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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

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To: Kendall County Planning, Building & Zoning Committee  
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner  
Date: March 1, 2023  
Re: Petition 23-15 Request for Minor Amendment to a Special Use Permit for Public/Private Utility Other at 16400 Newark Road

On August 21, 2018, the Kendall County Board approved Ordinance 2018-15, granting a special use permit for a public or private utility (other) at 16400 Newark Road in Big Grove Township. At the time of application submittal, the County did not have commercial solar panel zoning regulations.

Condition 2.C of the Ordinance required certain arborvitae to be planted in a manner that created a complete buffer by August 21, 2023. A copy of Ordinance 2018-15 is attached to this memo.

On February 23, 2023, the Petitioner submitted a request for an amendment to the special use permit to extend the deadline for installing the arborvitae until August 21, 2024. A copy of the application is attached to the memo.

Petition information was sent to Big Grove Township and the Village of Newark on March 1, 2023.

Staff recommends approval of the requested extension.

If the Planning, Building and Zoning Committee wishes to approve the request, a draft minor amendment is attached.

If you have any questions, please let me know.

Thanks,

MHA

ENCs: Application Material  
Ordinance 2018-15  
Draft Minor Amendment



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Yorkville, IL • 60560  
(630) 553-4141 Fax (630) 553-4179

**APPLICATION**

PROJECT NAME \_\_\_\_\_ FILE #: \_\_\_\_\_

NAME OF APPLICANT (Including First, Middle Initial, and Last Name) <i>Nancy L. Harazin</i>		
CURRENT LANDOWNER/NAME(s) <i>SAME</i>		<i>07-05-400-003</i>
SITE INFORMATION ACRES <i>60+/-</i>	SITE ADDRESS OR LOCATION <i>16400 NEWARK RD-NEWARK, IL</i>	ASSESSOR'S ID NUMBER (PIN) <i>60518</i>
EXISTING LAND USE	CURRENT ZONING <i>A-1 SPECIAL USE</i>	LAND CLASSIFICATION ON LRMP
REQUESTED ACTION (Check All That Apply):		
<input checked="" type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input checked="" type="checkbox"/> AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input checked="" type="checkbox"/> Minor)		
1 PRIMARY CONTACT <i>NANCY L. HARAZIN</i>	PRIMARY CONTACT MAILING ADDRESS [REDACTED]	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX # [REDACTED]	PRIMARY CONTACT CELL # [REDACTED]
2 ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE APPLICATION DATE.		
SIGNATURE OF APPLICANT [REDACTED]	DATE <i>2/23/2023</i>	

FEE PAID: \$ *150.00*

CHECK #: [REDACTED]

<sup>1</sup>Primary Contact will receive all correspondence from County

<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants



§13:08.N of the Zoning Ordinance states that a Minor Amendments are those that do not alter the intent or uses of the property for which a Special Use has been approved. Minor Amendments shall be limited to the following:

1. Proposed additions, enlargements or changes in any existing or proposed building or buildings, shown on any controlling site plans attached to or referenced in the ordinance which granted the special use (if applicable), and the addition of accessory structures not shown on such plans may be permitted provided that all of the following conditions are met:
  - a) The proposed addition, enlargement or change will, in the opinion of the Zoning Administrator, result in a better utilization of the property or a more efficient and desirable use of the land.
  - b) The change shall not constitute more than a ten (10) percent increase in the lot coverage of all approved buildings on the property or a ten (10) percent increase of the total floor area of all approved buildings on the property.
  - c) The proposed addition, enlargement or change will not infringe upon or extend into any required building setback, off street parking or loading space or required building separation or exceed the height or bulk regulations of the underlying zoning district.
  - d) The additional off-street parking or loading spaces required for such proposed addition, enlargement or change, can be supplied as required by the applicable zoning ordinance provisions.
  - e) The proposed addition, enlargement or change will not result in an enlargement or increase of any previously approved variation.
  
2. Minor Modifications of Conditions provided that all of the following are met:
  - a) The proposed modification will, in the opinion of the Zoning Administrator, result in equal or better performance than the original condition imposed.
  - b) The proposed modification or change shall not result in a change of more than ten (10) percent of any previously imposed condition.
  - c) The result of the proposed modification shall be that the property will still be in substantial compliance with the previously approved ordinance.

**Please verify your modification fits the above criteria and briefly describe the minor amendment below:**

*See attachment*

## Matt Asselmeier

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**From:** [REDACTED]  
**Sent:** Tuesday, February 21, 2023 3:25 PM  
**To:** Matt Asselmeier  
**Subject:** [External]RE: Newark Road Property

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

MATT ASSELMEIER: PLEASE EXTEND THE PLANTING OF THE ARBORVITAE BIRM FOR 1 YEAR TO August of 2024 FROM AUGUST OF 2023 regarding my property at 16400 Newark Road, NEWARK, IL for a special use permit to install a solar farm. Thanks, Nancy L. HARAZIN  
Sent from the all new AOL app for Android

On Tue, Feb 21, 2023 at 8:25 AM, Matt Asselmeier  
<masselmeier@kendallcountyil.gov> wrote:

Nancy:

Just a reminder, the landscaping referenced in the special use permit for your property is supposed to be installed by August 2023.

If you believe an extension to this deadline will be required, please let me know.

Thanks,

Matthew H. Asselmeier, AICP, CFM

Senior Planner

Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179

ORDINANCE NUMBER 2018- 15

**GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A PUBLIC OR PRIVATE UTILITY – OTHER (SOLAR PANELS) FOR A 60.0 ACRE +/- PARCEL LOCATED APPROXIMATELY 0.2 MILES EAST OF ILLINOIS ROUTE 71 ON THE SOUTH SIDE OF NEWARK ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 07-05-400-003 AND ALSO KNOWN AS 16400 NEWARK ROAD IN BIG GROVE TOWNSHIP**

*WHEREAS*, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

*WHEREAS*, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 60.0 acres located on the south side of Newark Road approximately 0.2 miles east of Illinois Route 71 (PIN: 07-05-400-003) and is also known as 16400, Newark Road, in Big Grove Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

*WHEREAS*, the subject property is currently owned by the Nancy L. Harazin Trust Number 101 and is represent by Nancy L. Harazin and shall hereinafter be referred to as “Petitioner”; and

*WHEREAS*, on or about April 17, 2018, Petitioner filed a petition for a Special Use Permit allowing the placement of a Public or Private Utility – Other (Solar Panels) on the subject property and the energy generated from the proposed use would be consumed offsite; and

*WHEREAS*, following due and proper notice by publication in the Kendall County Chronicle not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals conducted a public hearing on June 4, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and representatives from the solar company presented evidence, testimony, and exhibits in support of the requested special use permit and two members of the public testified in opposition to the request and one member of the public asked questions about the request; and

*WHEREAS*, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended denial of the Special Use Permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated June 4, 2018, a true and correct copy of which is attached hereto as Exhibit B; and

*WHEREAS*, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Special Use Permit with conditions; and

*WHEREAS*, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this Special Use Permit 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; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Special Use Permit allowing the placement of a Public or Private Utility – Other (Solar Panels) to be placed on the subject property subject to the following conditions:
  - A. The site will be developed in accordance with the Site Plan attached hereto as Exhibit C.
  - B. Lighting will be installed in accordance with the Site Plan attached hereto as Exhibit C. Lighting shall not be visible from neighboring properties.
  - C. The landscaping shall occur in accordance with the Landscaping Plan attached hereto as Exhibit C. The owner and/or operation shall plant arborvitaes at least seven feet (7') in height as measured from the top of the root ball at the time of planting along the north side of the property to block the visibility of the solar panels from the property north of the subject property. The arborvitaes shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit. Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
  - D. Replacement of dead and/or damaged vegetation shall occur on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department.
  - E. Signage shall be installed as described in Exhibit C. In addition, at least one (1) sign shall be placed at the vehicle access gate stating emergency contact information.
  - F. The site shall be decommissioned in accordance with the Decommissioning Plan attached hereto as Exhibit C. In the event the Decommissioning Plan changes, the property owner shall supply the Kendall County Planning, Building and Zoning Department with revised plans as soon as they are available. The owner or operator shall establish a decommissioning bond in the amount of Two Hundred Thirty-Thousand Dollars (\$230,000). Said bond shall be maintained for the duration of the special use permit.
  - G. The Decommissioning Plan shall be initiated by a simple a majority vote of the Kendall County Board if the solar panels are not used for ninety (90) consecutive days.
  - H. The property owner or operator shall have six (6) months from the date of the vote of the Kendall County Board to initiate the Decommissioning Plan and to complete the Decommissioning Plan and remove the solar panels and related equipment from the property.
  - I. On or before February 1<sup>st</sup> of each year, the owner or operator shall provide the Kendall County Planning, Building and Zoning Department with a report outlining the amount of energy produced at the property during the previous year.

- J. In addition to other applicable fees, the following fees should be paid to the County prior to the installation of the solar panels:
- Building Permit Fees
- |           |        |
|-----------|--------|
| 0-10 KW   | \$150  |
| 51-100    | \$300  |
| 101-500   | \$600  |
| 501-1000  | \$1200 |
| 1001-1500 | \$2750 |
| 1501-2000 | \$6000 |
- Over 2000 KW \$200 for Each Additional 0-100 KW  
Fees Double if Construction Commences before Obtaining Building Permit.
- K. The property owner or operator shall maintain current liability policy covering bodily injury and property damage at least Three Million Dollars per occurrence and Five Million Dollars in aggregate and must have policy for the duration of the special use permit, such insurance may be provided pursuant to a plan of self-insurance by a party with a net worth of Twenty Million Dollars or more and the County shall be named as additional insured to the extent that the County is entitled to indemnification.
- L. The property owner or operator shall indemnify, and hold harmless the County and its officials, employees, and agents (collectively and individually, the "Indemnified Parties") from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney's fees, except to the extent arising in whole or part out of negligence or intentional acts of such Indemnified Parties (such liabilities together known as "liability") arising out of Applicant, Owner, or Operators selection, construction, operation, and removal of the solar energy system and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the County's other indemnification rights available under the law.
- M. Within sixty (60) days of the approval of this special use permit ordinance, the owner shall dedicate a fifteen foot (15') wide strip along the northern portion of the property in accordance with the Site Plan attached hereto as Exhibit C to Kendall County to be used as Newark Road right-of-way.
- N. The property owner or operator shall be responsible for ensuring that the operations of the solar panels allowed by this special use permit comply with all applicable Federal, State, and Local laws.
- O. Damaged or non-functioning solar panels shall be replaced or repaired on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Committee. If no timetable is agreed to between the property owner and the Kendall County Planning, Building and Zoning Committee within ninety (90) days of Kendall County's written request for a timetable, then the Kendall County Board may vote to initiate the Decommissioning Plan.
- P. The property owner or operator shall repair and if necessary re-route any drain tile damaged

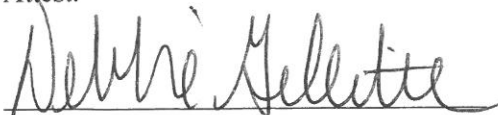
as a result of the installation, decommissioning, maintenance, or operation of the solar panels and related supporting infrastructure on a timeline approved by the Kendall County Planning, Building and Zoning Department. The site plan shall show a plan to address sheet erosion on the northern and eastern portions of the property with a prairie mix as shown on the Site Plan attached hereto as Exhibit C.

- Q. If requested by the Newark Fire Protection District, the owner and/or operator shall provide at their sole expense training to address any fire related or public health issues caused by the issuance of this special use permit. The training topics and the timeframe for the training shall be approved by the Newark Fire Protection District.
- R. Failure to comply with the above conditions or restrictions could result in the amendment or revocation of the special use permit or the initiation the Decommissioning Plan by the Kendall County Board.
- S. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- T. The property owner and operator shall execute an Agricultural Impact Mitigation Agreement with Kendall County. The Agricultural Impact Mitigation Agreement shall be modeled on the State of Illinois template Agreement that existed on the date of the adoption of this ordinance.

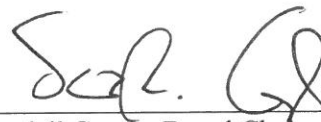
- 3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Special Use Permit.

*IN WITNESS OF*, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21<sup>st</sup> day of August, 2018.

Attest:



Kendall County Clerk  
Debbie Gillette



Kendall County Board Chairman  
Scott R. Gryder



# Exhibit A

K:\P\data\2018 Projects\18.0028\18.0028-01 LTS\Legal Descriptions\2018-02-01 Project Area Legal.docx

THAT PART OF THE EAST HALF OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 00 DEGREES 30 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 588.72 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 89 DEGREES 18 MINUTES 45 SECONDS WEST, ALONG SAID FENCE LINE, 712.10 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 36 SECONDS WEST, 1273.42 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 1266.62 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 50 SECONDS WEST, 774.88 FEET TO THE CENTER LINE OF NEWARK ROAD; THENCE NORTH 89 DEGREES 10 MINUTES 47 SECONDS EAST ALONG SAID CENTER LINE, 1266.50 FEET; THENCE SOUTH 00 DEGREES 56 MINUTES 36 SECONDS EAST, 793.01 FEET TO THE POINT OF BEGINNING; IN BIG GROVE TOWNSHIP, KENDALL COUNTY, ILLINOIS.

## Exhibit B

### Findings of Fact

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **Provided that the site is developed in accordance with an approved site plan, provided that the landscaping plan and fencing as presented is implemented, provided the decommissioning plan is followed, and provided that the property owner or operation maintains, repairs, and or replaces damaged solar panels, the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the community. The proposed special use may be detrimental to the morals and comfort of the neighbors.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The Petitioner provided evidence that the installation of solar panels does not negatively impact property values or harm the environment. Appropriate restrictions (including requiring an updated decommissioning plan, a landscaping plan, and fencing requirements) can ensure the proposed use does not adversely impact adjacent uses.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, adequate utilities, access roads and points of ingress and egress are provided. Appropriate conditions (including the dedication of land for additional right-of-way and developing the site in accordance with the submitted site plans and landscaping plans) can ensure that adequate drainage infrastructure will be provided.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **True, the proposed use conforms to the setback, height, and development requirements of the A-1 Agricultural Zoning District.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with Section 3.3.G of the Kendall County Land Resource Management Plan which states as an objective: "support the public and private use of sustainable energy systems (examples include wind, solar, and geo-thermal)" (Page 3-4).***



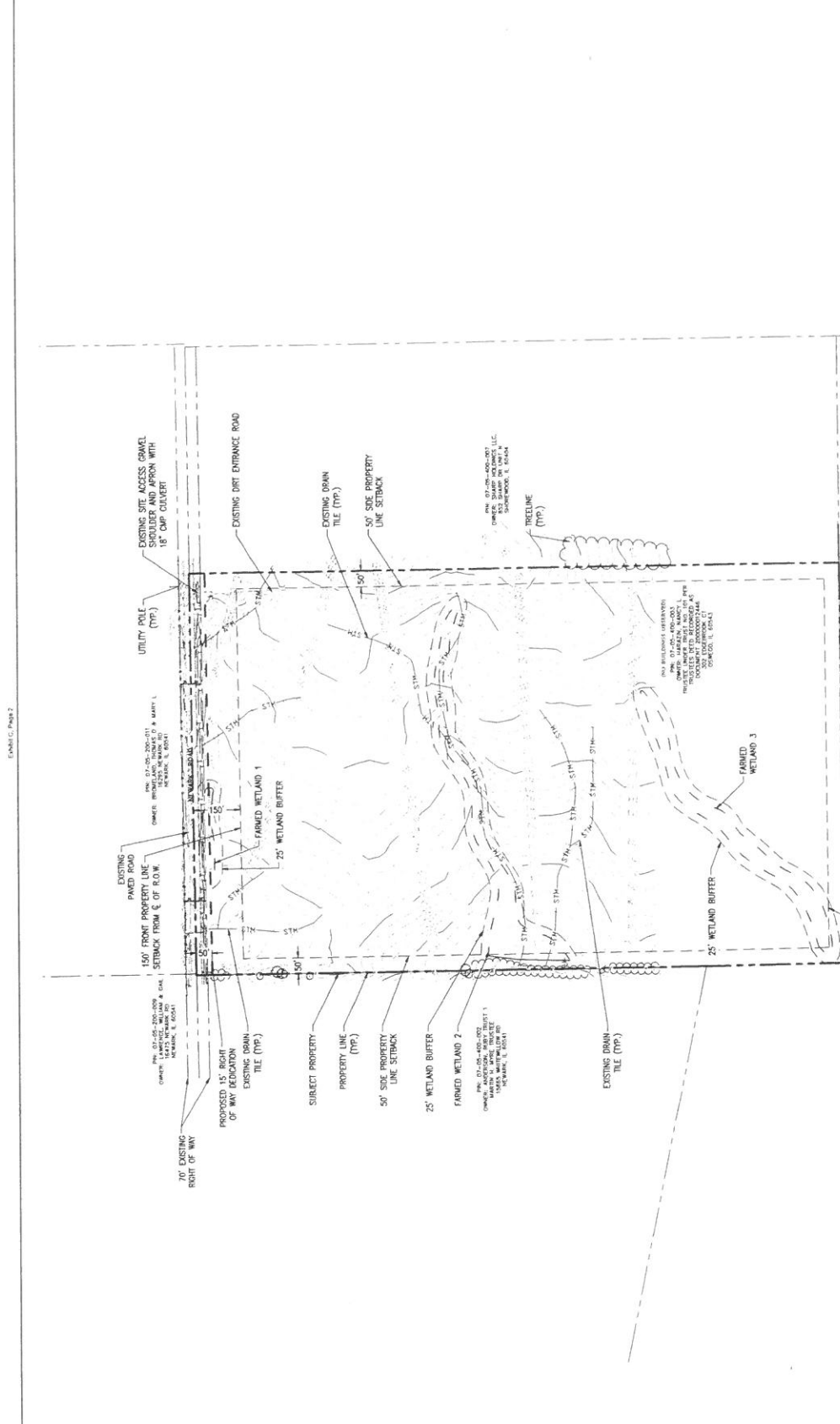
**EXISTING CONDITIONS PLAN**  
C-1.0

REV: 06/29/13  
DATE: 06/29/13  
BY: J.C.  
SITE USE: PLAN SET


PROJECT NUMBER: 9027-0112

16400 NEWARK ROAD  
NEWARK, IL 60941

NOT FOR CONSTRUCTION



**EXISTING CONDITIONS PLAN**  
SCALE: 1" = 150'



ENGINEER: JAMES DONNELL, 16400 NEWARK ROAD, NEWARK, IL 60941

NOT FOR CONSTRUCTION

EDWARD DOLAR  
 LICENSED PROFESSIONAL ENGINEER  
 NO. 123456789  
 STATE OF ILLINOIS

PROJECT NUMBER:  
 907-042

DATE: 06/29/18  
 DRAWN BY: JC  
 CHECKED BY: [Signature]  
 PROJECT: 16400 NEWARK ROAD  
 SITE USE PLAN SET

REVISIONS:

REV. NO. DATE BY DESCRIPTION

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PROJECT NUMBER:  
 907-042

DATE: 06/29/18  
 DRAWN BY: JC  
 CHECKED BY: [Signature]  
 PROJECT: 16400 NEWARK ROAD  
 SITE USE PLAN SET

REVISIONS:

REV. NO. DATE BY DESCRIPTION

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PROJECT NUMBER:  
 907-042

DATE: 06/29/18  
 DRAWN BY: JC  
 CHECKED BY: [Signature]  
 PROJECT: 16400 NEWARK ROAD  
 SITE USE PLAN SET

REVISIONS:

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16400 NEWARK ROAD  
 NEWARK, IL 60541  
 SITE USE PLANS

C-1.0  
 LAYOUT AND MATERIALS  
 PLAN

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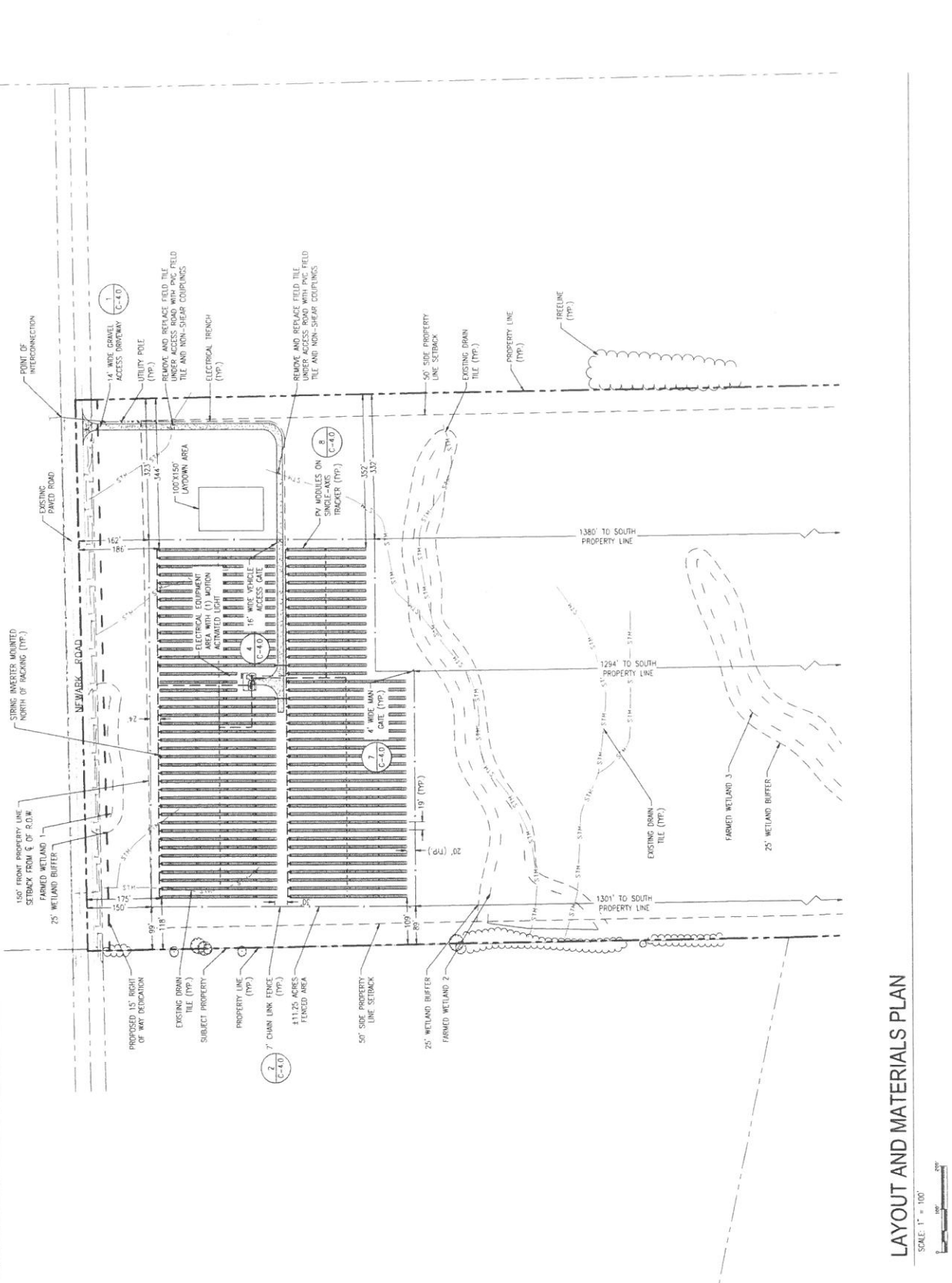
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SCALE: 1" = 100'



LAYOUT AND MATERIALS PLAN

7/15/2018 10:54:11 AM C:\Users\jdoyle\OneDrive\Documents\16400 Newark Road\16400 Newark Road.dwg

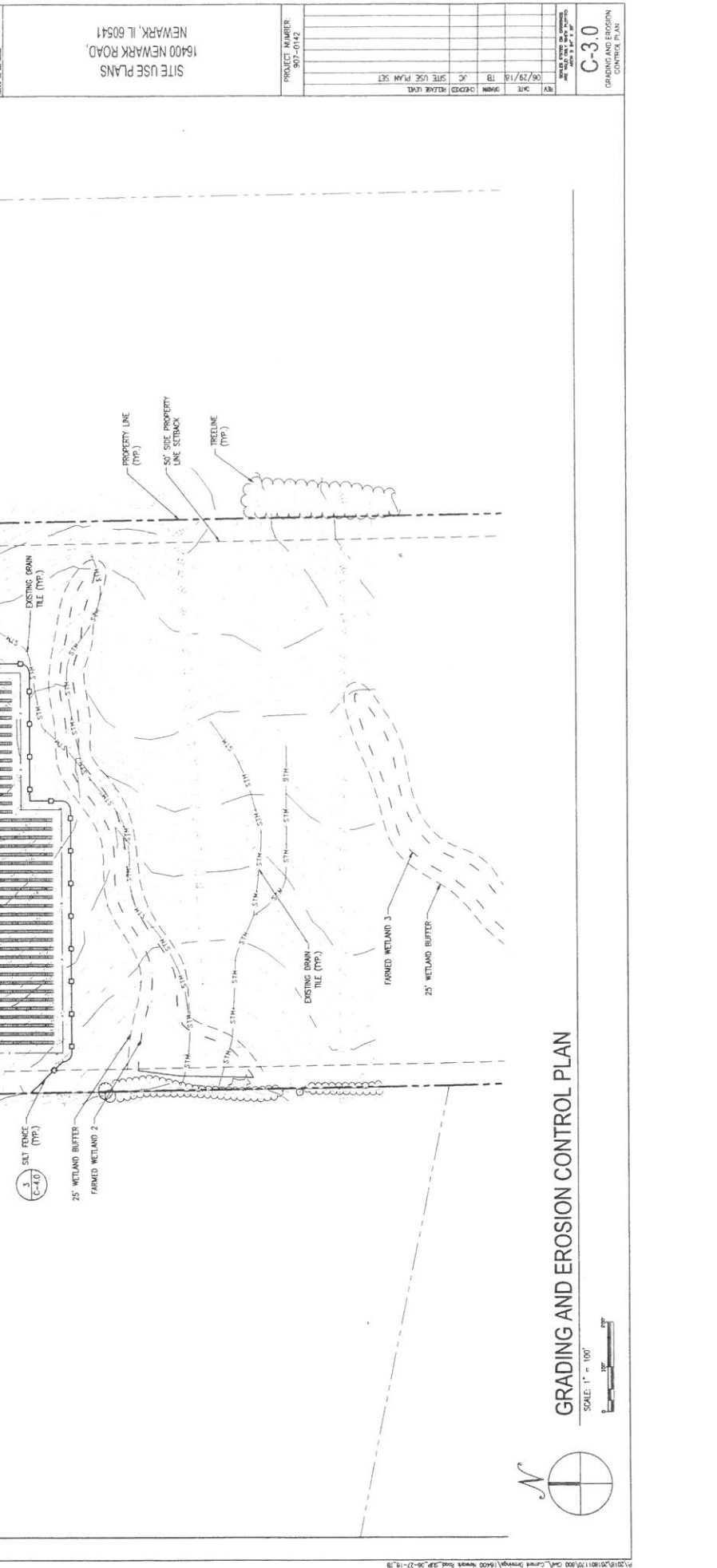
NOT FOR CONSTRUCTION

ENGINEER OF RECORD  
 16400 NEWARK ROAD, NEWARK, ILL. 60541  
 630-233-1100  
 630-233-1101  
 630-233-1102

PROJECT NUMBER: 303-0112

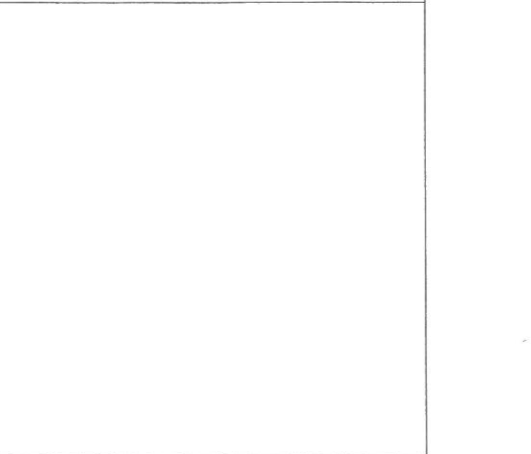
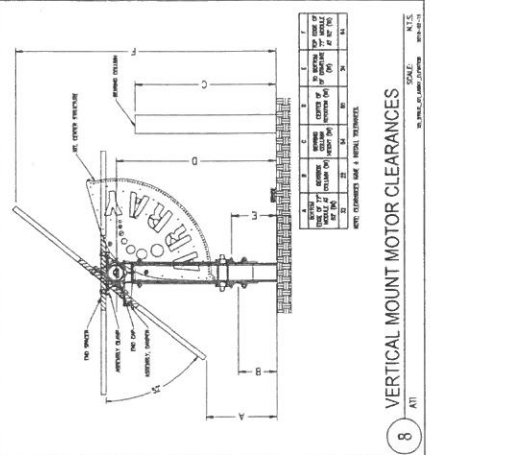
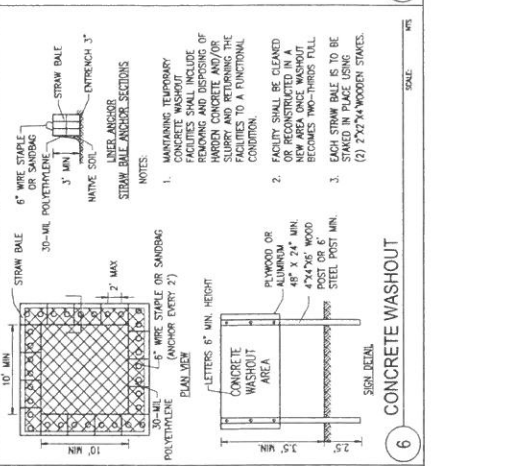
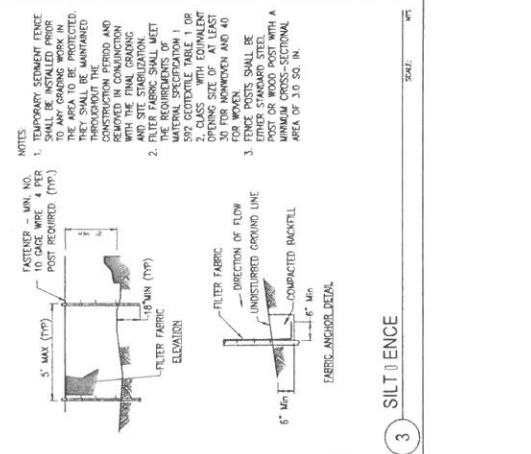
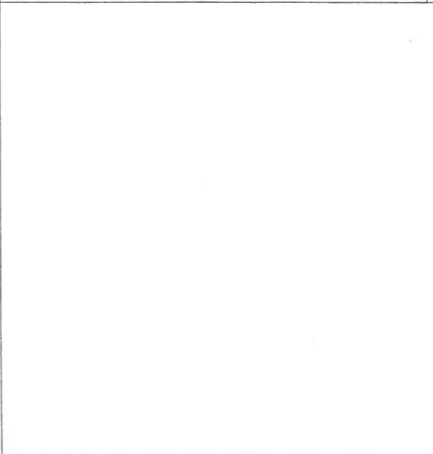
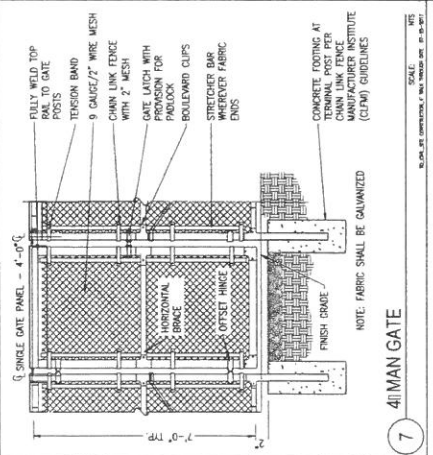
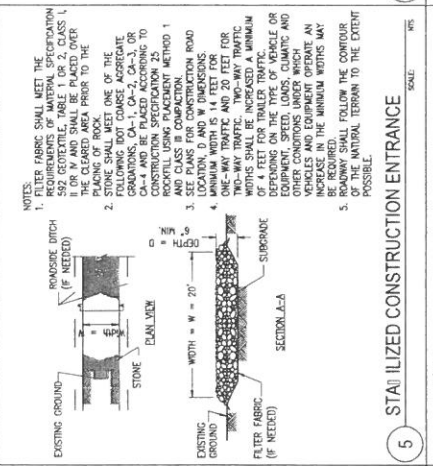
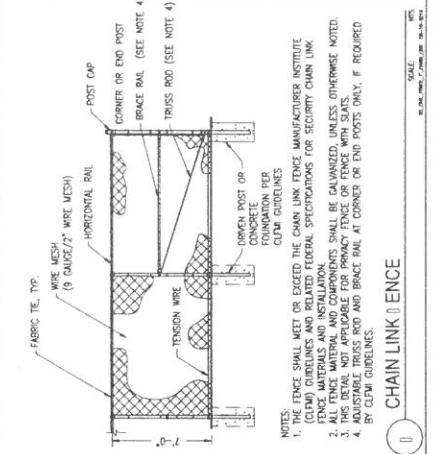
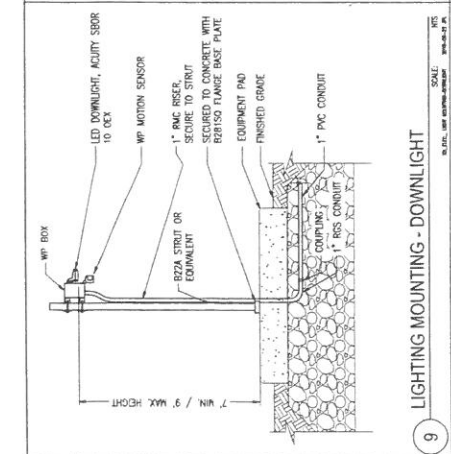
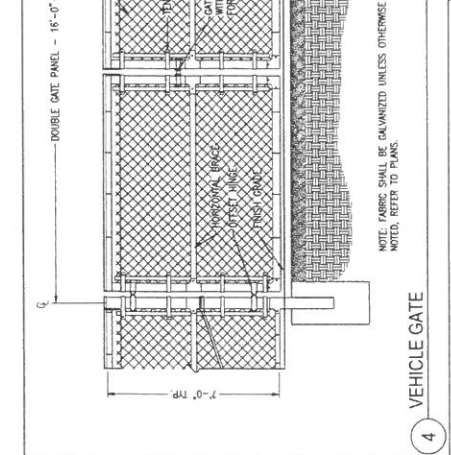
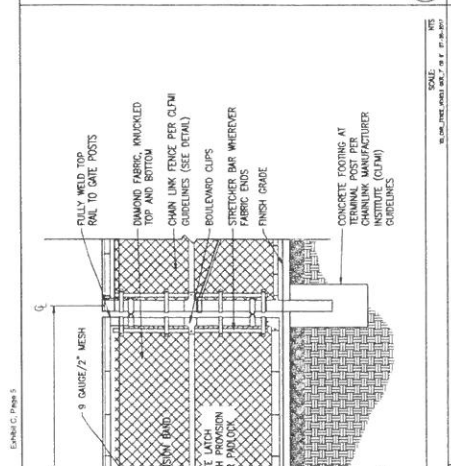
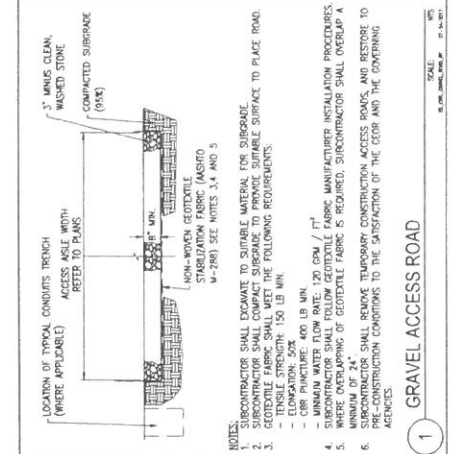
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 TIME: 10:00 AM  
 DRAWN BY: JAC  
 CHECKED BY: JAC  
 RELEASE LEVEL: SITE USE PLAN SET

C-3.0  
 GRADING AND EROSION CONTROL PLAN



SCALE: 1" = 100'

Sheet C, Page 1



REGISTERED DESIGNER  
 STATE OF ILLINOIS  
 PROFESSIONAL ENGINEERING  
 LICENSE NO. 021-001-0101  
 JOHN J. MURPHY  
 1000 N. LAKE ST. SUITE 200  
 DEERFIELD, IL 60015

NOT FOR CONSTRUCTION

PROJECT NUMBER:  
 907-0142

SITE USE PLANS  
 16400 NEWARK ROAD,  
 NEWARK, IL 60541

DATE: 06/29/18  
 DRAWN BY: J.C.  
 CHECKED BY: J.C.  
 PROJECT NUMBER:  
 907-0142

DATE: 06/29/18  
 DRAWN BY: J.C.  
 CHECKED BY: J.C.  
 PROJECT NUMBER:  
 907-0142

DATE: 06/29/18  
 DRAWN BY: J.C.  
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 PROJECT NUMBER:  
 907-0142

DATE: 06/29/18  
 DRAWN BY: J.C.  
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 PROJECT NUMBER:  
 907-0142

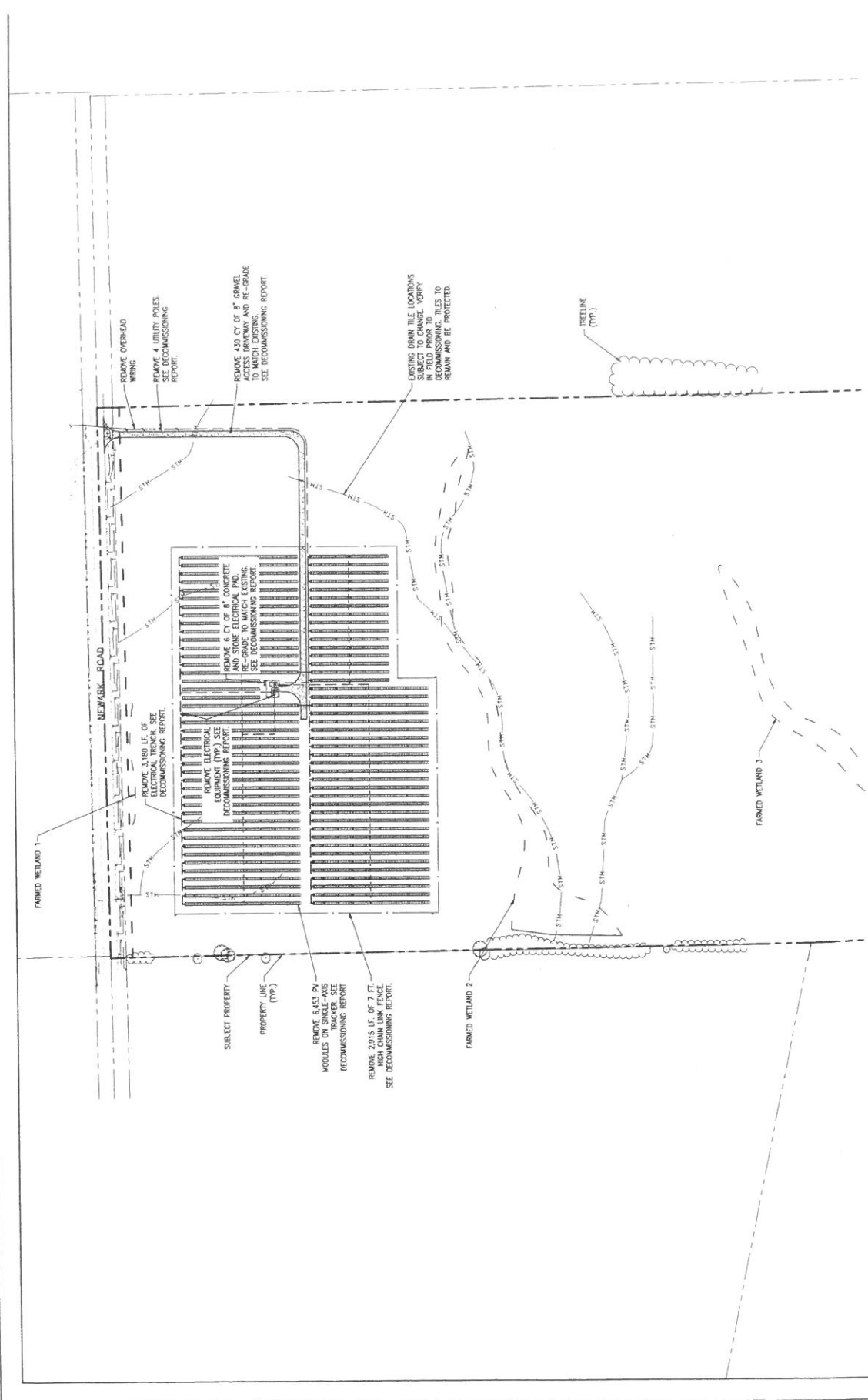
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 PROJECT NUMBER:  
 907-0142

DATE: 06/29/18  
 DRAWN BY: J.C.  
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 PROJECT NUMBER:  
 907-0142

DATE: 06/29/18  
 DRAWN BY: J.C.  
 CHECKED BY: J.C.  
 PROJECT NUMBER:  
 907-0142

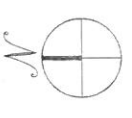
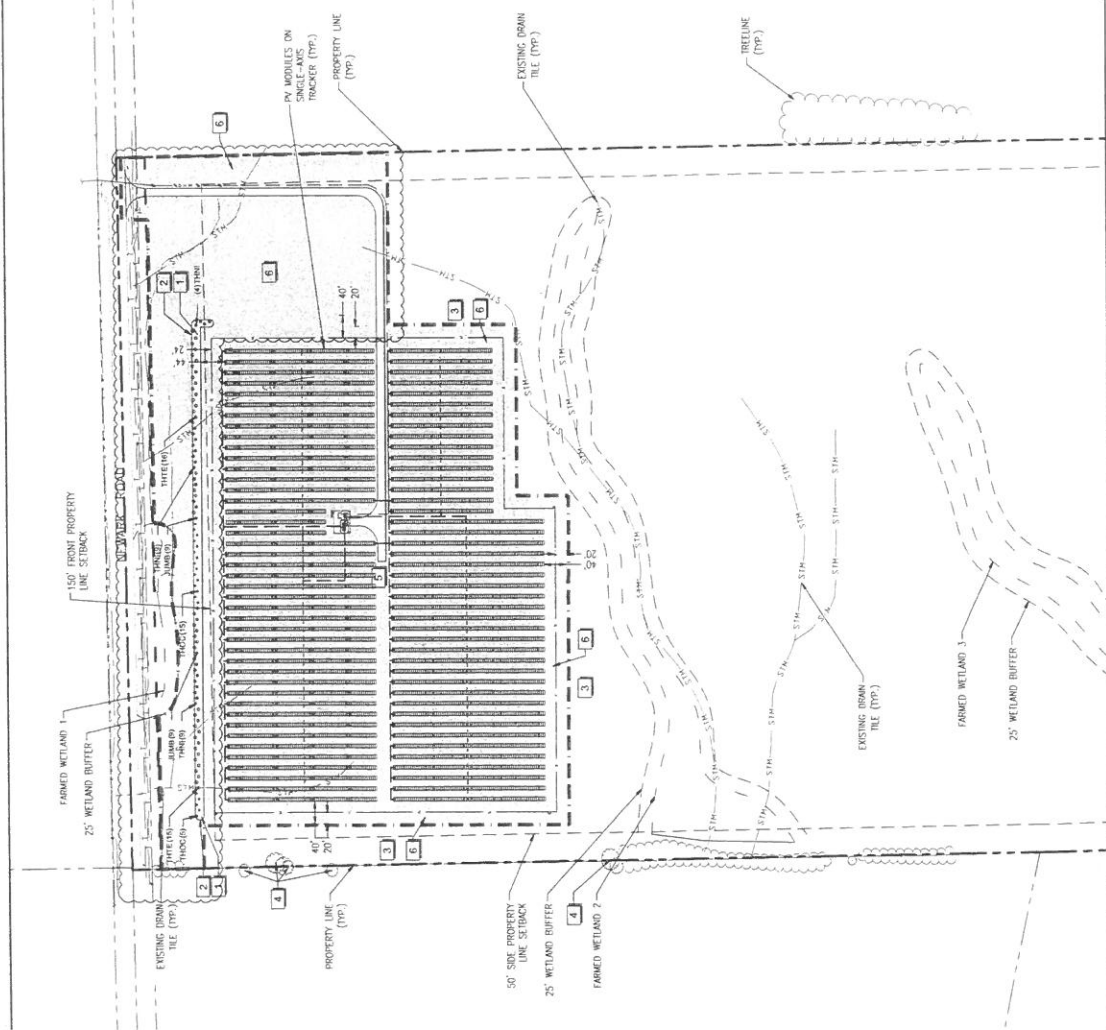
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 DRAWN BY: J.C.  
 CHECKED BY: J.C.  
 PROJECT NUMBER:  
 907-0142

Sheet C-5.0



DECOMMISSIONING PLAN  
 SCALE: 1" = 100'





LANDSCAPE PLAN

SCALE: 1" = 100'



REFERENCE NOTES SCHEDULE

- 1. TYPICAL WETLAND BUFFER SHALL BE 25 FEET WIDE.
- 2. DETAILED BUFFER DETAILS ARE PROVIDED IN THE ATTACHED NOTES.
- 3. SETBACKS SHALL BE 150 FEET FROM THE FRONT PROPERTY LINE AND 50 FEET FROM THE SIDE PROPERTY LINE.
- 4. CONTRACTOR SHALL VERIFY PROPERTY LINE AND WETLAND BOUNDARIES AS SHOWN ON THIS PLAN.
- 5. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING DRAIN TILES AND WETLANDS.
- 6. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING TRACKERS AND FM MODULES.

PLANT SCHEDULE

SYMBOL	CODE	QTY	SPECIES/COMMON NAME	COMMON NAME	HEIGHT
○	JAMP	16	JUNIPERUS COMMENSIS MOUNTAIN JUNIPER	MOUNTAIN JUNIPER	8-10 FT
○	THOS	20	TUJILA OCCIDENTALIS HOLYSTYUP	HOLYSTYUP	8-10 FT
○	THOS	22	TUJILA OCCIDENTALIS 'TECNY'	'TECNY'	8-10 FT
○	THOS	31	TUJILA OCCIDENTALIS 'WARFANA'	'WARFANA'	8-10 FT

SHRUB HEIGHT MEASUREMENTS ARE TO BE AS MEASURED FROM TOP OF ROOTBALL (TYP.)

SEED LIST

- 1. NO MOW LAWN SEED MIX WITH EROSION CONTROL BLANKET (\$16.00 per 100 lbs)
- 2. CONTACT INFORMATION FOR NO MOW LAWN SEED MIX ONLY: PRINCE NURSERY, INC., 5110 N. HANOVER ST., WISCONSIN, WI 53984, 1-800-476-9453

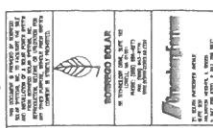
- NO MOW LAWN DESCRIPTION
- NO MOW LAWN IS A SUSTAINABLE ALTERNATIVE TO THE TRADITIONAL HIGH RESOURCE-INTENSIVE LAWN.
- NO MOW LAWN IS A SPECIALLY DESIGNED BLEND OF GRASSES, FEROCES THAT INTERLOCK WITH BRANCH-FORMING FEROCES TO FORM A DENSE SOOT THAT INHIBITS WEED GROWTH WITH ITS DENSE ROOT SYSTEM.
- NO MOW LAWN ESTABLISHES QUICKLY AND ONCE ESTABLISHED, NO MOW GRASS IS A SLOW GROWING, LOW MAINTENANCE LAWN.
- NO MOW LAWN REQUIRES NO FERTILIZERS, CHEMICAL TREATMENT, OR HERBICIDES.

PERMANENT GRASS CHART

SPECIES	QTY	SEEDING DATES
NO MOW LAWN SEED MIX	100	EARLY SPRING - JULY 1
LAWN FESCUE	25	EARLY SPRING - SEPT. 30
SLIPPER FESCUE	25	EARLY SPRING - SEPT. 30
CHICKEN FESCUE	25	EARLY SPRING - SEPT. 30
RED FESCUE	25	EARLY SPRING - SEPT. 30
CREEPING RED FESCUE	25	EARLY SPRING - SEPT. 30

TEMPORARY SEEDING

SPECIES	QTY	SEEDING DATES
OMIS	2	EARLY SPRING - JULY 1
CEREAL RYE	2	EARLY SPRING - SEPT. 30
WHEAT	2	EARLY SPRING - SEPT. 30
PERENNIAL RYTGRASS	25	EARLY SPRING - SEPT. 30



NOT FOR CONSTRUCTION

DATE: 08/29/18  
BY: [Signature]  
CHECKED BY: [Signature]  
SITE USE PLAN SET

SITE USE PLANS  
NEWARK, IL 60541

PROJECT NUMBER: 007-042
DATE: 08/29/18
BY: [Signature]
CHECKED: [Signature]
SITE USE PLAN SET

C-6.0  
LANDSCAPE PLAN



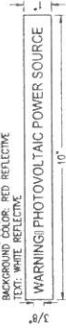
**SHEET NOTES**

- GENERAL PLACARD NOTES:** DESCRIBED IN THESE NOTES MAY APPLY TO THIS PROJECT. ELECTRICAL SUBCONTRACTOR SHALL PROVIDE ALL PLACARDS AS REQUIRED BY THE NEC, LOCAL FIRE DEPARTMENT, THE AUTHORITY HAVING JURISDICTION, AND LOCAL UTILITY REQUIREMENTS. PLACARDS IN ADDITION TO THOSE SPECIFICALLY LISTED IN THESE DRAWINGS SHALL BE REQUIRED BY THE NEC AND ARE THE RESPONSIBILITY OF THE ELECTRICAL SUBCONTRACTOR. PLACARDS SHALL BE WEATHER RESISTANT AND SUITABLE FOR THE ENVIRONMENT AND COMPLY WITH ANY ZONING ORDINANCES. PLACARDS SHALL BE WEATHER RESISTANT AND SUITABLE FOR THE ENVIRONMENT AND COMPLY WITH ANY ZONING ORDINANCES. PLACARDS SHALL BE WEATHER RESISTANT AND SUITABLE FOR THE ENVIRONMENT AND COMPLY WITH ANY ZONING ORDINANCES.
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  - PLACARDS SHALL BE WEATHER RESISTANT AND SUITABLE FOR THE ENVIRONMENT AND COMPLY WITH ANY ZONING ORDINANCES.

- EQUIPMENT ID PLACARDS:**
- SUBCONTRACTOR SHALL LABEL ALL ARRAYS, PULL BOXES, JUNCTION BOXES, COMBNER BOXES, DC SWITCHES, CIRCUIT BREAKER SAFETY SWITCHES, MULTIPLE DISCONNECT SAFETY SWITCHES, DC CONTACTOR DISCONNECTS, RESISTE PANELS, CIRCUIT BREAKERS, SWITCHES, RECTIFIERS, DVA MONITORING ENCLOSURES, AND METERING CABINETS. A PARTIAL LIST OF PLACARDS IS SHOWN HERE.
  - SUBCONTRACTOR SHALL PROVIDE A LIST OF ALL EQUIPMENT TYPES AS EACH REQUIRED EQUIPMENT ID PLACARD IS PROVIDED. THE ELECTRICAL SUBCONTRACTOR SHALL PROVIDE A LIST OF ALL EQUIPMENT TYPES AS EACH REQUIRED EQUIPMENT ID PLACARD IS PROVIDED. THE ELECTRICAL SUBCONTRACTOR SHALL PROVIDE A LIST OF ALL EQUIPMENT TYPES AS EACH REQUIRED EQUIPMENT ID PLACARD IS PROVIDED.
  - NUMBERED PER PLANS. IF ATTACHED TO THE NEAR CORNERS OF EACH ARRAY AND DRILL OR RIVET THE MIDDLE FRAMES.

V17

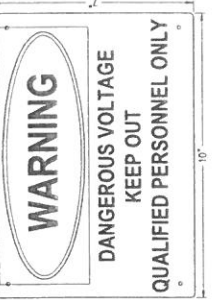
**ESL - GENERAL DC**  
 LOCATION: ALL EXPOSED DC RACKINGS, CABLE TRAYS, JP-X, JP-X, EVERY 10' WITHIN 1' OF BENCH, ON CONDUITS BETWEEN ALL ENCLOSURES, AND ABOVE/BETWEEN PENETRATIONS OF ROOF/CEILING, WALLS OR BARRIERS.  
 BACKGROUNDF COLOR: RED, REFLECTIVE  
 TEXT: WHITE, REFLECTIVE



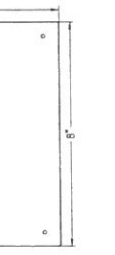
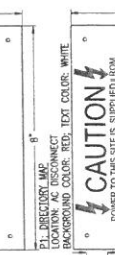
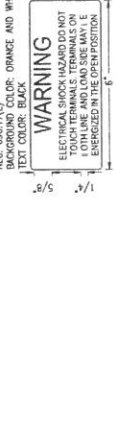
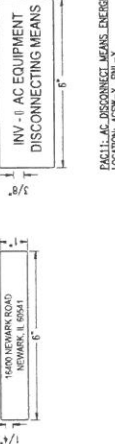
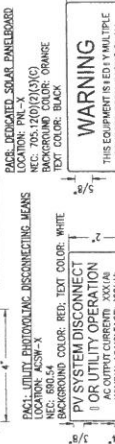
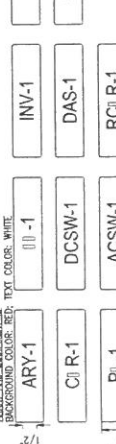
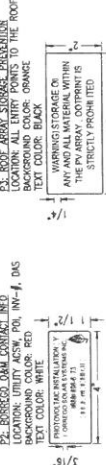
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 LOCATION: ACSW-X  
 BACKGROUNDF COLOR: RED, REFLECTIVE  
 TEXT COLOR: WHITE, REFLECTIVE



**EAL - DANGEROUS VOLTAGE**  
 LOCATION: ALL ACCESS POINTS TO THE SITE AND EVERY 250' AROUND THE PERIMETER (ON FENCES AS NECESSARY).  
 BACKGROUNDF COLOR: ORANGE, TEXT COLOR: BLACK



SCALE: AS SHOWN



**E-60**  
 PLACARDS

**MINOR AMENDMENT TO EXISTING SPECIAL USE**

**EXTENDING THE DEADLINE FOR INSTALLING AN ARBORVITAE BUFFER ON  
PROPERTY LOCATED APPROXIMATELY 0.2 MILES EAST OF ILLINOIS ROUTE 71 ON  
THE SOUTH SIDE OF NEWARK ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION  
NUMBER 07-05-400-003 IN BIG GROVE TOWNSHIP**

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Planning, Building and Zoning Committee of the Kendall County Board to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural District and consists of approximately 60 acres located approximately 0.2 miles east of the intersection of Illinois Route 71 and Newark Road on the south side of Newark Road (PIN: 07-05-400-003), in Big Grove Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, on August 21, 2018, the Kendall County Board approved Ordinance 2018-15 which granted a special use permit for a public or private utility other (solar panels) at the subject property; and

WHEREAS, Condition Number 2.C of Ordinance 2018-15 stated that the arborvitae shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit; and

WHEREAS, the subject property is currently owned by Nancy L. Harazin Trust Number 101 as represented by Nancy L. Harazin and hereinafter shall be referred to as “Petitioner”; and

WHEREAS, on or about February 23, 2023, Petitioner’s representative filed a petition for a minor amendment to Condition Number 2.C of Ordinance 2018-15 to extend the deadline for planting the arborvitae to August 21, 2024; and

NOW, THEREFORE, BE IT ORDAINED, BY THE PLANNING, BUILDING AND ZONING COMMITTEE OF THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Planning, Building and Zoning Committee of the Kendall County Board finds that the requested minor amendment will result in equal or better performance than the original condition imposed and the property will still be in substantial compliance with the previously approved Ordinance 2018-15.
2. The Planning, Building and Zoning Committee of the Kendall County Board hereby grants approval of Petitioner’s petition for a minor amendment to Condition Number 2.C of Ordinance 2018-15 by allowing the deadline for installing the arborvitae buffer outlined in Ordinance 2018-15 to be extending until August 21, 2024; this deadline may be extended beyond August 21, 2024 if requested by the property owner and if the Planning, Building and Zoning Committee deems such an extension necessary.
3. This minor amendment 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.

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by a majority vote of the Planning, Building and Zoning Committee of the Kendall County Board and is effective this 13<sup>th</sup> day of March, 2023.

State of Illinois  
County of Kendall

Zoning Petition  
#23-15

Attest:

---

Kendall County Zoning Administrator  
Matthew H. Asselmeier

---

Kendall County PBZ Committee Chairman  
Seth Wormley

# Exhibit A

K:\Pdata\2018 Projects\18.0028\18.0028-01 LTS\Legal Descriptions\2018-02-01 Project Area Legal.docx

THAT PART OF THE EAST HALF OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 00 DEGREES 30 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 588.72 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 89 DEGREES 18 MINUTES 45 SECONDS WEST, ALONG SAID FENCE LINE, 712.10 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 36 SECONDS WEST, 1273.42 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 1266.62 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 50 SECONDS WEST, 774.88 FEET TO THE CENTER LINE OF NEWARK ROAD; THENCE NORTH 89 DEGREES 10 MINUTES 47 SECONDS EAST ALONG SAID CENTER LINE, 1266.50 FEET; THENCE SOUTH 00 DEGREES 56 MINUTES 36 SECONDS EAST, 793.01 FEET TO THE POINT OF BEGINNING; IN BIG GROVE TOWNSHIP, KENDALL COUNTY, ILLINOIS.