### **Updates on Amendments to the County-Wide Stormwater Management Ordinance Division of the Kendall County Code**

Mr. Asselmeier stated there are no updates at this time. The state and the federal government are reviewing the proposal.

### **REVIEW PRE-VIOLATION AND VIOLATION REPORT:**

The Committee reviewed the report.

### **UPDATE FROM HISTORIC PRESERVATION COMMISSION:**

Mr. Asselmeier reported that approximately twenty (25) people attended the meeting. The meeting was held at the Ellis House and Equestrian Center. Mr. Asselmeier stated Dave Guritz spoke about the history of the Ellis House. Ken Itle did a presentation on the historic structure surveys in Na-Au-Say and Seward Townships and how to landmark cemeteries. Members from other organizations spoke about the projects they were currently working on.

### **REVIEW PERMIT REPORTS FROM JUNE AND JULY:**

The Committee reviewed the reports.

**REVIEW REVENUE REPORT:**

The Committee reviewed the report.

**CORRESPONDENCE**

June 11, 2025, Email from Alyse Olson from the Kendall County Soil and Water Conservation District Pertaining to NRI Application Form and Fees

The Committee reviewed the email. Their fees have increased and the County will be updating the application packets.

**COMMENTS FROM THE PRESS:**

One (1) of the members of the press asked about the number of people allowed in the short-term rentals. Mr. Asselmeier responded that there is no limit at this time. The way it's handled is if a property is on well and septic, the septic system was designed for a certain capacity and the County relies on that number to determine what is allowable. Mr. Asselmeier stated the County does not have a property maintenance code.

Mr. Asselmeier stated he will draft a text amendment and give it to Chairman Wormley to see if it's satisfactory.

**EXECUTIVE SESSION**

None

**ADJOURNMENT:**

Member DeBolt made a motion, seconded by Member Rodriguez to adjourn. With a voice vote of four (4) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 5:59 p.m.

Minutes prepared by Wanda A. Rolf, Part-Time Office Assistant