



2020012035

DOUGLAS J. JOHNSON  
RECORDER - DEKALB COUNTY, IL  
RECORDED: 11/13/2020 08:42 AM  
REC FEE: 75.00

STATE OF ILLINOIS )  
COUNTY OF DEKALB ) SS  
CITY OF DEKALB )

PAGES: 13

**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 2020-066**

**APPROVING THE REZONING OF 200 S. FOURTH STREET, DEKALB, ILLINOIS FROM THE "CBD" CENTRAL BUSINESS DISTRICT TO THE "PD-R" PLANNED DEVELOPMENT – RESIDENTIAL DISTRICT AND THE PLANNED DEVELOPMENT PRELIMINARY PLAN (JOANN DEKALB SUITES).**

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, on the 26<sup>th</sup> day of October 2020.

**WITNESS** my hand and the official seal of said City this 13<sup>th</sup> day of November 2020.

**RUTH A. SCOTT**, Executive Assistant



**Prepared by and Return to:**

City of DeKalb  
City Manager's Office  
Attention: Ruth A. Scott  
164 E. Lincoln Highway  
DeKalb, Illinois 60115

**APPROVING THE REZONING OF 200 S. FOURTH STREET, DEKALB, ILLINOIS FROM THE “CBD” CENTRAL BUSINESS DISTRICT TO THE “PD-R” PLANNED DEVELOPMENT – RESIDENTIAL DISTRICT AND THE PLANNED DEVELOPMENT PRELIMINARY PLAN (JOANN DEKALB SUITES).**

**WHEREAS**, the City of DeKalb (the “City”) is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

**WHEREAS**, City Hall Suites, LLC (the “Developer”) is the contingent contract purchaser of property located at the common address of 200 South Fourth Street and legally described on Exhibit A attached hereto and incorporated herein (the “Property”); and

**WHEREAS**, Developer has petitioned the City for approval of a zoning map amendment from the “CBD” Central Business District to the “PD-R” Planned Development – Residential District and a Planned Development Preliminary Plan to allow, as amended, for three (3) two-story structures with 57 residential rental units, exercise and recreational facilities, group meeting space, integrated parking and green space on the Property, in accordance with the Preliminary Development Plan attached hereto and incorporated herein as Exhibit B (the “Preliminary Development Plan”) and the Planned Development Standards attached hereto and incorporated herein as Exhibit C (the “Planned Development Standards”); and

**WHEREAS**, pursuant to proper legal notice, a public hearing was conducted by the City’s Planning and Zoning Commission on October 5, 2020; and

**WHEREAS**, the City and Developer have conducted all required public hearings before the City’s Planning and Zoning Commission for the rezoning for the Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

**WHEREAS**, the City’s Corporate Authorities adopt the findings of fact of the City’s Planning and Zoning Commission, find that the proposed rezoning conforms with the applicable zoning factors in the City’s Unified Development Ordinance, find that approval of the rezoning for the Property is in the public interest and promotes the public health, safety and welfare, subject to the conditions approved herein, and further find as follows:

**STANDARDS FOR ZONING MAP AMENDMENT AND GENERAL STANDARD REQUIREMENTS FOR A PLANNED DEVELOPMENT**

- 1. The proposed rezoning conforms to the Comprehensive Plan, or conditions have changed to warrant the need for different types of land uses in that area. The proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding areas trend in development.**

The 2005 Comprehensive Plan recommends the Property for Institutional and Commercial uses. The traffic impacts of the proposed development will be less than an institutional or commercial development. In addition, the proposed development conforms with the recommendations for additional higher quality residential units in the downtown area as outlined in the 2007 Downtown Revitalization Plan, the 2011 Design Guidelines, and the 2013 DeKalb City Center Plan. The proposed rezoning request will allow the development of a site that has an obsolete building and will be an economic benefit to the community and the surrounding neighborhood.

**2. The proposed rezoning conforms to the intent and purpose of the Unified Development Ordinance.**

The rezoning of the subject property to PD-R provides the opportunity to more directly shape the development, use and appearance of the property in accordance with the City's Comprehensive Plan and Downtown Plans. The Planned Development allows the Developer and the City the flexibility to agree to a development plan and standards. The proposed rezoning request and development comply with the Unified Development Ordinance, except for waivers granted in the development standards.

The proposal also meets the General Standard requirements for a Planned Development as described in Article 5.13.07 of the UDO. There are several adequate and safe access points to the planned development from Grove Street and Franklin Street in the middle of the block with open air parking and enclosed single-car garages, and internal walkways will connect to the existing sidewalks surrounding the site. The traffic impacts of the proposed development will be less than an institutional or commercial development, which has been recommended for the Property, and is not expected to exceed the anticipated capacity of the major street network in the vicinity. As further discussed in these findings, the planned development will not result in an undue burden on public facilities, a detrimental impact on the surrounding area, or a development that is incompatible with the intent of the UDO.

**3. The proposed rezoning will not have a significantly detrimental effect on the long-range development of adjacent properties or adjacent land uses.**

The proposed rezoning will not have a detrimental effect on the adjacent properties or land uses as it entitles the Property to a use that is complementary with the adjacent area. The proposed use will service a transition from the downtown area to the single-family and two-family residential areas to the east and south. The site previously contained the City of DeKalb Municipal Building, which produced no property taxes. The proposed rezoning request and preliminary/final plan will allow the development of a highly visible block along the S. 4<sup>th</sup> St. corridor and on the edge of downtown into a development that will meet a housing need in the area, while generating property taxes. The recommended development standards require the submittal of a Final Development Plan prior to the issuance of a building permit that will show all utilities, stormwater management, landscaping and lighting.

**4. The proposed rezoning constitutes an expansion of an existing zoning district that, due to the lack of undeveloped land, can no longer meet the demand for the intended land uses.**

The Property is currently zoned "CBD" Central Business District. Rezoning the Property to "PD-R" will allow for a well-designed project and the flexibility by the Developer to develop the property in a manner that will complement the surrounding neighborhood.

**5. Adequate public facilities and services exist or can be provided.**

Adequate public services and utilities are already provided to the Property and will be extended to the four buildings proposed for the site. Based on the number of dwelling units and bedroom count, there are 94 required parking spaces, and 123 spaces will be provided on the site. Adequate walkways and streets surround the site and will accommodate the impacts of the proposed development. There should be no undue burden on schools because the development will consist of one or two bedroom units which will be primarily rented by persons who will not use the schools (e.g., young professionals, transitory professionals, and middle-class retirees); and

**WHEREAS**, the City's Corporate Authorities find that the rezoning of the Property is in the City's best interests for the protection of the public health, safety, and welfare;

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

**SECTION 1:** The recitals to this Ordinance are true, material, adopted and incorporated as Section 1 to this Ordinance.

**SECTION 2:** The City's Corporate Authorities approve a zoning map amendment from the "CBD" Central Business District to the "PD-R" Planned Development – Residential District and a Planned Development Preliminary Plan in the same or substantially similar form as the Preliminary Development Plan attached hereto and incorporated herein as Exhibit B to allow for three (3) two-story structures with 57 residential rental units, consisting of 49 one-bedroom units and 8 two-bedroom units, exercise and recreational facilities, group meeting space, integrated parking and green space on the Property, in accordance with the Preliminary Development Plan, the Planned Development Standards attached hereto and incorporated herein as Exhibit C, the Developer's representations to the City, the Redevelopment Agreement dated October 26, 2020 by and between the City and the Developer, and the Developer's compliance with the City's Municipal Code, ordinances, regulations and laws.

**SECTION 3:** The City Manager and his designee are authorized to record this Ordinance in the DeKalb County Clerk and Recorder's Office.

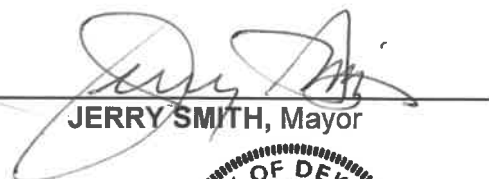
**SECTION 4:** This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the City of DeKalb that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

**SECTION 5:** That the City Clerk or Executive Assistant of the City of DeKalb, Illinois, be authorized and directed to attest the Mayor's Signature, and that this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

**ADOPTED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a Regular meeting thereof held on the 26<sup>th</sup> day of October 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



**EXHIBIT A**  
**(Legal Description of the Property)**

The Property is legally described as follows:

DEKALB (ORIGINAL TOWN) – ALL BLOCK 22

PIN: 08-23-305-013

Common Address: 200 S. Fourth Street, DeKalb, IL 60115

**EXHIBIT B**  
**(Preliminary Development Plan)**

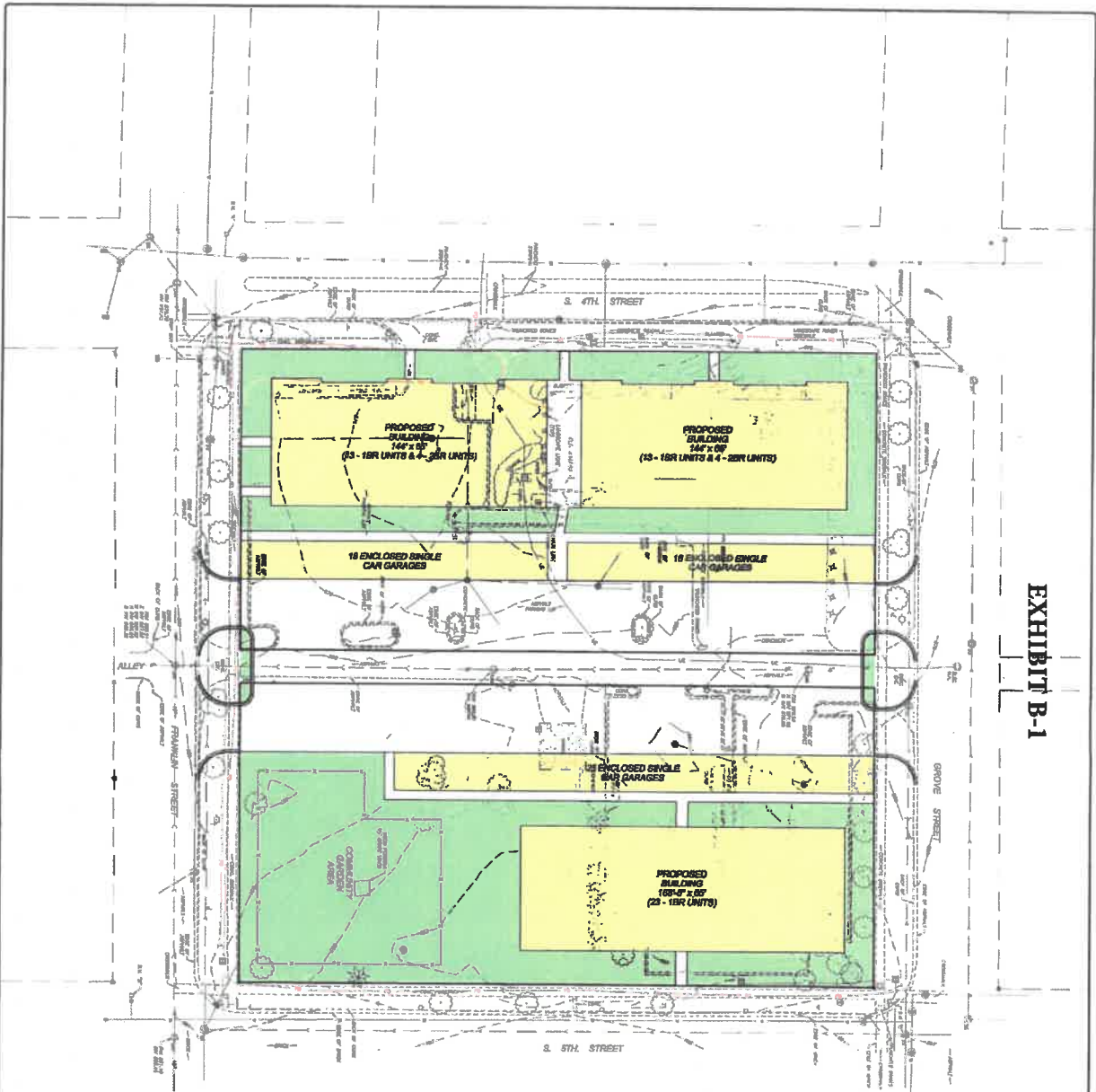
Preliminary Development Plan (Concept Plan) prepared by Wendler Engineering Services, Inc., dated 10-20-20 (Ex. B-1).

Building One – Architectural Elevations and Floor Plan (Sheets B1 and B1a) prepared by ADG Architectural Management, Inc. (Ex. B-2).

Building Two - Architectural Elevations and Floor Plan (Sheets B2 and B2a) prepared by ADG Architectural Management, Inc. (Ex. B-3).

Architectural Rendering dated 10-22-20 (Ex. B-4).

# EXHIBIT B-1



**SITE COVERAGE SUMMARY**

BUILDING'S	40,970 SQ. FT.
SEWERWAY & PAVEMENT	34,415 SQ. FT.
GREEN SPACE	33,000 SQ. FT.
<b>TOTAL</b>	<b>108,385 SQ. FT.</b>
GREEN SPACE	31.03%

**PARKING SUMMARY**

PARKING PROVIDED:	92
STANDARD STALLS	97
PEAK STALLS	8
<b>TOTAL PROVIDED</b>	<b>173</b>

**PARKING REQUIRED:**

40 - 1BR UNITS x 1.3 SPACES/UNIT	= 52
4 - 2BR UNITS x 2.5 SPACES/UNIT	= 10
<b>TOTAL REQUIRED</b>	<b>= 64</b>

**BENCHMARK INFORMATION**

THE INFORMATION CONTAINED HEREIN IS FOR GENERAL INFORMATION ONLY AND IS NOT TO BE USED AS A BASIS FOR ANY DESIGN OR CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATIONS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREIN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATIONS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREIN.

**LEGEND**

SYMBOL	DESCRIPTION
(Symbol)	Proposed Building
(Symbol)	Parking Stall
(Symbol)	Green Space
(Symbol)	Street
(Symbol)	Utility Line
(Symbol)	Tree
(Symbol)	Walkway
(Symbol)	Garage Area
(Symbol)	Other



1 of 1

**SITE PLAN**  
OF  
**200 S. FOURTH STREET**  
FOR  
**PAPPAS DEVELOPMENT**



**REVISIONS**

NO.	DATE	DESCRIPTION

# EXHIBIT B-2



BLDG. ONE - ELEVATION SCHEME 3 - 4th street bldg  
17 units X 2 bldgs = 34 units

Project #	D1801
Drawn	MNA-NA
Date	03.28.2019
Issue/Revision	Date
1	
2	
3	

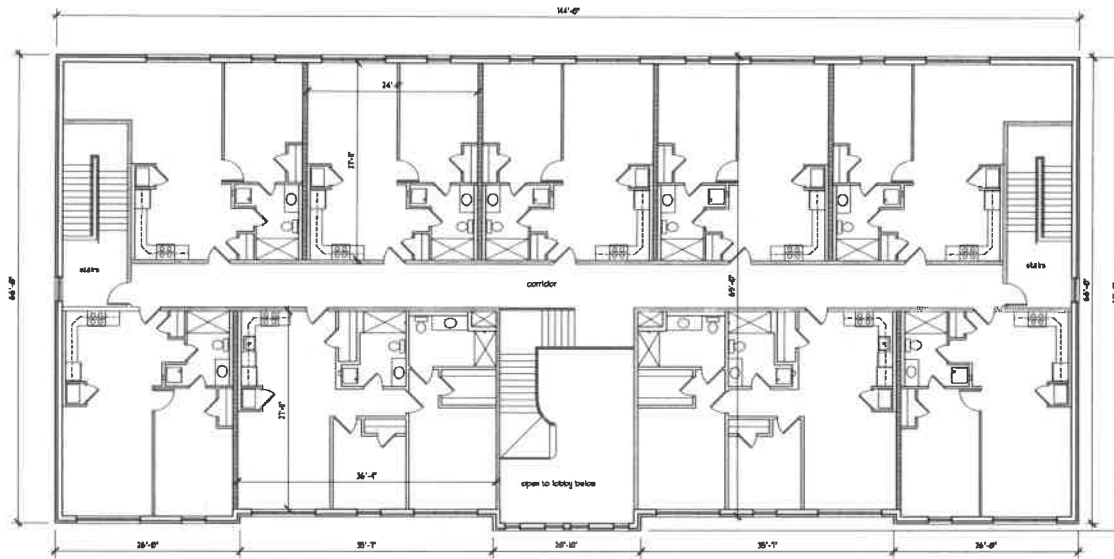
**ACE ASSOCIATES MANAGEMENT, INC.**  
ARCHITECTS & INTERIORS  
1000 W. 15th Street, Suite 1000  
Portland, OR 97201  
TEL: 503-444-0079

ALL SEALS & CORRESPOND TO:  
**PARTIAL DEVELOPMENT, LLC**  
1000 W. 15th Street, Suite 1000  
Portland, OR 97201  
TEL: 503-444-0079  
A MEMBER OF THE CH2M HILL GROUP

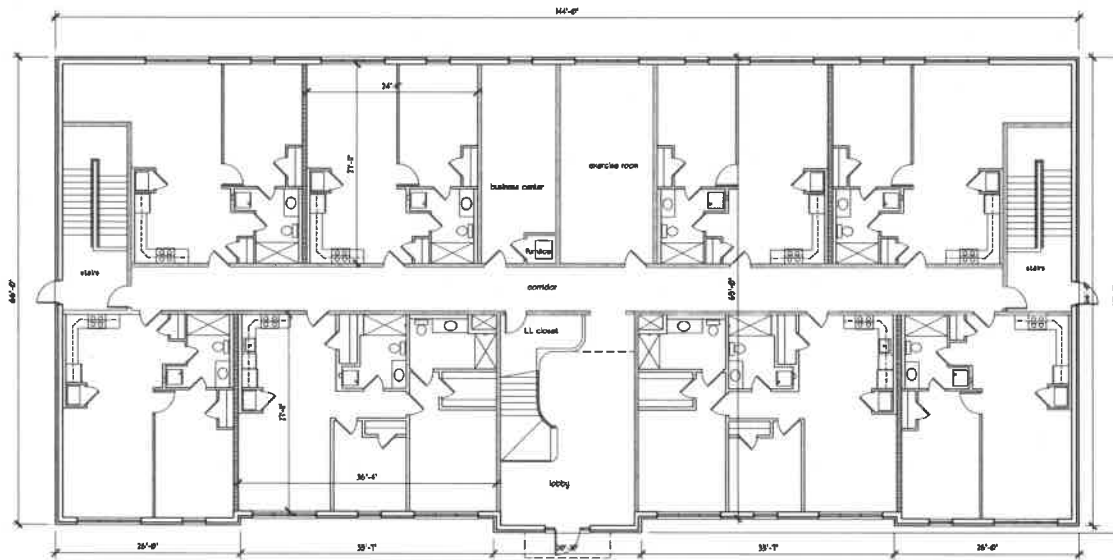
Drawing  
BLDG ONE

Sheet  
**B1**





BLDG. 1 - second floor plan



BLDG. 1 - first floor plan  
 17 units consisting of 13 one bedroom & 4 two bedroom

Project # 01801  
 Drawn: MMA-NA  
 Date: 03.29.2010  
 Issue/Revision Date:

03/29/2010

AAA ARCHITECTURAL MANAGEMENT, INC.  
 ARCHITECTS & PROJECT MANAGERS  
 10000 W. 4th Ave. Suite 100  
 Denver, CO 80202  
 TEL: 303-755-9999  
 FAX: 303-755-9998

ALL RIGHTS RESERVED TO:  
 PLANNING DEVELOPMENT, L.L.C.  
 10000 W. 4th Ave. Suite 100  
 Denver, CO 80202  
 TEL: 303-755-9999  
 A MEMBER COMPANY OF AAA, L.P.

Drawing  
 BLDG ONE

Sheet  
**B1a**

# EXHIBIT B-3



BLDG. 2 - ELEVATION SCHEME 3 - 5th street bldg  
total 23 units consisting of one bedrooms

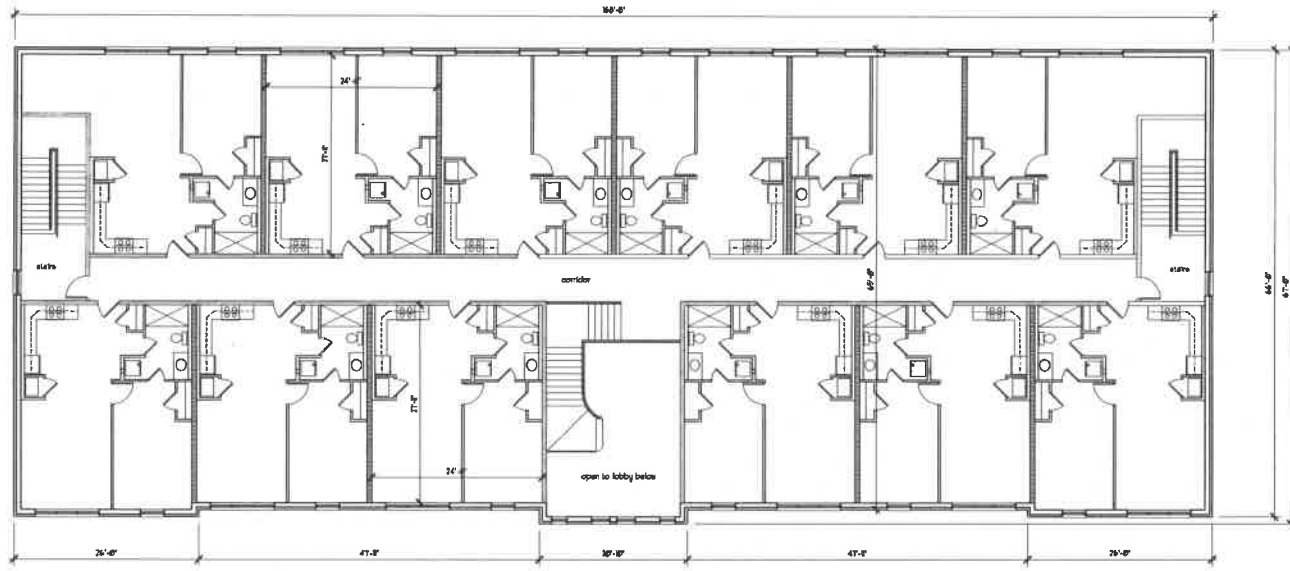
Project # 018901  
Drawn: MNA-NA  
Date: 03.28.2019  
Issued/Revision: Detail  
2019

AGS ARCHITECTURAL MANAGEMENT INC.  
PROVIDING ARCHITECTURAL SERVICES  
2019

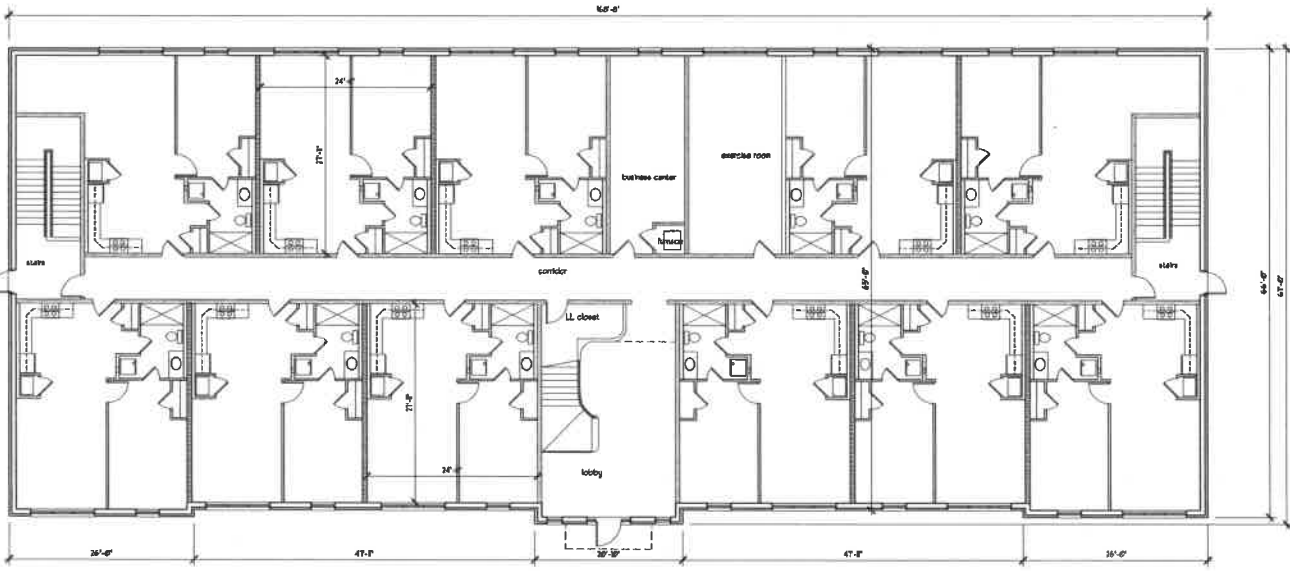
ALL RIGHTS RESERVED BY:  
FRANKLIN DESIGN GROUP, LLC  
1001 N. W. 10th St., Suite 100  
Miami, FL 33136  
TEL: 305.575.0700  
A MEMBER OF THE FRANKLIN GROUP

Drawing  
BLDG TWO  
FRONT  
ELEVATION

Sheet  
**B2**



BLDG. 2 - second floor plan



total 23 units consisting of one bedroom

BLDG. 2 - first floor plan

Project # 01801  
 Drawn: MIA-NA  
 Date: 03.29.2018  
 Issue/Revision: Date:  
 SHEET

AGS ARCHITECTURAL MANAGEMENT, INC.  
 ARCHITECTS & PROJECT MANAGERS  
 10000 W. 4th Ave. Suite 100  
 Denver, CO 80202  
 TEL: 303-750-0000

ALL RIGHTS RESERVED BY:  
 BUREAU DEVELOPMENT, LLC  
 10000 W. 4th Ave. Suite 100  
 Denver, CO 80202  
 TEL: 303-750-0000  
 PROJECT OFFICE: DENVER, CO

Drawing  
 building type  
 two  
 plans

Sheet  
**B2a**

EXHIBIT B-4

Dated 10-22-20



**EXHIBIT C**  
**Planned Development Standards**

Permitted Uses:

Residential apartments not exceeding a total of 57 residential units, consisting of 49 one-bedroom units and 8 two-bedroom units with the sizes of such units being in substantial compliance with the Floor Plans listed in Exhibit B.

Accessory uses to the residential apartments including, meeting space, exercise and recreational facilities, accessory enclosed parking, storage, and manager's office.

There shall be no commercial uses on the subject property.

Bulk Regulations/Landscaping/Lighting/Parking:

Setbacks, building lines, site coverage, building dimension limitations, height restrictions, parking, landscaping, lighting and other similar restrictions and regulations shall meet those standards as set forth in the "PD-R" District of the UDO except as listed below:

1. Density and Buffer Requirements Adjacent to Residential Development shall be as shown on the Preliminary Development Plan listed in Exhibit B.

Prior to a building permit being issued for the site, the following items shall be addressed to the satisfaction of City Staff:

- a. Final Development Plan and Final Plat shall be submitted in a form that is in conformance with the UDO and in substantial compliance with the Preliminary Development Plan and shall be approved by the City Manager with no further review by the Planning and Zoning Commission or City Council.
- b. A lighting (photometric plan) should be submitted meeting the requirements of Article 10.05 of the UDO.
- c. Plat of Vacation for the alley that extends through the site shall be submitted and approved by the City Council per the requirements of the UDO.
- d. Submittal of a Landscape Plan in compliance with the requirements of Article 12.04 of the UDO.