ORDINANCE NUMBER 2007 - 17

AMENDING AN EXISTING SPECIAL USE (ORDINANCE 98-07) for an
EXPANSION OF DAY CARE FACILITY to
CROSS EVANGELICAL LUTHERAN CHURCH

WHEREAS, Cross Evangelical Lutheran Church, has filed a petition for an amendment to an existing Special Use (Ordinance 98-07) within the A-1 Agricultural Zoning District to allow for operation and expansion of a daycare facility pursuant to Section 7.01.D.27 (Schools and Daycare Facility) for property on the north side of Mill Road – ½ mile east of Galena Road, commonly known as 7481 Mill Road in Bristol Township, as legally described in “Exhibit A”; and

WHEREAS, said petition is to allow for the construction and operation of a 12,600 sq. ft. addition and associated parking to the existing day care facility; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to permit the use indicated in the recitals section of this Ordinance subject to the following conditions:

1. The daycare and preschool facilities shall be built, maintained, and operated in conformance with all local, State and Federal regulations.
2. Prior to the issuance of a building or site development permit, the petitioner shall dedicate to the City of Yorkville sufficient additional right-of-way on Mill Road to affect a total distance from the centerline of Mill Road of fifty-five (55) feet.
3. An easement shall be established, prior to the County issuing a site development permit, for hiking and bicycling purposes along the newly dedicated Mill Road right-of-way, totaling fifteen (15) feet.
4. No vehicular access to said property will be provided from Highland Avenue due to the distance between Highland Avenue.
5. All signage shall be compatible with Section 12 (Signs) of the Kendall County Zoning Ordinance.
6. The petitioner will be required to secure a site development permit prior to commencing site grading and subsequent construction of the proposed addition. Stormwater shall be managed in accordance with the Kendall County Stormwater Management Ordinance.
7. The site shall be developed in substantial conformance with the site plan and landscape plans attached hereto and made a part hereof as Group Exhibit “B”.

Anderson
8. Minor modifications to the parking lot circulation plan depicted in said Exhibit “B” may be required to improve safety as part of the review and approval of final engineering plans prior to construction. Such modifications shall not require an amendment to the special use and will be handled administratively for review and approval by PBZ staff.

9. The petitioner agrees to work with the adjoining property owner to the west in providing cross access between properties. The location of cross access will be determined as part of any future amendments to site plan to address future build out and expansion of this facility beyond what is shown on the site plan.

10. A vegetative buffer strip, planted with materials designed to muffle sound, shall be placed east-to-west across the northern edge of the subject property to provide a measure of sound buffering between the principal structure and the adjacent Storybrook Highlands subdivision. This strip is to be placed when the existing pond is relocated or any additional buildings, parking areas or expansions of existing buildings, parking lots or outdoor play areas beyond those shown on the controlling site plan, are constructed. Such modifications will require the processing of an amendment to the special use for review and approval, prior to the release of any permits being issued for such work.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on May 15, 2007.

Attest:

John A. Church
Kendall County Board Chairman

Paul Anderson
Kendall County Clerk
Exhibit "A"

LEGAL DESCRIPTION OF LAND

THAT PART OF THE ½ OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH EAST CORNER OF "STORYBOOK HIGHLANDS, UNIT NO. 2, BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS"; THENCE SOUTH 0 DEGREES, 07 MINUTES, 45 SECONDS EAST, 1,469.90 FEET TO THE CENTER LINE OF MILL ROAD; THENCE NORTH 80 DEGREES, 31 MINUTES, 51 SECONDS WEST ALONG SAID CENTER LINE, 788.26 FEET; THENCE NORTH 0 DEGREES, 07 MINUTES, 45 SECONDS WEST, 1,332.31 FEET TO THE SOUTH LINE OF SAID UNIT 2; THENCE NORTH 89 DEGREES, 25 MINUTES, 00 SECONDS EAST ALONG SAID SOUTH LINE 777.25 FEET TO THE POINT OF BEGINNING, IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.
FINAL LANDSCAPE PLAN FOR:

CROSS LUTHERAN CHURCH
North Campus Expansion

Oswego, Illinois
Kendall County

September 13, 2006

PREPARED FOR:
Cross Lutheran Church
Owner/Developer
8609 Route 47
Yorkville, Illinois 60560

Cross Lutheran Church - North Campus
7481 Mill Rd.
Oswego, Illinois 60560
Phone: 630.385.8182

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EXHIBIT
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DATE

SEC Planning Consultants
PLANNING LANDSCAPE ARCHITECTURE COMMUNITY BRANDING
729 John St.
Yorkville, IL 60560
Phone 630.385.8182
www.secplanning.com

THE PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DRAWINGS, SPECIFICATIONS, LANDSCAPE PLANS (1.0), AND OTHER DOCUMENTS ATTACHED HERETO.

LOCATION MAP

CONSULTANTS