

ORDINANCE NUMBER 2007 - 48

GRANTING A SPECIAL USE for a  
DAY CARE FACILITY to  
SEARS CHILDREN'S ACADEMY

WHEREAS, the Sears Group of Illinois, LLC has filed a petition for a Special Use within the A-1 Agricultural Zoning District for the construction and operation of a day care facility pursuant to Section 7.01.D.25 of the Kendall County Zoning Ordinance for property commonly known as 2425 Wolf Crossing Road, and is legally described in "Exhibit A";

WHEREAS, said petition is to allow for the construction and operation of a 8,840 sq. ft. day care facility and associated parking, playground areas, and activity fields;

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; and

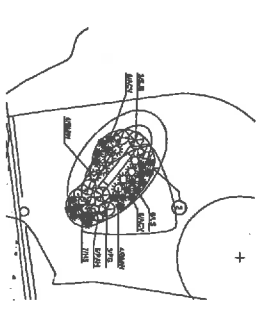
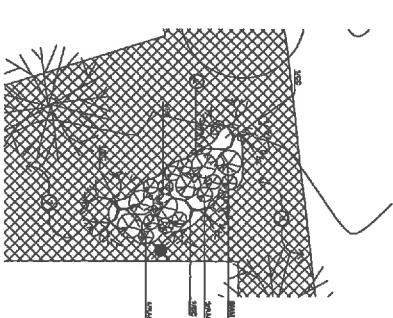
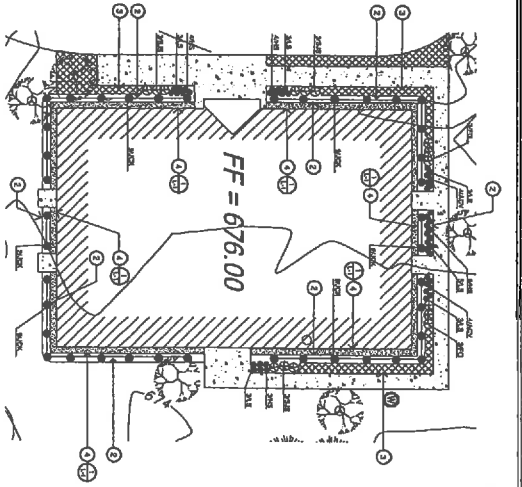
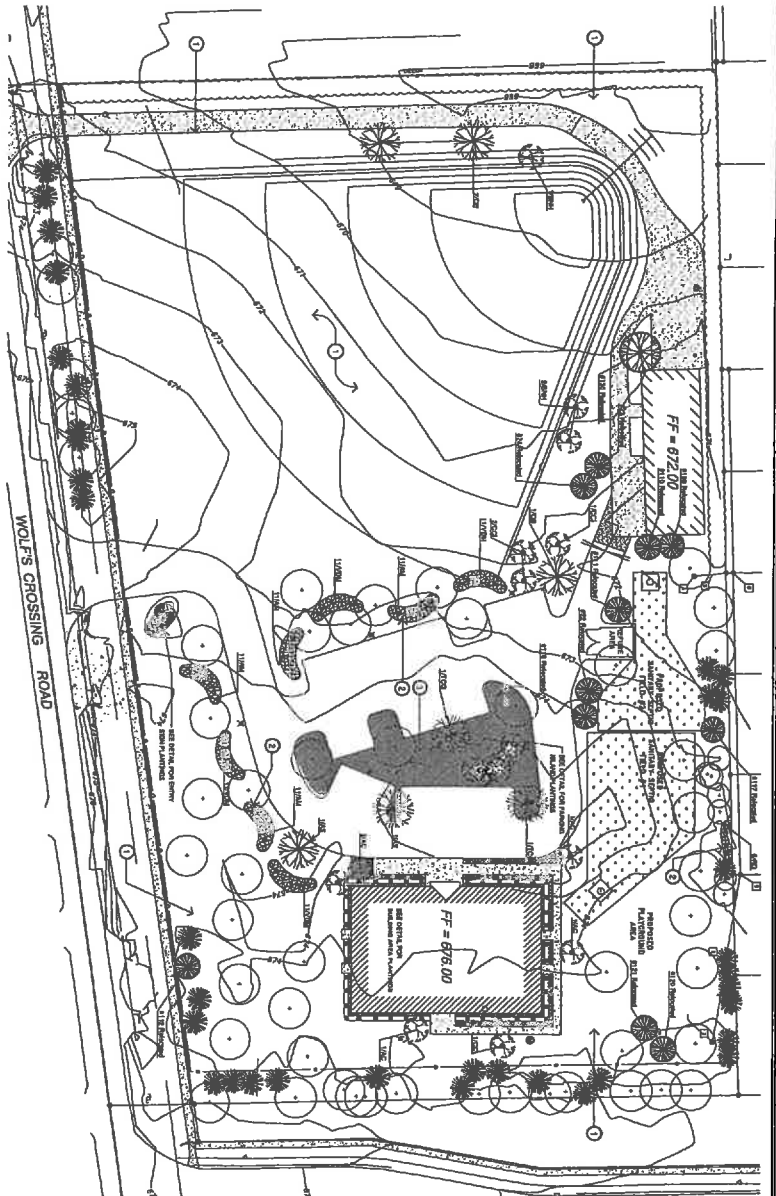
WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance.

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) Site developed in substantial conformance to the landscape plan and photometric plan attached hereto as "Group Exhibit B".
- 2) The facility will be limited to a maximum enrollment of 150 students
- 3) Prior to issuance of a building permit, the following will need to be provided:
  - a. Dedication of 50' ROW from centerline of Wolf's Crossing Road
  - b. Demonstration that adequate facilities for sewage disposal and water supply will be provided to serve the facility
  - c. Approval of variance for the height of the proposed 5-foot open fencing within the required 150-foot front yard setback or installation of a 4-foot open fence in compliance with the Zoning Ordinance regulations for fences.
- 4) Prior to issuance of an occupancy permit the following interim improvements to Wolf's Crossing Road, subject to review and approval of the Township Highway Commissioner or another government agency having jurisdiction, will need to be installed (see attached report):
  - a. Provide 8' full-depth shoulder on the north side of Wolf's Crossing Road extending beyond the striped corner returns of the site access drive
  - b. Improve the embankment slope on the south side of Wolf's Crossing Road opposite the site access by filling it in to create a minimum 4:1 embankment slope and

Exhibit "A" - Legal Description

That part of Section 15, Township 37 North, Range 8 East of third principal meridian described as follows: commencing at the southeast corner of the northwest quarter of section 15; thence west 130 feet along the south line of said northwest quarter of section 15 to the center of Douglas road; thence north along the center line of douglas road 1568.4 feet to the intersection of the center of wolfe crossing road; thence east along the center line of wolfe crossing road, making an angle of  $96^{\circ} 6'$  measured from south to east a distance of 178.22 feet for a point of beginning; thence north 447.6 feet along a line making an angle of  $96^{\circ} 6'$  measured from west to north; thence east 6276.09 feet along a line making an angle of  $90^{\circ} 16'$  measured from south to east; thence south 383 feet along a line making an angle of  $89^{\circ} 43'$  measured from west to south to the center line of wolfe crossing road; thence west 634.38 feet to the point of beginning, all in the township of Oswego, Kendall county, Illinois, containing 6 acres, more or less.



Group Exhibit "B"  
2 of 3

**RJA**  
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**AIA**

**LANDSCAPE PLAN**  
For County Board

**MARY SEARS CHILDREN'S ACADEMY**  
2425 WOLF'S CROSSING ROAD  
OSWEGO, IL 60543  
Kendall County

Project: NEW CONSTRUCTION  
Site: [ ]  
Scale: AS SHOWN  
Date: [ ]

**DRYDEN EXCEL**

OWNER: [ ]  
DESIGNER: [ ]  
CONTRACT NO.: [ ]  
PROJECT NO.: [ ]  
DATE: [ ]  
SCALE: [ ]

