

ORDINANCE NUMBER 2022- 08

GRANTING A SPECIAL USE PERMIT FOR A GOVERNMENTAL BUILDING OR FACILITY (FIRE STATION) AND THE REVOCATION OF A SPECIAL USE PERMIT FOR A CHURCH GRANTED BY ORDINANCE 2004-04 AT 748 JONES ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-12-300-017 IN SEWARD TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue and revoke special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted and revoked; and

WHEREAS, Section 7:01.D.22 of the Kendall County Zoning Ordinance permits the placement of governmental buildings and facilities as a special use in the A-1 Agricultural Zoning District; 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 25.0 +/- acres located at 748 Jones Road (PIN: 09-12-300-017), in Seward 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 July 20, 2004, the Kendall County Board approved Ordinance 2004-24 which granted a special use for the operation of a church with conditions at the subject property; and

WHEREAS, the subject property is owned by Grace Bible Church as represented by Executive Pastor Sean Mabee; and

WHEREAS, the Troy Fire Protection District, as represented by Fire Chief Andrew Doyle, has expressed interest in purchasing the property; and

WHEREAS, Grace Bible Church and Troy Fire Protection District shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about December 21, 2021, Petitioner’s representative filed a petition for a special use permit for the placement of a governmental building or facility, specifically a fire station, and the revocation of a special use permit for a church granted by Ordinance 2004-24 at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on January 6, 2022, the Kendall County Zoning Board of Appeals initiated a public hearing on January 31, 2022, at 7:00 p.m., in the County Board Room of the Kendall County Office Building at 111 W. Fox Street in Yorkville, and continued the public hearing to February 28, 2022, at 7:00 p.m., at the same location, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor or in opposition to 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 approval 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 February 28, 2022, 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; 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, the 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 for the placement of a governmental building or facility, specifically a fire station, on the subject property subject to the following conditions:
 - A. The special use permit granted by Ordinance 2004-24 is hereby revoked and Ordinance 2004-24 is repealed in its entirety.
 - B. The site shall be developed substantially in accordance with the plat of survey attached hereto as Exhibit C and site plan attached hereto as Exhibit D. The exact size of the retention pond expansion shall be determined by the stormwater management permit related to that expansion. The pond expansion must occur within two (2) years of the issuance of the special use permit. The Kendall County Planning, Building and Zoning Committee may extend this deadline upon request by the property owner.
 - C. The vegetation presently shown on the plat of survey attached hereto as Exhibit C and site plan attached hereto as Exhibit D shall remain in substantially the same locations as shown on these documents with the exception that the vegetation around the concrete apron, training pad area, and pond extension may be removed.
 - D. The berms shown on the site plan attached hereto as Exhibit D shall be a minimum of five feet (5') in height. Evergreen type vegetation shall be planted on top of the berms. The berms and evergreens must be installed within two (2) years of the issuance of the special use permit. The Kendall County Planning, Building and Zoning Committee may extend this deadline upon request by the property owner.
 - E. Damaged or dead plantings related to the landscaping of the property shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
 - F. The fire station, four thousand five hundred (4,500) square foot training building, and fire tower, shall be developed substantially in accordance with the elevations attached hereto as Exhibit E.
 - G. Any new structures constructed or installed related to the use allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.

- H. The training tower shown on the site plan attached hereto as Exhibit D shall be approximately sixty feet (60') in length, thirty feet (30') in width, and forty feet (40') in height.
- I. The storage area shown on the site plan attached hereto as Exhibit D shall be an open area for outdoor storage approximately sixteen feet (16') in length and forty feet (40') in width. The maximum height of materials stored in this area shall be eight feet (8').
- J. The fire investigation area shown on the site plan attached hereto as Exhibit D shall be an open area used for trainings and shall be approximately sixteen feet (16') in length, twenty feet (20') in width, and eight feet (8') in height.
- K. The SCBA trailer shown on the site plan attached hereto as Exhibit D shall be approximately eight feet (8') in width and fifty-three feet (53') in length. The trailer shall be approximately fourteen feet (14') in height.
- L. The eastern driveway shall be concrete from Jones Road to the vehicle turnaround around area as shown on the site plan attached hereto as Exhibit D. The remainder of the eastern driveway shall be asphalt.
- M. The parking area shall be maintained in substantially the same location as shown on the site plan attached hereto as Exhibit D with approximately three hundred (300) parking spaces. The property owners shall ensure that handicapped parking spaces required by the Americans with Disabilities Act are provided. Per the site plan attached hereto as Exhibit D, seven (7) handicapped accessible parking spaces with applicable signage shall be provided for the three hundred (300) spaced parking lot.
- N. The fence around the western portion of the parking lot shall be chain link with slats added. The maximum height of the fence shall be six feet (6').
- O. One (1) free standing sign may be installed in substantially the location shown on the site plan attached hereto as Exhibit D. The sign shall be a maximum ten feet (10') in length and a maximum five feet (5') in height. The sign may be lit from dusk until dawn. However, the lighting output of the sign shall be set to a maximum of fifty percent (50%) of capabilities between 10:00 p.m. and dawn.
- P. Wall signage on the building shall be installed in substantially the locations and sizes as shown on the renderings attached hereto as Exhibit E. These signs may be back lit.
- Q. The trash enclosure shall be placed in substantially the location shown on the site plan attached hereto as Exhibit D and shall be large enough to hold one (1) four (4) yard dumpster and one (1) four (4) yard recycling dumpster. The enclosure shall be screened per the requirements of the Kendall County Zoning Ordinance.
- R. No burning, other than burning normally allowed on A-1 zoned property, may occur outdoors at the subject property.
- S. Emergency dispatch horns, strobes, and speakers shall not broadcast or be used outdoors at the subject property between the hours of 10:00 p.m. and 8:00 a.m.
- T. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment, vehicles, and materials parked and stored on the subject property and shall promptly clean up the site if leaks occur.
- U. None of the vehicles or equipment parked or stored on the subject property related to the use allowed by the special use permit shall be considered agricultural vehicles or agricultural

equipment.

- V. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
 - W. Within one (1) year of the approval of this special use permit ordinance, the owners of the subject property shall submit an escrow payment to the City of Joliet for improvements to Jones Road. The Kendall County Planning, Building and Zoning Committee may extend the deadline for payment of the escrow funds.
 - X. Within one (1) year of the approval of this special use permit ordinance, the owners of the subject property shall enter into an annexation agreement with the Village of Shorewood. The Kendall County Planning, Building and Zoning Committee may extend the deadline for the creation of the annexation agreement.
 - Y. The property owner and operator of the use allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
 - Z. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
 - AA. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- 3. 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.
 - 4. 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 15th day of March, 2022.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder



Exhibit A

Legal Description

The North 1555.70 Feet of the East 700.00 Feet of the West 2036.77 Feet of the Southwest Quarter of Section 12, Township 35 North, Range 8 East of the Third Principal Meridian in Kendall County, Illinois

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on February 28, 2022, by a vote of five (5) in favor and zero (0) in opposition. Members Thompson and Whitfield were absent.

FINDINGS OF FACT-SPECIAL USE PERMIT

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 the site is developed in accordance with the submitted site plan and provided that conditions are included in the special use permit to mitigate outside noise, odor, and lighting, the proposed use should not be detrimental or endanger the public health, safety, morals, comfort, or general welfare. Placing a fire station at this location, with trained first responders, should enhance the public safety of the area.

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. Appropriate restrictions should be placed in the special use permit to regulate outside noise, odors, and lighting. It is acknowledged that a fire station could produce noise, particularly sirens, at any point in time. Landscaping is incorporated in the controlling site plan for the property. Presently, very few house are located within a half mile of the property. The neighboring property owners should not suffer loss in property values caused by the placement of this use.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Provided the City of Joliet and Seward Township have no concerns regarding the use of Jones Road for the purposes of a fire station, adequate roads are provided. Adequate utilities are onsite or will be upgraded. Drainage issues shall be addressed as part of the stormwater management permit for the property.

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. This is true; no variances are needed.

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 proposal is consistent with the goals and objectives included in the Public Safety section found on pages 4-10 and 4-11 of the Kendall County Land Resource Management Plan.

RECOMMENDATION

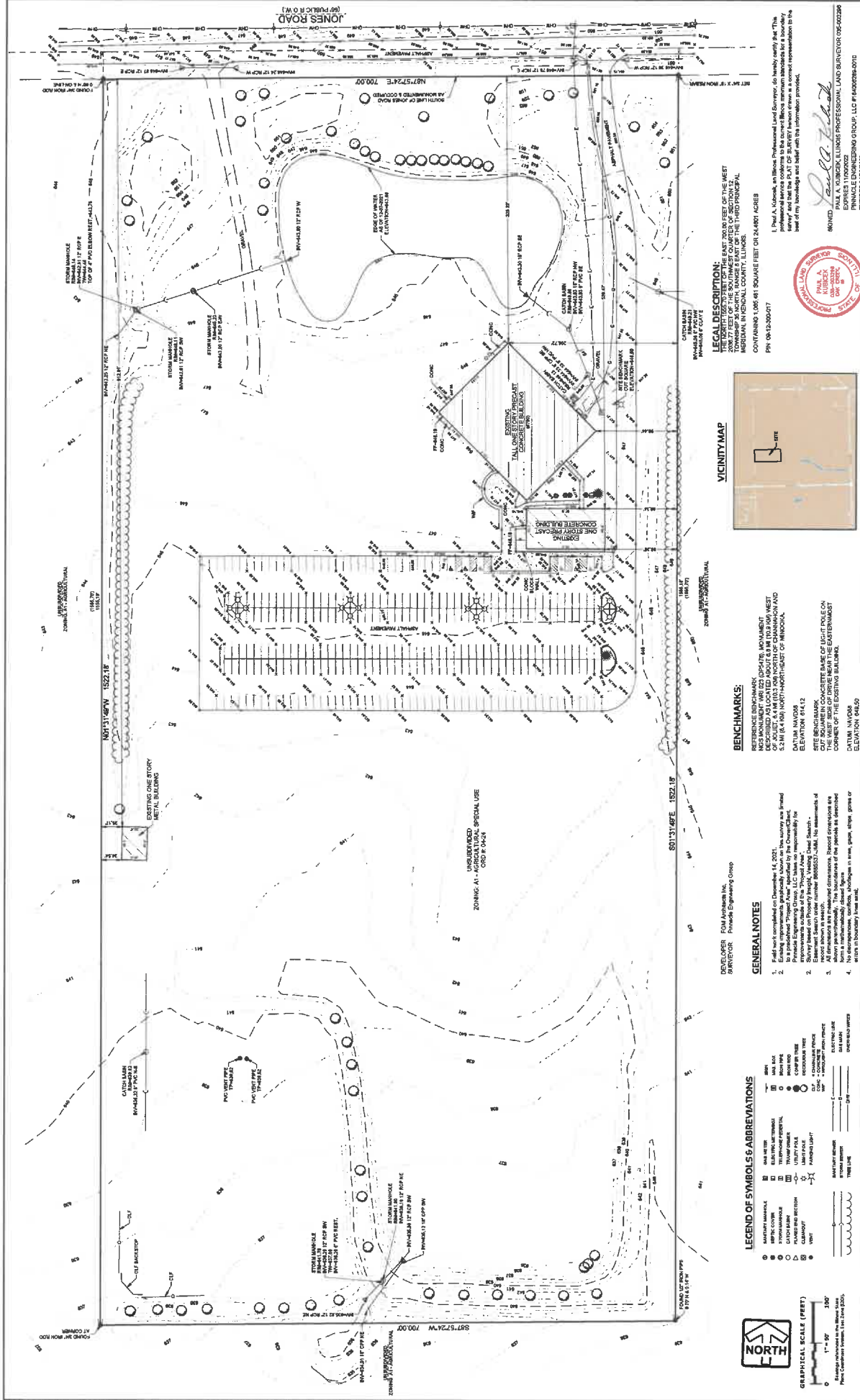
Approval subject to the following conditions and restrictions:

1. The special use permit granted by Ordinance 2004-24 is hereby revoked and Ordinance 2004-24 is repealed in its entirety.
2. The site shall be developed substantially in accordance with the submitted plat of survey and site plan. The exact size of the retention pond expansion shall be determined by the stormwater management permit related to that expansion. The pond expansion must occur within two (2) years of the issuance of the special use permit. The Kendall County Planning, Building and Zoning Committee may extend this deadline upon request by the property owner.

3. The vegetation presently shown on the submitted plat of survey and site plan shall remain in substantially the same locations as shown on these documents with the exception that the vegetation around the concrete apron, training pad area, and pond extension may be removed.
4. The berms shown on the site plan shall be a minimum of five feet (5') in height. Evergreen type vegetation shall be planted on top of the berms. The berms and evergreens must be installed within two (2) years of the issuance of the special use permit. The Kendall County Planning, Building and Zoning Committee may extend this deadline upon request by the property owner.
5. Damaged or dead plantings related to the landscaping of the property shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
6. The fire station, four thousand five hundred (4,500) square foot training building, and fire tower, shall be developed substantially in accordance with the elevations.
7. Any new structures constructed or installed related to the use allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
8. The training tower shown on the site plan shall be approximately sixty feet (60') in length, thirty feet (30') in width, and forty feet (40') in height.
9. The storage area shown on the site plan shall be an open area for outdoor storage approximately sixteen feet (16') in length and forty feet (40') in width. The maximum height of materials stored in this area shall be eight feet (8').
10. The fire investigation area shown on the site plan shall be an open area used for trainings and shall be approximately sixteen feet (16') in length, twenty feet (20') in width, and eight feet (8') in height.
11. The SCBA trailer shown on the site plan shall be approximately eight feet (8') in width and fifty-three feet (53') in length. The trailer shall be approximately fourteen feet (14') in height.
12. The eastern driveway shall be concrete from Jones Road to the vehicle turnaround around area as shown on the site plan. The remainder of the eastern driveway shall be asphalt.
13. The parking area shall be maintained in substantially the same location as shown on the site plan with approximately three hundred (300) parking spaces. The property owners shall ensure that handicapped parking spaces required by the Americans with Disabilities Act are provided. Per the site plan, seven (7) handicapped accessible parking spaces with applicable signage shall be provided for the three hundred (300) spaced parking lot.
14. The fence around the western portion of the parking lot shall be chain link with slats added. The maximum height of the fence shall be six feet (6').
15. One (1) free standing sign may be installed in substantially the location shown on the site plan. The sign shall be a maximum ten feet (10') in length and a maximum five feet (5') in height. The sign may be lit from dusk until dawn. However, the lighting output of the sign shall be set to a maximum of fifty percent (50%) of capabilities between 10:00 p.m. and dawn.
16. Wall signage on the building shall be installed in the substantially the locations and sizes as shown on the renderings. These signs may be back lit.
17. The trash enclosure shall be placed in substantially the location shown on the site plan and shall be large enough to hold one (1) four (4) yard dumpster and one (1) four (4) yard recycling dumpster. The enclosure shall be screened per the requirements of the Kendall County Zoning Ordinance.
18. No burning, other than burning normally allowed on A-1 zoned property, may occur outdoors at the subject property.
19. Emergency dispatch horns, strobes, and speakers shall not broadcast or be used outdoors at the subject property between the hours of 10:00 p.m. and 8:00 a.m.
20. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment, vehicles, and materials parked and stored on the subject property and

shall promptly clean up the site if leaks occur.

21. None of the vehicles or equipment parked or stored on the subject property related to the use allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
22. The operators of the use allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
23. Within one (1) year of the approval of this special use permit ordinance, the owners of the subject property shall submit an escrow payment to the City of Joliet for improvements to Jones Road. The Kendall County Planning, Building and Zoning Committee may extend the deadline for payment of the escrow funds.
24. Within one (1) year of the approval of this special use permit ordinance, the owners of the subject property shall enter into an annexation agreement with the Village of Shorewood. The Kendall County Planning, Building and Zoning Committee may extend the deadline for the creation of the annexation agreement.
25. The property owner and operator of the use allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
26. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
27. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
28. 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.



LEGAL DESCRIPTION:
 THE SOUTH 1/2 OF THE EAST 7/8 OF THE WEST
 1/4 SECTION 36, NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL
 MERIDIAN, IN VERMILION COUNTY, ILLINOIS
 CONTAINING 130.61 SQUARE FEET OR 2.9801 ACRES
 PH: 08-12-30047

BENCH-MARKS:
 REFERENCE BENCHMARK:
 INGS MONUMENT W/ 623 (DPS-176) MOVEMENT
 5.2 MM (S 4.4 IN) NORTH & 0.4 MM (S 0.1 IN) WEST
 DATUM: NAVD83
 ELEVATION: 614.12
 SITE BENCHMARK:
 CONCRETE BENCHMARK OF LIGHT POLE ON
 THE WEST SIDE OF DRIVE NEAR THE EASTERNMOST
 CORNER OF THE EXISTING BUILDING.
 DATUM: NAVD83
 ELEVATION: 642.50

GENERAL NOTES:
 1. Field work completed on December 14, 2021.
 2. Existing improvements graphically shown on this survey are based on Pinnacle Engineering Group, LLC plans on responsibility for the same.
 3. Survey based on Property Plots, Volume One, Sheet 1.
 4. Elevation based on datum 8806537-JAN. No assumptions of datum are made.
 5. All dimensions are in decimal dimensions. Round dimensions to the nearest 0.01 feet.
 6. No dimensions, locations, heights or areas, given, shown or shown on this survey are to be construed as a warranty or representation of any kind.

VICINITY MAP:
 A small inset map showing the project location within a larger regional context.

DEVELOPER: PDM Architects Inc.
OWNER: Pinnacle Engineering Group

PLANNING & ZONING:
 ZONING: A1 - AGRICULTURE, SPECIAL USE
 ORD: 8-04-04

LEGEND OF SYMBOLS & ABBREVIATIONS:
 (List of symbols for structures, utilities, and site features)

GRAPHICAL SCALE (FEET):
 1" = 20'
 1" = 50'

PROFESSIONAL SEAL:
 Pinnacle Engineering Group logo and seal.

REVISIONS

NO.	DATE	DESCRIPTION
1	12/17/21	ISSUE FOR PERMIT
2	12/22/21	ISSUE FOR PERMIT
3	12/22/21	ISSUE FOR PERMIT
4	12/22/21	ISSUE FOR PERMIT
5	12/22/21	ISSUE FOR PERMIT

PLAT OF SURVEY

TROY FIRE PROTECTION DISTRICT
748 JONES ROAD
MINOOKA, ILLINOIS

PLANNING & ZONING:
 ZONING: A1 - AGRICULTURE, SPECIAL USE
 ORD: 8-04-04

PLANNING & ZONING:
 ZONING: A1 - AGRICULTURE, SPECIAL USE
 ORD: 8-04-04

PINNACLE ENGINEERING GROUP
 ENGINEERING NATIONAL RESOURCES TURNKEY

PLAN/DESIGN/DELIVER

11111 S. WASHINGTON ST., SUITE 217
 MARIETTA, GA 30067
 (770) 575-1111

FIRE STATION No.3

748 JONES ROAD, MINOOKA, IL 60447

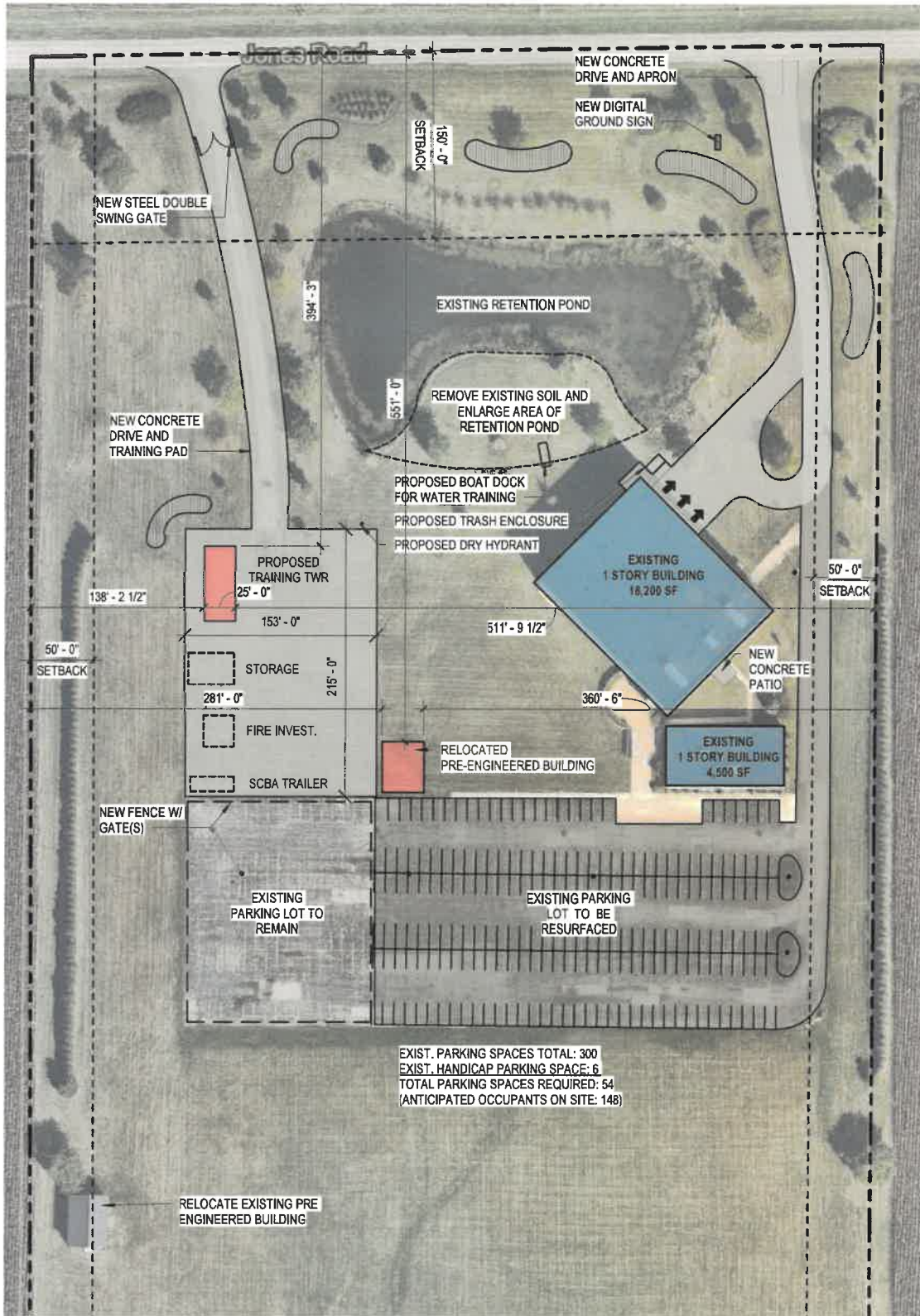
Exhibit D

TROY FIRE PROTECTION DISTRICT

Job No. 22-3327.01

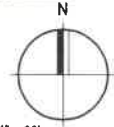
Published 12/06/21

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EXIST. PARKING SPACES TOTAL: 300
EXIST. HANDICAP PARKING SPACE: 6
TOTAL PARKING SPACES REQUIRED: 54
(ANTICIPATED OCCUPANTS ON SITE: 148)

NEW TURF BERMS.
TREES TO BE PLANTED AT TOP OF BERM.



SCALE: 1" = 80'

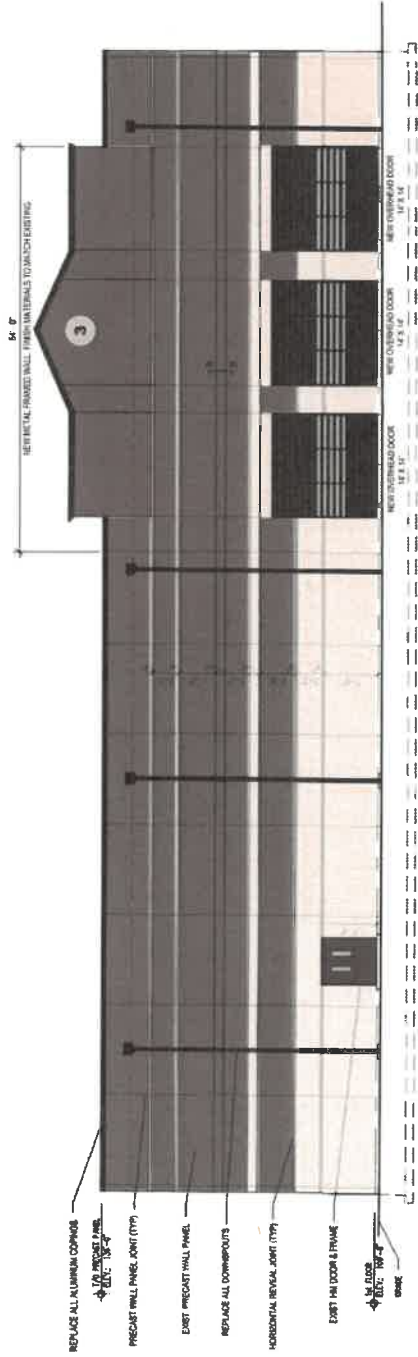
PROPOSED SITE PLAN



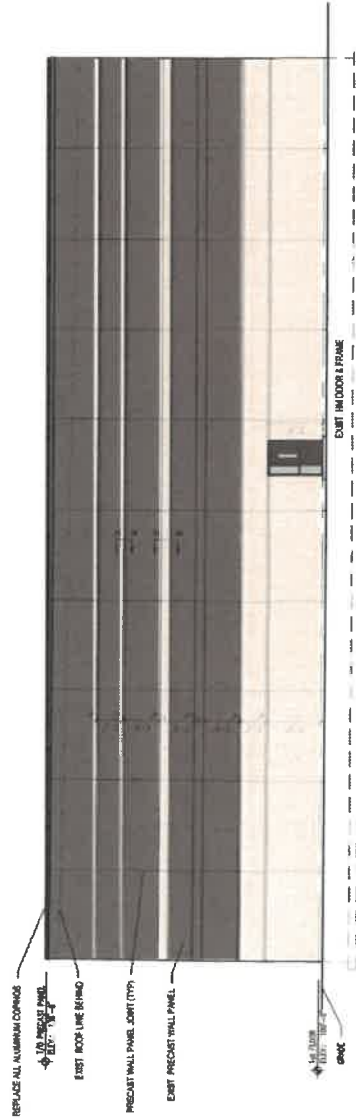
FIRE STATION No.3

748 JONES ROAD, MIINOOKA, IL 60447

Exhibit E, Page 1



MAIN BUILDING - NORTH ELEVATION
SCALE: 1/16" = 1'-0"



MAIN BUILDING - EAST ELEVATION
SCALE: 1/16" = 1'-0"



PROPOSED ELEVATIONS

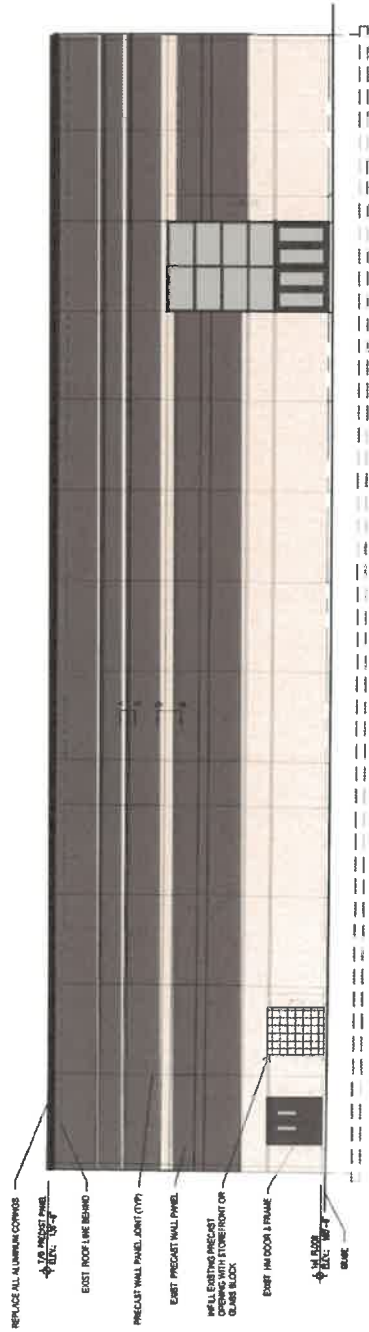
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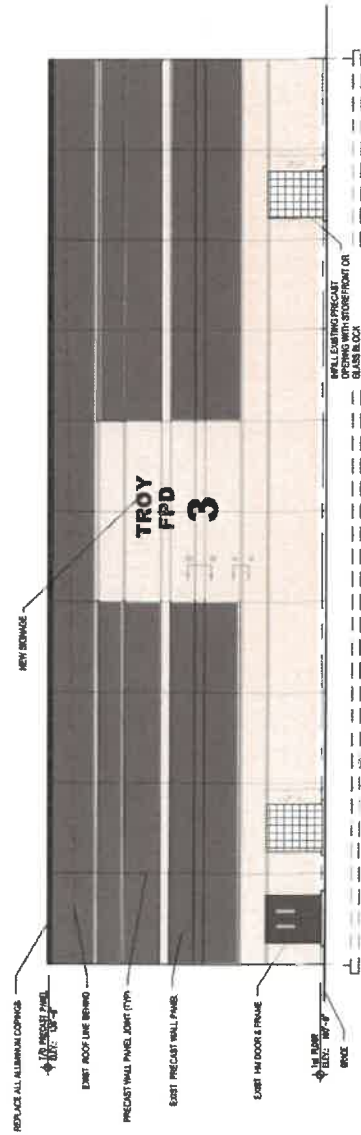
FIRE STATION No.3

748 JONES ROAD, MIINOOKA, IL 60447

Exhibit E, Page 2



MAIN BUILDING - SOUTH ELEVATION
SCALE: 1/16" = 1' - 0"



MAIN BUILDING - WEST ELEVATION
SCALE: 1/16" = 1' - 0"

PROPOSED ELEVATIONS

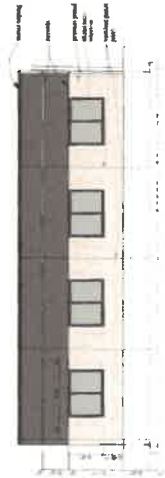
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FIRE STATION No.3

748 JONES ROAD, MINOOKA, IL 60447

Exhibit E, Page 3



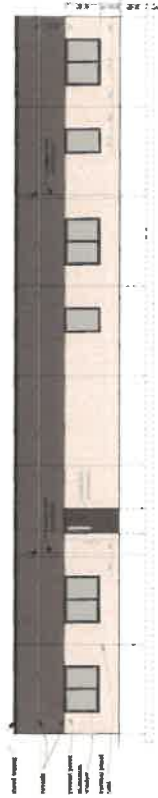
SMALL BUILDING - SOUTH ELEVATION
SCALE: 1/16" = 1' - 0"



SMALL BUILDING - WEST ELEVATION
SCALE: 1/16" = 1' - 0"



SMALL BUILDING - NORTH ELEVATION
SCALE: 1/16" = 1' - 0"



SMALL BUILDING - EAST ELEVATION
SCALE: 1/16" = 1' - 0"

PROPOSED ELEVATIONS

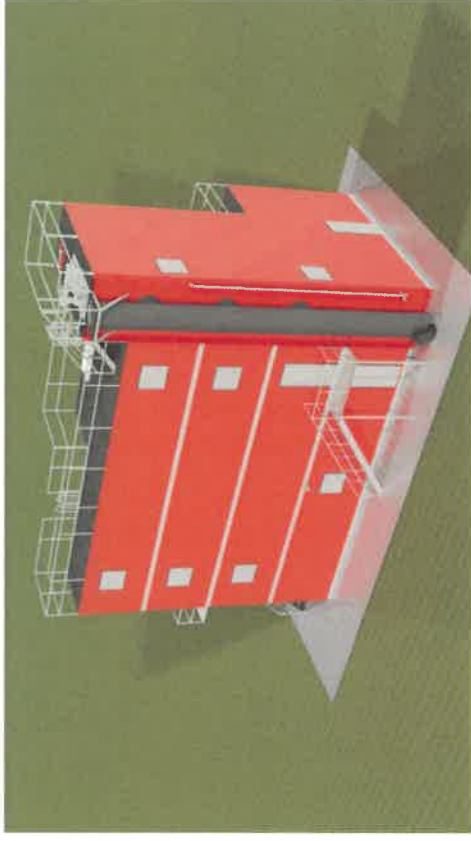
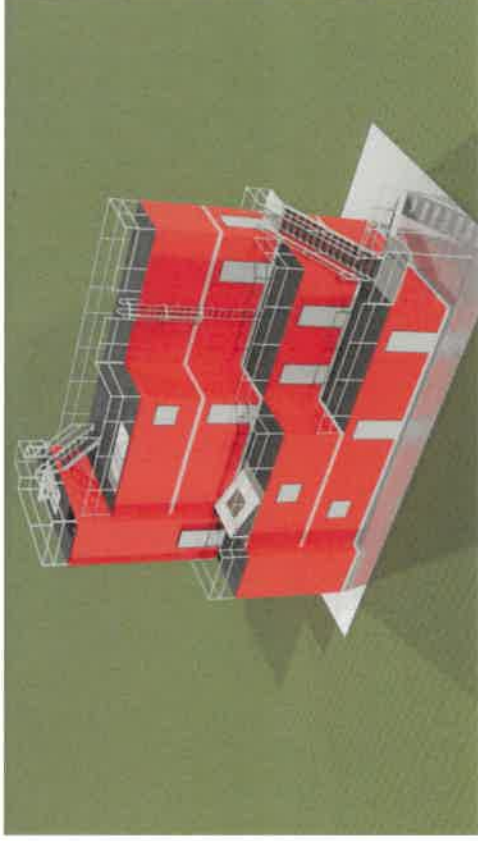
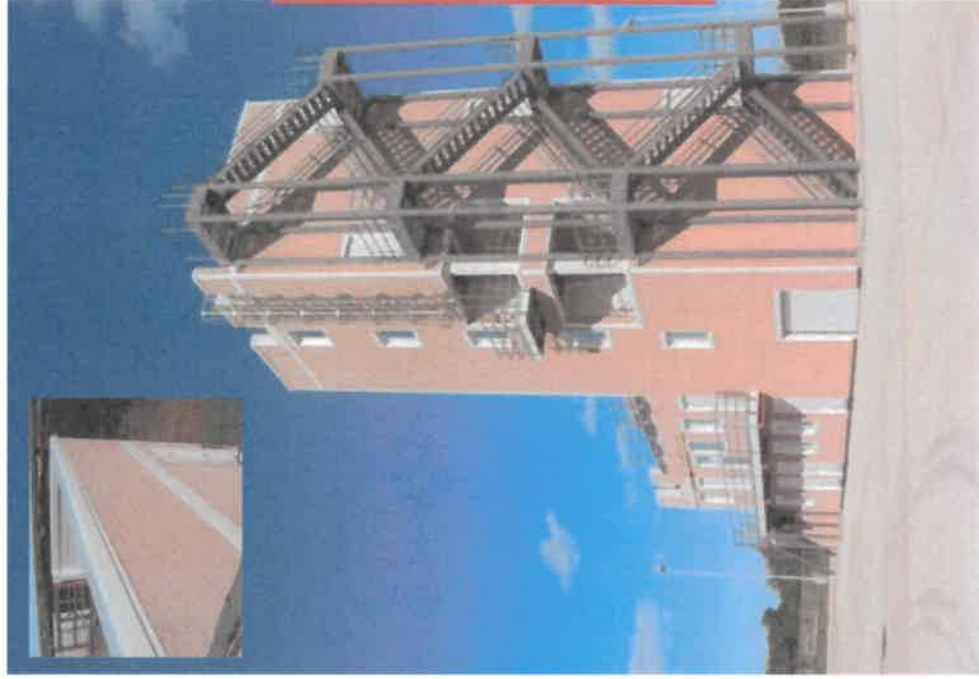
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FIRE STATION No.3

748 JONES ROAD, MINOOKA, IL 60447

Exhibit E, Page 4



PROPOSED TRAINING TOWER

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