

ORDINANCE NUMBER 2009 - 05

**AMENDING AN EXISTING A-1 SPECIAL USE FOR
BRIAN WATKINS, d/b/a PEACEFUL PATHWAYS MONTESSORI SCHOOL
(ORDINANCE 2005-60 and ORDINANCE 2007-19) for an
INCREASE IN MAXIMUM ALLOWABLE STUDENTS FROM 75 TO 200**

WHEREAS, Brian Watkins, d/b/a Peaceful Pathways Montessori School, has an existing Special Use to operate a Montessori School within the A-1 Agricultural Zoning District pursuant to Section 7.01.D.27 of the Kendall County Zoning Ordinance for property on the south side of Route 71 – west of the Ravine Woods Subdivision, commonly known as 8250 Route 71 in Kendall Township (PIN# 05-03-200-021), as legally described in “Exhibit A”; and

WHEREAS, said amendment to the Special Use is pursuant to Ordinance 2005-60 approved by the Kendall County Board on November 15, 2005 and subject to the conditions attached to said ordinance; and

WHEREAS, an amendment to this Special Use was granted to allow an increase in the maximum student enrollment from twenty-four (24) to seventy-five (75) and to allow the construction of a classroom structure pursuant to Ordinance 2007-19 approved by the Kendall County Board on May 15, 2007 and subject to the conditions attached to said ordinance; and

WHEREAS, Peaceful Pathways has filed an amendment to the Special Use granted in Ordinance 2005-60 within the A-1 Agricultural Zoning District to increase the maximum student enrollment from seventy-five (75) to 200; 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 on February 24, 2009; 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

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. Limit student enrollment to no more than two-hundred (200) and ten (10) full-time employees. However, in the event State or Local requirements or any other requirements, regarding the number of instructors to serve the number of students would require hiring of additional employees necessitating installation of additional off-street parking spaces, such alterations shall require review and approval of necessary permits for review and approval by

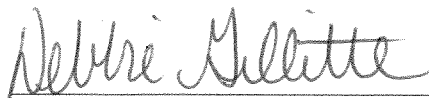
PBZ staff without the need to amend the special use.

2. Existing gravel driveway shall be paved with asphalt no later than May 15, 2017 or once the student enrollment exceeds 150, whichever occurs first.
3. Prior to the issuance of a building permit for Phase One of the new structure, the following must be completed:
 - a. Review and approval from the Health Department regarding existing and proposed well and sanitary disposal systems and their ability to handle the anticipated student amount.
 - b. Approval of a Site Development permit for the construction of the classroom structure.
 - c. Approval from the Illinois Department of Transportation regarding the proposed access improvements to provide safe and efficient access entering and exiting the facility for a student enrollment of 200. The required access improvements shall be installed and completed in conjunction with the proposed site improvements.
4. Prior to the issuance of a building permit for Phase Two of the new structure, the following must be completed:
 - a. Submission of a parking plan depicting a total of twenty (20) parking stalls which would include the dimensions of the stalls (depth and width) and the dimensions of the drive aisles.
5. No Occupancy Permit shall be issued for Phase One of the new classroom building until all required access improvements have been completed.
6. Development of Phase 2 shall be done in conformance with the controlling site plan and building elevations attached hereto and made a part hereof as Group Exhibit "B".

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 March 17, 2009.

Attest:



Debbie Gillette
Kendall County Clerk



Anne Vickery
Kendall County Board Chairman

EXHIBIT

A
DATE _____

PARCEL ONE:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 2, TOWNSHIP AND RANGE AFORESAID, WITH THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE, BEING A CURVE TO THE RIGHT WITH A RADIUS OF 3906.54 FEET, AN ARC DISTANCE OF 1438.0 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTHWESTERLY ALONG SAID CENTER LINE CURVE, 555.60 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 99 DEGREES 50 MINUTES 41 SECONDS WITH THE CHORD OF THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 540.0 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 78 DEGREES 36 MINUTES 19. SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED CLOCKWISE THEREFROM) 625.64 FEET; THENCE NORTHWESTERLY 515.60 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 7.000 ACRES OF LAND MORE OR LESS.

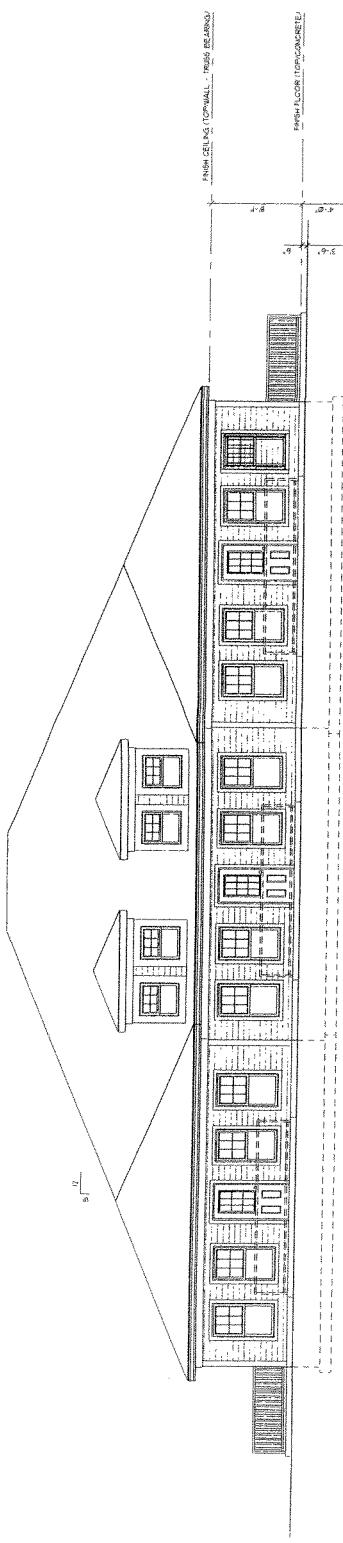
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PARCEL TWO:

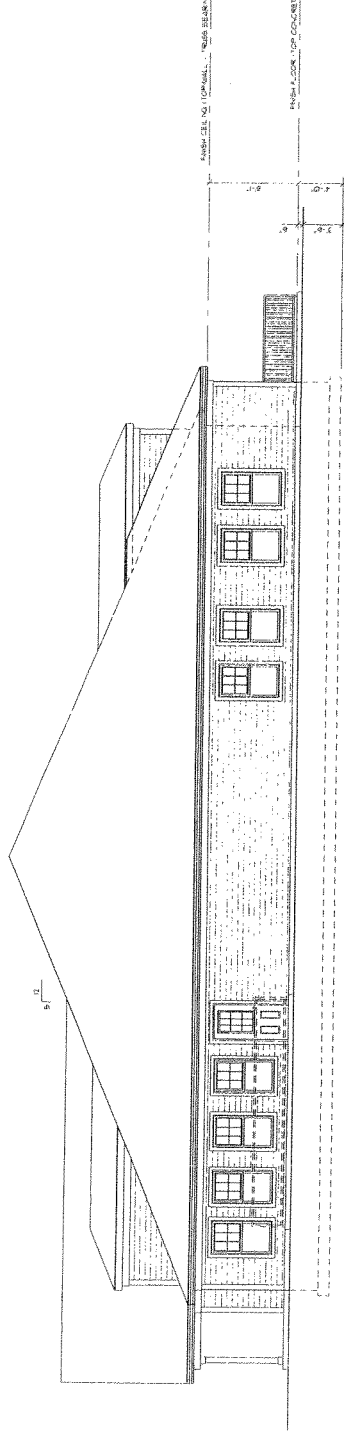
THAT PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF KENDALL, KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SECTION 2, TOWNSHIP AND RANGE AFORESAID, WITH THE CENTER LINE OF ILLINOIS STATE ROUTE NO. 71, SAID POINT BEING ON A CURVE, SAID CURVE BEING CONVEX SOUTHEASTERLY AND HAVING A RADIUS OF 3906.54 FEET, WITH A CHORD THAT BEARS SOUTH 37 DEGREES 54 MINUTES 25 SECONDS WEST, A DISTANCE OF 1438.42 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, 1446.68 FEET; THENCE SOUTH 34 DEGREES 56 MINUTES 32 SECONDS EAST, 50.33 FEET, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE NO. 71; THENCE CONTINUING SOUTH 34 DEGREES 56 MINUTES 32 SECONDS EAST, 465.30 FEET; THENCE SOUTH 51 DEGREES 00 MINUTES 46 SECONDS WEST, 360.94 FEET TO A POINT ON THE WESTERLY LINE OF OUTLOT A IN RAVINE WOODS SUBDIVISION THEREOF RECORDED OCTOBER 14, 2004 AS DOCUMENT NUMBER 200400028822; THENCE CONTINUING SOUTH 51 DEGREES 01 MINUTES 04 SECONDS WEST, 264.70 FEET TO THE POINT OF BEGINNING; THENCE NORTH 28 DEGREES 24 MINUTES 12 SECONDS WEST, 489.27 FEET TO A POINT ON THE SOUTH LINE OF STATE ROUTE 71; THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF STATE ROUTE 71, 10.00 FEET TO A POINT; THENCE SOUTHEASTERLY TO THE POINT OF BEGINNING, IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

P. I. N. : 05-03-200-014
PART OF

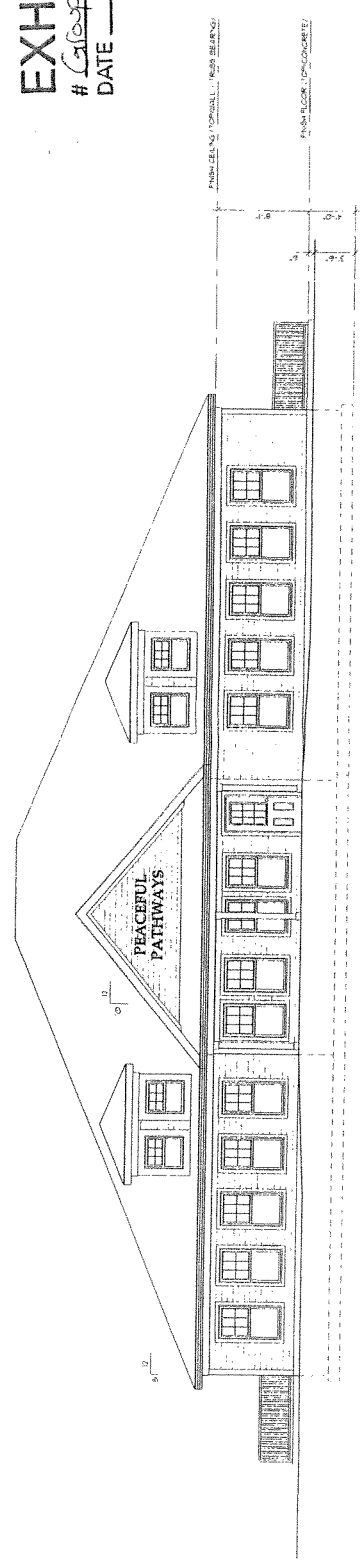
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PROPOSED REAR ELEVATION
 SCALE: 1/4" = 1'-0"



PROPOSED LEFT SIDE ELEVATION
 SCALE: 1/4" = 1'-0"



PROPOSED FRONT ELEVATION
 SCALE: 1/4" = 1'-0"

EXHIBIT
 # Calder B.2 of 2
 DATE _____