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 2021-006

APPROVING AN AMENDMENT TO THE SPECIAL USE PERMIT FOR A PRIVATE THERAPEUTIC DAY SCHOOL APPROVED BY ORDINANCE 2020-015 FOR THE PROPERTY LOCATED AT 900 E. GARDEN STREET (MENTA GROUP – CHESEBRO ELEMENTARY SCHOOL).

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
ORDINANCE 2021-006  

APPROVING AN AMENDMENT TO THE SPECIAL USE PERMIT FOR A 
PRIVATE THERAPEUTIC DAY SCHOOL APPROVED BY ORDINANCE 2020-
015 FOR THE PROPERTY LOCATED AT 900 E. GARDEN STREET, DEKALB, 
ILLINOIS (MENTA GROUP – CHESEBRO ELEMENTARY SCHOOL).

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, DeKalb Community School District 428 (the "Petitioner") is the owner of property 
located at 900 E. Garden Street, DeKalb, Illinois, which is commonly known as Chesebro 
Elementary School (the "Property"), has petitioned the City for approval of an amendment to the 
special use permit approved by Ordinance 2020-015 to allow an access drive and 10-space 
parking lot off of E. Garden Street and other improvements; and 

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the City’s 
Planning and Zoning Commission on February 16, 2021; and 

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

WHEREAS, the City Council finds that the proposed amendment to the special use permit is in 
conformance with the applicable factors for a special use and that approval of the special use 
permit for the Property is in the public interest and promotes 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 set forth in the preamble are true, correct, material, adopted and 
incorporated herein as Section 1 to this Ordinance.

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

The property is commonly described as 900 E. Garden Street, DeKalb, IL 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 hereby approve an amendment to Ordinance 2020-
015 to add an access drive from E. Garden Street, a 10-space parking lot on the north side of the 
building, and other improvements as shown on the site plan dated 1-19-21 (3 sheets) attached 
hereto and incorporated herein as Exhibit B (the "Site Plan") and floor plan dated 1-19-21 attached 
hereto and incorporated herein as Exhibit C (the "Floor Plan"), subject to the following conditions:

1. There shall be no student drop-off or bus traffic along the access drive from E. Garden Street. 
All school bus and student drop off shall occur along the south side off the subject site off E. 
Taylor Street.

2. The petitioner shall re-stripe the parking lot, resurface the sidewalks, replace the parking lot 
signage, screen the trash dumpster, provide a new fire service line and fire hydrant in
compliance with the City's Municipal Code and as further shown on the Site Plan and the Floor Plan.

SECTION 4: Except as otherwise amended by this Ordinance, the provisions of Ordinance 2020-015 shall remain in full force and effect. To the extent that there is any conflict between this Ordinance and Ordinance 2020-015, the provisions of this Ordinance shall prevail, and the conflicting provisions of any prior ordinances shall be repealed.

SECTION 5: City staff are authorized to record this Ordinance and the First Amendment in the DeKalb County Recorder's Office.

SECTION 6: 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 7: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

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. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Finucane (Remote), Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:

RUTH A. SCOTT, Executive Assistant

JERRY SMITH, Mayor

[Seal of the City of DeKalb]