STATE OF ILLINOIS  
COUNTY OF DEKALB  SS
CITY OF DEKALB  

CERTIFICATION

I, RUTH A. SCOTT, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

ORDINANCE 2020-015

APPROVING A SPECIAL USE PERMIT TO ALLOW A PRIVATE THERAPEUTIC DAY SCHOOL TO LOCATE IN THE FORMER CHESEBRO ELEMENTARY SCHOOL AT 900 E. GARDEN STREET, DEKALB, ILLINOIS (DEKALB COMMUNITY UNIT SCHOOL DISTRICT #428).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 9th day of March 2020.

WITNESS my hand and the official seal of said City this 10th day of March 2020.

RUTH A. SCOTT, Executive Assistant

Prepared by and return to:

City of DeKalb
City Manager’s Office
Attention: Ruth A. Scott
200 S. Fourth Street
DeKalb, Illinois 60115
ORDINANCE 2020-015  
PASSED: MARCH 9, 2020

APPROVING A SPECIAL USE PERMIT TO ALLOW A PRIVATE THERAPEUTIC DAY SCHOOL TO LOCATE IN THE FORMER CHESEBRO ELEMENTARY SCHOOL AT 900 E. GARDEN STREET, DEKALB, ILLINOIS (DEKALB COMMUNITY UNIT SCHOOL DISTRICT #428).

WHEREAS, the City of DeKalb (the “City”) is a home rule municipality with the power and authority conferred upon it by the Illinois Constitution; and

WHEREAS, DeKalb Community School District #428 (herein referred to as “Petitioner”), has petitioned the City for approval of a special use permit to allow a private school to locate in the former Chesebro Elementary School located at 900 E. Garden Street, DeKalb, Illinois (herein referred to as “Subject Property”); and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the City’s Planning and Zoning Commission on February 19, 2020; and

WHEREAS, the City and Petitioner have conducted all required public hearings before the City’s Planning and Zoning Commission for the special use permit for the Subject Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City Council has reviewed and adopts the following findings of fact of the Planning and Zoning Commission of the City of DeKalb, finds that the proposed special use permit is in conformance with the applicable factors contained therein, and finds that approval of the special use permit for the Subject Property is in the public interest and promotes the public health, safety and welfare;

STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05 (2) OF THE UNIFIED DEVELOPMENT ORDINANCE

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

The proposed private therapeutic day school will comply with all the regulations of the “TFR” Two-Family Residential District and the Unified Development Ordinance. There are no expansion plans for the building and exterior improvements will include restriping the parking lot, resurfacing the sidewalks around the building and repairing or replacing the parking lot signage all in compliance with the underlying zoning district and the Unified Development Ordinance.

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 proposed private school will operate in the existing building on the site and there will be no addition to the school with minimal exterior improvements. The
proposed special use will have minimal impact on the appearance and past use of the facility.

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 special use will not dominate the immediate area and will not prevent development on the neighboring properties. Much of the surrounding area is already developed with mostly single-family uses, some two-family dwelling units to the west and a park to the east.

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

The appropriate utilities are already provided to the school. There is adequate parking to the south of the building with a full access to E. Taylor St. Planned exterior improvements include restriping of the parking lot, resurfacing the sidewalks around the building and repairing or replacing parking lot signage.

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 in the area and can be operated in a manner that is visually compatible with the surrounding neighborhood. The proposed private therapeutic school will provide a needed service to the educational needs of the community and will promote the public health, safety and general welfare of the City.

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

SECTION 1: The recitals set forth in the preamble are hereby incorporated herein by reference and made a part of this Ordinance.

SECTION 2: This Ordinance is limited and restricted to the Subject Property described as follows:

The property is commonly known as 900 E. Garden Street, DeKalb, Illinois 60115, has a Parcel Identification Number ("PIN") of 08-23-385-012 and is shown on the attached Exhibit A.
SECTION 3: The City's corporate authorities grant a special use permit for the Subject Property for a private school per the plans dated 1-29-20 prepared by DeKalb Community School District #428, attached as Exhibit B, and are subject to the following conditions:

1. The Petitioner re-stripe the parking lot, resurface the sidewalks adjoining the building and replace the parking lot signage in compliance with the UDO.

2. A trash/recycling dumpster must be placed on the Subject Site and must be permanently screened per the provisions of Article 7.11 "Screening of Rubbish, Garbage, and Dumpster Facilities" of the UDO.

SECTION 4: All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

SECTION 5: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

SECTION 6: That all provisions of the UDO shall remain in full force and effect and this Ordinance shall take effect upon its passage and approval according to Law. The City Clerk or Executive Assistant shall record a copy of this Ordinance after execution of this Ordinance.

SECTION 7: The City Clerk or Executive Assistant of the City of DeKalb, Illinois is authorized and directed to attest the Mayor's signature.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 9th day of March 2020 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:

RUTH A. SCOTT, Executive Assistant

JERRY SMITH, Mayor
February 24, 2020

The Honorable Jerry Smith
Mayor, City of DeKalb; City Council
200 S. 4th Street
DeKalb, IL 60115

RE: Request to Waive Second Reading of Ordinance

Dear Mayor Smith and City Council:

The DeKalb Planning and Zoning Commission unanimously approved on Wednesday, February 19, 2020, the School District's request for a Special Use Permit for Chesebro Elementary School located at 900 E. Garden Street in DeKalb, Illinois. DeKalb CUSD #428 respectfully requests the City Council waive the second reading requirements and approve the Special Use Permit at the March 4, 2020 City Council Meeting.

We appreciate your consideration of this request. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Tammy Carson
Director of Facility Operations

TC:scrw

"SCHOOL, COMMUNITY, FAMILY... A PARTNERSHIP FOR EDUCATION"
901 South Fourth Street, DeKalb, IL 60115  P: 815-754-2350 / F: 815-758-6933
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
February 14, 2020

TO: DeKalb Planning and Zoning Commission
FROM: Dan Olson, Principal Planner
RE: Approval of a special use permit to allow a private therapeutic day school to locate in the former Chesebro Elementary School located at 900 E. Garden St.

I. GENERAL INFORMATION
   A. Purpose
      Establishment of a private therapeutic day school in the former Chesebro Elementary School
   B. Location/Size
      900 E. Garden St./4 acres
   C. Petitioner
      DeKalb Community School District #428
   D. Existing Zoning
      TFR - Two Family Residential District
   E. Existing Land Use
      Vacant elementary school with some storage use
   F. Proposed Land Use
      Private therapeutic day school with associated school district uses
   G. Surrounding Zoning and Land Use
      North: SFR2; single-family residential
      South: LI; single-family residential
      East: TFR and SFR2; park and single-family residential
      West: TFR and SFR2; two-family residential, single-family residential
   H. Comprehensive Plan Designation
      Institutional
I. BACKGROUND AND ANALYSIS

DeKalb School District #428 is requesting to locate a therapeutic day school in the former Chesebro Elementary School at 900 E. Garden St. The school district will lease the building to the The Menta Group, which is a non-profit social service organization that serves students with special needs that require varying levels of therapeutic support. The organization’s therapeutic programs focus on the whole person by integrating academic, social, life skills and transition services. The Menta Group has operated in Illinois for over forty years and operates 15 other facilities in Illinois and eight facilities in Arizona. The school district reached out to The Menta Group to open a school in the DeKalb area for children with disabilities. The school district currently has 36 students in The Menta Group’s Aurora facility. The location of therapeutic day school in the former Chesebro School would allow the school district to have their students closer to home.

Chesebro School was constructed in 1974 and received a special use permit from the City in 2003 for an addition at the southeast portion of the building. The former school has been closed since 2011 and has been used for storage purposes by the district since then. The Menta Group will occupy approximately 80% of the building, with the remaining space being occupied for storage, a couple school district administrative offices and the Barb Food Mart. Renovations are planned for the building, which will include a new roof and interior improvements to get it prepared for the therapeutic programs. The cost of the work will be shared between the school district and The Menta Group. Planned exterior improvements include restriping the parking lot, resurfacing the sidewalks around the building and repairing or replacing parking lot signage.

The programs by The Menta Group will serve approximately 60-80 students in the facility in grades K-12 with a variety of disabilities including: autism, emotional disabilities, intellectual disabilities, traumatic brain injury, specific learning disabilities, and other health impairments. There will be about 25 Menta staff members in the building during operating hours. Operating hours will be Monday-Friday 8:30 am to 2:00 pm for students and 8:00 am to 3:30 pm for staff during the months of September through June. For the summer months, June-August, the hours will be 8:00 am to 12:00 pm for the students and 8:00 am to 3:30 pm for staff. There may be some occasional after-hours activities, however they should not last past 8:00 pm. The therapeutic programs by The Menta Group are anticipated to start by January 2021.

III. STANDARDS OF A SPECIAL USE

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

The proposed private therapeutic day school will comply with all the regulations of the “TFR” Two-Family Residential District and the Unified Development Ordinance. There are no expansion plans for the building and exterior improvements will include restriping the parking lot, resurfacing
the sidewalks around the building and repairing or replacing the parking lot signage all in compliance with the underlying zoning district and the Unified Development Ordinance.

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 proposed private school will operate in the existing building on the site and there will be no addition to the school with minimal exterior improvements. The proposed special use will have minimal impact on the appearance and past use of the facility.

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 special use will not dominate the immediate area and will not prevent development on the neighboring properties. Much of the surrounding area is already developed with mostly single-family uses, some two-family dwelling units to the west and a park to the east.

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

The appropriate utilities are already provided to the school. There is adequate parking to the south of the building with a full access to E. Taylor St. Planned exterior improvements include restriping of the parking lot, resurfacing the sidewalks around the building and repairing or replacing parking lot signage.

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 in the area and can be operated in a manner that is visually compatible with the surrounding neighborhood. The proposed private therapeutic school will provide a needed service to the educational needs of the community and will promote the public health, safety and general welfare of the City.
IV. CITIZEN RESPONSE/COMMENTS

The City received a Citizens Response Form from Robert Cook of 953 E. Taylor St. indicating his support for the proposal but wanted to see more specifics. Staff contacted Mr. Cook who had questions on the number of students, type of disabilities the students will have and the hours of operation. Staff responded to his questions based upon the summary of the project the school district provided and Mr. Cook seemed satisfied. We also received a Citizens Response Form from Jose Juan Huerta of 802 Roosevelt Ct. indicating his support for the proposal. Finally, we received an e-mail from Cathy Tiberi of 525 S. 10th St. who noted her support for the request, however had a concern about the amount of trash that was in her yard when Chesebro School was open. The message was forwarded to the school district and they indicated there will be a trash dumpster near the southwest corner of the building which will be screened with a fence per the UDO standards. Copies of the forms and e-mails are in your packet and will be made part of the record at the hearing.

V. RECOMMENDATION

Sample Special Use Permit Motion:

Based upon the submitted petition and testimony presented, 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 private therapeutic day school in the former Chesebro Elementary School located at 900 E. Garden St. as shown on the site plan received on January 29, 2020 attached as Exhibit A subject to the following conditions:

1. The school district restripe the parking lot, resurface the sidewalks around the building and repair or replace the parking lot signage all in compliance with the Unified Development Ordinance prior to an occupancy permit being issued for the private therapeutic day school.

2. The placement of a trash/recycling dumpster on the site and permanently screened per the provisions of Article 7.11 “Screening of Rubbish, Garbage and Dumpster Facilities” of the Unified Development Ordinance prior to an occupancy permit being issued for the private therapeutic day school.
SPECIAL USE PERMIT PETITION

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

FROM: Petitioner Name(s): DeKalb CUSD 428
      Petitioner's Representative: Tammy Carson
      Mailing Address: 901 S. 4th Street; DeKalb, IL 60115
      Phone: 815.754.2350
      Email: tammy.carson@d428.org

Property Owner: DeKalb CUSD 428
      Mailing Address: 901 S. 4th Street; DeKalb, IL 60115
      Phone: 815.754.2350
      Email: tammy.carson@d428.org

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:
   Parcel #08-23-385-012 - E. 1/2 S. W. 1/4 SEC. 23 T.40N. R.4E.
   Assessors Lots of Sec 23 - Lot 14 and PT Lot 16

B. Street Address or Common Location: 800 E. Garden Street; DeKalb, IL 60115

C. Size of Property (square feet or acres): 27,000 square foot building on 3.08 acres

D. Existing Zoning: TFR Two-Family Residential

E. Proposed Special Use: Public School Building Leased to Private Therapeutic Day School

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

Updated: 8/2019
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: 1/24/2020 (by email)  
Those in attendance: Dan Olson, Bill Nicklas, and Tammy Carson

(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.

[Signature]

Date: 1-29-2020

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).

[Signature]

Date: 1-29-2020

Updated: 9/2019
OVERVIEW

Special Education Services (SES), an affiliate of The Menta Group, is a nonprofit social service organization. It was established in 1973 to provide therapeutic services to meet the unique needs of children with disabilities. SES has operated in Illinois for over forty years, serving the communities in which we reside. Our commitment to the communities we serve is that every client receives graduates prepared to enter society with the skills and knowledge to be contributing members of society. We believe that it is every child’s right and responsibility to be a part of a community and contribute to that community in meaningful ways. Everyone with a disability has the right to have caring adults in their lives who hold high expectations for their success and their futures as well as access to quality resources. We further believe that education is not only about academic growth but also the social and emotional growth of our clients. Our therapeutic programs focus on the whole person by integrating academic, social-emotional, life skills, and transition services. SES also believes that preparing clients for a changing world requires an unrelenting focus on developing the skills necessary for young adults to be college-ready, career-ready, and citizenship-ready, on serving clients in the least restrictive setting, and on providing the services necessary to help clients successfully transition to independent adults, thus assuring that the last day of service looks like the first day of the rest of their lives. For this reason, we strive to collaborate with the communities in which we serve and provide services to the communities in which our children live. By joining together, we are better able to broaden the quantity and quality of services provided and to increase the probability for both child and community success. (Current locations attached.)

BUILDING UTILIZATION

We were requested by the DeKalb CUSD 428 to open a school in the DeKalb area for children with significant disabilities. Some of these students from the DeKalb County area are currently being bused to schools up to 40 miles away given the lack of resources in the area. This would allow the districts to bring the children closer to home. Our long term goals are to be able to set the children up in jobs with the natural supports found in their communities with supports made available from these resources. SES plans to operate a 14-7.02 non-public therapeutic day facility for individuals with disabilities.

- The program will serve approximately 60-80 children grades K-12 with a variety of disabilities including: Autism, Emotional Disabilities, Intellectual Disabilities, Traumatic Brain Injury, Specific Learning Disabilities, Other Health Impairments and Multiple Disabilities.

- Operating hours: Sept-June Monday-Friday: Staff: 8:00 am-3:30 pm. Students 8:30-2:00. ESY hours June-Aug. Staff 8:00 am-3:30 pm. Students 8:00 am-12:00. Approximately eight times per year, activities may occur on the site after regular operating hours but typically no later than 8:00 pm.
### CURRENT LOCATIONS

**Illinois**

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<th>Location</th>
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<tbody>
<tr>
<td>CORE Academy</td>
<td>801 Illinois</td>
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<td>Fox Tech &amp; Trade</td>
<td>195 Poplar</td>
<td>North Aurora</td>
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<td>Menta Academy Oak Park</td>
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<td>Menta Sports Academy</td>
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**Arizona**

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<td>Tempe</td>
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<td>1 N Willard</td>
<td>Cottonwood</td>
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<tr>
<td>HarborView Academy</td>
<td>3249 E Harbour</td>
<td>Phoenix</td>
</tr>
</tbody>
</table>
900 E. Garden St.—Special Use Permit
Citizen Response Form

Owners Name: Robert Cook

Property Address: 953 E. Taylor St., Dekalb

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:

________________________________________________________________________
________________________________________________________________________
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________________________________________________________________________
Cathy,

Thanks for your e-mail. I will forward this to the school district and will make sure there is adequate garbage and recycling bins for the facility and adequately screened. A copy of your e-mail will also be forwarded to the Planning and Zoning Commission.

If you have any further questions or comments, please let me know.

Dan Olson | Principal Planner
City of DeKalb | 200 South Fourth Street | DeKalb, IL 60115
Phone: 815-748-2361
Email: dan.olson@cityofdekalb.com | Website: www.cityofdekalb.com

-----Original Message-----
From: Cathy <cathy@dekalb.org>
Sent: Sunday, February 09, 2020 5:08 PM
To: Olson, Dan <Dan.Olson@CITYOFDEKALB.com>
Subject: Public hearing 1103

[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 am submitting feedback regarding the new proposal for a private school on Garden st. Both my husband and I are in favor of the rezoning for the new school. Our main concern is how much trash was in our yard from the previous school. If more trash and recycle bins could be located outside of the school, this might help curb that from starting again. Or some natural barrier, like bushes?
Thank you for taking the time to consider our concerns.

Catherine Tiberi
525 S 10th St
Sent from my iPad
900 E. Garden St.– Special Use Permit
Citizen Response Form

Owners Name: José Juan Huerta

Property Address: 802 Roosevelt CT, DeKalb IL 60115

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:
900 E. Garden St.– Special Use Permit
Citizen Response Form

Owners Name: [Handwritten: Meghan Jordan]
Property Address: [Handwritten: 957 E. Taylor 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:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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