

**KENDALL COUNTY**  
Ordinance No. 23-37

An Ordinance Granting Variance to the Kendall County Highway Access Regulation Ordinance

**WHEREAS**, access to Kendall County Highways has been regulated by the Kendall County Board through the Kendall County Highway Access Regulation Ordinance, originally adopted by the Board on May 18, 1999 and notwithstanding subsequent revisions; and

**WHEREAS**, Cannonball Trail (County Highway 10) has been classified as an Access 5 Highway in said Ordinance, requiring a spacing between private accesses of not less than 250 feet; and

**WHEREAS**, TPE IL KE105, LLC, has petitioned Kendall County for the installation of full access to Cannonball Trail from parcel 02-15-126-004, located approximately 575' north of Hunt Street in the corporate limits of the City of Yorkville, IL, as depicted on the attached Exhibit A; and

**WHEREAS**, said location would violate the established spacing criteria for private access locations on Cannonball Trail; and

**WHEREAS**, in consideration of other private accesses in the vicinity of said proposed access, the extremely low volume nature of the private access proposed, and the minimal conflict created by installation of said access

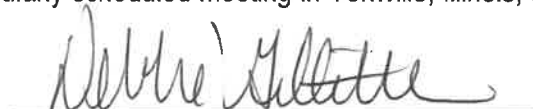
**THEREFORE, BE IT ORDAINED**, that the Kendall County Board hereby grants a variance to the Kendall County Highway Access Regulation Ordinance, for the specified purpose, subject to the terms and conditions imposed herein.

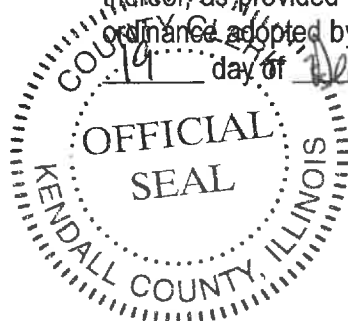
1. The above listed recitals are incorporated herein as if fully set out herein.
2. That a variance is hereby authorized for TPE IL KE105, LLC, for the installation of a full-access driveway on the east side of Cannonball Trail approximately 575' north of Hunt Street in the corporate limits of the City of Yorkville, IL. Said access shall conform in all ways to the construction requirements of the Kendall County Highway Department, and shall be constructed at no cost to the Department.
3. That said access shall serve TPE IL KE105, LLC and shall be constructed for no other purpose.
4. Any exceptions, violations or noncompliance to the requirements contained herein, on behalf of the petitioner, will result in the immediate forfeiture of the variance.

Approved by the County Board of Kendall County, State of Illinois.

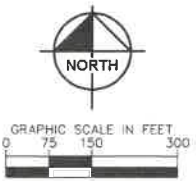
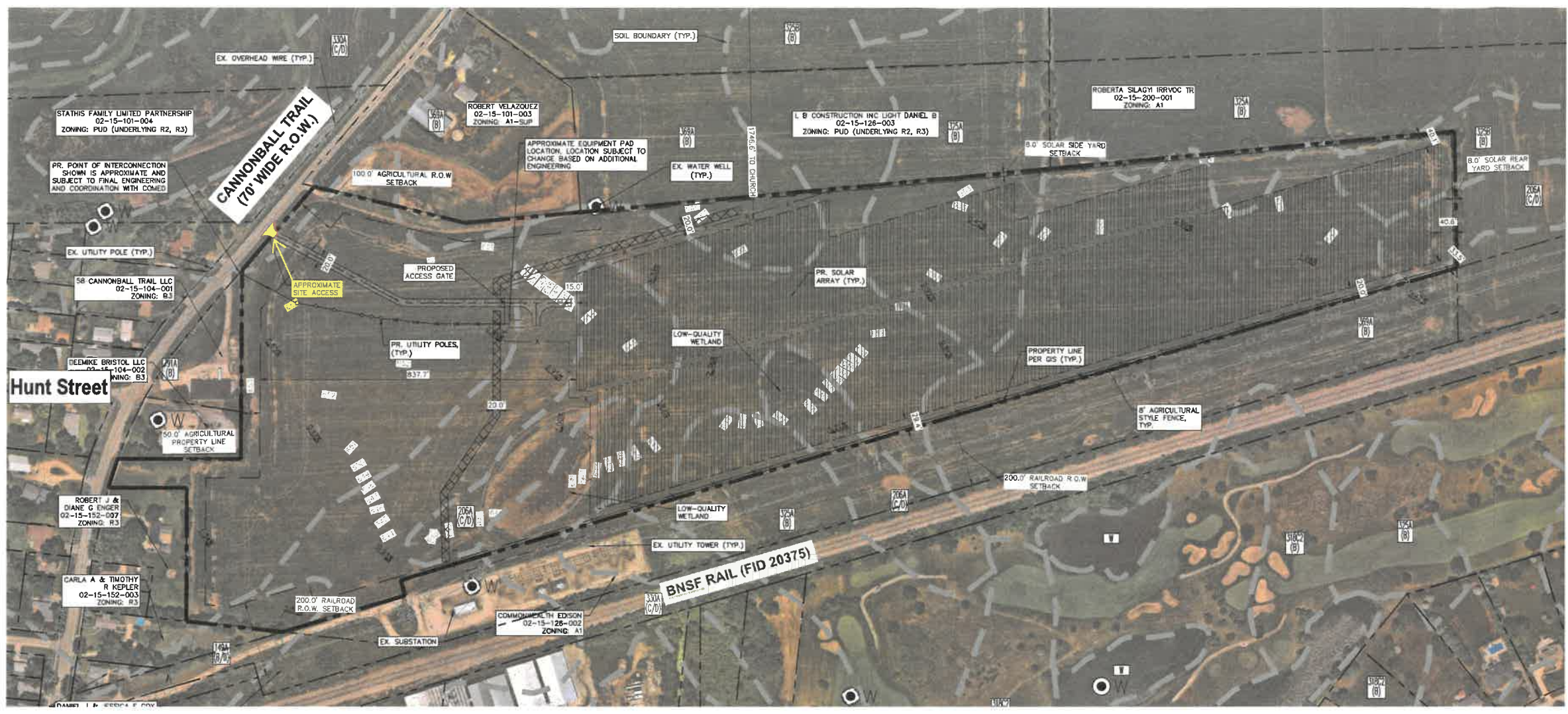
  
Matt Kellogg – Kendall County Board Chairman

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of an ordinance adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 11 day of December, A.D., 2023.

  
Debbie Gillette – County Clerk

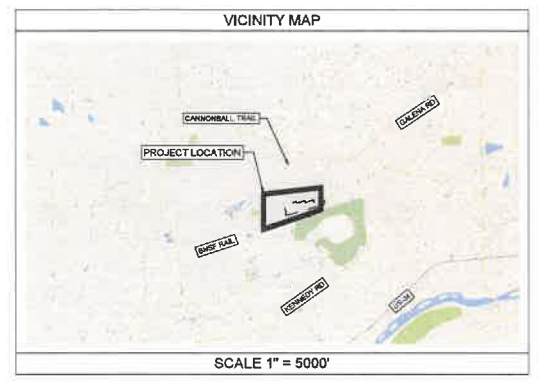


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### LEGEND

ROAD LABEL	IL-251
PROJECT BOUNDARY	---
PROPERTY LINE PER GIS	---
RIGHT OF WAY PER GIS	---
SETBACK	---
EX. OVERHEAD ELECTRIC	EX OHE
EX. ROAD CENTERLINE	---
EX. GRAVEL/PAVEMENT	---
EX. UTILITY POLE	○
EX. UTILITY TOWER	⊕
EX. SUBSTATION	⊞
EX. RESIDENCE/STRUCTURE	▭
EX. WETLAND (PER LEVEL 2 DELINEATION)	XXXX
EX. FLOW (DIRECTION AND SLOPE)	---
PR. SECURITY FENCE	X
PR. PANEL LIMITS	---
PR. UNDERGROUND ELECTRIC	---
PR. OVERHEAD ELECTRIC	---
PR. ACCESS ROAD	---
PR. UTILITY POLE	○
PR. EQUIPMENT PAD	▭
PR. SOLAR ARRAY	▭
PR. LANDSCAPE BUFFER	▨
EX. WELL	○ W
WELL BUFFER	---
SOIL BOUNDARY	---
PR. STAGING AREA	▨
WETLAND BUFFER	---



### SITE DATA TABLE

PIN #	02-15-126-004
PROPERTY OWNER	L B CONSTRUCTION INC LIGHT DANIEL B
SITE ADDRESS	15 CANNONBALL TRAIL
LEGAL DESCRIPTION	PT NE 1/4 SEC 15-37-7
ZONING JURISDICTION	CITY OF YORKVILLE*
ZONING	PUD (UNDERLYING: R-2, R-3)
CURRENT LAND USE	FARMLAND WITHOUT BUILDINGS
PROPOSED USE	FREESTANDING SOLAR ENERGY SYSTEM
TOTAL PARCEL AREA	± 54.0 AC
PRELIMINARY DISTURBED AREA	± 34.0 AC
PRELIMINARY SOLAR AREA	± 25.9 AC
AGRICULTURAL RAIL SETBACK	200'
AGRICULTURAL R.O.W. SETBACK	100'
SOLAR SIDE YARD SETBACK	8'
SOLAR REAR YARD SETBACK	8'
LOW QUALITY WETLAND BUFFER	30'

- ### NOTES
- THE PURPOSE OF THIS PLAN IS FOR SPECIAL USE PERMIT REVIEW AND APPROVAL BY KENDALL COUNTY TO CONSTRUCT A FREESTANDING SOLAR ENERGY SYSTEM.
  - THIS PLAN WAS PRODUCED UTILIZING OR INCORPORATING INFORMATION FROM MULTIPLE SOURCES, INCLUDING KENDALL COUNTY, CITY OF YORKVILLE, GOOGLE EARTH, AND USGS TOPOGRAPHIC INFORMATION.
  - SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AS SHOWN ON THE FLOOD INSURANCE RATE MAP (COMMUNITY PANEL 17000000030N) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
  - THE LOCATIONS OF PROPOSED IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO: FENCING, SOLAR ARRAY RACKING, INVERTER/TRANSFORMER PAD, OVERHEAD POLES AND LINES, ETC., SHOWN ARE APPROXIMATE AND ARE SUBJECT TO MODIFICATION DUE TO SITE CONDITIONS, ADDITIONAL PERMITTING REQUIREMENTS, EQUIPMENT SPECIFICATIONS, AND/OR OTHER CONSTRAINTS DURING FINAL DESIGN.
  - PROJECT AREA INCLUDING CONSTRUCTION STAGING AREAS, WILL BE CLEARED AND GRUBBED AS NECESSARY, RETAINING PRE-DEVELOPMENT DRAINAGE PATTERN TO THE BEST EXTENT POSSIBLE. CONSTRUCTION STAGING AND AREAS SUBJECT TO RUTTING DURING CONSTRUCTION WILL BE TEMPORARILY STABILIZED WITH GRAVEL. SOIL CONDITIONS AND EQUIPMENT LOADS WILL DETERMINE FINAL DESIGN.
  - ALL DIMENSIONS SHOWN ARE AT 90 DEGREES UNLESS OTHERWISE NOTED.
  - CONTRACTOR SHALL CALL AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. ADDITIONALLY, CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES.
  - CONTRACTOR SHALL MAINTAIN ACCESS AND UTILITY SERVICES TO ANY REMAINING BUILDINGS OR ADJACENT BUILDINGS THROUGHOUT THE CONSTRUCTION AND CONSTRUCTION PHASES. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
  - THE CONTRACTOR SHALL BE FULLY RESPONSIBLE TO PROVIDE SIGNS, BARRICADES, WARNING LIGHTS, GUARD RAILS, AND EMPLOY FLAGGERS AS NECESSARY WHEN CONSTRUCTION OPERATIONS CROSS HIGHWAY OR PEDESTRIAN TRAFFIC. THESE DEVICES SHALL REMAIN IN PLACE UNTIL THE TRAFFIC MAY PROCEED NORMALLY ACROSS HIGHWAY OR PEDESTRIAN TRAFFIC.
  - SITE WILL HAVE NO DESIGNATIONS FOR OPEN SPACE, NATURAL AREA, HISTORIC BUILDINGS/STRUCTURES, OR STORMWATER MANAGEMENT FACILITIES.
  - SITE WILL NOT INCLUDE WATER SOURCES OR SEWAGE DISPOSAL. APPROXIMATE LOCATION OF EXISTING WATER WELL LOCATIONS SHOWN PER THE LUMINO WATER WELL INTERACTIVE MAP ONLINE.
  - STORMWATER MANAGEMENT FACILITIES TO BE PROVIDED AS REQUIRED BY COUNTY AND/OR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITTING REQUIREMENTS TO BE DETERMINED DURING FINAL ENGINEERING.
  - THE MAXIMUM HEIGHTS OF FREESTANDING SOLAR ENERGY SYSTEMS SHALL BE SUBJECT TO SPECIAL USE CONDITIONS.
  - THE MINIMUM CLEARANCE BETWEEN THE LOWEST POINT OF THE SYSTEM AND THE SURFACE ON WHICH THE SYSTEM IS INSTALLED IS 10 TO 15 FT.
  - SOLAR PANELS WILL BE DESIGNED WITH ANTI-REFLECTIVE COATING TO MINIMIZE GLEARE.
  - COLLECTION LINES WITHIN THE SOLAR FARM WILL BE LOCATED AND MAINTAINED UNDERGROUND.
  - THERE SHALL BE NO EXTERIOR LIGHTING.
  - SETBACKS SHOWN ON THIS PLAN ARE BASED ON YORKVILLE CODE OF ORDINANCES, SECTION 10-18-7 AND 10-8-3.
  - ALL NECESSARY PERMITS FOR SOIL EROSION CONTROL AND DRIVEWAY CONSTRUCTION WILL BE OBTAINED AS PART OF FINAL ENGINEERING AND PRIOR TO CONSTRUCTION.
  - ALL UTILITY EQUIPMENT (METERS, TRANSFORMERS, ETC.) SHALL BE SCHEDULED WITH APPROPRIATE PLANNING IF LOCATED ON THE GROUND FROM CHAPTER 17 - FENCING AND SCREENING, SECTION 10-17-3 OF THE CITY OF YORKVILLE ORDINANCE.
  - WETLAND BUFFERS SHOWN ON THIS PLAN ARE BASED ON KENDALL COUNTY ORDINANCE NO. 2008-09, SECTION 3.1.1.

- ### EROSION CONTROL NOTES
- FILE THE CONSTRUCTION STORMWATER GENERAL PERMIT (CSGP) WITH IDEM AT LEAST 48 HOURS PRIOR TO STARTING CONSTRUCTION.
  - INSTALL CONSTRUCTION DISTURBANCE.
  - INSTALL SILT FENCE AND SILENT PROTECTION AT INLETS.
  - POST NO SIGN AT ENTRANCE.
  - INSTALL BERM/SEDIMENT TRAPS.
  - DESIGNATE A PERSON TO BE RESPONSIBLE FOR SITE INSPECTIONS AFTER EACH RAINFALL AND A MINIMUM OF 1 TIME PER WEEK.
  - REMOVE PAVEMENT AND OTHER IDEM SHOWN TO BE DEGRADED.
  - STUMP TOPSOIL AND STOCKPILE.
  - REMOVE PAVEMENT AND OTHER IDEM SHOWN TO BE DEGRADED.
  - ROUGH GRADE THE PROJECT SITE. SEED DISTURBED AREAS IMMEDIATELY FOLLOWING WHICH CHANGES AREAS THAT WILL NOT BE OBTAINED AGAIN SHOULD BE PERMANENTLY SEEDING. NO UN-VEGETATED AREAS SHALL BE LEFT EXPOSED FOR MORE THAN 7 DAYS. TEMPORARY OR PERMANENT STABILIZATION METHODS MUST BE INITIATED BY ONE OF THE SEVENTH DAY THAT AN AREA HAS BEEN SOLE AND COMPLETED WITHIN 14 DAYS.
  - BEFORE SITE CONSTRUCTION.
  - INSTALL UNDERGROUND UTILITIES. EROSION CONTROL MEASURES SHALL BE INSTALLED AT NEW DRAIN PILE LOCATIONS IMMEDIATELY UPON INSTALLATION.
  - FINAL GRADE THE SITE.
  - REMOVE ALL TEMPORARY EROSION CONTROL MEASURES AT THE CONCLUSION OF THE PROJECT AS DIRECTED BY THE COUNTY AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT.
  - LEAVE PERMANENT EROSION CONTROL MEASURES IN PLACE.
- NOTES: THE SEQUENCE OF CONSTRUCTION SHOWN ABOVE IS A GENERAL OVERVIEW AND IS INTENDED TO CONVEY THE GENERAL CONCEPTS OF THE EROSION CONTROL DESIGN AND CONTRACTOR IS SOLELY RESPONSIBLE FOR DETAILED PLANNING AND CONSTRUCTION SEQUENCING NECESSARY TO CONSTRUCT THE PROPOSED IMPROVEMENTS INCLUDED IN THESE PLANS. THE CONTRACTOR SHALL NOTIFY ENGINEER IN WRITING IMMEDIATELY PRIOR TO ANY/OR DURING CONSTRUCTION IF ANY ADDITIONAL INFORMATION ON THE CONSTRUCTION SEQUENCE IS NECESSARY. CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUTHORITY HAVING JURISDICTION AND ALL OTHER APPLICABLE LAWS.
- MANAGED RUFF:
- SITE MANAGER TO OBSERVE SITE IN THE SPRING, TWICE IN THE SUMMER, AND ONCE IN THE FALL, TO MONITOR GROWTH RATES, WEEDS, AND ESTABLISHMENT.
  - PROBLEMS MONITORING AND WEEDING MAY NEED TO OCCUR AT EACH OBSERVATION. IF PROBLEMS ARE NOT IDENTIFIED WITHIN 10 DAYS OF OBSERVATION OR QUANTITY OF WEEDS, NO ACTION SHOULD BE TAKEN. THE INITIAL THREE YEARS WILL REQUIRE MORE FREQUENT MAINTENANCE AND MONITORING TO PREVENT THE PLANT ESTABLISHMENT INSTEAD OF INVASIVE WEEDS. WITHIN FIRST TWO YEARS OF COMPLETION, SITE MANAGER TO VISIT THE SITE ONCE PER MONTH THROUGHOUT THE GROWING SEASON TO CONTROL INVASIVE WEEDS. ALSO, DURING THIS TIME, WEEDS SHOULD OCCUR AT LEAST TWICE PER YEAR TO ELIMINATE SEEDS FROM ADJACENT ANNUAL WEEDS. SITE MANAGER SHOULD PERFORM YEARLY INSPECTIONS WITH A LANDSCAPE MAINTENANCE PROFESSIONAL TO IDENTIFY WEED PROBLEMS AND TO DEVELOP A STRATEGY FOR MAINTENANCE FOR THE YEAR. ANNUALLY, AT THE START OF SPRING, SITE SHOULD BE MONITORED WITH A ROTARY MOWER AT A HEIGHT BETWEEN 4 AND 6 INCHES TO MINIMIZE STANDING VEGETATION FOR THE GROWING SEASON. IF SITE MANAGER DETERMINES THE NEED TO REMOVE INVASIVE WEEDS WITHIN A HERBICIDE, THE MOST EFFECTIVE METHOD IS DURING THE FALL WITH A DIRECT APPLICATION. SITE MANAGER SHOULD CONDUCT A THOROUGH WALK-THROUGH OF THE SITE TO FIND AND APPLY HERBICIDE.
- SILT FENCE:
- SILT FENCE SHALL BE LOCATED TO CAPTURE OVERLAND, LOW-VELOCITY SHEET FLOW. IT SHALL BE INSTALLED AT THE DOWNSTREAM LOCATION OF ALL SITE RUNOFF.
  - SILT FENCE ROCK OUTLET: SILT FENCE ROCK OUTLET PROVIDES STABILIZATION FOR LARGER FLOW EVENTS AND FILTERS THE SEDIMENT-LADEN WATER BEFORE RUNOFF LEAVES THE SITE.
  - EROSION CONTROL BLANKET: A TEMPORARY DEGRADABLE MATTED EROSION CONTROL PRODUCT OF PROCESSED NATURAL OR POLYMER FIBERS MECHANICALLY, STRUCTURALLY, OR CHEMICALLY BOUND TOGETHER TO FORM A CONTINUOUS MATRIX TO PROVIDE EROSION CONTROL AND FACILITATE VEGETATION ESTABLISHMENT.
  - FILTER SOAK: SIMILAR TO SILT FENCE, FILTER SOAK IS DESIGNED TO RETAIN SEDIMENT-LADEN WATER TO ALLOW SETTLEMENT OF SUSPENDED SOLIDS BEFORE FILTERING THROUGH THE COMPOST MATERIAL FOR DISCHARGE DOWNSTREAM.

### SOILS DATA TABLE

MAP UNIT SYMBOL	MAP UNIT NAME	HYDROLOGIC SOIL GROUP
206A	THORP SILT LOAM, 0 TO 2 PERCENT SLOPES	C/D
325B	DRESDEN SILT LOAM, 0 TO 2 PERCENT SLOPES	B
369A	MAUPECAN SILT LOAM, 0 TO 2 PERCENT SLOPES	B
325A	DRESDEN SILT LOAM, 2 TO 4 PERCENT SLOPES	B
330A	PEDTONE SILT CLAY LOAM, 0 TO 2 PERCENT SLOPES	C/D
318C2	LORENZO LOAM, 4 TO 6 PERCENT SLOPES, ERODED	B
791A	RUSH SILT LOAM, 0 TO 2 PERCENT SLOPES	B
149A	BRENTON SILT LOAM, 0 TO 2 PERCENT SLOPES	B/D

\*ZONING SITE PLAN IS BEING SUBMITTED FOR SPECIAL USE PERMIT TO CONSTRUCT/OPERATE A FREESTANDING SOLAR ENERGY SYSTEM

REVISED PER CITY COMMENTS 04/13/2021

ZONING SITE PLAN 08/07/2022

REVISIONS No. DATE

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# Kimley-Horn

## ZONING SITE PLAN

TPE IL KE105, LLC

KENDALL COUNTY, IL

### EXHIBIT A