



2021002501

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL
RECORDED: 2/26/2021 10:50 AM
REC FEE: 75.00

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

PAGES: 7

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 2021-003

APPROVING A SPECIAL USE PERMIT FOR A PARKING LOT AS A PRINCIPAL USE WHEN LOCATED WITHIN 300 FEET OF THE USE SERVED (1030 E. LOCUST STREET – NEHRING ELECTRICAL WORKS).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 22nd day of February 2021.

WITNESS my hand and the official seal of said City this 26th day of February 2021.

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 A SPECIAL USE PERMIT FOR A PARKING LOT AS A PRINCIPAL USE WHEN LOCATED WITHIN 300 FEET OF THE USE SERVED (1030 E. LOCUST STREET, DEKALB, ILLINOIS – NEHRING ELECTRICAL WORKS).

WHEREAS, the City of DeKalb is a home rule municipality with the power and authority conferred upon it by the Illinois Municipal Code and the Constitution of the State of Illinois; and

WHEREAS, North Star Trust Company, the owner of property located at 1030 E. Locust Street, DeKalb, Illinois (herein referred to as “Subject Property”), legally described as set forth in Exhibit A and Nehring Electrical Works Company (herein referred to as “Petitioner”), petitioned the City of DeKalb for approval of a special use permit to establish a parking lot as a principal use when located within 300 feet of the use served for the Subject Property; and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the Planning and Zoning Commission on January 4, 2021; and

WHEREAS, the Petitioner has conducted all required public hearings before the Planning and Zoning Commission of the City of DeKalb for a special use permit to establish a parking lot as a principal use 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 approval of special use permit for the Subject Property is in the public interest and promotes the public health, safety and welfare, and specifically finds that the proposed special use permit is in conformance with the applicable factors contained therein as follows:

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

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

The proposed parking lot will comply with all regulations of the “SFR2” Single-Family Residential District and the UDO, except for the variances as discussed in the staff report. Conditions attached to the approval will make sure the parking lot is not used for truck or semi parking or staging.

- 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 subject site is directly across the street from Nehring Electrical Work’s large warehouse and storage facilities. There will be a six (6) foot high privacy fence along the west property line to screen the proposed parking lot from the adjacent residence. In addition, staff is recommending a condition be added to the approval to prohibit the parking or staging of trucks and semis on the property.

- 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 be located on a previous vacant lot and will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with manufacturing, warehousing, outside storage and maintenance facilities along E. Locust St. Residential areas are to the west and east and a park lies to the south. There will be a six (6) foot high privacy fence along the west property line to screen the proposed parking lot from the adjacent residence. The new 20-space parking lot will help reduce the high use of on-street parking along E. Locust St., which inhibits safe traffic flow.

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

Drainage will be provided in the parking lot. A catch basin was recently installed and was tied into the storm sewer network on N. 11th Street.

- 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. The proposed special use will take up a vacant lot and provide much needed parking for an adjacent manufacturing business. Approval of the special use will allow a long-standing manufacturing business in the City to remain and provide adequate parking for their employees. In addition, staff is recommending a condition with the approval that will prohibit the parking or staging of trucks or semis on the site.

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 Petitioner's proposed use of the Subject Property as represented to the City Council and the City's Planning and Zoning Commission, and the Subject Property legally described in Exhibit A.

SECTION 3: A special use permit to allow a parking lot as a principal use when located within 300 feet of the use served is hereby approved for the Subject Property as shown on the parking lot layout plan dated 12-17-20 labeled as Exhibit B and subject to the following conditions:

1. No trucks or semi-trailers five (5) tons or larger shall be parked or staged on the Subject Property, except for the maneuvering of trucks or semi's onto the Subject Property from E.

Locust St. for loading/unloading associated with the principal use located at 1007 E. Locust St. Signage shall be placed on the Subject Property indicating the weight restriction per the approval of the City Engineer.

2. The parking lot shall be paved per the standards in the UDO and per Exhibit B by July 1, 2021.
3. Parking blocks and a six (6) high privacy fence as shown on Exhibit B shall be permitted, installed and inspected prior to any parking on the Subject Property.
4. A "left turn only" sign be placed at the south end of the parking lot for vehicles exiting the Subject Property. The sign shall be installed prior to any parking on the Subject Property.

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.

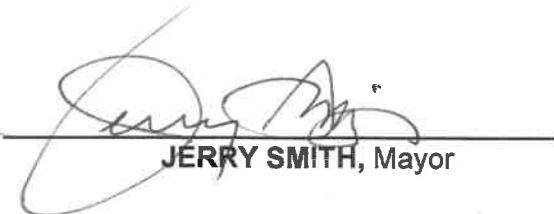
SECTION 6: That all provisions of the UDO shall remain in full force and effect and this Ordinance shall take effect upon its passage and approval according to Law. The Clerk or Executive Assistant shall record a copy of this Ordinance included herein after execution of this Ordinance.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 22nd day of February 2021 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote on January 11, 2021. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Tabled on January 25, 2021 for consideration at a future meeting by an 8-0 roll call vote. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Passed on Second Reading by an 8-0 roll call vote on February 22, 2021. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:



RUTH A. SCOTT, Executive Assistant



JERRY SMITH, Mayor

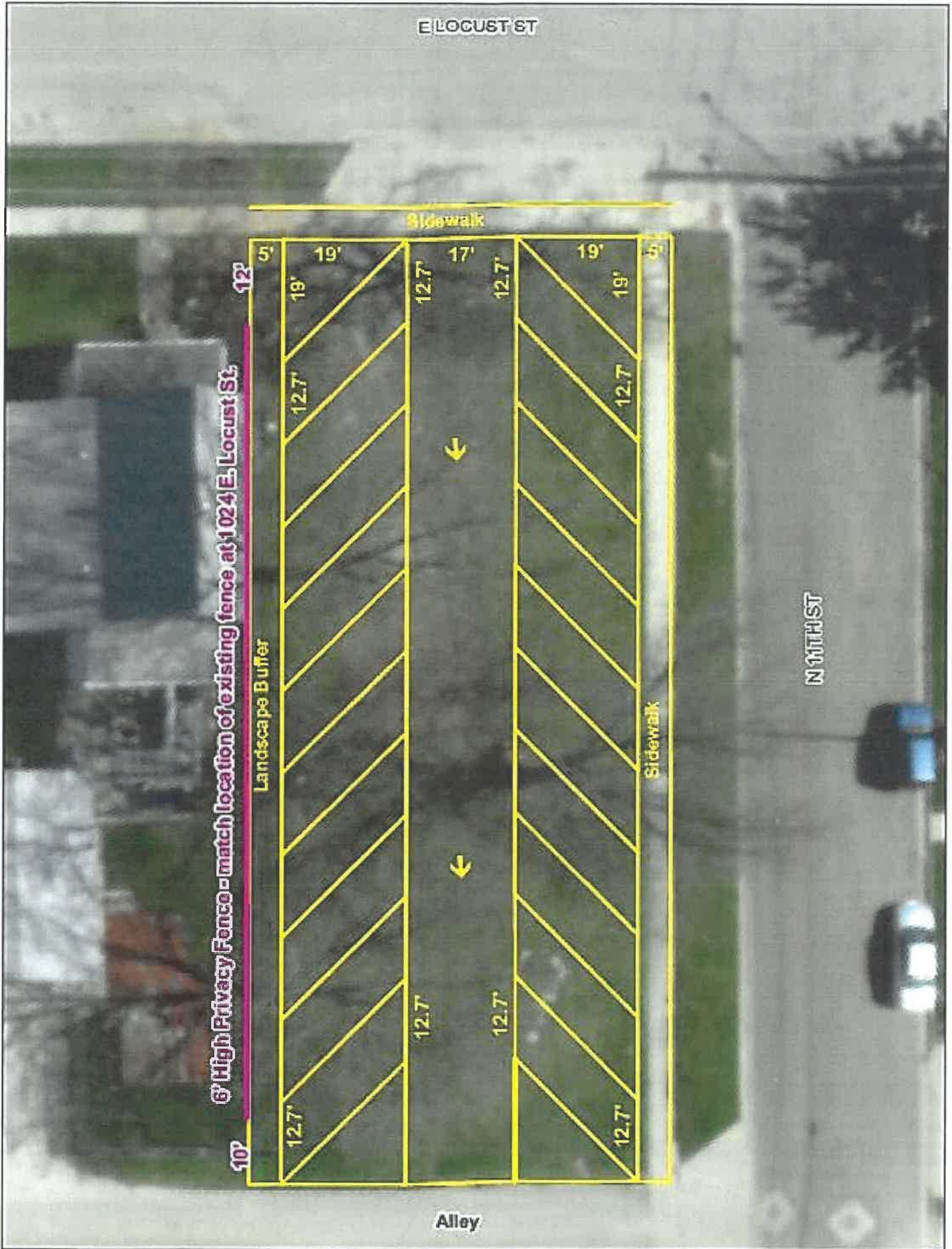


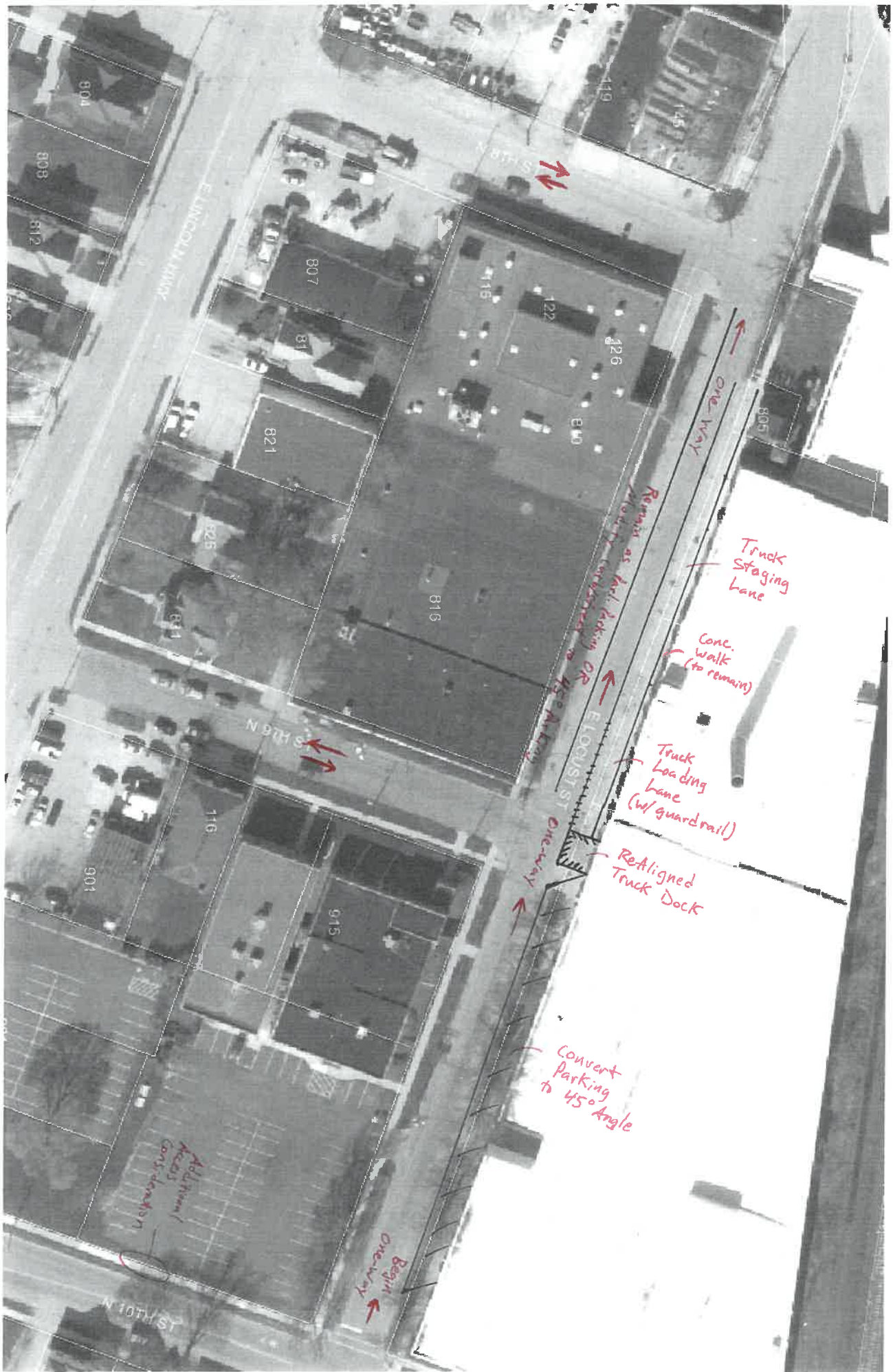
Exhibit A

Legal Description:

LOT 1 IN BLOCK 26 IN GIBSON'S ADDITION TO THE VILLAGE (NOW CITY) OF DEKALB, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "A" OF PLATS, PAGE 21, ON MARCH 18, 1856, IN DEKALB COUNTY, ILLINOIS

1030 E. Locust St. Proposed Parking Lot





Begin One-way →

Convert Parking to 45° angle

ReAligned Truck Dock

Truck Loading Lane (w/ guardrail)

Conc. walk (to remain)

Truck Staging Lane

Remain as incl. parking OR 45° Along

One-way →

Addition / Access Consideration

N 10TH ST

N 9TH ST

FLOORSTREET

FINCOLLAW

904

808

812

807

81

821

825

831

816

901

116

915

115

122

126

810

149

145

807

808

809