

AN ORDINANCE RE-CLASSIFYING PROPERTY UNDER
THE KENDALL COUNTY, ILLINOIS ORDINANCE AND
ZONING MAP ATTACHED THERETO

73-5

WHEREAS, the County Board of the County of Kendall, State of Illinois, has accepted the report of the Kendall County Zoning Board of Appeals and the Kendall County Planning Commission recommending the approval of an Ordinance, based upon the Petition of THE MERCHANTS NATIONAL BANK OF AURORA, as Trustee under Trust No. 2019, and CECIL KERSEY, JACK CHAPMAN, and OSCAR KLEB, as beneficial owners of said land trust, to re-zone and re-classify the property legally described below, from its present District classification of A-County Agricultural to a zoning classification of M-1 with a Special Use Permit for purposes of the construction and operation of a truck terminal; and

WHEREAS, the Kendall County Zoning Board of Appeals has held a public hearing prior to its making recommendations, after due publication of notice of said hearing, all in accordance with 13.6-2 of the Kendall County Zoning Ordinance and Section 3152 of Chapter 24, Illinois Revised Statutes, 1971; and

WHEREAS, the County Board of Kendall County finds that the proposed changes of zoning classification from its present District classification of A-Agricultural to M-1 Manufacturing with a Special Use Permit for a truck terminal

is in conformity with the surrounding area, promotes the general welfare of the County and is not contrary to the purposes and intent of the Kendall County Zoning Ordinances.

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois, as follows:

Section 1. That the Kendall County Zoning Ordinance adopted May 10, 1960 and the zoning map attached thereto and made a part thereof, be and the same are hereby amended to change the present District classification of the property legally described below to M-1 Manufacturing with a Special Use Permit for use as a truck terminal, as indicated below:

That part of the East half of the Southeast quarter of Section 3, Township 37 North, Range 8 East of the Third Principal Meridian, and part of the Northeast quarter of the Northeast quarter of Section 10, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of the Southeast quarter of said Section 3; thence North 0 degrees 15' 45" East along the East line of said Southeast quarter, 656.27 feet; thence North 89 degrees 54' 30" West 622.5 feet; thence South 0 degrees 15' 45" West 656.27 feet to the North line of said Section 10; thence South 89 degrees 54' 30" East along said North line to the Northerly line of the Commonwealth Edison right-of-way; thence Southeasterly along said Northerly line to the center line of United States Route 34; thence Northeasterly along said center line to the North line of said Section 10; thence South 89 degrees 54' 30" East along said North line 11.10 feet to the point of beginning; containing 10.00 acres, more or less, in Oswego Township, Kendall County, Illinois.

Section 2. That the granting of the Petition hereinabove referred to be and the same is hereby subject to the following terms and conditions:

(a) That construction of a truck terminal include a green belt with screening of vegetation on all sides of the parcel and that a landscape plan of the screening be submitted for prior approval by the Kendall County Planning Commission before issuance of a building permit on the aforesaid parcel of real estate; that the green belt on the sides consist, generally, on the north, south and west, of a depth of at least 25 feet and that said green belt on the east side, being the portion fronting on U. S. Route 34 and the Commonwealth Edison right-of-way, of a depth of at least 50 feet.

(b) That all drive, parking and loading zones shall be paved with an asphalt surface within the aforesaid parcel.

(c) That sufficient parking spaces upon the site shall be provided for all customers, visitors and employees, and that a ratio of parking spaces to square footage of warehouse and office shall be provided of not less than one parking space for every 400 square feet of office space, and, in addition thereto, one parking space for every 1,200 square feet of warehouse space.

(d) That all petroleum products, solvents, anti-freeze and waste liquid of every description, discharged or used in connection with the operation of motor vehicles, shall be retained in retention tanks and removed from the aforesaid parcel by scavenger service.

(e) That all water used to wash motor vehicles in or about the aforesaid parcel shall be collected and re-cycled, and all washing of vehicles shall be done in a service garage area only.

(f) That the entrance and entrance drive to the aforesaid parcel shall be lit with high intensity lights.

(g) That the entrance drive to the aforesaid parcel shall be of a length of not less than 125 feet, to permit stacking or staging of motor vehicles entering and leaving the aforesaid parcel.

(h) That the subject property shall include storm water retention sumps in paved areas with a minimum retention capacity of four inches of water in each such sump area.

(i) That a de-acceleration lane and an entrance shall be built in conformance with State Highway Department regulations, the same being a de-acceleration lane of 500 feet, 270 feet of which shall be tapered and of a maximum width of not less than 22 feet, on the west side of U. S. Route 34 with curbs and gutters along the subject property adjoining said de-acceleration lane.

(j) That prior to issuance of a building permit, the owners of the subject land submit and obtain approval by the Kendall County Planning Commission of a drainage plan for the subject property.

(k) That prior to issuance of a building permit,

a plan be submitted and approved for sanitation and sanitary disposal by the Kendall County Zoning Enforcing Officer and the Kendall County Health Officer.

(l) That prior to issuance of a building permit, drainage plans for the subject property be submitted to, for approval by, the drainage district authority for the subject property.

(m) That the total number of docking berths and truck terminal doors for usage of trucks in the truck terminal be limited for the subject property to one hundred (100) such docking and terminal door units.

(n) That each phase of the development of the subject property be limited to twenty (20) docking berths for trucks and twenty (20) doors, and that the plan for each phase development, including the first and each subsequent phase development of twenty (20) docking berth units, be submitted to the Kendall County Planning Commission for approval prior to issuance of a building permit therefor.

Section 3. That the granting of the Petition hereinabove referred to is further conditioned upon compliance with the standards of all applicable existing ordinances, including the Kendall County Building Code, the Kendall County Zoning Ordinance and the Kendall County Subdivision Control Ordinance and, further, upon compliance with all existing State statutes and rules and regulations of the Environmental Protective Agency.

Section 4. That this ordinance shall take effect

and be in full force and effect upon and after its passage by the County Board of the County of Kendall, State of Illinois and its signing by the appropriate corporate authorities.

Section 5. That the County Clerk be and she is hereby ordered and directed to change the zoning map to show the change in zoning classification of the subject property.

Presented to the Kendall County Board, Kendall County, Illinois this 13 day of March, 1973.

Passed by the Kendall County Board, Kendall County, Illinois this 13 day of March, 1973.

Signed by the Chairman of the Kendall County Board, Kendall County, Illinois this 13 day of March, 1973.

James C Mann
Chairman, Kendall County Board,
Kendall County, Illinois

ATTEST:

Gene P. Brady
County Clerk, Kendall County,
Illinois