

ORDINANCE NUMBER 2019- 19

**GRANTING A MAJOR AMENDMENT TO A SPECIAL USE PERMIT GRANTED BY
ORDINANCE 2014-05 ON PROPERTY ZONED A-1 AGRICULTURAL FOR A YOUTH CAMP
AND RETREAT CENTER BY REPEALING AND REPLACING THE SITE PLAN AT 8250
FINNIE ROAD (PINs: 04-17-100-002, 04-17-300-002, AND 04-17-300-007) IN FOX TOWNSHIP**

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to make major amendments to existing special use permits and place conditions on special use permits and provides the procedure through which special use permits are amended; and

WHEREAS, Section 7.01.D. of the Kendall County Zoning Ordinance permits the operation of youth camps and retreat centers as a special use permit with certain restrictions 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 160.0 acres located at 8250 Finnie Road (PINs: 04-17-100-002, 04-17-300-002, AND 04-17-300-007) in Fox 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, the subject property is currently owned by Dickson Valley Ministries and is represented by its Executive Direct Mark Caldwell and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on March 19, 2014, the Kendall County Board approved Ordinance 2014-05 granting a special use permit for the operation of a youth camp and retreat center on the subject property with conditions; and

WHEREAS, Ordinance 2014-05 required that the subject property be developed in accordance to a site plan which was attached to Ordinance 2014-05 as Exhibit A; and

WHEREAS, on or about March 19, 2019, Petitioner filed a petition for a major amendment to the special use permit granted by Ordinance 2014-05 by repealing and replacing the approved site plan; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on April 4, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on April 29, 2019, at 7:00 p.m. and July 1, 2019, in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested major amendment to an existing special use permit and zero members of the public testified in favor or in opposition and one member of the public commented on the proposal; 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 major amendment to an existing special use permit as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 1, 2019, 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 major amendment to an existing special use permit with conditions; 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

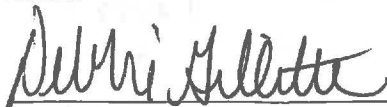
WHEREAS, this major amendment to a special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

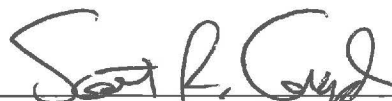
1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a major amendment to an existing special use permit allowing the operation of a youth camp and retreat center on the subject property subject to the following conditions:
 - A. The conditions and restrictions set forth in Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached hereto as Exhibit C.
 - B. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the Site Plan attached hereto as Exhibit C. The site shall be developed substantially in conformance with Exhibit C.
 - C. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
 - D. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
 - E. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
 - F. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
3. 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 major amendment to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of July, 2019.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

Exhibit A

DICKSON VALLEY CAMP OVERALL LEGAL DESCRIPTION

THAT PART OF THE SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18 OF AFORESAID TOWNSHIP AND RANGE; THENCE SOUTH 1 DEGREE 07 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST ALONG THE SOUTHERLY LINE OF THE PREMISES CONVEYED TO HARLEY B. HOBBS BY DEED DATED JANUARY 25, 1958 AND RECORDED JANUARY 29, 1958 IN DEED RECORD 118, PAGE 143 AS DOCUMENT #120930 A DISTANCE OF 3973.05 FEET FOR A POINT OF BEND IN SAID LINE; THENCE SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 33.60 FEET TO A POINT IN THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 SECONDS EAST, A DISTANCE OF 455.16 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 THAT IS LOCATED 346.63 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 346.63 FEET TO SAID SOUTHEAST CORNER; THENCE NORTH 01 DEGREES 32 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1269.25 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 37 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1374.32 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 89 DEGREES 51 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.98 FEET TO A FOUND STONE MONUMENT; THENCE NORTH 89 DEGREES 38 MINUTES 22 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 840.82 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 42 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 3.05 FEET TO THE POINT OF BEND IN SAID FINNIE ROAD AS PLATTED IN THE SUBDIVISION OF WEST MILLBROOK PHASE 2 RECORDED AS DOCUMENT NUMBER 883172 IN PLAT CABINET 3 OF PLATS AT SLOT 410B; THENCE SOUTH 46 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 1130.89 FEET TO THE NORTHWEST CORNER OF SAID WEST MILLBROOK PHASE 2, SAID POINT BEING LOCATED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 34 MINUTES 26 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1862.29 FEET TO THE CENTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND THE WEST LINE OF SAID WEST MILLBROOK PHASE 2, A DISTANCE OF 514.33 FEET TO THE NORTHERLY BANK OF THE FOX RIVER; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY BANK OF THE FOX RIVER, A DISTANCE OF 2346.73 FEET MORE OR LESS TO A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 1001.65 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

Exhibit B

FINDINGS OF FACT

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. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.

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. The proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

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. The proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural Zoning District.

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. This statement is true.

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested major amendment to an existing special use permit with the conditions:

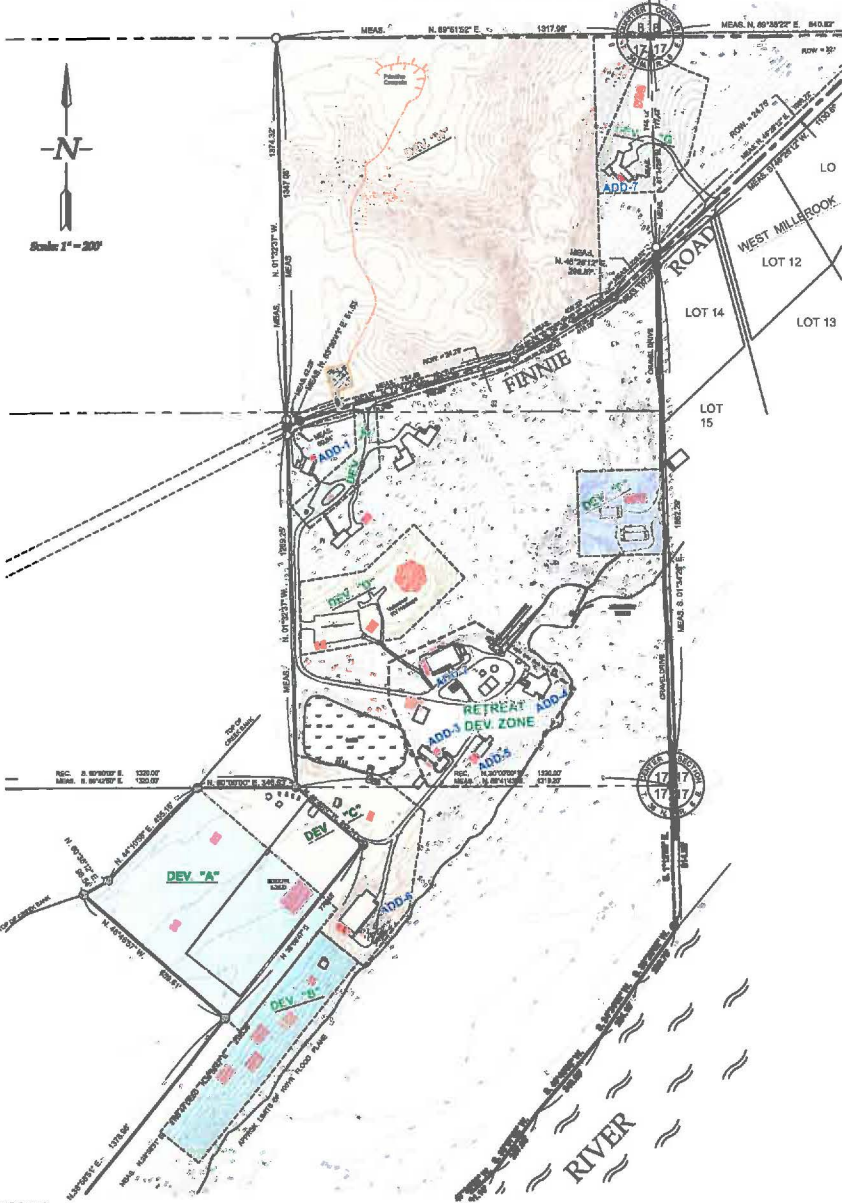
1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. **(Revised Site Plan-Attachment 2A)**
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

7. 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 major amendment to an existing special use permit.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of five (5) in favor, zero (0) opposed, and two (2) absent.

July 1, 2019

DICKSON VALLEY LONG-RANGE SITE PLAN



Scale 1" = 200'

REV. MAR 5, 2018

This updated site plan has been produced to add more clarity to the site plan that was submitted in 2014.

This plan has all existing structures (in black), plus the additional projects (in red) needed to grow to an anticipated capacity of only 21%, or 1,500 people, above the 2014 usage of 7,100 people per year.

Only a few of these projects were not included in the 2014 overall plan, noted as **[New]** in this description.

CURRENT MINISTRY STATUS :

- Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox township, for nearly 40 years.
- In 1988 Dickson Valley served 2,300 people per year and by 2014 had grown over 300% to where it served 7,100 people that year with retreats, summer resident camps and day camps.
- The current number of staff living on-site includes 5 full-time long-term families. Also 2-3 full-time short-term staff, and 25 seasonal summer staff.

SCOPE OF FUTURE DEVELOPMENT

- Dickson Valley Camp & Retreat Center is not changing its stated purpose or programs but is submitting a more detailed site plan in an attempt to document future needs for more clarity.
- This site plan represents a long-range plan of no less than 10 years, and will be driven by available funds from donors who give financially to the ministry. Dickson Valley does not enter into long term debt to develop its property.
- Future ministry growth will increase staff to 1 additional full-time long-term family, an additional 25-30 full time short-term staff, and additional 40 seasonal summer staff.
- The ministry desires to retain conditions stated in the previous special use major amendment, Ordinance #2014-05 dated 3/31/2014, and **ONLY add more clarity to the ordinance attached site plan.**
 1. The property can be utilized all year long.
 2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
 3. The number of over-night campers shall be limited to no more than 360 at any one time.
 4. No more than 8 hook-ups for RV's.
 5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

DESIGN CRITERIA

- The board and staff of Dickson Valley have sought many professionals in the Christian camping field for input. We have used various methods to determine the maximum capacity of our property (21% above current usage) both physically and programmatically. The natural setting is one of our primary assets; we desire to care for, and protect it.
- Locations for future development has been defined into "Development Zones" with no significant development planned for outside these areas.
- Youth ministry needs are continually changing, and long-term planning is at best just setting the framework for what will be needed. This site plan incorporates all current foreseen needs; all projects may not need to be completed.
- Final locations, sizes, and designs will be approved at the time of permitting seeking the appropriate approvals from the Illinois Department of Public Health, Kendall County Public Health Department, the Sandwich Fire Protection District, and the Kendall County Planning Building and Zoning Department.
- The design of all new buildings and structures is to fit into the natural setting, limiting the impact and the need for any extra landscaping.
- Lighting around camp is intentionally left low to reduce the impact on observing night features. Most additional light is provided by individuals and eliminates intrusion on any neighbors.

NEW DEVELOPMENT:

DEVELOPMENT ZONE A; DAY CAMP AREA

- Multipurpose Field-house
- Various freestanding decks for small groups or activities
- At least 2 open air camper pavilion
- Day camp specific activities
- Water activity similar to splash pad, or wading fountain
- Combined septic field serving all new restrooms

DEVELOPMENT ZONE B; RESIDENT CAMP AREA

- **[4 New]** 5 year-round camper cabins

DEVELOPMENT ZONE C; ACTIVITY AREA

- An outdoor high ropes course
- Mini golf course
- Ice rink pavilion
- Free standing decks for small groups
- 1 year-round camper cabin

DEVELOPMENT ZONE D; ENTRANCE PARKING

- Welcome pavilions for day camp
- Chapel in the Woods
- Camper check-in area
- Volunteer RV hook-ups
- Possible new office building etc

DEVELOPMENT ZONE E; ENTRANCE DRIVE

- **[New]** Gatehouse for a controlled entrance
- Multi-bay staff lodge garage, near Whitaker Lodge, just outside the zone
- Upgrade driveway and entrance
- Keep lighted sign, upgrade landscaping

DEVELOPMENT ZONE F; MAINTENANCE AREA

- New shop
- Removal or remodel of existing shop

DEVELOPMENT ZONE G; ACORN LODGE SITE

- Separate activities pavilion and activities
- Separate program/meeting building

DEVELOPMENT ZONE H; NORTH ACTIVITY AREAS

- Primitive non-public campsites, no permanent structures, parking area off of Finnie Rd
- Experiential activities similar to but not limited to, climbing tower(s), zip line(s), team activities, high ropes course
- A pedestrian walkway overlies/across Finnie Rd

RETREAT DEVELOPMENT ZONE

- Water filtration building or addition to existing well and well house
- **[New]** New building for recreation room, snack shop, host offices
- Additions and remodels noted for each building below:

#1 ADDITIONS, DIRECTOR'S LODGE

- Addition to north and end of building
- The current structure is 128' offset from the road

#2 ADDITIONS, CHROUSER LODGE

- Addition for dining space increase to the North or West

#3 ADDITIONS, DICKSON LODGE

- Addition of meeting space
- Addition of at least two "leaders" rooms with restrooms
- Remodel and add-on to program office for camp store

#4 ADDITIONS, DULUND CHALET

- Remodeling improve housing spaces
- Remodeling of restrooms

#5 ADDITIONS, SILVER FOX LODGE

- Addition for new restrooms
- Addition for added housing

#6 ADDITIONS, SPORTS CENTER

- South addition for upgraded activities
- Remodels to restrooms
- Exterior development of high ropes course or similar

#7 ADDITIONS, ACORN LODGE

- Remodel of the current lodge for updated plumbing and additional housing

04-17-100-002 "Acorn" property, north of Finnie Rd

04-17-300-002 Main Camp Property

04-17-300-007 Sports field/day camp addition (10acres)

Total: 160acres

OWNER/DEVELOPER
Dickson Valley Ministries
8250 Finnie Rd
Newark, IL 60541
630-653-6233
C/O Mark Caldwell, Executive Director
mark@dicksonvalley.com

rbac **RB & ASSOCIATES CONSULTING, INC**
4 W MAIN STREET
PLANO, IL 60545
(630) 952-7483
DESIGN FIRM #
184-004478
www.rb-and-associates.net