

ORDINANCE # 2012 - 02

GRANTING AN AMENDMENT TO ORDINANCE 2000-46 & GRANT A SPECIAL USE AT
12219 ILLINOIS ROUTE 47
ELBURN COOPERATIVE COMPANY

WHEREAS, Elburn Cooperative Company has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 14.93 acre property located at 12219 Illinois Route 47, (PINs #08-04-100-004, 08-04-100-009 & 08-04-100-011), in Lisbon Township;

WHEREAS, said petition is to amend their existing special use permit to expand their special use to the newly acquired 10 acres of property and expand their fertilizer operation and also have grain storage; and

WHEREAS, the Zoning Board of Appeals previously granted a variance per Case number 95-11 for the far north building to reduce the 100' front yard setback from the edge of the R.O.W. to 44 feet from Route 47; and

WHEREAS, 4.93 acres of the property was zoned A-1 Special Use for current operations to be carried out on site and allow two wall mounted signs totaling 168 square feet, per Ordinance 00-46; and

WHEREAS, 10 acres of the property is zoned A-1 Special Use after the 1974 Countywide Zoning Change; and

WHEREAS, said 14.93 acre property is legally described as:

That part of the Northwest Quarter of Section 4, Township 35 North, Range 7 East of the Third Principal meridian described as follows: Beginning at a point in the Westerly Right-of-Way Line of the Public Service Company that is 1018.57 feet (measured along said Westerly Right-of-Way of said Public Company) Southerly from the North Line of Section 4, said point being the point of intersection of the centerline of a creek extending in a Northwesterly and Southeasterly direction through said Northwest Quarter with the Westerly Right-of-Way line of said Public Service Company; thence Southerly, along said Westerly Right-of-Way line, 768.88 feet to a Southeasterly corner of a tract designated as Parcel Tow and described in a Quit Claim Deed to Elburn Cooperative Company recorded as Document 200200009902 on April 25, 2002; thence continuing Southerly, along said Westerly Right-of-Way Line, 240.0 feet; thence Westerly, perpendicular to the last described course, 513.62 feet; thence Northerly, parallel with said Westerly Right-of-Way Line, 1628.43 feet to the centerline of said creek; thence Southeasterly, along the centerline of said creek, 825.57 feet to the point of beginning. Lisbon Township, Kendall County, Illinois.

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 on February 27, 2012; 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 Zoning Board of Appeals on February 27, 2012 to approve the requested variance from the Kendall County Zoning Ordinance to allow for a drive aisle to encroach into the 150' front yard setback from the centerline of the road to be reduced to 94.5' from the centerline of the roadway; and

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall County Ordinance #00-46 in its entirety and grants approval of a special use zoning permit to amend their existing special use permit to expand their special use to the newly acquired 10 acres of property and expand their fertilizer operation and also have grain storage as indicated on the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein and the sign elevations attached hereto and made a part of hereof as Exhibit "B" and the stormwater narrative attached hereto and made a part of hereof as Exhibit "C" and the drainage, grading and erosion control plan attached hereto and made a part of hereof as Exhibit "D" subject to the following conditions:

1. Signage for the special use shall be limited to only the two signs requested in 2000, one to be located in the area shown in the digital rendering labeled "North elevation," and the other to be located in the area shown in the digital rendering labeled "South elevation."
2. The signs shall be a maximum of area of 168 square feet total between the two signs.

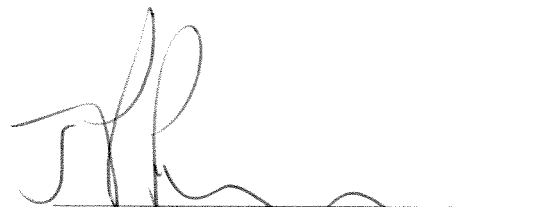
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 20th day of March, 2012.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
John Purcell

GENERAL AND SPECIAL NOTES:

1. ALL VEGETATION, DRIBBLE AREAS, UNDESIRABLE PLANTING, AND EXISTING CONSTRUCTION SHALL BE REMOVED AND THE SOIL TO BE REPLACED WITH TOPSOIL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL UTILITIES AND STRUCTURES ADJACENT TO THE SITE.
2. THE SOIL TO BE REPLACED SHALL BE OF THE SAME TYPE AND QUALITY AS THE SOIL EXISTING ON THE SITE. IF THE SOIL IS UNDESIRABLE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND SPREADING A MINIMUM SIX (6) INCH LAYER OF TOPSOIL OVER THE ENTIRE SITE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND SPREADING A MINIMUM SIX (6) INCH LAYER OF TOPSOIL OVER THE ENTIRE SITE.
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FOUNDATION SPECIFICATIONS AND GENERAL NOTES:

1. PERIMETER EROSION CONTROL SHALL BE IN PLACE PRIOR TO ANY EARTH DISTURBANCE.
2. TOPSOIL EXCAVATED SHALL BE EXCAVATED FROM AREAS ALL DISTURBED IMPROVEMENTS AND STORED ON THE SITE UNTIL SUCH TIME THAT THIS TOPSOIL CAN BE USED FOR TOPSOIL PLACEMENT.
3. THE GRADING AND CONSTRUCTION OF THE SITE IMPROVEMENTS SHALL NOT CAUSE FLOODING OF POSITIVE DRAINAGE AREAS ADJACENT TO THESE IMPROVEMENTS SHALL BE CHANGED TO ALLOW POSITIVE DRAINAGE.
4. TOPSOIL DEPTH IS ANTICIPATED TO BE BETWEEN 6" AND 18".
5. THE EXISTING GRADE ELEVATIONS SHOWN ON THE PLANS ARE FINISH GRADE. A MINIMUM OF SIX (6) INCHES OF TOPSOIL IS TO BE PLACED BEFORE FINISH GRADE ELEVATIONS ARE ACHIEVED.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND SPREADING A MINIMUM SIX (6) INCH LAYER OF TOPSOIL OVER THE ENTIRE SITE.
7. ANY FILL MATERIAL WITHIN BUILDING, ROADWAY, PATH AND PARKING AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE PERCENT (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD).
8. MATERIAL WITHIN BUILDING, ROADWAY, PATH AND PARKING AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE PERCENT (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD).
9. UNSUITABLE MATERIAL ENCOUNTERED IN EXCAVATING FOR PARKING AREAS, DRIVEWAYS, ROADWAYS SHALL BE REMOVED FROM THE SITE AND REPLACED WITH TOPSOIL. UNSUITABLE MATERIAL THAT IS EXCAVATED SHALL BE REMOVED FROM THE SITE AND WILL BECOME THE PROPERTY OF THE CONTRACTOR.

SEWER, SANITATION AND GENERAL NOTES:

1. THE SEWERAGE SHALL BE CONSTRUCTED TO A MINIMUM NINETY-FIVE PERCENT (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD).
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SEWER, SANITATION AND GENERAL NOTES:

1. ALL STORM SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR ROAD AND SEWER WORK IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR ROAD AND SEWER WORK IN KENDALL COUNTY, ILLINOIS, LATEST EDITION, AND REVISIONS THERETO, THE NOTES AND ON THE PLANS, AND IN ACCORDANCE WITH THE CODES AND ORDINANCES OF KENDALL COUNTY, ILLINOIS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND SPREADING A MINIMUM SIX (6) INCH LAYER OF TOPSOIL OVER THE ENTIRE SITE.
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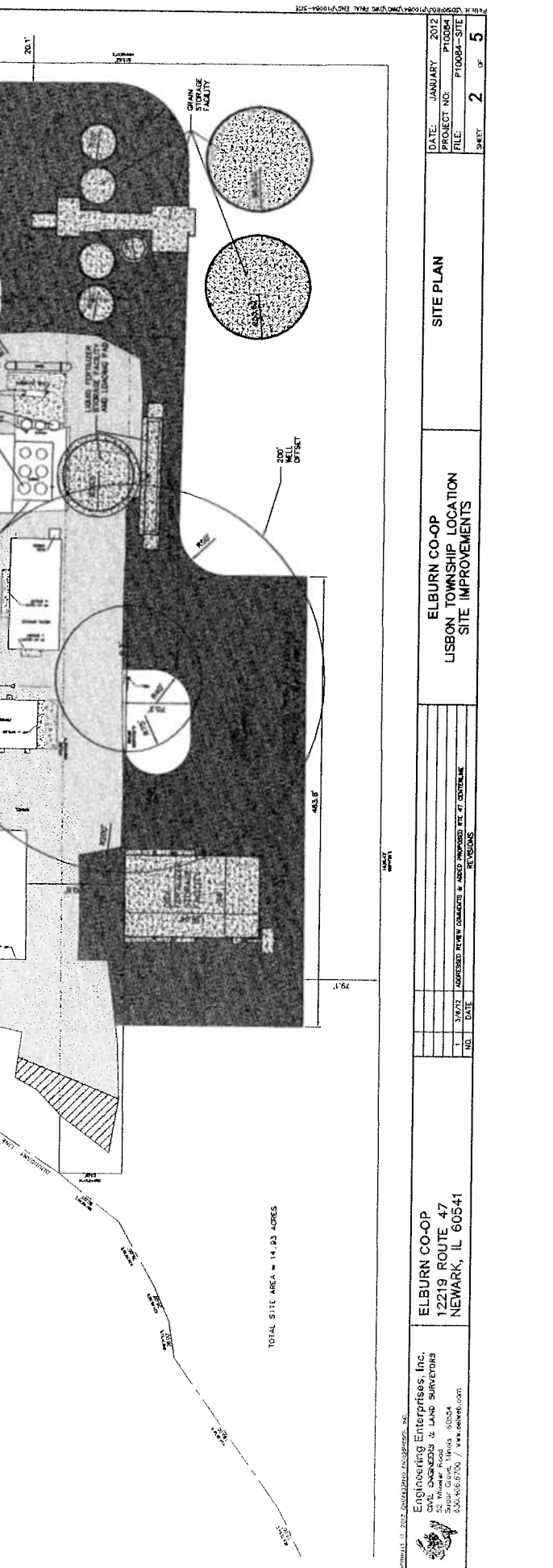
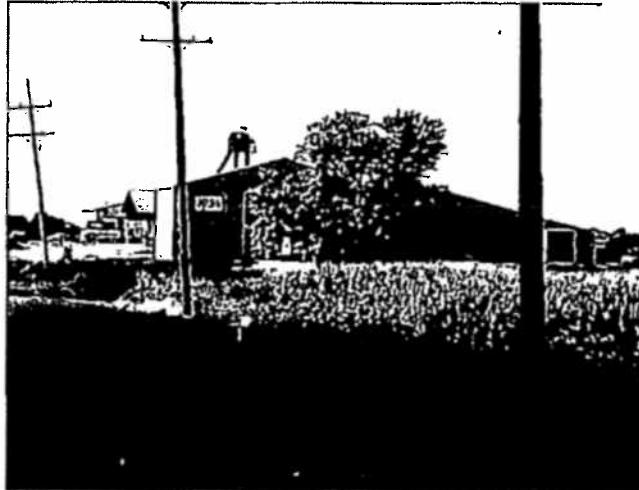
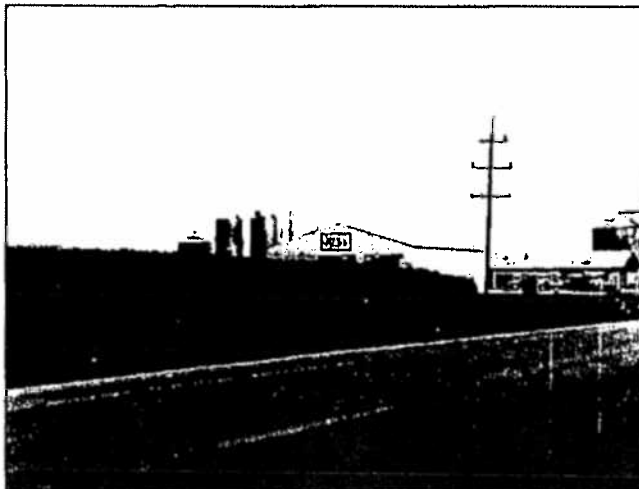


EXHIBIT B



0047 - TY-WALK
North Elevation

Proposed 6'x 12' Sign
Digital Rendering



0047 - TY-WALK
South Elevation

Proposed 8'x 12' Sign
Digital Rendering



0047 - TY-WALK
West Elevation

Existing Sign
(To be removed)



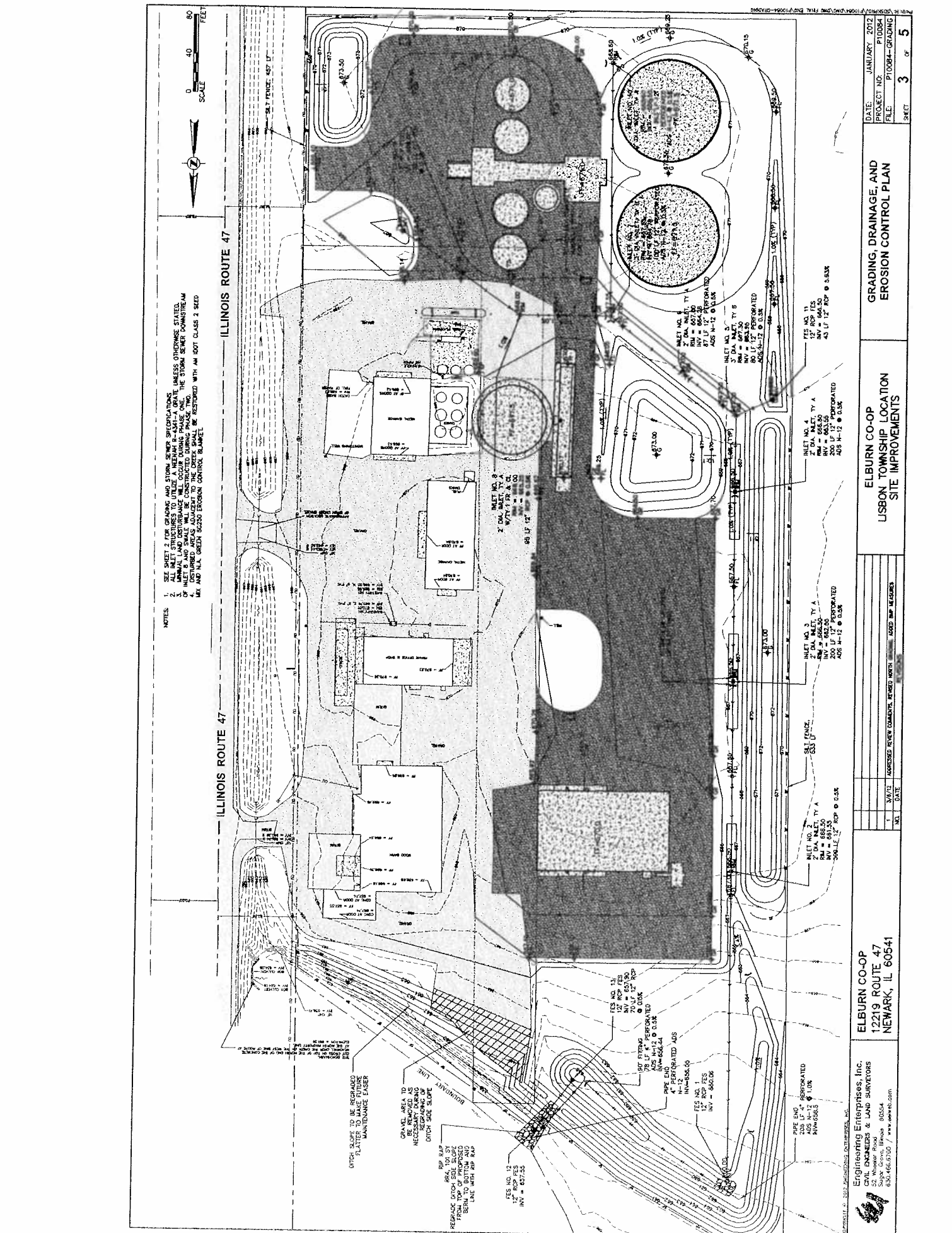
EXHIBIT C

STORMWATER NARRATIVE

This property and facility expansion are zoned and utilized for agricultural purposes which are exempt from meeting the stormwater detention requirements listed in the Kendall County Stormwater Ordinance. Despite being exempt, the Elburn Co-op agrees to provide some detention, soil erosion control, and B.M.P. aspects into the proposed improvements. There are not off-site areas that are tributary to the site. The Natural Resources Conservation Service and U.S. Fish and Wildlife Service wetland maps both show that wetlands are not present on the property. In addition, there are no floodplain areas on-site or associated with the creek at the north end of the property. Copies the wetland and floodplain maps are attached for reference.

The 12" storm sewer has been provided to convey low flow and nuisance flows. Any excess flow will utilize localized depressions at the drainage structures and the overland swale which will provide some detention and filtration of the excess flows. Calculations have been provided to show that the swale has the capacity to handle the entire tributary flow for a 100 year storm event. The proposed overland swale will provide some detention during larger storm events. Although the pre and post discharge rates have not been evaluated for comparison or the total detention volume calculated, the peak flowrates have been calculated and the capacity of the overflow pop points have been evaluated. Those calculations are attached for review.

As part of the improvements, the Elburn Co-op is proposing to regrade the south bank of the existing ditch in order to repair erosion areas and to better stabilize the embankment. Disturbed areas within the existing ditch will be restored with an IDOT class 2 seed mix and erosion control blanket.



- NOTES:
1. SEE SHEET 2 FOR GRADING AND STORM SEWER SPECIFICATIONS.
 2. ALL INLET STRUCTURES TO UTILIZE A MEDIAN R-CLASS-TYPE UNLESS OTHERWISE STATED.
 3. MINIMAL LAND DISTURBANCE WILL OCCUR DURING PHASE ONE. THE STORM SEWER DOWNSIDE/AM
 4. DISTURBED AREAS ADJACENT TO THE CREEK SHALL BE RESTORED WITH AN 80% CLASS 2 SEED MIX AND N/A GREEN SODS EROSION CONTROL BLANKET.

ILLINOIS ROUTE 47

ILLINOIS ROUTE 47

DATE: JANUARY, 2012
 PROJECT NO: P10084
 FILE: P10084-GRADING
 SHEET 3 OF 5

ELBURN CO-OP
 12219 ROUTE 47
 NEWARK, IL 60541

GRADING, DRAINAGE, AND
 EROSION CONTROL PLAN

NO.	DATE	DESCRIPTION
1	3/8/12	ADDRESS REVIEW COMMENTS, REVISION NORTH

Engineering Enterprises, Inc.
 CIVIL ENGINEERS & LAND SURVEYORS
 5300 North River Road
 Suite 200
 Naperville, IL 60563
 630.466.6100 / www.eei.com

EXHIBIT D