



**DEKALB PLANNING AND ZONING COMMISSION AGENDA**  
**Monday, July 18, 2022**  
**6:00 P.M.**

**DeKalb Public Library**  
Yusunas Meeting Room  
309 Oak Street  
DeKalb, IL 60115

**A. ROLL CALL**

**B. APPROVAL OF AGENDA** (Additions or Deletions)

**C. APPROVAL OF MINUTES**

1. June 21, 2022

**D. PUBLIC PARTICIPATION** (Open Floor to Anyone Wishing to Speak on Record)

**E. NEW BUSINESS**

1. **Public Hearing** – A petition by DeKalb CUSD #428 for approval of an amendment to the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a modular classroom on the Gwendolyn Brooks Elementary School site located at 3225 Sangamon Road.
2. **Public Hearing-** A petition by Proper Hospitality Group, LLC represented by Peter Panagakis for approval of a special use permit for a drive-thru restaurant for the site at 922 S. 4<sup>th</sup> Street.
3. **Minor Subdivision** - Approval of a Final Plat submitted by James Planey, Midland Trust, for SV CSG DeKalb South Subdivision - North side Gurler Road, east of S. 1<sup>st</sup> St.

**F. REPORTS**

**G. ADJOURNMENT**

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
June 21, 2022

The Planning and Zoning Commission held a meeting on June 21, 2022, at the DeKalb Public Library in the Yusunas Meeting Room located at 309 Oak Street, DeKalb, Illinois. Planning Director Olson called the meeting to order at 6:14 PM.

A. ROLL CALL

Recording Secretary Stephanie Turner called the roll. Planning and Zoning Commission members present were: Steve Becker, Trixy O'Flaherty, Bill McMahon, and Chair Max Maxwell. Maria Pena-Graham, Shannon Stoker, and Jerry Wright were absent. Planning Director Dan Olson was present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the June 21, 2022, agenda as presented. Ms. O'Flaherty motioned to approve the agenda as presented. Mr. Becker seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. June 6, 2022 –Chair Maxwell requested a motion to approve the June 6, 2022, minutes as presented. Mr. Becker motioned to approve the minutes as presented. Mr. McMahon seconded the motion, and the motion was approved by unanimous voice vote.

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

None

E. NEW BUSINESS

1. **Public Hearing** – A petition by J&S Recovery and Towing for a special use permit for a vehicle tow facility and storage yard and a variance to permit an 8-foot-high fence to serve as screening for a portion of the storage yard in lieu of the required 10-foot-high fence for the property located at 407 Industrial Drive.

Tom Guthrie, Regional Manager for J&S Towing, stated they have been in business since 2019 and they received their first special use permit in 2020 for 110 Industrial Drive. Mr. Guthrie explained the need for the auxiliary lot is due to an extreme amount of growth and taking on a contract with the City of DeKalb. He added most of the vehicles stored at J&S Towing are vehicles that have been impounded by the City.

Mr. Guthrie said they are looking to utilize a 1.7-acre storage lot down the road from their current location which is owned by Pinkston-Tadd Roofing (407 Industrial Dr.). He described an existing 6-foot high barbed wire fence surrounds the site now and an

8-foot high solid fence exist along the north end of the property which belongs to Zimmerman Recycling (301 Industrial Dr.). Mr. Guthrie stated they are proposing to fence the west, east, and south ends of the facility with a 10-foot sight-proof fence. Mr. Guthrie added they are requesting a variance to use the 8-foot-high fence that is currently located on the north end of the lot. He noted there are currently eight cameras on the property with three in front, three in back, and two on the south side of the building where the access point is located. He said a locked security gate would be added to the premises and there would be no public access to their auxiliary lot, with cars being picked up and taken to the 110 Industrial Drive facility.

Dan Olson, Planning Director, covered the Staff Report dated June 16, 2022, and reiterated J&S Towing's original location received a special use permit in 2020. He explained, if approved, they would be leasing the auxiliary lot (100' x 150') from Pinkston-Tadd Roofing to accommodate the additional storage needed. Mr. Olson said the need for a variance in order to keep the existing 8-foot-high sight-proof fence on the north end of the lot in lieu of the UDO required a 10-foot-high screened fence. He mentioned if the applicant constructed a 10-foot-high privacy fence along the north property line, it would not provide any additional screening for a use (Zimmerman Recycling) that has more outside storage.

Planning Director Olson said the staff is recommending some conditions to bring the site further into compliance. He noted one condition is adding striped parking spaces along with designating a handicap space in the front of the building. Mr. Olson stated another was added to make sure they comply with Towing Policy Chapter of the Municipal Code.

Mr. Olson discussed the background of other towing companies in DeKalb starting with Lovett's towing receiving a special use permit in 2009 on East Lincoln Highway to allow for expansion of that site. He said Tri-State Towing on State St. received a special use in 2015 and J&S Towing (110 Industrial Dr.) received their special use in 2020.

Planning Director Olson explained that 407 Industrial Drive has a storage area in the rear that is gravel, and pavement is not required since there is no public access to this area. Mr. Olson mentioned that J&S can expand within a year without requiring an amendment to the special use permit. He defined the conditions recommend including restrictions of no stacking of vehicles, no stacking of vehicle parts higher than eight feet, no crushing of vehicles, vehicles in operation cannot be parked outside of the storage area and abandoned and salvaged vehicles cannot be on the premises longer than 90 days, unless through a court order.

Mr. Olson explained there are two separate motions, one for the special use permit and one for the variance. Mr. Olson said they meet the criteria for a special use and the variance. He noted a condition is recommend for the variance stating if Zimmerman Recycling removes the 8-foot-high fence along the north property line, J&S Towing would be responsible for adding a new 8-foot-high fence.

Mr. Olson mentioned the City received an email from Brett Jackson of Tri-State Towing objecting to the request. The e-mail contends that J&S was not complying with UDO requirements and Chapter 35 of the Municipal Code and did not agree with the

variance. Planning Director Olson said he spoke with Mr. Jackson in regard to his comments.

Chair Maxwell asked if there were any comments or questions from the public.

Jack Goodrich, of 1440 E. Lincoln Highway, said he had a concern with the privacy fence along the west side of the site, but after hearing the proposal he has no objection.

Chair Maxwell asked if there were any comments or questions from the Commission members.

Trixy O'Flaherty wanted to hear from the neighbor (Mr. Goodrich) and since he is happy, she would support the request.

Bill McMahon felt the same and wanted verification Mr. Olson spoke with Brett Jackson on his comments. Mr. Olson replied yes he spoke to Mr. Jackson.

Andrew Bjornson, owner of J&S Recovery and Towing, replied to Brett Jackson's concerns and said there are currently eight cameras on the premises with more being added. Mr. Bjornson cleared up that the employees from Pinkston-Tadd will not have access to J&S's auxiliary lot. He said right now they are leasing the lot but hope to buy the property within 10 years.

Mr. Becker moved that based on the submitted petition and testimony presented and findings of fact, the Planning and Zoning Commission forward its findings of fact and recommend to City Council approval of a special use permit for a vehicle towing facility and storage yard located at 407 Industrial Drive per the site plan dated 5-31-22 and labeled as Exhibit A and per the conditions listed in Exhibit B.

Mr. McMahon seconded the motion.

A roll call vote was taken. Mr. Becker - Yes, Ms. O'Flaherty - Yes, Mr. McMahon - Yes, Chair Maxwell - Yes. Maria Pena-Graham, Shannon Stoker, and Jerry Wright were absent. Motion passed 4-0-3.

Ms. O'Flaherty moved that based on the submitted petition, testimony presented and findings of fact, the Planning and Zoning Commission approve a variance to Article 5.12.03 of the Unified Development Ordinance to allow an adjacent 8-foot-high sight-proof fence to serve as screening along the north property line of the storage yard in lieu of the required 10-foot-high sight-proof fence as shown on the site plan dated 5-31-22 labeled as Exhibit A and subject to the following condition:

1. If the adjacent 8-foot-high sight-proof fence to the north is removed, the applicant shall construct an 8-foot-high sight-proof fence on the north property line of the subject site within 90 days of removal of the fence.

Mr. McMahon seconded the motion.



A roll call vote was taken. Mr. Becker - Yes, Ms. O'Flaherty – Yes, Mr. McMahon - Yes, Chair Maxwell – Yes. Maria Pena-Graham, Shannon Stoker, and Jerry Wright were absent. Motion passed 4-0-3.

F. REPORTS

Planning Director Olson announced the next scheduled Commission meeting on July 5<sup>th</sup> will be cancelled due to not having a quorum. He noted the hearing for the Brooks Elementary School modular classroom originally scheduled for the July 5<sup>th</sup> meeting will be held on July 18<sup>th</sup>. Mr. Olson explained new notices to residents will be sent out tomorrow for the re-scheduled hearing. He added there may be another hearing scheduled on July 18<sup>th</sup> and if so, the Commission will be notified via e-mail.

Mr. Olson reminded the Commission of the open houses to discuss the Comprehensive Plan update are scheduled for June 30<sup>th</sup> and July 15<sup>th</sup>.

Planning Director Olson told the Commission that Recording Secretary Stephanie Turner will send out calendar invites to the members when the Planning and Zoning Commission agendas are posted.

G. ADJOURNMENT

Ms. O'Flaherty motioned to adjourn, Mr. McMahon seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:38 PM.

**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**  
July 14, 2022

**TO:** DeKalb Planning and Zoning Commission

**FROM:** Dan Olson, Planning Director

**RE:** Gwendolyn Brooks Elementary School – Amend the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a modular classroom at 3225 Sangamon Road (DeKalb CUSD #428)

**I. GENERAL INFORMATION**

- |    |                                 |                                                                                                                                                  |
|----|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| A. | Purpose                         | To allow a 23.3' x 68' modular classroom on the Gwendolyn Brooks Elementary School site.                                                         |
| B. | Location/Size                   | 3225 Sangamon Road/14.85 acres                                                                                                                   |
| C. | Petitioner                      | DeKalb CUSD #428                                                                                                                                 |
| D. | Existing Zoning                 | "PD-R" Planned Development Residential District.                                                                                                 |
| E. | Existing Land Use               | Elementary School                                                                                                                                |
| F. | Surrounding Zoning and Land Use | North: "PD-R"; Townhomes<br>South: "PD-R"; Open Space, Agriculture<br>East: "PD-R"; Vacant, Single-Family<br>West: "PD-R", Open Space, Townhomes |
| G. | Comprehensive Plan Designation  | Institutional – 2005 Plan and 2022 Draft Plan                                                                                                    |

## **II. BACKGROUND AND ANALYSIS**

The applicant, DeKalb Community Unit School District #428 (School District), is requesting approval of a petition to amend the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a modular classroom on the Gwendolyn Brooks Elementary School site. The Final Plan from 1997 shows the school building, parking lot and play areas as they were eventually constructed. A change to the Final Plan such as adding a modular classroom requires an amendment to the Ordinance.

The background material from the School District indicates that due to growth in enrollment, the school needs additional classroom space inside the building for an intensive classroom. The District want to place a modular classroom on the site to provide space for the current music room which will allow the room needed inside the building for the intensive classroom. The School District is anticipating the modular classroom will be needed for three (3) years.

The proposed modular classroom will be 23.3' x 68' and will be located directly south of the school building on a portion of the hard surfaced play area. There are currently 106 parking spaces including 5 handicap spaces at the school. Based on the parking formula for elementary schools in the Unified Development Ordinance, 64 parking spaces are required. The proposed modular classroom will not take up any parking spaces. At this time, no additional lighting is proposed.

The classroom will be constructed of a wood-based siding product and is light tan in color. An image of the modular classroom is provided in the packet and is similar to the one used at Littlejohn Elementary School. The District has applied for a Temporary Facility Permit for the DeKalb County Regional Office of Education. There will be an annual inspection of the modular classroom by the School District Architect.

The staff would recommend the modular classroom be allowed to stay on the site for no longer than three years, which is acceptable to the School District. The City has approved modular classrooms at Tyler, Clinton Rosette, and Littlejohn Schools in the past. Most recently a special use permit was issued in 2020 for Littlejohn Elementary School to extend the time frame for a modular classroom to remain on the site for another three years.

## **III. PUBLIC RESPONSE/COMMENTS**

The City received Public Response Forms from Edward Botic (544 Katherine Cir.) and the Eileen Botic Living Trust (550 Katherine Cir.) noting they do not support the request. They provided written comments pointing out the modular classrooms are already located on the parking lot of the school. The School District brought the modular classroom to the site to store and will place it on the designated location if the amendment is approved.

A Public Response Form was also received from Cynthia Hadad of 648 Sterling Ct., who indicated her support for the proposal.



#### **IV. RECOMMENDATION**

Staff would recommend approval of the request to allow the modular classroom to be placed on the subject site for three years. The modular classroom will allow the school district to serve the educational needs of the community, which promotes the public health, safety, and general welfare of the City.

##### Sample Motion

Based upon the submitted petition and testimony presented, I move the Planning and Zoning Commission recommend to the City Council approval of an amendment to the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a modular classroom at Gwendolyn Brooks Elementary, 3225 Sangamon Road, as shown on the attached Exhibit A, subject to the following condition:

1. The modular classroom may remain on the subject site in the location as shown on Exhibit A for no more than three (3) years of the date of approval of the Ordinance granting the amendment and shall, on or before said date, be removed from the property.



# EXHIBIT A

CUTLER DRIVE

GWENDOLYN BROOKS  
ELEMENTARY SCHOOL

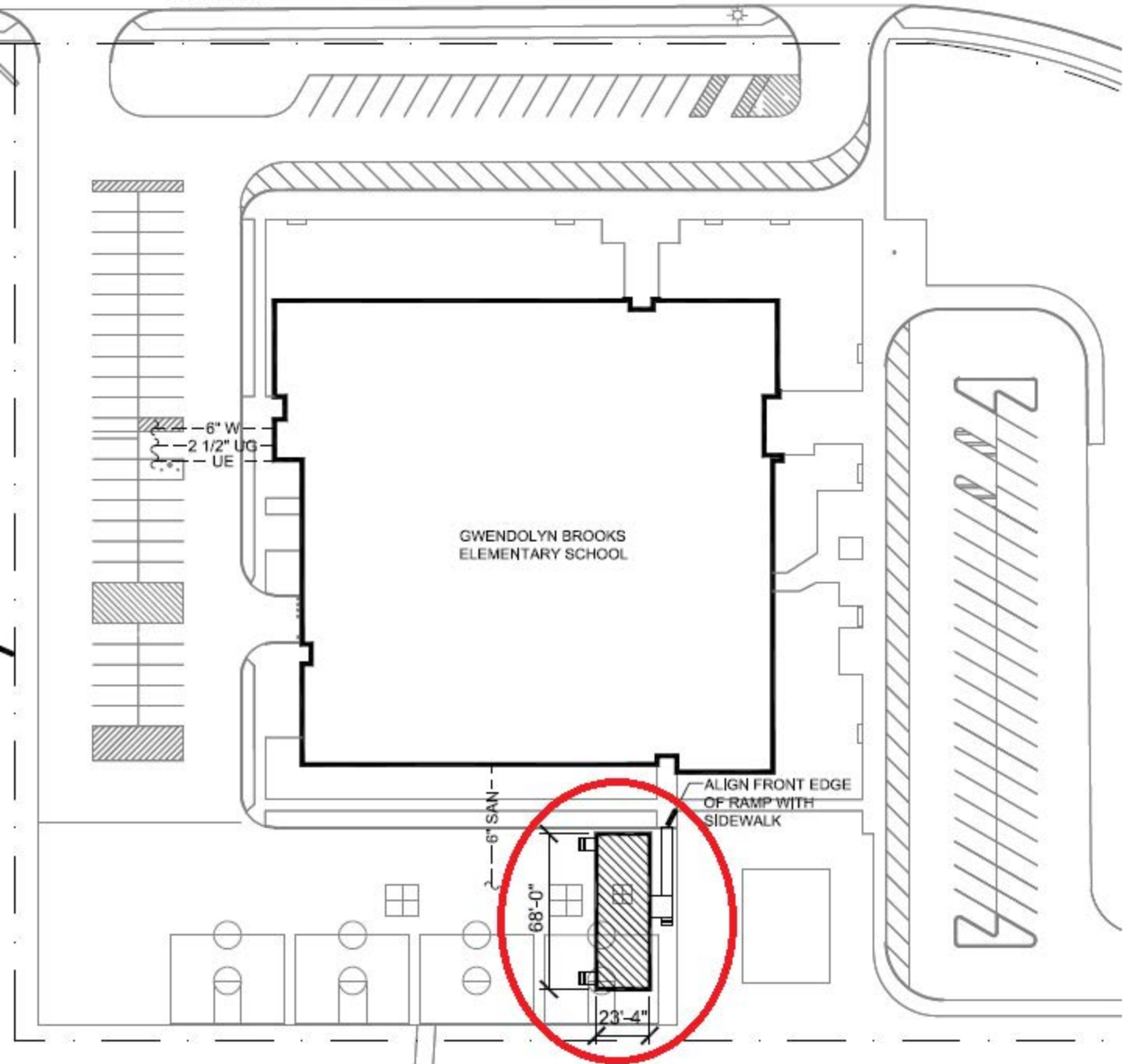
6" W  
2 1/2" UG  
UE

ALIGN FRONT EDGE  
OF RAMP WITH  
SIDEWALK

6" SAN

68'-0"

23'-4"





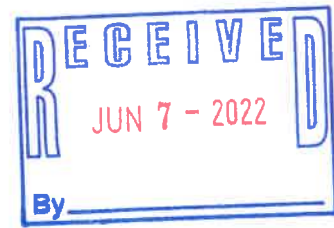
SUBJECT SITE











### **PROPOSED USE AND DESCRIPTION**

Brooks Elementary School houses +/- 350 students in grades K thru 5.

Due to growth in enrollment, the school needs another classroom space inside the building for an intensive classroom. The District wants to install a new modular classroom building on the school property to provide space for the current music room which will allow the room needed inside the building for the intensive classroom. Modular classroom building will be located on the south side of the building which will not impact any parking spaces.

Based on the projected growth, it is anticipated that the District will need modular classroom building for three (3) years. The School District has applied for a Temporary Facility Permit from the Regional Office of Education. Annually, the District Architect will complete an Annual Inspection Checklist for Temporary Facility and submit for approval by the Board of Education and Regional Superintendent to obtain a Temporary Facility Permit annually. At this time, no additional lighting is anticipated on the site. There are currently 106 parking spaces including 5 handicapped parking spaces. Based on the parking formula for schools, the required parking spaces is 64.

The current zoning for the school is PDR - Planned Development Residential. This school was permitted in the Planned Development Ordinance.



3225 Sangamon Road - Amendment to the Final Plan - Modular Classroom  
Public Response Form

Owners Name: EILEEN BOSCH LIVING TRUST

Property Address: 550 KATHERINE CIR

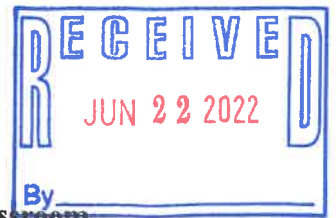
Basic Input:

- ☐ I support the proposal.  
☐ I support the proposal in general but would like to see specifics before I decide.  
☒ I do not support the proposal.

Written Comments:

THE MODULES ARE ALREADY ON THE  
SCHOOLS PROPERTY. ISN'T THIS GETTING  
THE HORSE BEFORE THE CART ??  
ISN'T THIS A LITTLE LATE FOR A  
PUBLIC HEARING ??





3225 Sangamon Road - Amendment to the Final Plan - Modular Classroom  
Public Response Form

Owners Name: EDWARD J. BOSIC

Property Address: 544 KATHERINE CIR.

Basic Input:

- ☐ I support the proposal.  
☐ I support the proposal in general but would like to see specifics before I decide.  
☒ I do not support the proposal.

Written Comments:

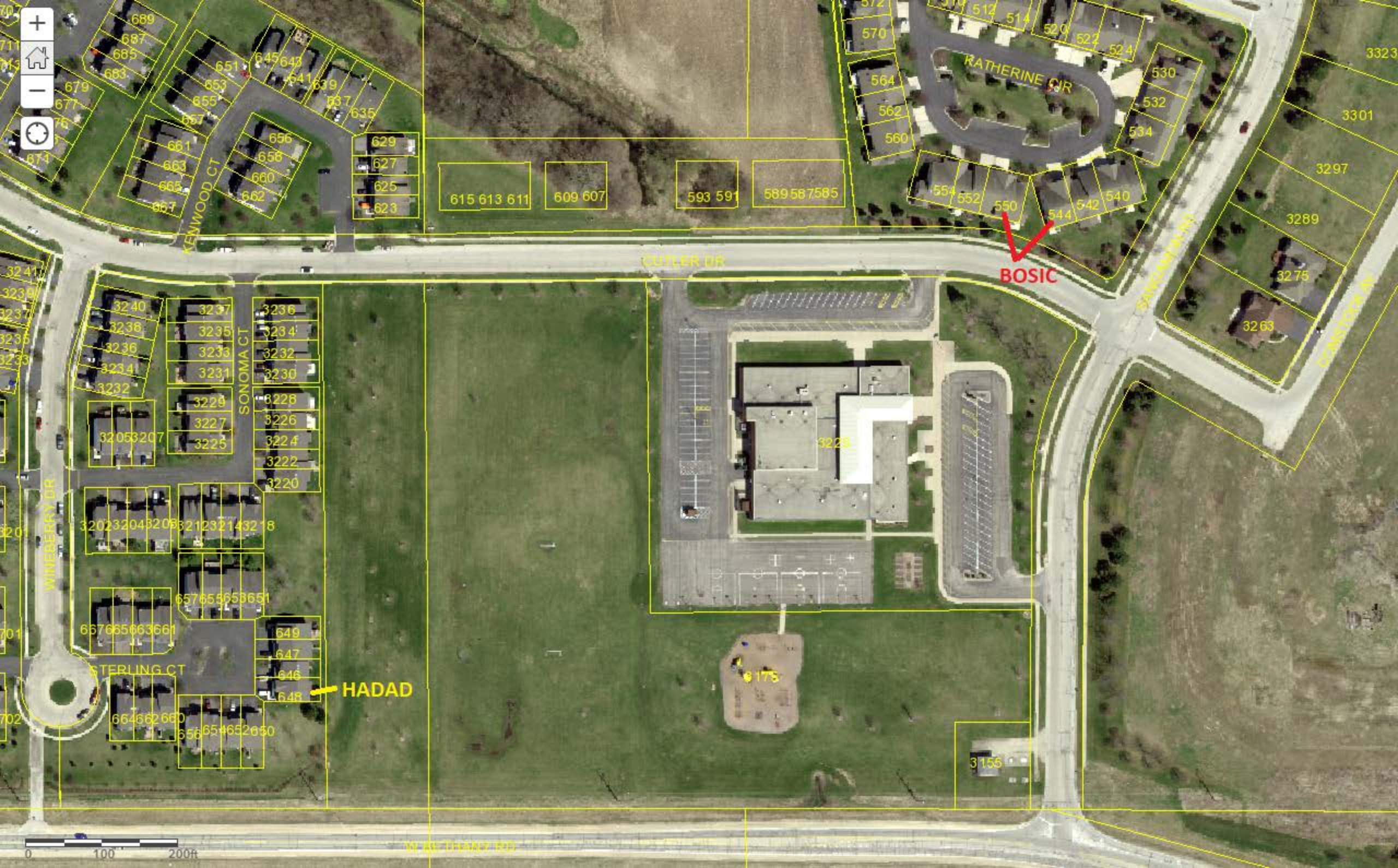
WHY ARE YOU HAVING A PUBLIC HEARING  
WHEN THE MODULES ARE SITTING ON THE  
SCHOOL'S PROPERTY AS OF 6/11/22 ?????  
SOMEONE HAS ALREADY DETERMINED  
WHAT THEY ARE GOING TO DO.

*Edward Bosic*











## LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Monday, July 18, 2022, at 6:00 p.m. in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL, on the petition by DeKalb CUSD #428 for approval of an amendment to the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a modular classroom on the Gwendolyn Brooks Elementary School site located at 3225 Sangamon Road. The subject property has Parcel Identification Numbers (PIN's) of 08-02-352-001 and 08-03-340-011 and is zoned "PD-R" Planned Development Residential District.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 by 12:00 p.m. on Monday, July 18, 2022, or by e-mail to [dan.olson@cityofdekalb.com](mailto:dan.olson@cityofdekalb.com). Further information regarding the petition is available from the Community Development Department at (815) 748-2361 or on the City of DeKalb's web page at <https://www.cityofdekalb.com/1103/Public-Hearings>.

Max Maxwell, Chair

DeKalb Planning and Zoning Commission



## REZONING PETITION

**TO:** City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

**FROM:** Petitioner Name(s): DeKalb CUSD #428 Phone: 815-754-2350  
Petitioner's Representative: Tammy Carson Email: tammy.carson@d428.org  
Mailing Address: \_\_\_\_\_  
901 S. 4th Street; DeKalb, IL  
Property Owner: Same as above Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_  
\_\_\_\_\_

1. The petitioner hereby petitions the City of DeKalb to rezone the following property:

A. Legal Description and Parcel Number(s) – If necessary, attach the full legal description on a separate piece of paper: \_\_\_\_\_

PIN #0802352001 & #0803400011  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Street Address or Common Location: 3225 Sangamon Road; DeKalb, IL 60115

C. Size of Property (square feet or acres): 14.85 square feet

D. Existing Zoning: The existing zoning of the site is PD-R, Planned Development Residential.

E. Proposed Zoning: Amend the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a mobile classroom.

F. Reason for request: On a separate document, describe the reasons for the rezoning request and the intended types of land uses, if any, for the property. Also, indicate whether or not the proposed rezoning would: a) be in conformance with the City's Comprehensive Plan and how the proposed rezoning may; b) impact adjacent existing and future land uses; c) impact adjacent property values; and d) impact the general public's health, safety and welfare.

2. The petitioner hereby submits the following information:

Vicinity map of the area proposed for the rezoning

All files (e.g. site plans, building elevations, legal description, reasons for request) shall be provided electronically on a CD, DVD or flash device that will become part of the application file.

Petition fee (\$500.00).

3. The petitioner hereby states that a pre-application conference ☐ was\* ☒ was not held with City staff prior to the submittal of this petition.

\*Date of pre-application conference: \_\_\_\_\_

Those in attendance: \_\_\_\_\_

(Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.)

4. The petitioner hereby agrees that this petition will be placed on the Planning Zoning Commission's agenda only if it is completed in full and submitted in advance of established deadlines.

5. The petitioner has read and completed all of the information and affirms that it is true and correct.

  
\_\_\_\_\_  
Petitioner Signature

  
\_\_\_\_\_  
Date

I hereby affirm that I am the legal owner (or authorized agent or representative of the owner – proof attached) of the subject property and authorize the petitioner to pursue this Rezoning petition as described above (petitioner must sign if they are the owner).

  
\_\_\_\_\_  
Property Owner Signature

  
\_\_\_\_\_  
Date



**ORDINANCE 97-110**

**Passed: November 24, 1997**

**APPROVING THE FINAL PLAN OF THE  
BRIDGES OF RIVERMIST, PHASE 2  
(School and Park Site).**

**WHEREAS**, DeKalb Associates, owners of property, in cooperation with the DeKalb Community Unit School District #428, have submitted a final plan of The Bridges of RiverMist Planned Development Subdivision, Phase 2, for approval; and,

**WHEREAS**, the final plan of development has been reviewed by the DeKalb Plan Commission on November 12, 1997, but failed to receive its approval by a vote of 2-2-1; now,

**THEREFORE BE IT ORDAINED BY THE CITY COUNCIL** of the City of DeKalb, Illinois as follows:

**Section 1.** That the final plan for The Bridges of RiverMist Phase 2, attached hereto as Exhibit "A", is approved, subject to the conditions set forth in Exhibit "B", also attached hereto and made a part of this Ordinance.

**Section 2.** That the uses allowed within this Second Phase of the Bridges of RiverMist shall include all uses necessary, supplemental and accessory to the three primary uses shown on the Plan, which include a School, Park and Sanitary District Lift Station;

**Section 3.** All provisions of the Unified Development Ordinance shall remain in full force and effect. and this Ordinance shall take effect upon its passage according to Law.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a regular meeting, held on the 24<sup>th</sup> day of November, 1997, and approved by me as Mayor on the same day. First and second reading on November 24, 1997. Roll call vote 7-0. Aye: Polzin, Povlsen, Kapitan, Checa, Conboy, Raffel, Gregory.

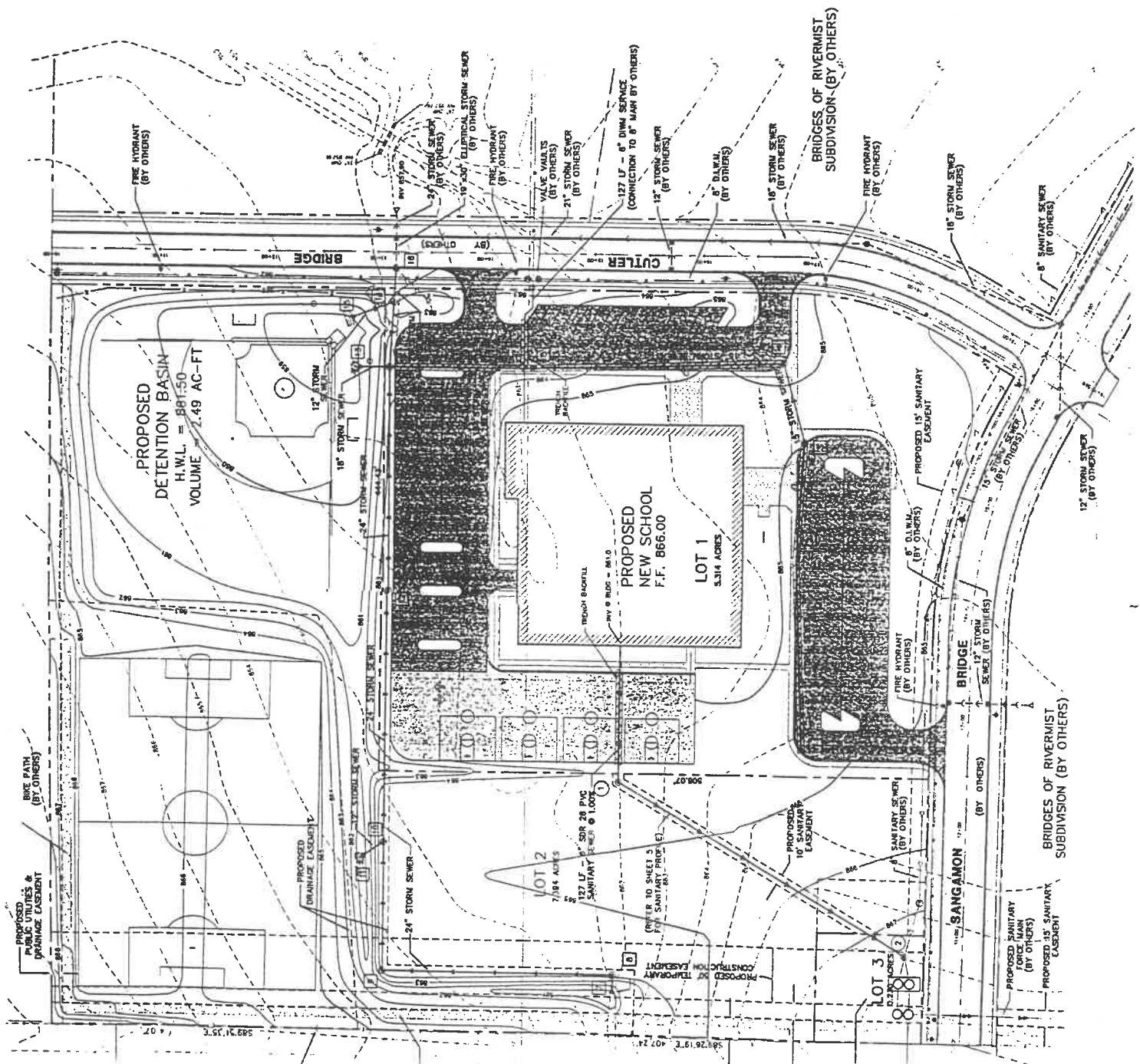
  
**BESSIE CHRONOPOULOS**, Mayor

ATTEST:

  
**DONNA S. JOHNSON**, City Clerk



## Bridges of RiverMist PUD Sub Phase 2



9

**Exhibit "B"**  
**Conditions of Approval**  
**Final Plan of Phase 2 of**  
**The Bridges of RiverMist PUD Subdivision**

1. That the plat for Phase 2 of the Bridges of RiverMist PUD Subdivision include all on- and off-site easements necessary for appropriate infrastructure and utility connections, subject to approval by the entities to which the easements are granted;
2. That the plat for Phase 2 not be recorded until the conditions of approval of the Final Plat of Phase 1 are complied with, and the Phase 2 plat shall not be recorded prior to recording of the Phase 1 plat;
3. That the plat for Phase 2 not be recorded until final engineering plans for all public utilities necessary to service the site are provided and approved by the pertinent City departments;
4. That the conditions, suggestions and requirements related to the School Site Plan, as set forth in Public Works Administration Memorandum 1997-081, EMS/Fire Prevention Memorandum 97-61, and Engineering Department Memorandum 97-E091, be addressed to the satisfaction of those Departments.

# MODULAR CLASSROOM AT GWENDOLYN BROOKS ELEMENTARY SCHOOL

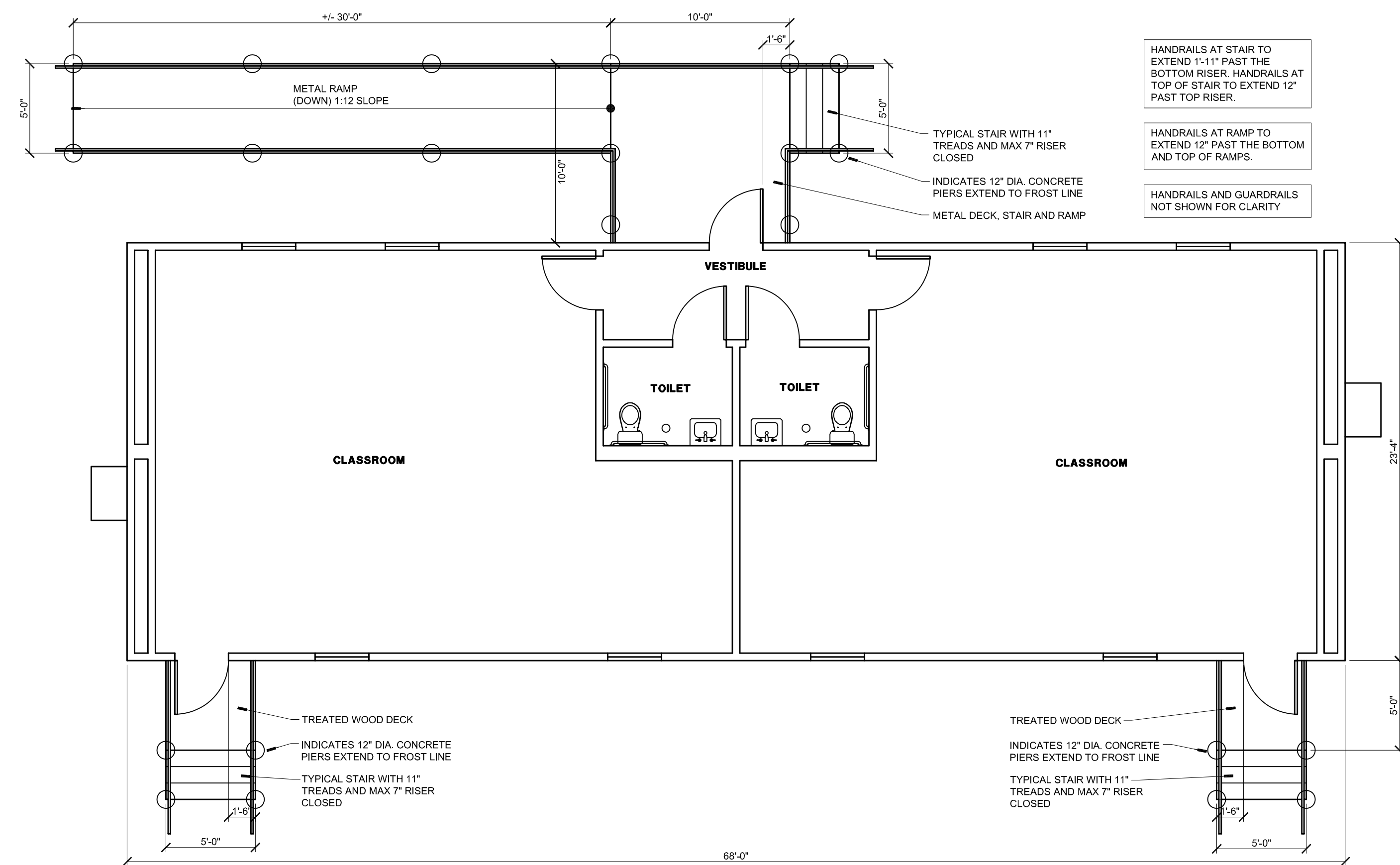
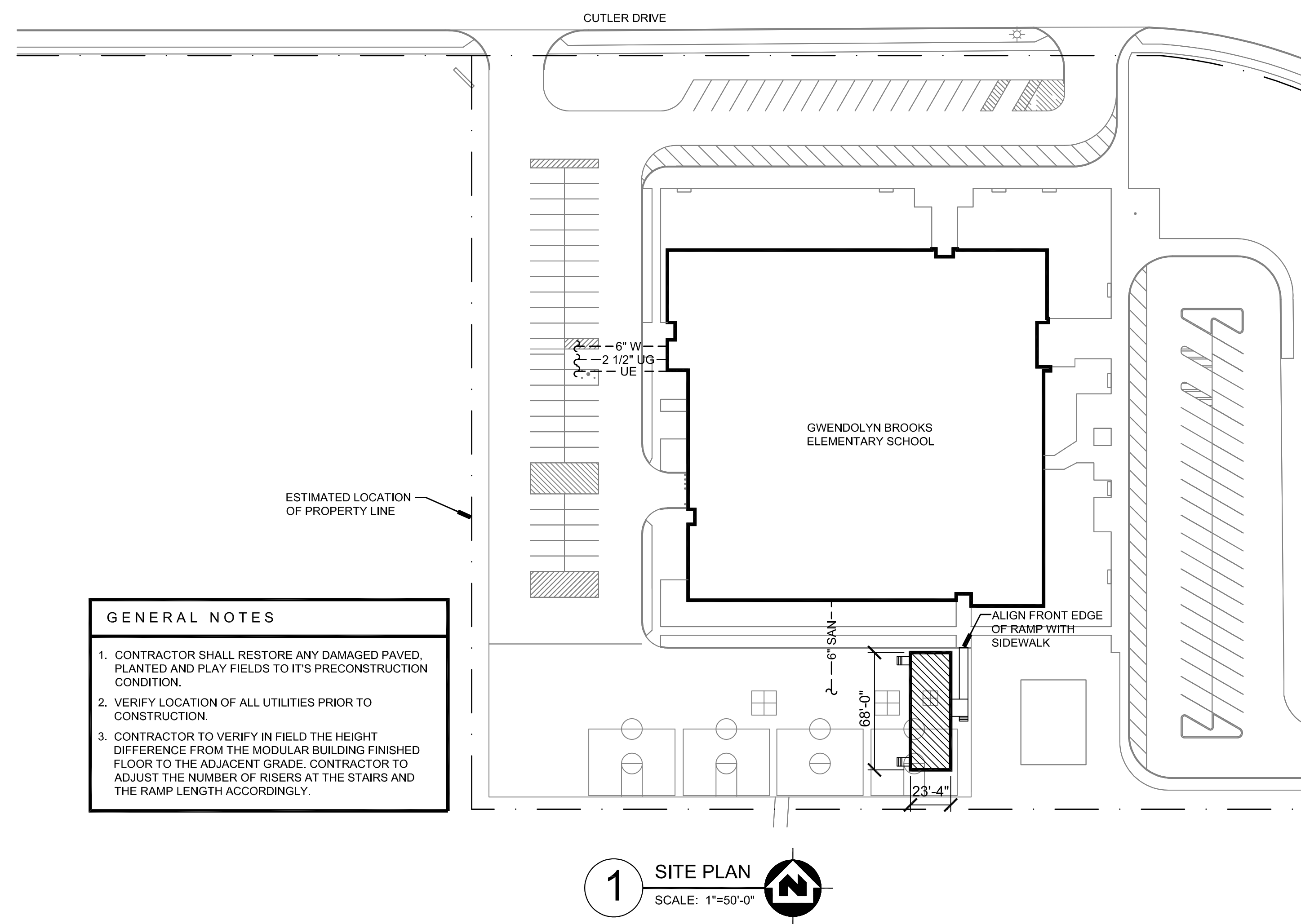
**OWNER**

# DEKALB SCHOOL DISTRICT #428

MODULAR CLASSROOM AT  
GWENDOLYN BROOKS ELEMENTARY SCHOOL FOR  
**DEKALB CUSD #428**  
DEKALB, ILLINOIS

**RICHARD L. JOHNSON  
ASSOCIATES | ARCHITECTS**

|                                                         |              |          |                      |  |
|---------------------------------------------------------|--------------|----------|----------------------|--|
| <div> <div>T101</div> <div>OF</div> <div>1</div> </div> | SHEET NUMBER |          | SHEET IDENTIFICATION |  |
|                                                         | Date         |          | TITLE SHEET          |  |
|                                                         | Rev. Date    |          |                      |  |
|                                                         | Rev. Date    |          |                      |  |
| RLJA Proj                                               |              | 2022-015 |                      |  |



**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**  
July 14, 2022

**TO:** DeKalb Planning and Zoning Commission  
**FROM:** Dan Olson, Planning Director  
**RE:** 922 S. 4<sup>th</sup> St. - Special Use Permit for a Drive-Through Restaurant (Proper Hospitality Group, LLC - Peter Panagakis)

**I. GENERAL INFORMATION**

- A. Purpose Re-establishment of drive-through restaurant.
- B. Location/Size 922 S. 4<sup>th</sup> St./1 acre
- C. Petitioner Proper Hospitality Group LLC – Peter Panagakis
- D. Existing Zoning “LC” Light Commercial District
- E. Existing Land Use Vacant former restaurant with drive-through
- F. Surrounding Zoning and Land Use North: “LC”; Outside Storage, Various Commercial  
South: “GC”; Residential  
East: “SFR2”; Single Family Residential  
West: “LC”, Bank, Gas Station, Offices, Child-Care
- G. Comprehensive Plan Designation 2005 – Commercial; 2022 - Commercial

## **II. BACKGROUND AND ANALYSIS**

The petitioner, Proper Hospitality Group, LLC represented by Peter Panagakis, is requesting approval of a special use permit for drive-through restaurant. The subject site contained a former KFC Restaurant with drive-through. The restaurant closed in 2009. The proposed restaurant will be called Anna's Sandwich Shoppe and will contain 40 seats with a limited drive-thru consisting of a mobile order pick-up window. Outside seating will also be provided. Proposed hours of operation will be 11:00AM to 8:00PM Monday through Saturday with Sundays and Holidays being closed.

The existing building on site is approximately 2,100 sq. ft. The access and parking area will be designed and striped to reflect one-way traffic around the site. The drive through area will be expanded to include a by-pass lane north of the building. The existing access to the alley to the east side of the site will be removed and a six (6) foot sight-proof fence will be installed along the east property line. An outdoor patio area will be added to the south and east of the building. The trash dumpster on-site will be screened per the requirements of the UDO. Additional landscaping will be added around the perimeter of the site and the majority of the trees along the northern portion of the property will be saved.

A total of 24 parking spaces are proposed with 20 standard spaces and four handicap spaces. The number of parking spaces required for the restaurant, per the UDO, is 1 parking space for every 3 seats plus 1 space for every employee on the maximum shift. With 40 seats and 10 projected employees, a total of 23 parking spaces are required. The drive-through has adequate space for the stacking of vehicles and meets the UDO requirement.

The existing brick on the building will be cleaned and new wood grain panels will be added to the top portion of the building. The former KFC cupola will be removed, and a small vestibule and tower will be added at the southwest corner of the building. An architectural rendering if include in the back up material.

Due to the proximity of residential area to the east and south, it's recommended the hours of operation for the restaurant be limited between 6:00 AM and 8:00 PM. There are a few remaining staff comments that require a revision to the site plan and are listed as items to be addressed prior to any permits being issued.

## **III. STANDARDS OF A SPECIAL USE**

### **1. The proposed special use complies with all provisions of the applicable district regulations.**

The proposed special will comply with all regulations of the "LC" Light Commercial District and the Unified Development Ordinance (UDO). The applicant will be required to develop the site per the plans made as an exhibit to the recommendation. The drive-through has adequate space for the stacking of vehicles and meets the UDO requirement.





**2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.**

The proposed special use will not have a detrimental effect on the adjacent properties or land uses. The site has been zoned “LC” Light Commercial for decades. The site contained a former drive-through restaurant, which was not detrimental to the neighborhood. There is a variety of commercial uses in the area including a bank, gas station, restaurant, offices, day care center, video gaming cafe, auto related uses, and outside storage. Part of the recommendation to approve the special use is an hour restriction to ensure compatibility with the surrounding area. The proposed restaurant will be a welcome addition to the S. 4th St. corridor and meets the recommendations of the draft 2022 Comprehensive Plan.

**3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.**

The granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with a variety of commercial uses, including bank, gas station, restaurant, offices, day care center, video gaming cafe, auto related uses, and outside storage. Residential uses exist to the east and south. The proposed special will operate in a manner that is not detrimental to the surrounding neighborhood. The drive-through has adequate space for the stacking of vehicles and meets the UDO requirement.

**4. Adequate utility, drainage and other such necessary facilities have been or will be provided.**

Adequate public services are already provided to the subject site. The existing paved parking area will be expanded and re-stripped including the addition of four handicap spaces and a by-pass lane for the drive-through. A six-foot-high sight-proof fence will be added along the east property line and the dumpster on-site will be screened.

**5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.**

The proposed special use will not be detrimental to the permitted developments and uses





on the site or to the surrounding area. Due to the proximity of residential area to the east and south, a hours of operation limitation for the restaurant is recommended. The proposed special use will be in compliance with the 2005 Comprehensive Plan and draft 2022 Plan. The proposed restaurant with drive-through will be a welcome addition to the S. 4th St. corridor.

#### **IV. CITIZEN RESPONSE/COMMENTS**

The City has received a Public Response Form from Stephanie Kness of 932 S. 5<sup>th</sup> St. who had questions regarding the hours of operation and signage. Glenn Miller of 1004 S. 4<sup>th</sup> St. submitted a Public Response Form noting concerns about the external speakers (menu board) and any noise coming from the site. Noelle Jacobson of 424 Culver St. submitted an e-mail expressing support for the request. Finally, Tom Winkle and Lorraine Scurti of 834 Leonard Ave. sent an e-mail stating they are in favor of the petition and would love to see a new business open on the south side of DeKalb. Copies of the correspondence are provided in the background material.

#### **V. RECOMMENDATION**

The proposed restaurant with drive-through will be a welcome addition to the S. 4<sup>th</sup> St. corridor and meets the recommendations of the draft 2022 Comprehensive Plan. The City staff fully supports the request.

#### **Sample Motion – Special Use Permit:**

Based upon the submitted petition, testimony presented and findings of fact, I move the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a special use permit for a drive-through restaurant located at 922 S. 4<sup>th</sup> St. per the site plan and building elevation dated 5-11-22 and labeled as Exhibit A and per the conditions listed in Exhibit B.



## Exhibit B

1. Revise the site plan prior to issuance of a building permit to include the following:
  - a) Show the square footage of the building on the site plan.
  - b) Add the parking formula to the plan – number required and number provided.  
(1 parking space for every 3 seats plus 1 space for every employee on the max. shift).
  - c) Add 6-foot-high privacy fence along the east side of the site next to the alley.
  - d) Add a note around the trash dumpster “6’ high sight-proof fence”.
2. The hours of operation for the restaurant shall be limited between 6:00 AM and 8:00 PM.



## EXHIBIT A

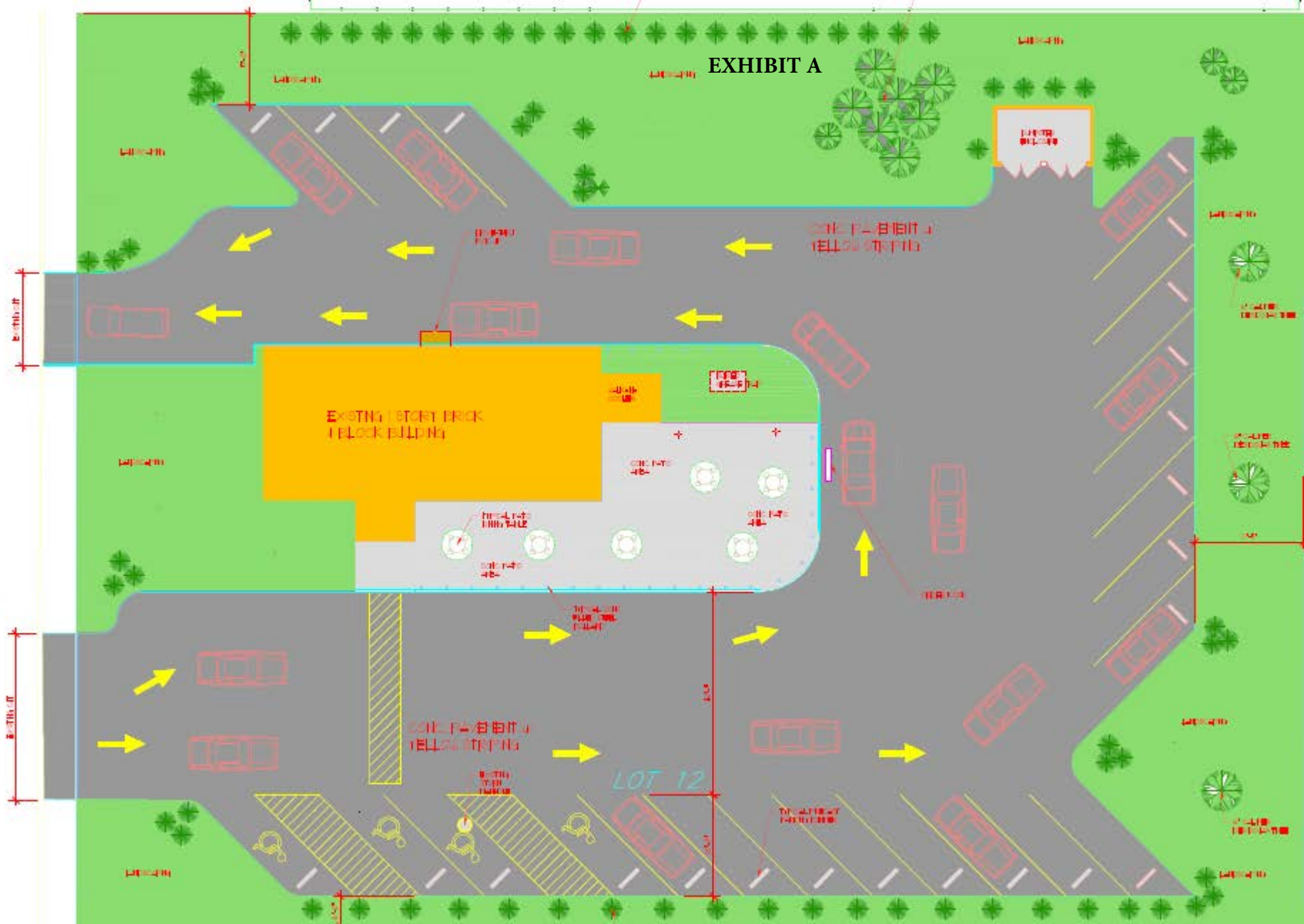
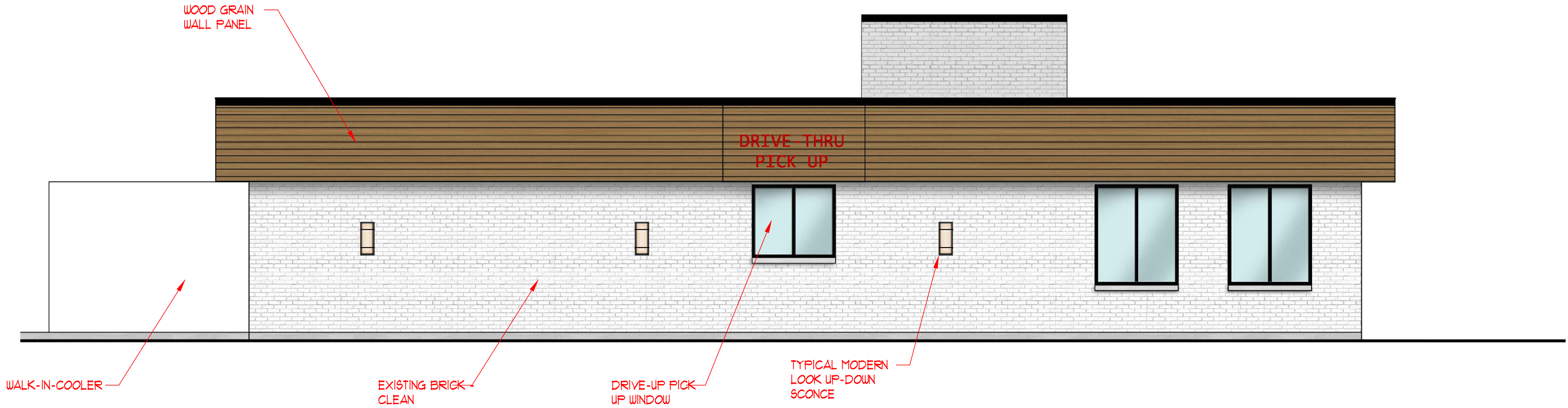
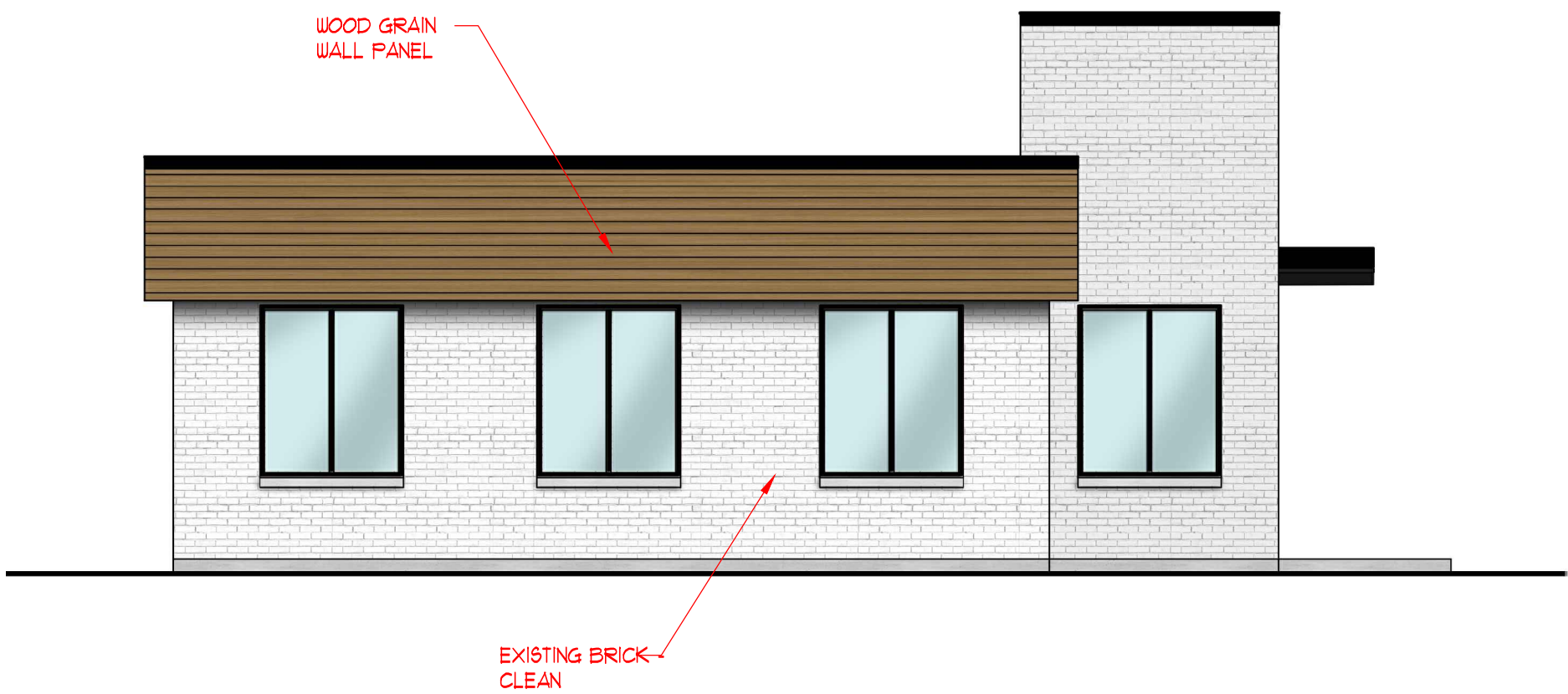




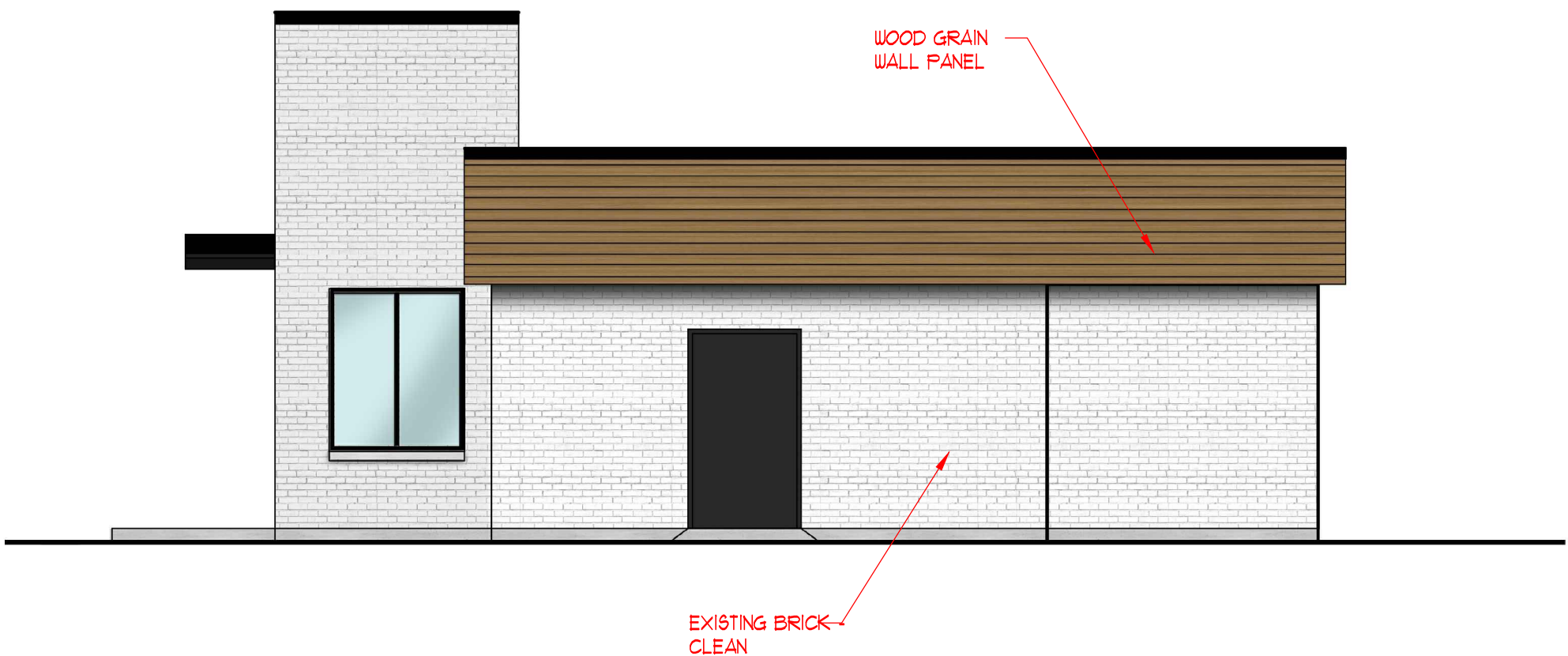
EXHIBIT A



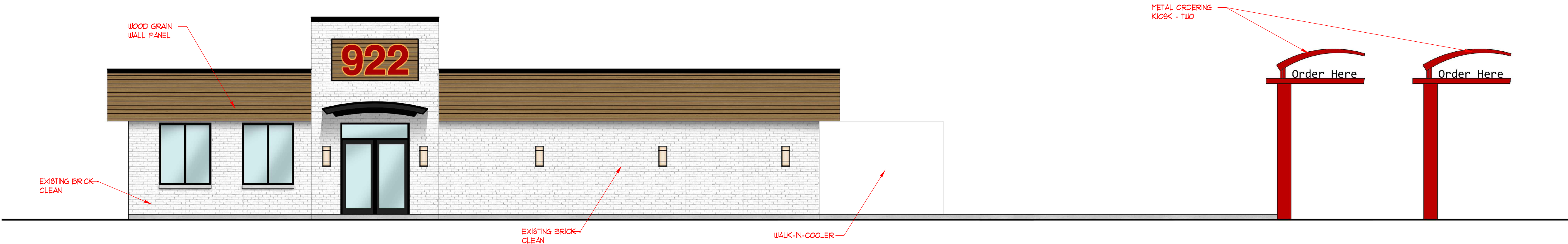
4 NORTH ELEVATION



1 WEST ELEVATION



1 EAST ELEVATION



2 SOUTH ELEVATION

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Project # xxxxx  
Drawn: mna  
Date: 05.11.2022  
Issue/Revision Date:

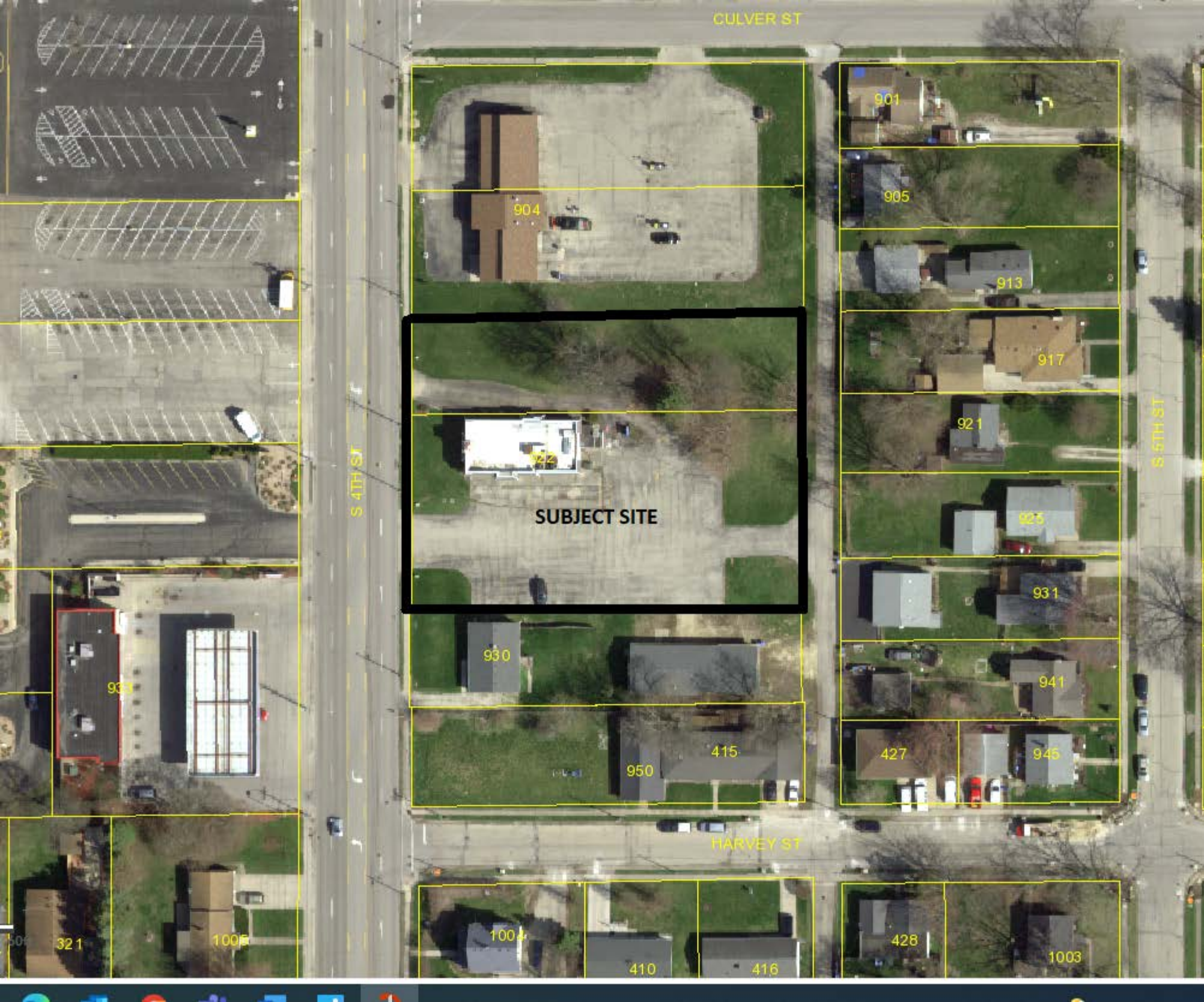
ADG ARCHITECTURAL MANAGEMENT INC.  
PROGRAM & PROJECT MANAGER  
PO BOX 24  
SYCAMORE, IL 60178  
TEL 815-501-2075  
email: adgdesign@comcast.net

RESTAURANT CONCEPT  
922 S. FOURTH ST.  
DEKALB, ILLINOIS

Drawing:  
EXTERIOR  
ELEVATIONS

Sheet  
A2





CULVER ST

S 4TH ST

S 5TH ST

HARVEY ST

904

901

905

913

917

921

925

931

941

945

427

930

415

950

428

1003

1004

410

416

931

321

1005

**SUBJECT SITE**

922



922 South Fourth Street

# Coming Soon Anna's Sandwich Shoppe

Fresh Kitchen – Kraft Sandwiches

Quick Service – Great Environment for All to Enjoy!



**From:** EGG HAVEN <[egghavencafe@gmail.com](mailto:egghavencafe@gmail.com)>  
**Sent:** Friday, July 8, 2022 10:29 AM  
**To:** Olson, Dan <[Dan.Olson@CITYOFDEKALB.com](mailto:Dan.Olson@CITYOFDEKALB.com)>  
**Subject:** Re: 922 S. 4th St. - Special Use Permit

**[NOTICE: This message originated outside of the City Of DeKalb mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Anna's Sandwich Shoppe  
922 South Fourth Street

Business Hours:  
Monday to Saturday  
11:00 am to 8:00 pm  
Closed Sundays & Holidays

Seating Capacity:  
Indoor Seating - 40 seats  
Outdoor Seating will be Available

Limited Drive Thru  
Mobile Order Pick-Up Window

Lighting, Signage and Landscape  
Low lighting will be installed,so as not to impede neighboring residential homes.  
Signage will also follow this residential neighbors theme.  
Landscape - Retain as much natural landscape as possible.

**From:** [Olson, Dan](#)  
**To:** [stephanie.kness@nm.org](mailto:stephanie.kness@nm.org)  
**Cc:** [Nicklas, Bill](#)  
**Subject:** FW: Public Response Form for 922 S. 4th St. Public Use Permit  
**Date:** Friday, July 8, 2022 2:50:00 PM  
**Attachments:** [image001.png](#)  
[Public Response Form.pdf](#)  
[image002.png](#)

---

Stephanie,

Thanks for the e-mail. A copy will be provided to the Planning and Zoning Commission. See responses to your questions below.

Hours of Operation – The restaurant is planned to be called Anna’s Sandwich Shoppe and anticipates being open from 11:00 AM to 8:00 PM Monday-Saturday and closed on Sundays and Holidays.

Signage – The maximum height allowed for a sign is 10 feet and the maximum sign size allowed is 50 sq. ft., which is comparable to other signs along S. 4<sup>th</sup> St. The applicant has also stated he intends to have signs that are compatible with the neighborhood.

A link to more information on the public hearing and proposed restaurant can be found at <https://www.cityofdekalb.com/1103/Public-Hearings>. If you have any further questions, let me know.

**Dan Olson, AICP** | Planning Director  
City of DeKalb | 164 E. Lincoln Highway | DeKalb, IL 60115  
Phone: 815-748-2361  
Email: [dan.olson@cityofdekalb.com](mailto:dan.olson@cityofdekalb.com) | Website: [www.cityofdekalb.com](http://www.cityofdekalb.com)



---

**From:** Kness, Stephanie <[stephanie.kness@nm.org](mailto:stephanie.kness@nm.org)>  
**Sent:** Friday, July 8, 2022 9:16 AM  
**To:** Olson, Dan <[Dan.Olson@CITYOFDEKALB.com](mailto:Dan.Olson@CITYOFDEKALB.com)>  
**Subject:** Public Response Form for 922 S. 4th St. Public Use Permit

**[NOTICE: This message originated outside of the City Of DeKalb mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]**

Hello,



I have attached my Public Response Form regarding the special use permit for 922 S. 4<sup>th</sup> St. Thank for giving us the opportunity to provide our concerns regarding this matter.

**Stephanie Kness**

Department Secretary

Northwestern Medicine Behavioral Health Services

760 Foxpointe Dr

Sycamore IL, 60178

815-748-8334 (office)

815.748-8921 fax

[stephanie.kness@nm.org](mailto:stephanie.kness@nm.org)

nm.org



Northwestern Medicine is anchored by Northwestern Memorial Hospital, ranked top 10 in the nation by *U.S. News & World Report*, 2021 - 2022.

This message and any included attachments are intended only for the addressee. The information contained in this message is confidential and may constitute proprietary or non-public information under international, federal, or state laws. Unauthorized forwarding, printing, copying, distribution, or use of such information is strictly prohibited and may be unlawful. If you are not the addressee, please promptly delete this message and notify the sender of the delivery error by e-mail.

922 S. 4<sup>th</sup> St. – Special Use Permit  
Public Response Form

Owners Name: Stephanie Kness

Property Address: 932 S. 5<sup>th</sup> St.

Basic Input:

- ☐ I support the proposal.  
☒ I support the proposal in general but would like to see specifics before I decide.  
☐ I do not support the proposal.

Written Comments:

Hello,

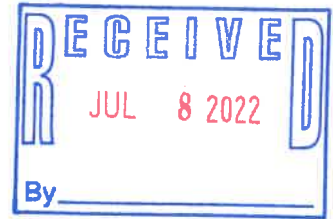
I just have a couple of concerns.

① Is this going to be a 24 hour restaurant? Currently this is a fairly quiet neighborhood at night-time and a 24 hour drive-through restaurant could potentially be disruptive.

② Signage height. I am not sure what the rules and regulations are for the signage. If it is in keeping with the height of the signs for the current businesses such as French Toast and Road Ranger then I have no problems. I do not believe an overly large sign would be in fitting with the neighborhood.



922 S. 4<sup>th</sup> St. – Special Use Permit  
Public Response Form



Owners Name: GLENN MILLER

Property Address: 1004 South 4<sup>th</sup> St, DK

Basic Input:

- ☐ I support the proposal.  
☒ I support the proposal in general but would like to see specifics before I decide.  
☐ I do not support the proposal.

Written Comments:

I'm concerned about external  
speakers broadcasting music,  
taking orders ~~and~~ advertising,  
etc.

Sound carries well around  
here when the traffic dies down  
and there is low wind.

the gas station across the  
street turned their sound down  
when I asked

**From:** [nlj005](#)  
**To:** [Olson, Dan](#)  
**Subject:** 922 S. 4th St. Proposal  
**Date:** Tuesday, July 5, 2022 8:02:07 PM

---

[**NOTICE:** This message originated outside of the City Of DeKalb mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Dan,

My name is Noelle Jacobson and I am writing to you to let you know that I support the proposal at 922 S. 4th St. My address is 424 Culver St DeKalb, IL 60115.

Thank you,

Noelle Jacobson  
424 Culver Street  
DeKalb, IL 60115  
847-533-3667  
[nlj005@aol.com](mailto:nlj005@aol.com)

**From:** [Tom Winkle](#)  
**To:** [Olson, Dan](#)  
**Subject:** Zoning Variance for 922 S. 4th Street  
**Date:** Saturday, July 2, 2022 10:52:02 AM

---

[**NOTICE:** This message originated outside of the City Of DeKalb mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Mr. Olson,

My wife and I are very much in favor for a zoning variance for the old KFC on south 4th street that has remained empty for so long, we'd love to see another business open on the south side.

Thanks,

Tom Winkle and Lorraine Scurti

834 Leonard Avenue

DeKalb





522

**KNESS**

**MILLER**

E SUNSET PL



924 IL-23

DeKalb, Illinois



Google



Street View - Nov 2021



French Toast  
Pancake House

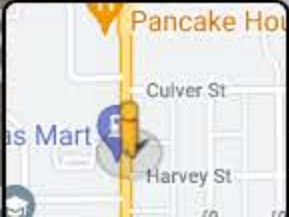
Culver St

Harvey St



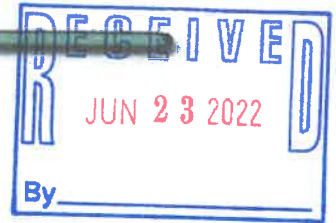












## SPECIAL USE PERMIT PETITION

TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): Proper Hospitality Phone: 847 456 0089  
Petitioner's Representative: Peter Panagakis Email: egghavenate@gmail.com  
Mailing Address: 922 S. Fourth St.  
DeKalb, IL 60115

Property Owner: Peter Panagakis Phone: 847 456 0089  
Mailing Address: 922 S. Fourth St. Email: egghavenate@gmail.com  
DeKalb, IL 60115

1. The petitioner hereby petitions the City of DeKalb to approve a Special Use Permit for the following property:

A. Legal Description and Parcel Number (s) – If necessary, attach the full legal description on a separate piece of paper:

Former KFC.  
08-26-104-003  
08-26-104-018

B. Street Address or Common Location: 922 S. Fourth St.

C. Size of Property (square feet or acres): 1 Acre 49,448 square feet.

D. Existing Zoning: Drive thru LC, Light Commercial Dist.

E. Proposed Special Use: Drive-thru.

F. Proposed Use and Description: On a separate document, describe the proposed use's characteristics. Also, indicate whether or not the proposed use would: a) Prevent development and use of neighboring property; b) impact adjacent existing and future land uses; c) impact adjacent property values; d) impact the general public's health, safety, and welfare; and e) be in conformance with all elements of the "UDO," Unified Development Ordinance



2. The petitioner hereby submits the following information:

- ☒ Vicinity map of the area proposed for the special use
- ☒ Petition fee (\$500.00)
- ☒ 3 full size copies and an electronic copy on a disk of a site plan, which must show the following items (per the requirements of Article 14.03.03 of the UDO):
  - ☒ Property dimensions
  - ☒ Location and use of proposed structures
  - ☒ Number and location of parking spaces and loading area
  - ☒ Location and type of landscaping (including existing trees 6" in diameter or greater and existing tree masses)
  - ☒ Location, type, and height of fencing or walls
  - ☒ Location and width of driveways and curb cuts; internal traffic patterns
  - ☒ Floor area (square footage)
  - ☐ Location of exterior lighting
  - ☐ Location, type, and height of signage
  - ☒ Direction of storm water flow, location of detention area

(Note to Petitioner: A site plan for a special use permit is intended to be a schematic plan only. All plans must eventually conform to other City standards prior to the issuance of any building permits or other permits.)

3. The petitioner hereby states that a pre-application conference ☒\* was ☐ was not held with City staff prior to the submittal of this petition.

\*Date of pre-application conference: \_\_\_\_\_

Those in attendance: \_\_\_\_\_

(Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.)

4. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission's agenda only if it is completed in full and submitted in advance of established deadlines.

5. The petitioner has read and completed all of the above information and affirms that it is true and correct.

Petitioner Signature

Date

6-14-2022

I hereby affirm that I am the legal owner (or authorized agent or representative of the owner -- proof attached) of the subject property and authorize the petitioner to pursue this Special Use Permit petition as described above (petitioner must sign if they are the owner).

Property Owner Signature

Date

6-14-2022

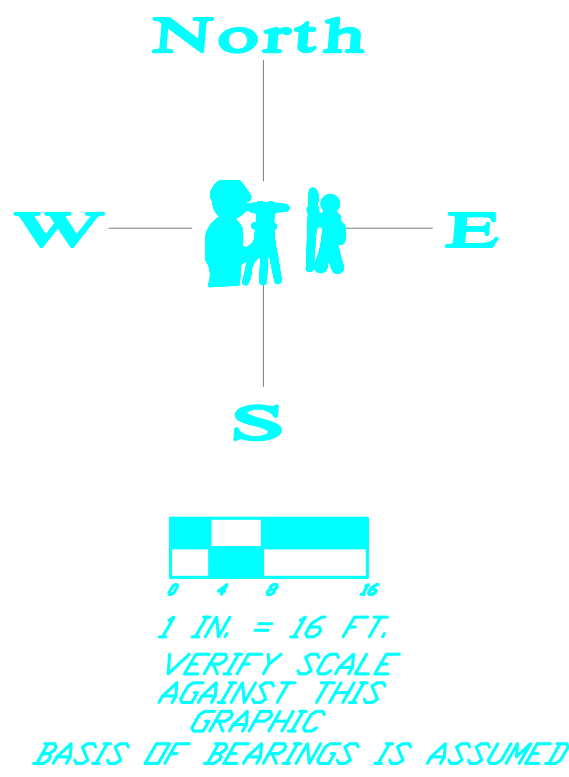
## LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Monday, July 18, 2022, at 6:00 p.m. in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL, on the petition by Proper Hospitality Group, LLC represented by Peter Panagakis for a special use permit for a drive-through restaurant for the site at 922 S. 4<sup>th</sup> St. The subject site has Parcel Identification Numbers (PIN's) of 08-26-104-003 and 08-26-104-018 and is zoned "LC", Light Commercial District.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 by 12:00 p.m. on Monday, July 18, 2022, or by e-mail to [dan.olson@cityofdekalb.com](mailto:dan.olson@cityofdekalb.com). Further information regarding the petition is available from the Community Development Department at (815) 748-2361 or on the City of DeKalb's web page at <https://www.cityofdekalb.com/1103/Public-Hearings>.

Max Maxwell, Chair

DeKalb Planning and Zoning Commission



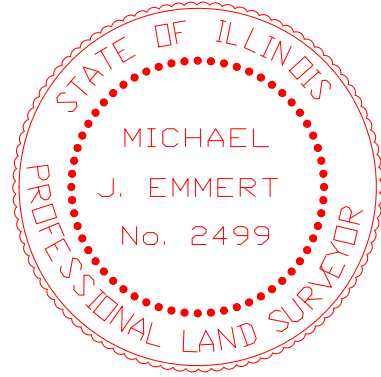
PLAT OF SURVEY  
ALTA/NSPS LAND TITLE SURVEY  
by  
Michael J. Emmert Surveys, Inc.

AS PER MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS EFFECTIVE FEBRUARY 23, 2021 - ITEM 7 CERTIFICATION:  
THE PLAT OR MAP OF AN ALTA/NSPS LAND TITLE SURVEY SHALL BEAR ONLY THE FOLLOWING CERTIFICATION, UNALTERED, EXCEPT AS MAY BE REQUIRED PURSUANT TO SECTION 3.B

TO: PROPER HOSPITALITY GROUP, LLC,  
SUNRISE PANCAKES AND CAFE, INC. AND  
FIRST AMERICAN TITLE INSURANCE COMPANY  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 2, 3, 4, 7(A), 8, 9, 16, 17 AND 21 (ABOVE GROUND VISIBLE UTILITIES) OF TABLE A THEREOF.  
THE FIELD WORK WAS COMPLETED ON SEPTEMBER 7, 2021.

DATED THIS 7TH DAY OF SEPTEMBER, 2021

BY: MICHAEL J. EMMERT SURVEYS, INC.  
MICHAEL J. EMMERT PRESIDENT  
PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 2499



mike@mjesurveys.com  
Michael J. Emmert Surveys, Inc  
185 East Vallette Street  
Elmhurst, Illinois 60126  
Office 630-516-0383  
Fax 630-516-0387

FLOOD ZONE

MICHAEL J. EMMERT SURVEY'S INC., DOES HEREBY CERTIFY THAT WE HAVE EXAMINED THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE FEDERAL INSURANCE ADMINISTRATION AND DETERMINED THE FOLLOWING: PROPERTY IS LOCATED WITHIN COMMUNITY NUMBER - 170182 CURRENT EFFECTIVE MAP DATE - JANUARY 2, 2009 ON PANEL NUMBER - 17037C0242E AND FIND THAT THE PROPERTY IS LOCATED WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD)

BEARING BASIS

THE CENTERLINE OF S. FOURTH STREET IS ASSUMED TO BE NORTH 00 DEGREES 04 MINUTES 47 SECONDS WEST

PARKING

AS BUILT PARKING SUMMARY  
REGULAR SPACES - 21  
HANDICAP SPACES - 1  
TOTAL SPACES - 22

LEGALLY DESCRIBED AS FOLLOWS:

LOTS 12, 13 AND 14 IN BLOCK 1 OF MARTIN BROTHERS AND GALT'S SUBDIVISION OF PART OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 8, 1903 IN BOOK "C" OF PLATS, PAGE 49, IN DE KALB COUNTY, ILLINOIS.

REFERENCE BEING HAD TO TITLE INSURANCE COMMITMENT NUMBER 3074866 BEARING AN EFFECTIVE DATE OF JULY 29, 2021 AS PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY .

CONTAINING 43,584 SQ. FT. OR 1.0005 ACRES MORE OR LESS

THE SUBJECT PROPERTY ADJOINS S. FOURTH STREET (A PUBLIC STREET) ON THE WEST AND ADJOINS A 20 FT. PUBLIC ALLEY (A PUBLIC WAY) ON THE EAST. DIRECT ACCESS IS PROVIDED VIA THE AFOREMENTIONED STREET AND ALLEY.

SCHEDULE B EXCEPTIONS

ITEMS 1 THROUGH 6 - NOT SURVEY RELATED  
7. TAX IDENTIFICATION NUMBER 08-26-104-018  
8. TAX IDENTIFICATION NUMBER 08-26-104-003  
ITEMS 9 THROUGH 24 - NOT SURVEY RELATED  
END OF SCHEDULE B

NOTES

1. SURVEY SHOWN HEREON IS AN "AS-BUILT" SURVEY.
2. SURVEY SHOWN HEREON IS LIMITED TO ABOVE GROUND VISIBLE IMPROVEMENTS AND NO UNDERGROUND INFORMATION IS INTENDED TO BE PROVIDED.
3. ALL UTILITIES APPEAR TO ENTER THE PROPERTY VIA A PUBLIC RIGHT OF WAY.
4. THE SUBJECT PROPERTY APPEARS TO DRAIN INTO A PUBLIC RIGHT OF WAY.
5. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
6. THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED TO THE BEST OF OUR KNOWLEDGE, AND AVAILABLE FROM THE CONTROLLING JURISDICTION.
7. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
8. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL OR CEMETERY.
9. ALL BLACKTOP PAVEMENT: POOR CONDITION, ALL EDGES: MEANDERING, GRASS AND DEBRIS COVERED.

LINE TABLE

| Line | Bearing       | Distance | Measure |
|------|---------------|----------|---------|
| L1   | N.00°04'47"W. | 180.00'  | 180.08' |
| L2   | N.89°56'51"E. | 242.00'  | 242.08' |
| L3   | S.00°03'21"E. | 180.00'  | 180.07' |
| L4   | S.89°56'38"W. | 242.00'  | 242.00' |

A.C. - AIR CONDITIONER  
W.M. - WATER METER  
G.M. - GAS METER  
T.I. - TELEPHONE INTERFACE  
C.S. - CABLE SERVICE  
E.M. - ELECTRIC METER

SYMBOLS

|  |                          |
|--|--------------------------|
|  | CONCRETE FILLED POST     |
|  | HYDRANT                  |
|  | MANHOLE                  |
|  | SIGN                     |
|  | LIGHT                    |
|  | UTILITY POLE             |
|  | CONCRETE CURB            |
|  | CONCRETE CURB AND GUTTER |
|  | CONCRETE                 |

922 S. FOURTH STREET  
DE KALB, ILLINOIS

|                         |                         |
|-------------------------|-------------------------|
| SCALE: 1" = 16'         | CHKD. / AP'VD:          |
| DATE: SEPTEMBER 7, 2021 | APPROVED:               |
| DWN. BY: MJE            | LAST REVISED: 9-20-2021 |
| CHKD. BY: ADE           |                         |



## **STAFF REPORT**

July 14, 2022

**TO:** Planning and Zoning Commission

**FROM:** Dan Olson, Planning Director

**RE:** Minor Subdivision Plat – SV CSG DeKalb South Subdivision (James Planey – Midland Trust)

### **I. GENERAL INFORMATION**

- |    |                 |                                                                                      |
|----|-----------------|--------------------------------------------------------------------------------------|
| A. | Purpose         | Approval of Minor Subdivision Plat to accommodate a Solar Energy Generation Facility |
| B. | Owner/Applicant | James Planey – Midland Trust                                                         |
| C. | Location        | North side of Gurler Road, just east of S. 1 <sup>st</sup> St.                       |

### **II. BACKGROUND AND ANALYSIS**

The applicant, James Planey, is requesting approval of a Minor Subdivision Plat for a one-lot subdivision consisting of 23.6 acres along the north side of Gurler Road, just east of S. 1<sup>st</sup> St. The proposed lot is part of a larger 36.3-acre parcel owned by the applicant. On February 22, 2021, the City approved a development agreement and the rezoning of the 36.3 parcel from the "HI" District to the "PD-I" District to accommodate a solar energy generation facility on the 23.6-acre site. When a development project comes forward for the remaining 12.7 acres, the applicant will subdivide the entire parcel to create two lots. At that time the appropriate public improvements (water, sewer) will be extended to the property.

The Plat has been reviewed by staff. All the easements, setbacks and roadway dedications are shown on the Plat. There are a few minor comments remaining, so the recommendation is to approve the Plat subject to all staff comments being addressed prior to recording of the Plat.



### **III. RECOMMENDATION**

#### **Sample Motion:**

I move that the Planning and Zoning Commission recommend approval of the Final Plat for SV CSG DeKalb South Subdivision dated 6-27-22 prepared by Wendler Engineering Services as shown on Exhibit A subject to all staff comments being addressed prior to recording of the Plat.



EXHIBIT A

FINAL PLAT  
FOR  
**SV CSG DEKALB SOUTH SUBDIVISION**  
A COMMERCIAL SUBDIVISION LOCATED  
IN PART OF THE W 1/2 OF THE SW 1/4 OF SECTION 34, T40N,  
R4E OF THE THIRD PRINCIPAL MERIDIAN, CITY OF DEKALB  
DEKALB COUNTY, ILLINOIS

2022

SURVEYOR'S CERTIFICATE

I, PATRICK T. HUBERT, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, AND AT THE REQUEST OF THE OWNER OF THE FOLLOWING DESCRIBED PROPERTY, I HAVE SURVEYED, SUBDIVIDED, AND PLATTED THE LAND HEREON TO BE HEREAFTER KNOWN AS "SV CSG DEKALB SOUTH SUBDIVISION", BEING A SUBDIVISION LOCATED IN THE CITY OF DEKALB, FURTHER LOCATED IN SECTION 34, TOWNSHIP 40 NORTH, RANGE FOUR EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

THAT PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP FORTY (40) NORTH, RANGE FOUR (4) EAST OF THE THIRD (3RD) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF SAID QUARTER WITH THE CENTERLINE OF NORTH FIRST STREET, BEING 675.83 FEET EASTERLY OF, AS MEASURED ALONG SAID NORTH LINE, THE NORTHWEST CORNER OF SAID QUARTER; THENCE SOUTHWESTERLY, AT AN ANGLE OF 66 DEGREES 32 MINUTES 30 SECONDS MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, ALONG SAID CENTERLINE, A DISTANCE OF 1155.81 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY, AT AN ANGLE OF 66 DEGREES 18 MINUTES 30 SECONDS MEASURED CLOCKWISE FROM SAID CENTERLINE, A DISTANCE OF 678.87 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 95 DEGREES 34 MINUTES 40 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 233.35 FEET; THENCE EASTERLY, AT AN ANGLE OF 95 DEGREES 34 MINUTES 40 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 331.01 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 89 DEGREES 47 MINUTES 05 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 1359.74 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW1/4), THAT IS 1422.43 FEET WESTERLY OF THE SOUTHEAST CORNER THEREOF; THENCE WESTERLY AT AN ANGLE OF 90 DEGREES 04 MINUTES MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID SOUTH LINE, A DISTANCE OF 1224.88 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER (SW1/4); THENCE NORTHERLY AT AN ANGLE OF 90 DEGREES 27 MINUTES 03 SECONDS MEASURED COUNTERCLOCKWISE FROM THE SAID SOUTH LINE ALONG SAID WEST LINE, A DISTANCE OF 1125.37 FEET TO SAID CENTERLINE OF NORTH FIRST STREET; THENCE NORTHEASTERLY AT AN ANGLE OF 156 DEGREES 00 MINUTES 22 SECONDS MEASURED COUNTERCLOCKWISE FROM THE SAID WEST LINE ALONG SAID CENTERLINE, A DISTANCE OF 508.10 FEET TO THE POINT OF BEGINNING, ALL IN DEKALB TOWNSHIP, DEKALB COUNTY, ILLINOIS; LESS AND EXCEPT THE FOLLOWING LAND CONVEYED TO THE CITY OF DEKALB BY WARRANTY DEED FROM DEKALB BUSINESS PARK, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, DATED SEPTEMBER 15, 1998 AND RECORDED NOVEMBER 23, 1998 AS DOCUMENT NO. 98020699 AND RE-RECORDED JANUARY 13, 1999 AS DOCUMENT NO. 99000800; THAT PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP FORTY (40) NORTH, RANGE FOUR (4) EAST OF THE THIRD (3RD) PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF SAID QUARTER, WITH THE CENTERLINE OF NORTH FIRST STREET, SAID POINT BEING 675.83 FEET EASTERLY OF, AS MEASURED ALONG SAID NORTH LINE, THE NORTHWEST CORNER OF SAID QUARTER; THENCE SOUTHWESTERLY AT AN ANGLE OF 66 DEGREES 32 MINUTES 30 SECONDS MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE SAID CENTERLINE, A DISTANCE OF 1155.81 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY AT AN ANGLE OF 66 DEGREES 18 MINUTES 30 SECONDS MEASURED CLOCKWISE FROM SAID CENTERLINE, A DISTANCE OF 678.87 FEET; THENCE SOUTHERLY AT AN ANGLE OF 95 DEGREES 34 MINUTES 40 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 233.35 FEET; THENCE EASTERLY AT AN ANGLE OF 95 DEGREES 34 MINUTES 40 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 331.01 FEET; 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PARCEL 2

EASEMENTS FOR THE BENEFIT OF PARCEL 1, CREATED BY THE DECLARATION RECORDED DECEMBER 7, 1998 AS DOCUMENT NO. 98020699 AND RE-RECORDED JANUARY 13, 1999 AS DOCUMENT NO. 99000798 AND BY AGREEMENT RECORDED DECEMBER 7, 1998 AS DOCUMENT NO. 98020970 AND RE-RECORDED JANUARY 13, 1999 AS DOCUMENT NO. 99000797, IN DEKALB COUNTY, ILLINOIS.

I ALSO CERTIFY, THAT THE LAND CONTAINED WITHIN THIS SUBDIVISION IS WITHIN THE CORPORATE LIMITS OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS, WHICH IS EXERCISING THE SPECIAL POWERS OF THE CITY PLAN.

I ALSO CERTIFY, THAT NO PART OF THE LAND CONTAINED WITHIN THIS SUBDIVISION IS LOCATED IN ANY SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATING MAP 17012, PANEL 244E, REVISED JANUARY 2, 2009

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE FOREGOING PLAT IS IN COMPLIANCE WITH 765 ILCS 205/2 OF THE ILLINOIS COMPILED STATUTES, THAT ALL MONUMENTS AND MARKERS EXIST AS SHOWN HEREON, ANYWAY, AND DIMENSIONAL AND GEODETIC DATA ARE CORRECT, AND THAT THE FOREGOING HEREON, DIMENSIONS ARE IN FEET AND DECIMALS OF A FOOT, BEARINGS OR ANGLES ARE IN DEGREES, MINUTES AND SECONDS, DISTANCES ALONG CURVED LINES ARE ARC DISTANCES UNLESS OTHERWISE NOTED, ANGLES TO CURVED LINES ARE ANGLES TO THE CHORD.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

PATRICK T. HUBERT  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 35-4026

MY LICENSE EXPIRES NOVEMBER 30, 2022.



OWNERS CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

THIS IS TO CERTIFY THAT MIDLAND IRA IS THE OWNER OF THE PROPERTY DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED BY THE ATTACHED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE OF "SV CSG DEKALB SOUTH SUBDIVISION".

DATED AT DEKALB, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MIDLAND IRA, INC. - JAMES PLANET  
135 S. LASALLE STREET, SUITE 2150  
CHICAGO, IL 60634

ACKNOWLEDGMENT

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ FOR MIDLAND IRA, INC., PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS AFORESAID, APPEARED BEFORE ME, THIS DAY, IN PERSON, AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE PLAT AS HIS OWN FREE AND VOLUNTARY ACT, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, DEKALB COUNTY, ILLINOIS.

NOTARY PUBLIC

I.D.O.T. ACCESS NOTE

THIS PLAT DOES NOT NEED APPROVAL BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO 765 ILCS 205/2 AS AMENDED, DUE TO THERE BEING NO NEW POINTS OF ACCESS CREATED WITH THIS PLAT.

CITY ENGINEER CERTIFICATION

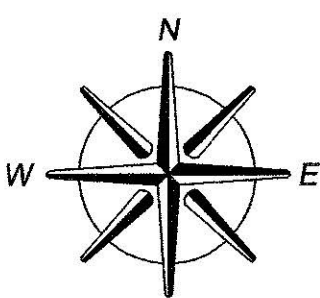
STATE OF ILLINOIS )  
COUNTY OF DEKALB )

ALL REQUIRED PUBLIC IMPROVEMENTS INCLUDING STREETS, SIDEWALKS, STORM SEWERS, WATERMAINS, AND DRAINAGE STRUCTURES HAVE BEEN BUILT, AS REQUIRED, OR HAVE BEEN PROVIDED FOR BY BOND CONTRACT OR IRREVOCABLE LETTER OF CREDIT TO MY APPROVAL.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

BY: \_\_\_\_\_

CITY ENGINEER, CITY OF DEKALB



SCALE: 1"=100'

SANITARY DISTRICT CERTIFICATION

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE KISHWAUKEE WATER RECLAMATION DISTRICT, DEKALB COUNTY, ILLINOIS.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

PRESIDENT  
(PLEASE SIGN AND PRINT)

(PLEASE SIGN AND PRINT)

KISHWAUKEE WATER RECLAMATION  
DISTRICT EASEMENT PROVISIONS

THE OWNER DOES HEREBY CONVEY AND GRANT TO KISHWAUKEE WATER RECLAMATION DISTRICT ("GRANTEE"), A PERMANENT EXCLUSIVE SEWER EASEMENT (THE "EASEMENT") WITHIN THOSE AREAS DESIGNATED AS "SANITARY SEWER EASEMENT" ON THE PLAT ATTACHED HERETO AND INCORPORATED HEREBY BY REFERENCE AND AS LEGALLY DESCRIBED (THE "PREMISES"). THE EASEMENT IS GRANTED TO INSTALL, CONSTRUCT, REPAIR, REPLACE, RENEW, OPERATE, MAINTAIN, AND RECONSTRUCT SANITARY SEWERS AND THEIR APPURTENANCES TO SERVE THE PROPERTY DESCRIBED HEREON IN DEKALB, ILLINOIS (THE "PROPERTY"). THE RIGHT IS ALSO GRANTED TO THE KISHWAUKEE WATER RECLAMATION DISTRICT TO CUT, TRIM OR REMOVE TREES, BUSHES, FENCES, AND SIGNS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GRANTED.

THE GRANTEE AGREES THAT NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED WITHIN THE PREMISES, BUT SAID AREA MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, PARKING AREAS, DRIVEWAYS, PAVED AREAS, CURBING, CURB CUTS, TRAFFIC CONTROL IMPROVEMENTS, FENCING, SIGNAGE, AND RELATED IMPROVEMENTS, AND INSTALLATION, OPERATION AND MAINTENANCE OF UNDERGROUND UTILITIES CROSSING THE EASEMENT AREA (COLLECTIVELY, THE "IMPROVEMENTS"), AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN.

ANY WORK AUTHORIZED UNDER THE EASEMENT SHALL BE PERFORMED BY THE GRANTEE CAREFULLY SO AS TO CAUSE AS LITTLE DAMAGE AS POSSIBLE TO THE PREMISES AND IT WILL CAUSE THE PREMISES TO BE RESTORED AS NEARLY AS POSSIBLE TO THEIR ORIGINAL CONDITION AFTER THE COMPLETION OF NECESSARY CONSTRUCTION PERFORMED BY THE GRANTEE. THE GRANTEE WILL SAVE, PROTECT, INDEMNIFY, AND KEEP HARMLESS THE GRANTEE, THE SAID PREMISES AND THE REMAINDER OF THE GRANTEE'S ADJACENT LANDS FROM ANY LIENS OF ANY KIND FOR EITHER WORK OR MATERIALS USED OR EMPLOYED IN ALL WORK PERFORMED BY THE GRANTEE ON THE PROPERTY. THE GRANTEE SPECIFICALLY RESERVES UNTO ITSELF THE FEE SIMPLE TITLE TO THE PROPERTY SUBJECT ONLY TO THE EASEMENT DESCRIBED HEREIN. GRANTEE IS AWARE OF AND WAIVES ITS RIGHT PROVIDED BY THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 (P.L. 91-646) AND GRANTEE FURTHER AGREES THAT IT IS RECEIVING FAIR AND REASONABLE COMPENSATION FOR THE EASEMENT.

CERTIFICATE OF CITY COUNCIL

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_

MAYOR  
(PLEASE SIGN & PRINT)

EXECUTIVE ASSISTANT  
(PLEASE SIGN & PRINT)

SCHOOL DISTRICT STATEMENT

PURSUANT TO SECTION 1.005 OF THE PLAT ACT, THIS DOCUMENT SHALL SERVE AS THE SCHOOL DISTRICT STATEMENT. TO THE BEST OF THE OWNER'S KNOWLEDGE, THE SCHOOL DISTRICT(S) IN WHICH THE TRACT OF LAND LIES IS IN THE FOLLOWING DISTRICT(S):

DEKALB COMMUNITY SCHOOL DISTRICT #428  
901 S. 4TH STREET  
DEKALB, ILLINOIS 60115

MIDLAND IRA, INC. - JAMES PLANET  
135 S. LASALLE STREET, SUITE 2150  
CHICAGO, IL 60634

ACKNOWLEDGMENT

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ FOR MIDLAND IRA, INC., PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS AFORESAID, APPEARED BEFORE ME, THIS DAY, IN PERSON, AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE PLAT AS HIS OWN FREE AND VOLUNTARY ACT, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, DEKALB COUNTY, ILLINOIS.

NOTARY PUBLIC

CITY PLANNING AND ZONING  
COMMISSION APPROVAL

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MAX MAXWELL, CHAIRPERSON

COUNTY CLERK TAX CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

I, DOUGLAS J. JOHNSON, COUNTY CLERK IN AND FOR DEKALB COUNTY, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS AND FOUND NO DELINQUENT GENERAL TAXES, UNPAID CURRENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND DESCRIBED AND PLATTED HEREON.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DOUGLAS J. JOHNSON, COUNTY CLERK

COUNTY RECORDERS CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DEKALB )

THIS INSTRUMENT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DEKALB COUNTY, AFORESAID ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

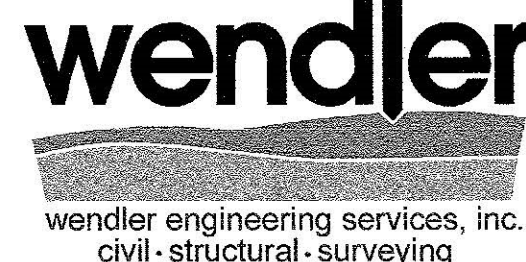
20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. AND DULY RECORDED IN PLAT

CABINET \_\_\_\_\_ SLIDE NO. \_\_\_\_\_ AS DOCUMENT NO. \_\_\_\_\_

DOUGLAS J. JOHNSON, COUNTY RECORDER

LEGEND

- BOUNDARY OF SURVEY
- MONUMENT FOUND
- STONE FOUND
- SET SURVEY NAIL
- 5/8" STEEL PIN SET
- CHISELED "X"
- P.K. NAIL
- SECTION LINE
- RIGHT OF WAY LINE
- FENCE LINE
- BUILDING SETBACK (BSL)
- UTILITY EASEMENT (UE)
- RECORD DIMENSION
- RECORD ANGLE
- RECORD BEARING

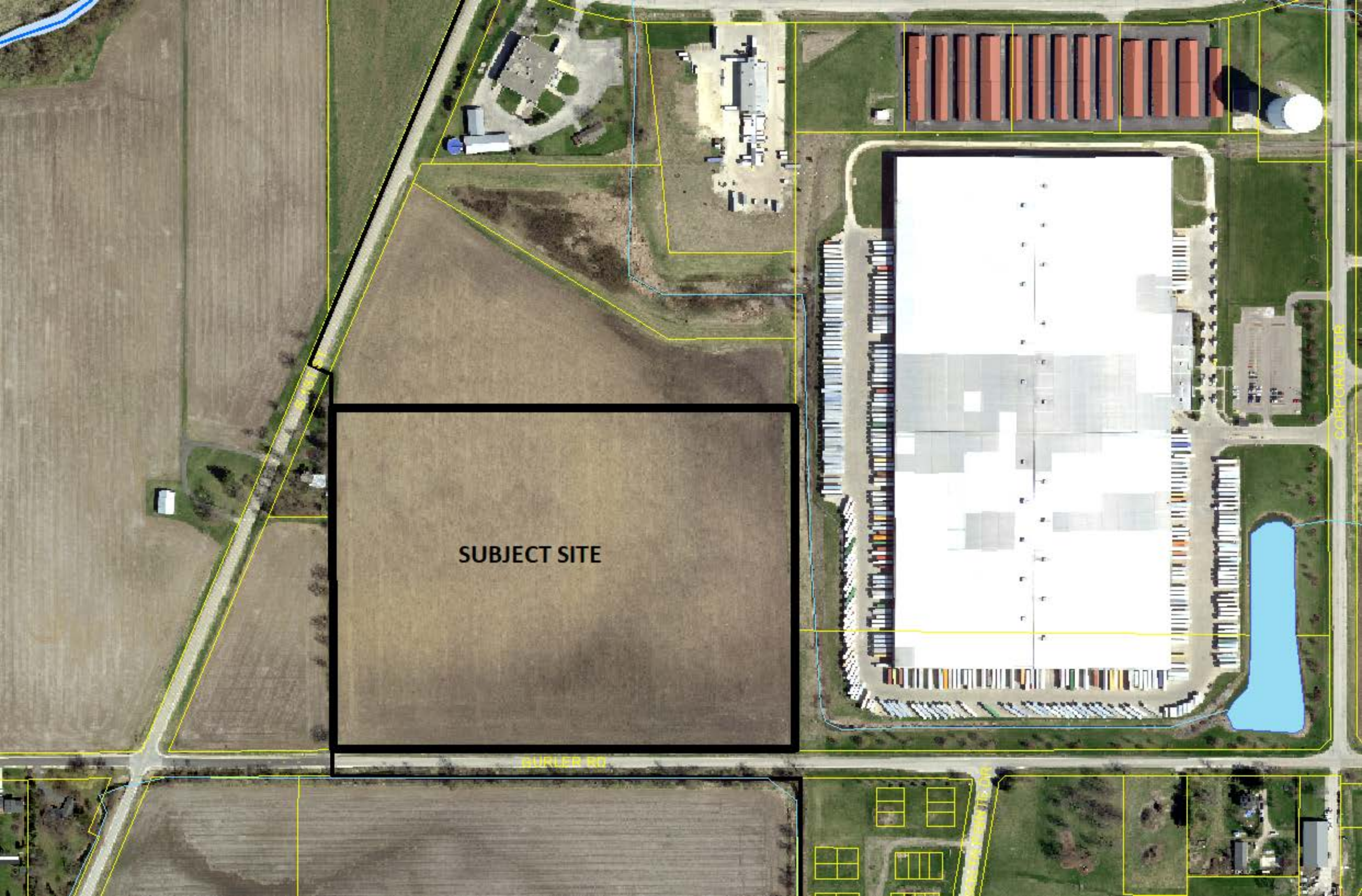


www.wendlergs.com ph: 815.288.2261  
Illinois Professional Design Firm No. 184-000848

FINAL PLAT  
FOR  
**SUNVEST SOLAR**

DATE: 03/21/2022  
JOB NO.: 2220023  
SURVEYED BY: MRK\_JWP  
BOOK NO.: 339-35  
DRAWN BY: DJV  
DRAWING NAME: FP-2220023 REV  
REVISIONS: 06/27/2022



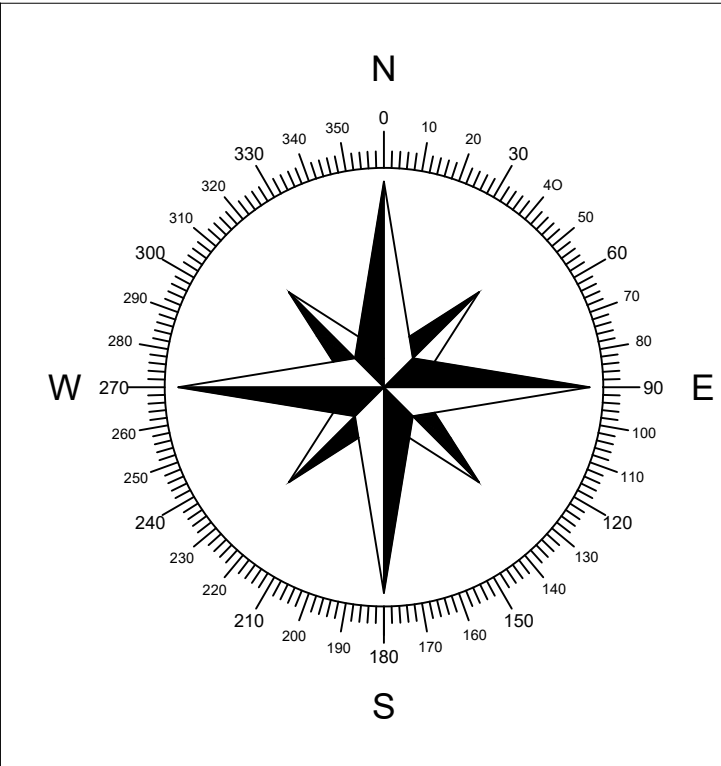
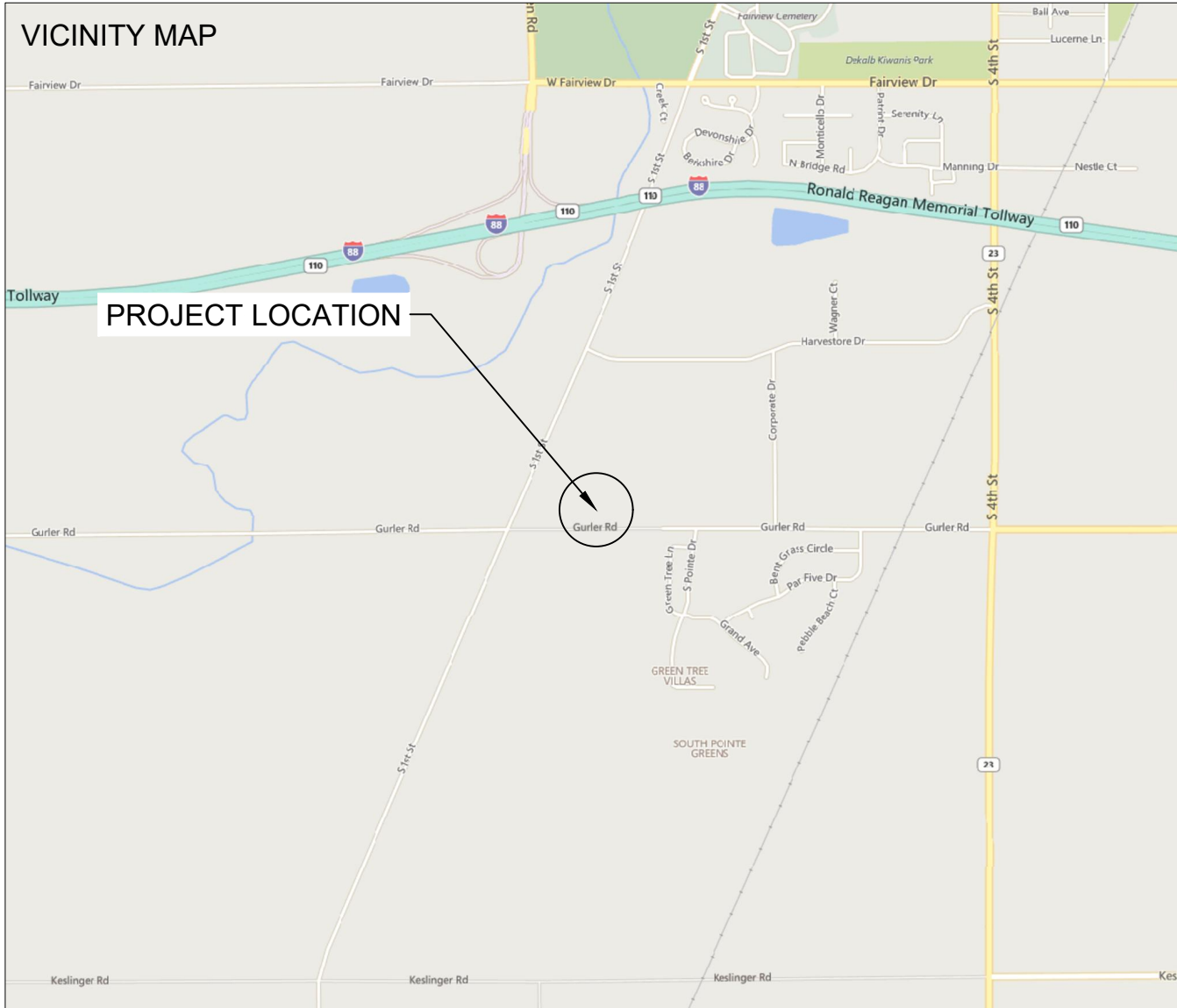


SUBJECT SITE

BURLER RD

CORPORATE DR





**NEW ENERGY**  
EQUITY

**SUNVEST**  
SOLAR INC

|                                                                                                                              |                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <p>NEW ENERGY EQUITY, LLC<br/>2530 RIVA ROAD, SUITE 200<br/>ANNAPOLIS, MD 21041<br/>NEWENERGYEQUITY.COM<br/>443-267-5012</p> | <p>SUNVEST SOLAR INC.<br/>25 NORTH RIVER LANE<br/>GENEVA, IL 60134<br/>SUNVEST.COM<br/>262-527-1200</p> |
|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|

|                                                            |                                           |
|------------------------------------------------------------|-------------------------------------------|
| PROJECT ADDRESS<br>8801-8999 GURLER RD<br>DEKALB, IL 60115 | LAT: 41°53'36.42"N<br>LONG: 88°46'15.23"W |
|------------------------------------------------------------|-------------------------------------------|

| SYSTEM SPECIFICATIONS |                                                   |
|-----------------------|---------------------------------------------------|
| SYSTEM SIZE DC        | 2.8917 MW                                         |
| SYSTEM SIZE AC        | 2.0000 MW                                         |
| DC/AC RATIO           | 1.445                                             |
| AZIMUTH               | 180                                               |
| TILT                  | 25°                                               |
| MODULE COUNT          | 8262                                              |
| MODULE TYPE           | REC 350TP72                                       |
| MODULE STC RATING     | 350 W                                             |
| INVERTER COUNT        | 34                                                |
| INVERTER TYPE         | [30] CPS SCA60KTL-DO/US<br>[4] CPS SCA50KTL-DO/US |
| INVERTER POWER        | 60kW                                              |
| RACKING               | TBD                                               |
| MONITORING            | ALSO ENERGY                                       |

| DESIGN CRITERIA        |              |
|------------------------|--------------|
| MIN/MAX TEMP.          | -25°C / 32°C |
| WIND SPEED (ASCE 7-10) | 105 MPH      |
| BUILDING CATEGORY      | I            |
| EXPOSURE CATEGORY      | C            |
| GROUND SNOW LOAD       | 25 PSF       |
| BUILDING HEIGHT        | 0'-0"        |

## OTHER NOTES

FIRE DEPARTMENT WILL HAVE ACCESS VIA  
A KNOX PRODUCT ACCEPTABLE TO BOTH  
THE DEPARTMENT AND DEVELOPER

DEVELOPED SOLAR FARM WILL HAVE  
RUNOFF CONDITIONS SIMILAR TO THE  
EXISTING FARMED FIELD.

| REVISIONS |                     |     |           |
|-----------|---------------------|-----|-----------|
| #         | DESCRIPTION         | BY  | DATE      |
| 0         | ORIGINAL DESIGN     | KHC | 4/16/2018 |
| 1         | CO-LOCATION UPDATE  | KHC | 4/27/2018 |
| 2         | CUP UPDATES         | BC  | 7/11/2018 |
| 3         | CUP UPDATES         | KHC | 8/20/2018 |
| 4         | UPDATED SINGLE LINE | KHC | 9/17/2018 |
| 5         | CUP UPDATES         | KHC | 11/6/2018 |
| 6         |                     |     |           |
| 7         |                     |     |           |

DRAWN BY

KEVIN CORCORAN

PROJECT NAME

# MIDLAND IRA CSG 1

DRAWING TITLE

# SITE PLAN

SCALE<sup>1</sup>
$$1'' = 100'$$

SHEET

# PV1





**MINOR SUBDIVISION (UP TO 3 LOTS)**

**A. APPLICANT**

**1. Petitioner / Petitioner Representative**

Name James B. Planey

Phone: 847-612-4135

Mailing Address PO Box 2728

Email: jplaney@lee-associates.com

City, State, ZIP Glenview, IL 60025

**2. Property Owner (if different from Petitioner)**

Name Midland Trust FBO James B. Planey

Phone: 847-612-4135

Mailing Address PO Box 2728

Email: jplaney@lee-associates.cim

City, State, ZIP Glenview, IL 60025

**3. Engineer / Architect**

Name Wendler Engineering Services, Pat Hubert

Phone: 815-288-2261

Mailing Address 698 Timber Creek Road

Email: phubert@wendlergs.com

City, State, ZIP Dixon, IL 61021

**4. Surveyor (if applicable)**

Name Same as above

Phone: \_\_\_\_\_

Mailing Address \_\_\_\_\_

Email: \_\_\_\_\_

City, State, ZIP \_\_\_\_\_

**B. PROPERTY**

1. Subdivision Name SV CSG DeKalb South Subdivision

2. Common Address or Location 3100 S. First Street, DeKalb, IL

3. Parcel #(s) ~~08-34-300-033~~ 08-343- 08-34-300-035, 08-34-300-060, 08-34-300-059

4. Legal Description (if necessary, briefly describe here and reference the full legal description on the Plat)

34.5 Net acres starting at SE corner on North side of Gurler Road, and frontage on First Street adjoining city detention pond and Goodyear on its East property line - SEE ATTACHED

5. Size of the total area being subdivided (sq. ft. or acres) 34.5 net gross 36.33 Acres

6. Proposed Number of Lots 3

7. Existing Zoning District PD-I Planned Development Industrial District





**C. PRE-APPLICATION CONFERENCE**

A Pre-application Meeting with City staff is required prior to the acceptance of this application, per Unified Development Ordinance 5.13.10(1).

Date of meeting \_\_\_\_\_

Individuals in attendance \_\_\_\_\_

**D. CHECKLIST**

Below are the minimum criteria necessary to properly process your application. Each item must be checked by the applicant to signify it is provided on this form or on other attached pages. Failure to submit all required information will result in delays in the City's consideration of this application, per UDO 15.07.1.

| <u>Item</u>                                                                              | <u>If not applicable,<br/>Indicate N/A and explain</u> |
|------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <input checked="" type="checkbox"/> 1. Filing Fee: \$500.00 (>3 lots) OR \$300 (<3 lots) | _____                                                  |
| <input checked="" type="checkbox"/> 2. Three (3) copies of Preliminary Plat document     | _____                                                  |
| <b><u>3. General Information</u></b>                                                     |                                                        |
| <input checked="" type="checkbox"/> a. Name of subdivision on plat                       | _____                                                  |
| <input checked="" type="checkbox"/> b. Map key                                           | _____                                                  |
| <input checked="" type="checkbox"/> c. Compass, scale, date                              | _____                                                  |
| <input checked="" type="checkbox"/> d. Township, range, section                          | _____                                                  |
| <input checked="" type="checkbox"/> e. Acreage of tract to be subdivided (to 0.01 acre)  | _____                                                  |
| <input checked="" type="checkbox"/> f. Surveyor's certification                          | _____                                                  |
| <b><u>4. Names and addresses</u></b>                                                     |                                                        |
| <input checked="" type="checkbox"/> a. Owner(s) of record of tract to be subdivided      | _____                                                  |
| <input checked="" type="checkbox"/> b. Plat preparer                                     | _____                                                  |
| <input checked="" type="checkbox"/> c. Party for whom plat was prepared                  | _____                                                  |
| <input checked="" type="checkbox"/> d. Engineer and surveyor                             | _____                                                  |
| <input checked="" type="checkbox"/> e. Owners of immediately adjacent land               | _____                                                  |
| <b><u>5. Districts, boundaries and Jurisdictions</u></b>                                 |                                                        |
| <input checked="" type="checkbox"/> a. Zoning district(s)                                | _____                                                  |
| <input checked="" type="checkbox"/> b. Floodplain/floodway boundaries                    | _____                                                  |
| <input checked="" type="checkbox"/> c. School district                                   | _____                                                  |
| <input type="checkbox"/> d. Park district                                                | NA                                                     |
| <input type="checkbox"/> e. Fire district                                                | NA                                                     |
| <input checked="" type="checkbox"/> f. Sanitary district                                 | _____                                                  |
| <input checked="" type="checkbox"/> g. Drainage district                                 | _____                                                  |
| <input type="checkbox"/> h. Soil & water conservation district                           | NA                                                     |
| <input checked="" type="checkbox"/> i. Public utilities                                  | _____                                                  |
| <input checked="" type="checkbox"/> j. Other districts, boundaries, etc.                 | _____                                                  |



| Item                                                                                                                                                                                               | If not applicable, indicate N/A and explain |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| <b>6. Lots, parcels, tracts, etc.</b>                                                                                                                                                              |                                             |
| <input checked="" type="checkbox"/> a. Proposed lot and block depths and widths (to nearest foot)                                                                                                  |                                             |
| <input checked="" type="checkbox"/> b. Size of proposed lots (to nearest foot if less than 1 acre; to nearest 0.1 if greater than 1 acre)                                                          |                                             |
| <input type="checkbox"/> c. Proposed building setback lines                                                                                                                                        | Per Current Zoning                          |
| <input type="checkbox"/> d. Location of building lines for fences                                                                                                                                  | NA                                          |
| <input type="checkbox"/> e. Location of earth berms                                                                                                                                                | NA                                          |
| <b>7. Streets and sidewalks</b>                                                                                                                                                                    |                                             |
| <input checked="" type="checkbox"/> a. All existing and proposed street names                                                                                                                      |                                             |
| <input checked="" type="checkbox"/> b. All existing and proposed pavement and all right-of-way widths                                                                                              |                                             |
| <input checked="" type="checkbox"/> c. All existing and proposed sidewalks, pedestrian/bicycle paths, nature trails, etc.                                                                          |                                             |
| <input type="checkbox"/> d. Grades and profiles of streets and sidewalks (or written declaratory statement for subdivider's engineer)                                                              | NA                                          |
| <b>8. Utilities</b>                                                                                                                                                                                |                                             |
| <input type="checkbox"/> a. Location, size, and dimensions of all existing and proposed water mains and sanitary sewer mains                                                                       | NA                                          |
| <input checked="" type="checkbox"/> b. Location, size, and dimensions of all existing and proposed utility easements                                                                               |                                             |
| <input type="checkbox"/> c. Written declaratory statement form                                                                                                                                     | NA                                          |
| <b>9. Stormwater</b>                                                                                                                                                                               |                                             |
| <input type="checkbox"/> a. Location and size of all existing and proposed storm sewer mains, catch basins, storm sewer laterals, field tiles, etc. along with all existing and proposed easements | NA                                          |
| <input type="checkbox"/> b. Location and size of all existing and proposed detention and retention areas and an explanation of how they will function                                              | NA                                          |
| <input type="checkbox"/> c. All calculations and other data from subdivider's engineer used to demonstrate the ability of all stormwater facilities to effectively accommodate runoff              | NA                                          |
| <b>10. Physical information</b>                                                                                                                                                                    |                                             |
| <input type="checkbox"/> a. All contour data at 2-foot intervals                                                                                                                                   | NA                                          |
| <input type="checkbox"/> b. Proposed buildings, their use, and foundation elevations                                                                                                               | NA                                          |
| <input type="checkbox"/> c. Existing building, buried structures, bridges, culverts, and other physical structures, etc.                                                                           | NA                                          |
| <input type="checkbox"/> d. Results of any soil tests, borings, water surveys, etc. (optional)                                                                                                     | NA                                          |
| <input type="checkbox"/> e. Water courses, wooded areas, wetlands, likely areas of archaeologic significance, likely areas of endangered species' habitats, etc. (if applicable)                   | NA                                          |



**MINOR SUBDIVISION**  
(Up to 3 Lots)  
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| Item                                                                                                                                                                                                                                                                                                                                                                                                                     | If not applicable,<br>Indicate N/A and explain |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <input checked="" type="checkbox"/> 11. Where applicable, provide all of the information listed herein for all adjacent land within 150 feet of the boundaries of the tract to be subdivided, including, but not limited to ownership, use, lot configuration, zoning, floodplain/floodway, street and sidewalk pavements and right-of-way widths, utilities and stormwater facilities (size, location, easements, etc.) |                                                |
| <input type="checkbox"/> 12. Likely platting phases of the subdivision                                                                                                                                                                                                                                                                                                                                                   | NA                                             |
| <input type="checkbox"/> 13. Traffic study (if applicable)                                                                                                                                                                                                                                                                                                                                                               | NA                                             |
| <input type="checkbox"/> 14. Soils report (22.02a) from Soil & Conservation District (if applicable)                                                                                                                                                                                                                                                                                                                     | NA                                             |
| <input type="checkbox"/> 15. Other                                                                                                                                                                                                                                                                                                                                                                                       |                                                |
| (please indicate)                                                                                                                                                                                                                                                                                                                                                                                                        |                                                |

E. The petitioner hereby agrees this application and plat will be placed on a Planning and Zoning Commission agenda only after it is completed in full.

F. The petitioner has read and completed all of the above information and affirms that it is true and correct.

James B. Plong      June 7, 2022  
Petitioner Signature      Date

I hereby affirm I am the legal owner (or authorized agent or representative of the owner—proof attached) of the subject property and authorize the petitioner to pursue this request as described above (petitioner must sign if s/he is the owner).

DocuSigned by:  
Ryan Austin      6/7/2022 | 2:43 PM CDT  
Property Owner Signature      Date