

PLANNING & ZONING COMMISSION

**City Council Chambers
651 Prairie Pointe Drive, Yorkville, IL
Wednesday, March 12, 2025 7:00pm**

Meeting Called to Order

Chairman Richard Vinyard called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call

Danny Williams-yes, Ryan Forristall-yes, Rusty Hyett-yes, Michael Crouch-yes, Chad Green-yes, Marge Linnane-yes, Richard Vinyard-yes

City Staff

Krysti Barksdale-Noble, Community Development Director
Sara Mendez, Planner I
David Hansen, Senior Planner
Megan Lamb, City Attorney
Lynn Dubajic Kellogg, City Consultant
Katelyn Gregory, Economic Development Coordinator

Other Guests

Chris Vitosh, Vitosh Reporting Service	Austin Kaczmarek, WSPY
Dr. Joan McArthur, Maplehurst Racing	Darren Crawford
Kelly Helland, Attorney	Michael Keith, Atwell
Matthew Kwiatkowski, Nexamp	Hanna Udiscus, Nexamp
Jen Rakas	Drew Daniels via Zoom
Robert Loftus	Caitlyn Preast, Atwell
Lauren Hillis, Atwell	

Previous Meeting Minutes February 12, 2025

Motion by Mr. Crouch and second by Mr. Hyett to approve the minutes as presented. Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes, Williams-yes
Carried 7-0

Citizen's Comments None

Public Hearings

Chairman Vinyard explained the procedure to be followed, the taking of testimony and he swore in those who would speak. He also made a statement about decorum and order for the meeting.

Chairman Vinyard entertained a motion to open the Hearings. At approximately 7:04pm a motion was made and seconded by Mr. Williams and Ms. Linnane, respectively, to open the Public Hearings. Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Green-yes, Vinyard-yes, Williams-yes, Linnane. Carried 7-0.

The Public Hearings were read by Chairman Vinyard:

1. **CONTINUED (from February 12, 2025) PZC 2024-22 Beecher Road Solar, LLC**, contract lessee, and Gary and Betty Bennett, property owners, petitioners, have filed applications with the United City of Yorkville, Kendall County, Illinois, requesting

special use authorization and a bulk regulation variance approval. The real property is generally located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 4,000 feet west of IL Route 47 (N. Bridge Street) consisting of approximately 70 acres. The petitioners are requesting special use permit approval pursuant to Section 10-8-5 of the Unified Development Ordinance for a solar farm. Lastly, the petitioners are requesting a bulk regulation variance to Section 10-4-13-8.c of the Unified Development Ordinance, seeking a reduction from the required one thousand (1,000) foot setback from the nearest solar array to roadway network to 482 feet from Corneils Road.

2. **PZC 2025-01 DMYF-Loftus – Drew Daniels**, on behalf of Daniels Malinski Yorkville Family, LLLP, petitioner/owner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting rezoning classification. The real property consists of two (2) parcels totaling approximately 53.7 acres and is generally located north of Faxon Road, east of Beecher Road, and south of the Burlington Northern Santa Fe (BNSF) railroad. The petitioner is requesting rezoning approval from A-1 Agricultural District to M-2 General Manufacturing District for a future data center.

(See Court Reporter's transcript of Public Hearings)
(Petitioner's Responses to be included in the Official Record)

At approximately 7:41pm a motion was made by Ms. Linnane and seconded by Mr. Williams. to close the Public Hearings. Roll call: Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes, Crouch-yes, Green-yes Carried 7-0.

Unfinished Business None

New Business

1. **PZC 2024-22 Beecher Road Solar, LLC** (see full description in #1 above)
Ms. Mendez said the plans were amended from the original one and they changed the setback to 917.3 feet from 482 feet and reduced the acreage to 20.3 acres. Solar arrays were also reduced from 11,616 to 11,201. This is an expansion of the solar project that was done last year. The combined approved and proposed solar farms occupy 54.9% of the total of 94 acres. A glare study was done and potential glare was not found to be an issue. Ms. Mendez also discussed the security guarantee and blanket easement. Staff recommended that review letters from EEI become conditions of the Special Use. She also reviewed changes in the fence which will be part of the conditions for the Special Use. With the revised plan, staff now supports this project and the petition will move forward to the April 8th City Council.

The standards of the Special Use were reviewed by Ms. Mendez and the Commissioners agreed with each standard.

Action Item

Special Use

Moved by Mr. Williams and seconded by Ms. Linnane to approve PZC 2024-22 Beecher Road Solar LLC special use request. Mr. Williams read the motion as follows. Motion: In consideration of testimony presented during a Public Hearing on March 12, 2025 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for Special Use authorization to construct a freestanding solar energy system, or solar farm, as depicted in plans prepared by Atwell and submitted by Nexamp dated last revised 2-14-25 for approximately 20.3 acres located immediately north of Corneils Road, approximately 1,500 feet west of Beecher Road, and approximately 2,600 feet west of IL Route 47 (N. Bridge Street), subject to staff recommendations in a memo dated February 21, 2025.

Roll call: Green-yes, Linnane-yes, Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes, Crouch-yes. Carried 7-0.

Ms. Mendez read the standards for the Variance and the Commissioners agreed with each standard.

Action Item

Variance

A motion was made and seconded by Mr. Williams and Mr. Hyett, respectively, to approve PZC 2024-22 Beecher Road Solar, LLC variance request. Mr. Williams read the motion as follows.

Motion: In consideration of testimony presented during a Public Hearing on March 12, 2025 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council for a request for bulk regulation variance to Section 10-4-13.B.8.b of the Unified Development Ordinance, reducing the south property lines setback from 1,000 feet to 917.3 feet. Roll call: Vinyard-yes, Williams-yes, Forristall-yes, Hyett-yes, Crouch-yes, Green-yes, Linnane-yes. Carried 7-0.

2. PZC 2025-01 DMYF-Loftus – Drew Daniels (see full description above #2)

Ms. Noble said Mr. Daniels represents the petitioner who is seeking to rezone 2 parcels totaling 53.7 acres and includes portions of others parcels that comprise this area. This request excludes Mr. Loftus' 8-acre property and the petitioner would like to rezone the remaining property from A-1 to M-2.

Providing some history for this petition, Director Noble said Mr. Loftus' property to the north is being leased for a solar farm. It was approved, annexed and zoned A-1. The annexation plat inadvertently included Mr. Loftus' parcel south of the railroad tracks. Staff is now working with Mr. Loftus to carve out his parcel and the legalities are being considered. The 8-acre parcel will remain as Ag at this time. Ms. Noble described the current land uses surrounding properties.

Staff looked at how the zoning would affect the surrounding land uses and recommended certain conditions. One is a buffer and setback transition zone, 2) site plan review, 3) no buildings in 400 foot buffer to nearest home, 4) maximum height of buildings. The city decided on a 70-foot maximum building height including mechanicals at a City Council meeting on the previous night. Staff asked for Mr. Daniels' input. Mr. Daniels replied he will not be the final developer and a possible variance could be requested by a future developer.

The Commission briefly discussed the 400 foot buffer. No homes will be allowed in that zone said Ms. Noble and it insures that a data center building will not be built right next to an existing residential lot, since the M-2 zoning only requires a 25-foot setback from a property line. Ms. Noble said in the future, there would likely be a land plan in place to establish regulations. Mr. Green asked about a comment referring to 1,500 feet. If a building is within 1,500 feet of an existing home, it cannot be taller than 70 feet.

Mr. Loftus asked if there will be a buffer on his property. Ms. Noble said he will have a berm and 100 foot landscape buffer.

The standards for this rezoning request were read by Ms. Noble and the Commissioners agreed to each.

Action Item

Rezone

So moved by Mr. Williams and seconded by Mr. Hyett to approve PZC 2025-01 DMYF-Loftus – Drew Daniels rezoning request. Mr. Williams read the motion as follows. Motion: In

consideration of testimony presented during a Public Hearing on March 12, 2025 and discussion of the findings of fact, the Planning and Zoning Commission recommends approval to the City Council a request for rezoning from A-1 Agricultural District to M-2 General Manufacturing District for a proposed future data center, for two (2) parcels totaling approximately 53.7 acres, including parcel #02-18-400-006 and portions of parcels #02-19-200-001 and #02-17-300-002, excluding an approximately 8-acre existing homestead owned by the Robert M. and Ildefonsa Loftus Living Trust, generally located north of Faxon Road, east of Beecher Road, and south of the Burlington Northern Santa Fe (BNSF) railroad further subject to including Mr. Loftus' parcel and a 100-foot landscape buffer with an 8-foot tall berm.

Roll call: Forristall-yes, Hyett-yes, Crouch-yes, Green-yes, Linnane-yes, Vinyard-yes, Williams-yes. Carried 7-0.

Additional Business

1. Year in Review 2024

Senior Planner David Hansen said the report was created by Community Development staff and it is also on-line for public viewing. It reflects housing growth, number of permits issued, Planning & Zoning projects and construction revenue. Five Final Plats were also issued for Grande Reserve. Text amendments were also done. The report also highlighted new and existing businesses. Also, he also noted 10 years of IGA collaboration with Kendall County, new employees joined the Community Development department and the city anticipates many new projects in 2025, including data centers.

City Council Action Updates

- a. PZC 2024-32 Kyle Corniels**, relief from Unified Development Ordinance. (See full description on meeting agenda. Approved by City Council.

Adjournment

There was no further business and the meeting was adjourned at 8:29pm on a motion by Mr. Williams and second by Mr. Hyett. Unanimous voice vote approval.

Respectfully submitted by
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS

651 Prairie Pointe Drive
Yorkville, Illinois

Wednesday, March 12, 2025
7:00 p.m.

1 PRESENT: (In person and via Zoom.)

2 Mr. Rich Vinyard, Chairman,
3 Mr. Danny Williams, Commissioner,
4 Mr. Rusty Hyett, Commissioner,
5 Mr. Ryan Forristall, Commissioner,
6 Ms. Marge Linnane, Commissioner,
7 Mr. Michael Crouch, Commissioner,
8 Mr. Chad Green, Commissioner.

9 ALSO PRESENT:

10 Ms. Krysti Barksdale-Noble, Community
11 Development Director;
12 Ms. Sara Mendez, Planner;
13 Ms. Marlys Young, Minute Taker.

1 APPEARANCES: (In person and via Zoom.)

2 OTTOSEN, DiNOLFO, HASENBALG & CASTALDO,
3 LTD.

4 BY: MS. MEGAN LAMB
1804 North Naper Boulevard, Suite 350
Naperville, Illinois 60563
5 (630) 682-0085

6 appeared on behalf of the United City of
Yorkville;

7 LAW OFFICES OF DANIEL J. KRAMER

8 BY: MS. KELLY HELLAND
1107A South Bridge Street
Yorkville, Illinois 60560
9 (630) 553-5764

10 appeared on behalf of the Petitioner in
11 PZC 2024-22, Beecher Road Solar, LLC.

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I N D E X

WITNESS: (In person and via Zoom.) PAGE:

KELLY HELLAND 10

HANNA UDISCHAS 12

MICHAEL KEITH 22

JOAN McARTHUR 29

DREW DANIELS 36

ROBERT LOFTUS 37

REPORTED BY: Christine M. Vitosh

Illinois C.S.R. License No. 084-002883

Vitosh Reporting Service

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1 (WHEREUPON, the following
2 proceedings were had in public
3 hearing, commencing at 7:02 p.m.
4 as follows:)

5 CHAIRMAN VINYARD: There are two public
6 hearings tonight for the Planning and Zoning
7 Commission meeting. The purpose of these
8 hearings is to invite testimony from members of
9 the public regarding the proposed requests that
10 are being considered before this Commission
11 tonight.

12 Public testimony from persons
13 present who wish to speak may be for or against
14 the request or to ask questions of the
15 petitioner regarding the request being heard.

16 Once all the public hearings on
17 tonight's agenda are closed, the Commission will
18 deliberate and will vote on their recommendations
19 to City Council for each of the matters that are
20 the subject of tonight's hearing.

21 Those persons wishing to testify are
22 asked to speak clearly, one at a time, and state
23 your name, who you represent. You are also asked
24 to sign in at the podium.

1 If you plan to speak during
2 tonight's public hearing as a petitioner or as a
3 member of the public, please stand, raise your
4 right hand, and repeat after me.

5 (Witnesses sworn.)

6 CHAIRMAN VINYARD: Thank you. You guys
7 may be seated.

8 So before we begin, I would like to
9 review a few rules to ensure an orderly and
10 productive meeting tonight. While speaking,
11 please make comments focused on the matter and
12 avoid any personal attacks, unrelated topics or
13 repeating points that are already made tonight.

14 As chairman, I may limit repetitive
15 remarks or redirect. The speakers are to stay on
16 topic. Any member of the public who repeatedly
17 disrupts or interrupts any of tonight's public
18 hearings may be asked to leave the chambers.

19 We ask that audience members remain
20 silent during tonight's hearing unless they are
21 speaking at the podium.

22 The court reporter must record
23 tonight's testimony and the cooperation from the
24 audience will make her job easier and the

1 transcript of those hearings be more accurate,
2 okay?

3 Commission members may ask
4 clarifying questions at any time. The public may
5 direct relevant questions to the petitioner
6 either through me or via direct cross-
7 examination.

8 Likewise, the petitioner may respond
9 to the public comments and ask clarifying
10 questions of public speakers.

11 Once all public comments have been
12 heard, I will formally close the public comment
13 period, after which the Commission will
14 deliberate and vote.

15 Thank you guys for your cooperation
16 and participation in this.

17 So the order for receiving testimony
18 will be as follows: The petitioner will have
19 their presentation, followed by those who wish to
20 speak in favor of the request, and then those who
21 wish to speak in opposition of the request.

22 So may I have a motion to open
23 public hearing on Petition number, continued, PZC
24 2024-22, Beecher Road Solar, LLC, requesting a

1 special use and variance for a solar farm, and
2 PZC 2025-1, DMYF-Loftus, requesting rezoning to
3 M-2 for a future data center?

4 COMMISSIONER WILLIAMS: So moved.

5 COMMISSIONER LINNANE: Second.

6 CHAIRMAN VINYARD: Roll call.

7 MS. YOUNG: Yes. Forristall.

8 COMMISSIONER FORRISTALL: Yes.

9 MS. YOUNG: Hyett.

10 COMMISSIONER HYETT: Yes.

11 MS. YOUNG: Crouch.

12 COMMISSIONER CROUCH: Yes.

13 MS. YOUNG: Green.

14 COMMISSIONER GREEN: Yes.

15 MS. YOUNG: Vinyard.

16 CHAIRMAN VINYARD: Yes.

17 MS. YOUNG: Williams.

18 COMMISSIONER WILLIAMS: Yes.

19 MS. YOUNG: And Linnane.

20 COMMISSIONER LINNANE: Yes.

21 CHAIRMAN VINYARD: All right. Moving on
22 to public hearing. The first public hearing was
23 continued from the February 12th meeting, and
24 it's PZC 2024-22, Beecher Road Solar, LLC,

1 contract lessee, and Gary and Betty Bennett,
2 property owners, petitioners, have filed
3 application with the United City of Yorkville,
4 Kendall County, Illinois, requesting a special
5 use authorization and bulk regulation variance
6 approval.

7 The real property is generally
8 located immediately north of Corneils Road,
9 approximately 1500 feet west of Beecher Road and
10 approximately 4,000 feet east of Illinois
11 Route 47, or North Bridge Street, consisting of
12 approximately 70 acres.

13 The petitioners are requesting a
14 special use permit approval pursuant to Section
15 10-8-5 of the Unified Development Ordinance for a
16 solar farm.

17 Lastly, the petitioners are
18 requesting a bulk regulation variance to section
19 10-4-13-8.c of the Unified Development Ordinance
20 seeking a reduction from the required 1,000-foot
21 setback from the nearest solar array to roadway
22 network to 482 feet from Corneils Road.

23 Is the petitioner present and
24 prepared to make their presentation on the

1 proposed request?

2 MS. HELLAND: Yes, we are.

3 CHAIRMAN VINYARD: Thank you.

4 KELLY HELLAND,
5 having been first duly sworn, testified before
6 the Commission from the dais as follows:

7 MS. HELLAND: Kelly Helland on behalf of
8 the petitioners, the Bennett family and Nexamp
9 Solar Company.

10 Here tonight we have Hanna Udischas
11 from Nexamp Solar and then Matt Kwiatkowski -- I
12 am sorry if I butcher Matt's name -- from Nexamp,
13 along with Michael Keith from Atwell Engineering.

14 This is a 70-acre parcel that,
15 although it's named the Beecher Road Solar, it's
16 off of Corneils Road. The Bennett family would
17 have liked to have been here tonight, but due to
18 some health concerns, they are quarantined and
19 unable to be here.

20 They did submit a letter to both
21 Plan Commission and staff that we would request
22 be entered into the record tonight.

23 Nexamp Solar has done -- or applied
24 for and have obtained approval for two prior

1 solar farms in Yorkville. They are a
2 veteran-owned company and very active in
3 supporting the community of Yorkville.

4 We are seeking a positive
5 recommendation of the special use application
6 along with a variance of the thousand foot
7 setback to 917 feet.

8 We've heard the concerns from staff,
9 prior Plan Commission meetings, and then also the
10 Mayor and City Council.

11 Although Corneils Road is not at
12 this time, nor at the time of filing, a major
13 collector, it is our understanding that in the
14 very near future it will be identified as a major
15 collector within the United City of Yorkville.

16 For that reason, we have amended the
17 plan to provide a setback at the minimum at
18 seven -- or, I'm sorry, 917 feet from the
19 roadway.

20 As you can see from the packet, and
21 if you drive down Corneils Road, the Bennett
22 farmstead is directly in front of the proposed
23 solar farm, so from a public safety perspective,
24 an aesthetic perspective and a visual

1 perspective, we think that providing the
2 increased setback to 917 feet meets the spirit of
3 the 1,000 foot setback.

4 If there was a vehicular accident,
5 they run into the Bennett farmstead well before
6 any kind of solar array or landscaping, so from a
7 public safety perspective, we don't think that's
8 an issue.

9 We believe that the application
10 complies with the special use parameters
11 contained in the City's ordinance, and again will
12 be seeking a positive recommendation to the City
13 Council from the Plan Commission.

14 We are here tonight to answer any
15 questions that the Plan Commission may have, and
16 I will turn it over to Hanna for the presentation
17 and Michael if you have any technical questions
18 on the engineering.

19 Thank you.

20 CHAIRMAN VINYARD: Thank you.

21 HANNA UDISCHAS,
22 having been first duly sworn, testified before
23 the Commission from the dais as follows:

24 MS. UDISCHAS: Hanna Udischas

1 representing Nexamp. And thank you, Planning and
2 Zoning Commission and the United City of
3 Yorkville, for having Nexamp back again. We are
4 really grateful to continue partnering with you
5 on these projects. You can go to the next slide.

6 MS. NOBLE: You should be able to
7 control it.

8 MS. UDISCHAS: Oh.

9 MS. HELLAND: I'm sorry. There --

10 CHAIRMAN VINYARD: Not again.

11 MS. UDISCHAS: Sorry, guys.

12 MS. NOBLE: Yeah, it's probably not
13 picking up the signal. That's okay.

14 MS. UDISCHAS: This one?

15 MS. NOBLE: No, that's all right. We'll
16 advance it.

17 MS. UDISCHAS: Okay. Thank you. So I
18 want to give a bit of a background on Nexamp. I
19 know a lot of folks in the room today are
20 familiar, but just to reorient who Nexamp is and
21 then I'll zoom into our experience in Illinois
22 and then I'll talk a little bit more about -- get
23 into Beecher Road Solar.

24 So Nexamp was founded in 2007 by two

1 Army veterans, and upon returning from the U.S.
2 doing their tour, they were compelled to start a
3 company with a vision of providing renewable
4 energy solutions to create an energy independent
5 United States.

6 We are really proud to be still
7 fulfilling that mission today, and we are the
8 largest vertically integrated developer, owner
9 and operator of community solar farms in the
10 United States.

11 We were voted number one community
12 solar company in 2023, again in 2024, by Solar
13 Power World magazine, which is our leading
14 industry magazine.

15 At this time we have 475-plus
16 employees nationwide, and congruent with our
17 commitment to energy independence, we are still
18 making that commitment, Nexamp completed the
19 largest domestic module purchase in community
20 solar history with a company called Heliene, they
21 are located in Minnesota, and we purchased 1.5
22 gigawatts of modules.

23 So in the next slide, zooming into
24 our experience in Illinois, Nexamp started to

1 build out our Midwest team in 2018. We have
2 grown very significantly. We created Chicago as
3 our second headquarters; our primary -- our first
4 headquarters was located in Boston, and so we
5 have been investing a lot in the state of
6 Illinois.

7 We have hired over 80 employees. We
8 currently have over 40 operating community solar
9 farms in Illinois and about 20, either in
10 construction or in our development pipeline, and
11 currently we are servicing 8,500 residents and
12 small businesses with our community solar
13 subscriptions.

14 So in the next slide I wanted to
15 present a visual of some -- an operational
16 community solar farm that Nexamp owns, operates
17 and developed.

18 This one is located in Burlington,
19 Kane County. It's 16 acres, so this is probably
20 about -- you know, it's much less -- it's less
21 than half the size of what Beecher Road is going
22 to be. It's 2.8 megawatts and it services nearly
23 400 subscribers.

24 I will let you kind of look at

1 visually, you know, this is very consistent with
2 what we are planning in terms of landscaping,
3 maybe a little bit more extensive with Beecher,
4 but you can see that we have the pollinators
5 inside the panels, outside the panels, and then
6 the evergreen buffer on the outside.

7 The next slide is another community
8 solar farm; this one is called Fargo Road Solar.
9 It's located in Tampico, Whiteside County. It's
10 18 -- sorry 19 acres, 2.7 megawatts, also
11 services around 400 subscribers, and you can see
12 this project as well, very clean, well
13 maintained, and that's what we really pride
14 ourselves on, is having a really good
15 beginning-to-end product.

16 So in the next slide we are zooming
17 in to Yorkville. This is the location of Beecher
18 Road Solar. The solar farm is proposed on
19 existing farmland parcels located approximately
20 north of Corneils Road, approximately 1500 feet
21 east of Beecher Road and approximately 4,000 feet
22 west of Illinois Route 47. It's on parcels
23 02-08-300-008, this is the parcel to the west --
24 one more thing on the last one.

1 This is the parcel on the west, this
2 is where the community solar farm will be
3 located. On the parcel to the east, that's where
4 our -- we will be utilizing that existing access
5 road and -- for utility, so that's 02-08-300-012.
6 Now the next slide.

7 Okay. So getting into the project
8 details, the project is located on 10791 Corneils
9 Road. It's currently zoned A-1-SU, which is
10 Agriculture Special Use district.

11 We just did the parcels on the last
12 slide, so the parcel to the west ending in 08,
13 that's for the array, and the parcel to the east
14 ending in 02, that's for the access road and
15 utility.

16 The owners are Gary and Betty
17 Bennett. The parcel size is approximately
18 69.67 -- 64 acres. The project size is
19 approximately 20.4 acres within the fence line.
20 The project capacity is 4.99 megawatts AC and the
21 project life is between 30 to 40 years.

22 So you probably remember us being
23 here prior, so this is the second project that
24 Nexamp is proposing on the land of long-time

1 residents Gary and Betty Bennett, and so the
2 impetus for Beecher Road Solar really came from
3 the relationship that we had built with the
4 Bennetts and that the Bennetts were interested in
5 doing a second project as a means for their
6 retirement, and there was capacity for the
7 project, so this is how we moved forward.

8 Also given the fact that the
9 property is in an IDNR floodway and there is not
10 a whole lot of opportunity for different types of
11 development, the Bennetts are really interested
12 in pursuing this as an option for them.

13 Corneils Road Solar, LLC was
14 approved May, 2024 for a special use by the
15 United City of Yorkville, also for annexation and
16 rezoning to the Agriculture Special Use district
17 for the two parcels that I just mentioned and
18 also the parcel to the north, which most of the
19 Corneils site is located on.

20 Our civil engineer will get more
21 into the design later on in the presentation, but
22 it is worth noting and stating that Corneils Road
23 Solar, LLC, and Beecher Road Solar, LLC, are two
24 separate projects.

1 They are two stand-alone, they will
2 both have their own fence line, they are not
3 going to be connected, and the projects -- but
4 the projects will be sharing that existing gravel
5 road and they will have their own utility lines.

6 So this situates Beecher Road Solar
7 in the community in the surrounding land uses, so
8 to the north we have Corneils Road Solar, LLC,
9 and then also, it's not called out in here, but
10 Yorkville Renewables is just to the northeast
11 corner; to the north is a decommissioned landfill
12 parcel; and then to the south is properties owned
13 by the Bennetts and the Bennett family's
14 residence.

15 There is a couple other land owners
16 just to the east as well, and then we have a lot
17 of industrial projects and parcels, so we have
18 our ComEd substation and many -- the ComEd
19 transmission lines that are flowing through, have
20 the Bright Farms, LLC industrial development, the
21 permitted 223-acre data center to the south on
22 Eldamain, and then I think just after us the
23 rezoning for a data center, so lots of industrial
24 uses in this area, you know, very compatible with

1 solar, also landfill and our existing land owner
2 who is interested.

3 Again, the property is located in
4 IDNR floodway; not a lot is available in an IDNR
5 floodway, but solar is an option.

6 The majority of the view shed is
7 going to be blocked by the Bennetts' residence
8 and their existing landscaping, their existing
9 barn.

10 And then, lastly, at its current
11 stance, Corneils Road is not a major
12 thoroughfare, it's kind of a single-lane
13 collector. There is the opportunity for that to
14 become more, but given the amount that we have
15 kind of done on the design, we think this is a
16 really good use for this property, on a property
17 that might not have another development
18 opportunity.

19 Next slide. So getting into the
20 community benefits, Corneils -- or, sorry,
21 Beecher Road Solar unlocks tax revenue in a
22 floodway, it also unlocks tax revenue next to a
23 decommissioned landfill parcel, which is
24 typically not the most desirable for new

1 developments, it unlocks tax revenue without
2 adding a demand for public services.

3 Again, in the last slide we kind of
4 showed the different industrial projects that are
5 happening and that Yorkville is really excited
6 about. This is another opportunity for grid
7 stabilization.

8 Community solar is a temporary use
9 of farmland, and the project will add utility
10 savings for around 650 residential subscribers.

11 So you can see below the projected
12 taxes. So the top line calls out the current
13 taxes for the 20.8 acres that the community solar
14 farm would be located on. In aggregate it's
15 around \$6,227; 60 percent of that goes to the
16 school district and six percent to Kendall Fire,
17 so that's around \$3,742 to the school district
18 and around \$417 to Kendall Fire.

19 So by adding community solar, you
20 are increasing the tax revenue in this -- on this
21 20.8-acre piece by over four -- over four times
22 that, you know, bringing in \$29,470 in aggregate,
23 but then, of course, very importantly, \$17,711
24 for your schools.

1 So this is a list of some of the due
2 diligence that we've done so far. We are pretty
3 far along on this project. So we have the site
4 selection and the executed lease with the
5 landlord, the Bennetts.

6 We've done surveying, we've done the
7 pre-application discussions with Yorkville, we
8 have done utility studies with ComEd, we have
9 done SHPO consultations, endangered species,
10 wetland delineations, consulted with FAA, we have
11 done the NRI, we have done -- executed an AIMA
12 agreement with the Department of Agriculture, and
13 then we are still in progress on the IDNR
14 floodway and our drain tile surveying, but those
15 will be wrapped up shortly.

16 So I am going to hand it off to
17 Michael Keith, our civil engineer of record.

18 MICHAEL KEITH,
19 having been first duly sworn, testified before
20 the Commission from the dais as follows:

21 MR. KEITH: Good evening. I am Mike
22 Keith with Atwell, LLC. As Hanna mentioned, I am
23 the civil engineer of record, so I am just going
24 to go over some of the site items.

1 First up on the screen is the site
2 layout. As Hanna mentioned, we are required to
3 meet 50 feet off the property lines and
4 1,000 feet off Corneils Road.

5 We meet all the setbacks except for
6 the 1,000 feet off Corneils, and we are at
7 917 feet off there.

8 We did do a redesign where we were
9 at four hundred and I think 83, so we kind of
10 moved some of the panels that were closer up to
11 the road back up to the northeast corner across
12 the Rob Roy drainage system creek.

13 You will notice that we put the
14 equipment pads in the center of the site.
15 That's -- we try to keep those in the center of
16 the site so they are the farthest away from all
17 the property lines so that the equipment is
18 internal to the site, and then we put -- and then
19 the power lines go underground and come out to
20 the utility poles.

21 To get to this site on the northeast
22 corner, we are utilizing the same access point as
23 we are doing for the Corneils Solar that is north
24 of there, so we are only going to have one road

1 crossing.

2 With Corneils Solar we already
3 started working with the Rob Roy Drainage
4 District to get their approvals for the crossing.
5 There is actually an existing crossing in the
6 field that we are using, we are just going to
7 improve it a little bit, extend the sewer so we
8 can get the trucks across there, the existing
9 culvert, so we are extending the culvert on both
10 directions so we can get the trucks back and
11 forth.

12 We are working with them to go
13 underground with the wires. We are kind of in
14 negotiations with them on how deep it needs to
15 be. It's going to be within a steel conduit or a
16 heavy duct -- heavy ductaliner -- not ductaliner.
17 PVC pipe, probably most likely a Schedule 80 so
18 that it gives some resistance if they ever have
19 to dredge it. But that's still ongoing, we're
20 working with them. We plan to doing everything
21 that they are asking on that one.

22 And then, as I mentioned, we are
23 dedicated to keep all the wires underground until
24 we get to the road where we have to come vertical

1 to make our point of interconnect.

2 We will have a second row of
3 overhead poles at the access road, we are going
4 to have the Corneils Solar and then the Beecher
5 Solar right running parallel to them.

6 Unfortunately that's -- that's one
7 of the requirements we have to have with ComEd;
8 we can't have one set of poles and equipment on
9 there, we have to have two separate -- separate
10 set of poles.

11 As Hanna mentioned, there is a
12 floodplain on the site. We are working with
13 IDNR. We have already completed the study. We
14 are making a submittal to IDNR shortly.

15 We actually already have approval on
16 Corneils Solar, both report that the piles do not
17 increase the storm -- the storm elevations, they
18 just -- they add some in, but it's not to the
19 point that it's beyond what's allowed in the
20 floodplain, so we are fully confident IDNR is
21 going to sign off on that, and we will need that
22 before we go to final engineering when we --
23 because EEI will require that as part of our
24 submittal process.

1 And then next slide, please. So
2 here is kind of a blow-up of our landscaping
3 plan. First off, we're going to be using the
4 pollinator mix.

5 The pollinators help stabilize the
6 site and they also create a deep-rooted system
7 that helps us with stormwater management, so you
8 notice we are not -- we are not adding any -- we
9 do not have any detention ponds here, and that's
10 because the pollinators help decrease the run-off
11 from the site, they create a deep root system so
12 it kind of pulls the water in and we keep the
13 water on-site, so we actually decrease our water
14 without the use of detention ponds and
15 concentrating the water at those ponds.

16 And then you will notice we have
17 some trees along the southern edge. If you can
18 see it, there is a different row of trees that
19 are kind of heading back southeast on the site.
20 You will see there is only really one row, and we
21 have larger evergreen trees on there.

22 We've gone the extra mile on the
23 southern edge where we almost doubled the amount
24 of evergreen trees along one row, and then we

1 provide a double row to kind of offset it a
2 little bit, so now we are -- we've heard -- we've
3 heard the complaints about being close to
4 Corneils and the concerns of the traffic and
5 everyone seeing it, so we wanted to make sure we
6 buffered it precisely with evergreen trees so
7 that it provides a good soft buffer.

8 And then if you go to the next
9 sheet, we have done some photo simulations on
10 here. So that's a blow-up of the landscaping.
11 That's a little better view so you can kind of
12 see the double row of the increased trees in
13 there.

14 If you go to the next slide, please.
15 So this is a view shed from Corneils Road looking
16 back to the site. This picture was taken
17 recently, so you can see the farm field in the
18 front.

19 If you go to the next view -- the
20 next slide, you will see we have overlaid the
21 evergreen trees in the buffer, so you can almost
22 see the solar panels really aren't even seen.

23 We typically plan this at maturity
24 of the trees. We typically plan the trees take

1 about eight to ten years to hit full maturity, so
2 there is going to be a time when it's first
3 planted you are going to kind of see through
4 there, but as it matures, it's going to kind of
5 hide them. We have -- next slide, please.

6 So this is a view looking through
7 the Bennetts' farm back to where the panels will
8 be, and the next view shed -- or next slide, I'm
9 sorry.

10 So then now you can see the
11 evergreen trees in the background as they are
12 providing the buffer, so you can kind of see we
13 are being really careful to make sure that we
14 buffer those trees as people are driving down the
15 street. And then last slide, please?

16 So this is what a pollinator seed
17 mix looks like. I always like looking at this.
18 You can see it's kind of native flowers and
19 creates a good -- a good area for pollinators to
20 come in, bees and such, and you can see that the
21 height of these are managed by the species that
22 are planted.

23 They don't go up above the panels,
24 they kind of stay below the panels, and then they

1 kind of just -- they grow to that height.

2 Based on the management plans I have
3 seen in the other projects, after five years,
4 this is low maintenance. We are not out there
5 mowing every week, we don't have to mow very
6 often after the first five years when it's
7 established.

8 There is some mowing going on and
9 making sure that weeds are kept at bay, but after
10 we hit this point, it pretty much self-maintains
11 itself.

12 As Hanna mentioned, we are here for
13 questions. If you have anything, just let us
14 know.

15 CHAIRMAN VINYARD: Thank you. Is there
16 anyone present who wishes to speak in favor or
17 opposition of this request tonight? Have you
18 signed in already?

19 MS. McARTHUR: Yes.

20 CHAIRMAN VINYARD: All right. Please.

21 JOAN McARTHUR,
22 having been first duly sworn, testified before
23 the Commission from the dais as follows:

24 MS. McARTHUR: My name is Joan McArthur,

1 and we have the farm south of Rob Roy Creek. I
2 would have to go back to one of your slides that
3 shows the land, I don't have it, because my
4 concern is our property is south of this. I have
5 a racetrack that parallels -- and we have been
6 there since 1985.

7 I have Thoroughbred racehorses on
8 there, and my concern is two-fold. One is if I
9 am going along the track at a race pace, which
10 will be at 35 miles an hour, and I get a glare
11 off one of those panels, hits the horse in the
12 eye, the horse could go down and die and I break
13 my neck and I die.

14 My concern is what kind of barrier
15 am I going to have along the property on the
16 north side of Rob Roy Creek where the solar farm
17 is going to be where I am not going to get a
18 glare? So I don't want -- I don't want to see
19 it. The second thing is -- that would have to go
20 all the way along the property line.

21 The second thing is I have a house
22 that sits to the west of our property and it's a
23 three-story house. I am going to be looking
24 right into that solar field, or not even the

1 solar field, it's going to be the machine or
2 whatever.

3 What kind of barrier am I going to
4 get up now? Not in four years. Now. So I don't
5 have to look at it, because this will just --
6 looking at it would devalue my property horribly,
7 so the company is going to have to put up some
8 type of fence, some type of barrier.

9 If they want to put their trees --
10 which would be great, but until they hit
11 maturity, I don't want to see them.

12 But my biggest concern is along our
13 property line, which there is a lot of, is that I
14 don't need a glare because I am in the horse
15 business.

16 Number one, you would put me out of
17 business; number two, you are going to injure the
18 animal, which could be a million dollar animal;
19 and, third of all, I could die.

20 And right now I don't have that
21 problem because there is crops, nobody is there.
22 I might see them once in a blue moon when they
23 are planting or when they are harvesting. I can
24 deal with that, but with trucks going back and

1 forth and back and forth, I have a two-year old
2 out there, they die. Who do -- The owner would
3 want to know who do we sue.

4 Plus I think it's just being a good
5 neighbor, put up a berm, put up a fence, put
6 something up so we don't have to look at it, and
7 then plant your trees, and if they grow in
8 40 years, God speed.

9 So that's my real concern.

10 CHAIRMAN VINYARD: Thank you. Would you
11 guys like to respond to that? Yes, she is fixing
12 it. As soon as she is done. Thank you.

13 MS. UDISCHAS: Thank you for your
14 question and your concern. A couple things. So
15 your concern is about glare, glare coming to your
16 property, and just concern of overall well-being
17 because of the array being there, so that's what
18 I am going to address.

19 So per Yorkville, we are required to
20 put slats in the fencing, so the array will be
21 shielded that way. We also have designed the --
22 we designed the project so that it's an
23 anti-glare system. You know, we don't want glare
24 on anyone's property, we don't want it on your

1 property, we don't want it on the neighboring
2 properties surrounding, we don't want it on our
3 landowner's property, so it's specifically
4 designed with that in mind.

5 I hope I addressed your question.

6 MS. McARTHUR: No. No. Because --

7 CHAIRMAN VINYARD: She asked about a
8 barrier.

9 MS. UDISCHAS: A barrier.

10 CHAIRMAN VINYARD: Yeah, more on the
11 landscaping I believe was her question.

12 MS. UDISCHAS: Sure. So for that we
13 proposed the -- we are proposing the evergreen
14 tree barrier. Let me look at my notes.

15 So around the total of the array we
16 have 154 evergreen trees planted. This is two --
17 two lines of plantings, as well as -- as well as
18 384 shrubs, so we have that to shield the -- to
19 shield the view shed, as well as the slats in the
20 fencing to block the view of the panels, and then
21 we designed the panels to be anti-glare.

22 CHAIRMAN VINYARD: Okay. Thank you.

23 MS. McARTHUR: I appreciate what you are
24 trying to do with the slats. My concern is just

1 even the -- you can see the big triangular
2 property, that's me. You can see the track.

3 When you have slats, I don't know
4 how tall they are, but I need -- and if there is
5 trucks going back and forth and back and forth,
6 somehow to buffer that.

7 You know, I would appreciate like
8 ten foot. Horses are tall. And to get that up.
9 Because if we have trucks going back and forth or
10 whatever, that's -- that's -- I know you have to
11 have that, I realize that, I am a realist, but if
12 there is some way to shield the noise, to abate
13 the noise, that's fine. You know, the solar
14 field is fine.

15 But I have something to protect me,
16 protect my establishment and my animals. And
17 then you can see how far that goes all the way
18 around to the property, and some days I go left
19 on the track, some days I go right, so you can't
20 just get it to one thing, and I would hate to
21 lose -- break my neck.

22 Because we will be out there with
23 young horses constantly, have been since '85, and
24 we'll continue to do so.

1 Do you understand where I am
2 talking, coming from? All right. Thank you.

3 MS. NOBLE: I guess I can add they are
4 required to have all of the panels within a
5 fenced area, and the fence is eight feet tall,
6 correct? And it will be lifted a little bit
7 because of the floodplain or floodway; is that
8 correct?

9 MR. KEITH: No, the slats will be.

10 MS. NOBLE: The slats will be lifted,
11 okay. So it will be an eight-foot tall fence
12 with slats plus the trees, so --

13 CHAIRMAN VINYARD: Okay. Is there
14 anyone else who would like to speak in opposition
15 or in favor of this request?

16 (No response.)

17 CHAIRMAN VINYARD: All right. I am
18 assuming you guys would like to have your
19 responses of the standards put in the record?

20 MS. HELLAND: Yes.

21 CHAIRMAN VINYARD: All right. Very
22 good. All right. Moving on, the next is PZC
23 2025-01, DMYF-Loftus, Drew Daniels, on behalf of
24 Daniels Malinski Yorkville Family, LLLP,

1 petitioner/owner, has filed an application with
2 the United City of Yorkville, Kendall County,
3 Illinois, requesting rezoning classification.

4 The real property consists of two
5 parcels totaling approximately 53.7 acres and is
6 generally located at the north of Faxon Road,
7 east of Beecher Road, and south of the Burlington
8 Northern Santa Fe Railroad.

9 The petitioner is requesting
10 rezoning approval from A-1 Agricultural District
11 to M-2, General Manufacturing District, for a
12 future data center.

13 Is the petitioner present and
14 prepared to make a presentation of their request?
15 We can't hear you, Mr. Daniels. Sorry.

16 MS. NOBLE: Can you try now, Drew?

17 MR. DANIELS: Yeah. Is that working?

18 MS. NOBLE: That's -- that's it.

19 COMMISSIONER CROUCH: Yes.

20 CHAIRMAN VINYARD: Go ahead, sir.

21 DREW DANIELS,
22 having been first duly sworn, testified before
23 the Commission from the dais as follows:

24 MR. DANIELS: Gotcha. Okay. My name is

1 Drew Daniels. I represent the DMYF, which is the
2 Daniels Malinski Yorkville Family, LLLP. I
3 reside at 405 East Sheridan Road, Lake Bluff,
4 Illinois, and we are here for the rezoning of
5 this property for the M-2.

6 We have -- I just finished the
7 268 acres along Route 34, and this is for the
8 same exact use, and I am open for any questions.

9 CHAIRMAN VINYARD: Does anyone have any
10 questions for the petitioner?

11 (No response.)

12 CHAIRMAN VINYARD: Is anyone here
13 opposed to this?

14 MR. LOFTUS: I am a neighbor.

15 CHAIRMAN VINYARD: Would you like to
16 come over and speak?

17 MS. LAMB: We will want him to swear as
18 well.

19 CHAIRMAN VINYARD: I think -- did he
20 not? Okay. Sir, I am going to have to have you
21 swear in real quick.

22 (Witness sworn.)

23 ROBERT LOFTUS,
24 having been first duly sworn, testified before

1 the Commission from the dais as follows:

2 CHAIRMAN VINYARD: Very good, sir.

3 MR. LOFTUS: We sold the property to
4 Drew, and I didn't touch base with Drew, just the
5 last -- I've been real busy.

6 There is a couple -- I am not in
7 opposition, but the -- I have been visiting with
8 the city about this. Our home was brought in by
9 mistake as far as the annexation goes. The other
10 property was okay, but our house was not supposed
11 to be in there, and Krysti and Mrs. Orr I think
12 may be talking, discussing that issue.

13 I just -- we just -- we live there,
14 we built the home, been there since '03 and I
15 graduated Yorkville High School and we planned on
16 staying. We've got eight acres left there, maybe
17 want a pony someday for our grandchildren.

18 I just -- it was -- Whose mistake it
19 was I don't know, but -- the annexation of our
20 home, but we didn't mind the rest of the
21 property, and we are not in opposition of this,
22 of what Drew wants to do. Drew is a fine --
23 fine -- fine guy, we really like him a lot.

24 Other than that, there is a couple

1 of issues. I did not talk with Drew, but I
2 should have got with him, but I didn't.

3 We are not in opposition, like I
4 say, but with a large manufacturing zoning like
5 that, there is going to be a lot of dirt to be
6 moved, and we would -- we would just request
7 that -- we would like a berm with arborvitaes
8 around our property, and that's the only thing we
9 would ask.

10 Drew didn't know I was going to ask
11 for it, but I -- I meant to get with him, but my
12 family is out of the country right now and I have
13 been busy with other things.

14 Otherwise, we are not in opposition,
15 we think he's got a good project going, and there
16 is just a couple items that -- just those items
17 that we discussed. Maybe Krysti and I can get it
18 ironed out, I'm sure.

19 CHAIRMAN VINYARD: Thank you.

20 MR. LOFTUS: If there is any --
21 otherwise it should be a good project.

22 CHAIRMAN VINYARD: Very good.
23 Appreciate it. Is there anyone else who would
24 like to speak in favor or opposition to this?

1 (No response.)

2 CHAIRMAN VINYARD: Okay. Seeing as
3 there are none, would the petitioner like to have
4 your responses to the standards entered into the
5 public record?

6 MR. DANIELS: Yes.

7 CHAIRMAN VINYARD: All right. That will
8 be the conclusion of tonight's public hearing.
9 Since all testimony regarding this petition has
10 been taken, may I have a motion to close the
11 taking of testimony?

12 COMMISSIONER WILLIAMS: So moved.

13 COMMISSIONER LINNANE: So moved.

14 COMMISSIONER WILLIAMS: Second.

15 CHAIRMAN VINYARD: Roll call vote.

16 MS. YOUNG: Yes. Linnane.

17 COMMISSIONER LINNANE: Yes.

18 MS. YOUNG: Vinyard.

19 CHAIRMAN VINYARD: Yes.

20 MS. YOUNG: Williams.

21 COMMISSIONER WILLIAMS: Yes.

22 MS. YOUNG: Forristall.

23 COMMISSIONER FORRISTALL: Yes.

24 MS. YOUNG: Hyett.

1 COMMISSIONER HYETT: Yes.

2 MS. YOUNG: Crouch.

3 COMMISSIONER CROUCH: Yes.

4 MS. YOUNG: And Green.

5 COMMISSIONER GREEN: Yes.

6 CHAIRMAN VINYARD: All right. The
7 public hearing of tonight's -- The public hearing
8 portion of tonight's meeting is now closed.

9 (Which were all the proceedings had
10 in the public hearings, concluding
11 at 7:42 p.m.)

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1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF LASALLE)

3 I, CHRISTINE M. VITOSH, a Certified
4 Shorthand Reporter of the State of Illinois, do
5 hereby certify:

6 That the foregoing public hearing
7 transcript, Pages 1 through 43, was reported
8 stenographically by me by means of machine
9 shorthand, was simultaneously reduced to
10 typewriting via computer-aided transcription
11 under my personal direction, and constitutes a
12 true record of the testimony given and the
13 proceedings had;

14 That the said public hearing was taken
15 before me at the time and place specified;

16 That I am not a relative or employee or
17 attorney or counsel, nor a relative or employee
18 of such attorney or counsel for any of the
19 parties hereto, nor interested directly or
20 indirectly in the outcome of this action.

21 I further certify that my certificate
22 attached hereto applies to the original
23 transcript and copies thereof signed and
24 certified under my hand only. I assume no

1 responsibility for the accuracy of any reproduced
2 copies not made under my control or direction.

3 IN WITNESS WHEREOF, I do hereunto set my
4 hand at Leland, Illinois, this 26th day of March,
5 2025.

6
7
8 /s/ Christine M. Vitosh

9 CHRISTINE M. VITOSH,
10 Illinois C.S.R. Certificate
11 No. 084-02883
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