

ORDINANCE 2021-027

PASSED: JULY 26, 2021

AUTHORIZING AMENDMENTS TO ORDINANCE 2006-107 AND ORDINANCE 2006-109 TO ACCOMMODATE AN APPROXIMATELY 700,000 SQUARE FOOT WAREHOUSE AND DISTRIBUTION CENTER FOR THE CHICAGO WEST BUSINESS CENTER LOCATED BETWEEN ILLINOIS ROUTE 23, GURLER ROAD, CREGO ROAD, DEKALB, ILLINOIS AND ILLINOIS INTERSTATE 88 (TC PURSUIT SERVICES, INC. AND DEKALB 343, LLC).

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 343, LLC (the "Owner") is the owner of the Chicago West Business Center property that is legally described in Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Owner petitioned the City to amend the annexation agreement approved by Ordinance 2006-107 (the "Annexation Agreement") and the preliminary plan/preliminary plat approved by Ordinance 2006-109 in relation to the concept plan, development guidelines, roadway access, roadway improvements, phasing plan, landscape standards, signage, subdivision and development plan approval and other amendments for the development of an approximately 700,000 square foot warehouse and distribution center for approximately 58.65 acres of the Property that is legally described in Exhibit B attached hereto and incorporated herein by reference (the "58 Acre Property"), in accordance with the site plan and drawings attached hereto and incorporated herein as Exhibit C (the "Plans") and the Second Amended Annexation Agreement attached hereto and incorporated herein by reference as Exhibit D (the "Second Amended Agreement"); and

WHEREAS, pursuant to proper legal notice and prior to the adoption of this ordinance, a public hearing was conducted by the City's Planning and Zoning Commission on July 19, 2021 and by the City Council on July 26, 2021; and

WHEREAS, the City and Owner conducted all required public hearings to approve the Plans and the Second Amended Agreement, and the City and Owner have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and,

WHEREAS, the City's corporate authorities find that: (1) the City's Planning and Zoning Commission's findings of fact are true, accurate, adopted and incorporated herein by reference; (2) the Plans conform to the applicable zoning factors contained in the City's Unified Development Ordinance as may be amended by the Second Amended Agreement; and (3) approving this ordinance is in the public interest and promotes the City's public health, safety, and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: Recitals: The recitals to this ordinance are true, accurate, adopted and incorporated herein as Section 1 to this ordinance.

SECTION 2: Plans Approved: The City's corporate authorities approve the Plans attached hereto and incorporated herein as Exhibit C, subject to all conditions, restrictions and limitations

provided by the Second Amended Agreement, Owner's representations to the City's Planning and Zoning Commission and City Council, and Owner's compliance with the City's Municipal Code and City ordinances, State laws and regulations, and Federal laws and regulations.

SECTION 3: Second Amended Annexation Agreement Approved: The City's corporate authorities approve, by two-thirds of the corporate authorities then holding office, the Second Amended Agreement attached hereto and incorporated herein as Exhibit D, and authorize and direct the Mayor to execute the Second Amended Agreement, subject to such changes as shall be acceptable to him with the recommendation of City Staff.

SECTION 4: Recording Directed: City Staff are authorized and directed to record this ordinance and the Second Amended Agreement in the DeKalb County Recorder's Office.

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

SECTION 6: Home Rule: 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 City's corporate authorities 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: Effective Date: This ordinance shall be in full force and effect after passage and publication as provided by law. Publication date: July 27, 2021. Effective date: August 5, 2021.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 26th day of July 2021 and approved by me as Mayor on the same day. Passed on First Reading by a 6-0-2 roll call vote. Aye: Morris, Smith, Perkins, Verbic, Faivre, Barnes. Nay: None. Absent: Larson, McAdams. Second Reading waived by a 6-0-2 roll call vote. Aye: Morris, Smith, Perkins, Verbic, Faivre, Barnes. Nay: None. Absent: Larson, McAdams.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant

EXHIBIT A
(LEGAL DESCRIPTION OF THE 343 ACRE PROPERTY)

PARCEL 1

The West 1/2 of the Northwest 1/4 lying South of the Illinois State Toll Highway and lying East of the East right of way line of the Chicago and Northwestern Railway Company of Section 35, Township 40 North, Range 4 East of the Third Principal Meridian, excepting therefrom that part of the West 1/2 of the Northwest 1/4 of Section 35, Township 40 North, Range 4, East of the Third Principal Meridian, DeKalb County, Illinois, described as follows: Commencing at the Southwest corner of the said West 1/2 of the Northwest 1/4; thence Easterly on the South line of the said West 1/2 of the Northwest 1/4, 131.14 feet to the Easterly right of way line of the Chicago and Northwestern Transportation Company property being the point of beginning of the tract being described; thence Easterly on the said South line, 1191.68 feet to the Southeast corner of the said West 1/2 of the Northwest 1/4, 80 feet; thence Westerly parallel with the said South line of the West 1/2, of the Northwest 1/4 1155.28 feet to the said Easterly right of way line; thence Southwesterly on the said Easterly right of way line, 87.81 feet to the said point of beginning, all in DeKalb County, Illinois.

PARCEL 2

That part of the Southwest 1/4 of Section 35, Township 40 North, Range 4 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of said Southwest 1/4; thence North, along the East line of said Southwest 1/4, 2642.56 feet to the Northeast corner thereof; thence Westerly, at an angle of 89 degrees 42 minutes 55 seconds, measured clockwise from said East line, along the North line of said Southwest 1/4, 2332.47 feet to the Southeasterly line of property described in Document No. 385340; thence Southwesterly, at an angle of 137 degrees 51 minutes 51 seconds, measured clockwise from said North line, along said Southeasterly line, 313.53 feet to the Easterly line of Federal Aid Route 24, said line being 80.0 feet Easterly of, as measured at right angle to, the center line of said Federal Aid Route 24; thence Southerly, at an angle of 132 degrees 22 minutes 17 seconds, measured clockwise from said Southeasterly line, along said Easterly line, 261.35 feet; thence Westerly, at right angles to said Easterly line, 20.0 feet; thence Southerly, at right angles to the last described course, parallel with the center line of said Federal Aid Route 24, and the tangent to the curve of the center line of Federal Aid Route 24, a distance of 1628.16 feet to an angle point; thence continuing Southerly, at an angle of 178 degrees 05 minutes 26 seconds measured clockwise from said parallel line, parallel with said center line, and center line tangent 542.63 feet to the South line of said Southwest 1/4; thence Easterly, at an angle of 87 degrees 52 minutes 00 seconds, measured clockwise from said parallel line, along said South line, 2599.91 feet to the point of beginning all in DeKalb Township, in DeKalb County, Illinois.

The above legal description also includes the following:

Lots 1, 2 and 3 in Vatne's Subdivision, a subdivision of part of the Southwest 1/4 of Section 35, Township 40 North, Range 4 East of the Third Principal Meridian, according to the plat thereof recorded December 16, 1957 in Book "K", Page 9, as Document No. 289083, in DeKalb County, Illinois.

PARCEL 3

That part of the East 1/2 of Section 35, and that part of the East 1/2 of the Northwest 1/4 of Section 35, lying Southerly of the Southerly right of way line of the East-West Toll Highway extension of the Illinois State Toll Highway Authority, all in Township 40 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois.

Excepting therefrom the following: Lot 1 in Courtney's Subdivision on part of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 40 North, Range 4, East of the Third Principal Meridian, according to the plat thereof recorded December 11, 1968, as Document No. 346397, in Plat Book "O", Page 60, situated in DeKalb County, Illinois. And including Lot 1 in Courtney's Subdivision on part of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 40 North, Range 4, East of the Third Principal Meridian, according to the plat thereof recorded December 11, 1968, as Document No. 346397, in Plat Book "O", Page 60, situated in DeKalb County, Illinois.

EXHIBIT B
(LEGAL DESCRIPTION OF THE 58 ACRE PROPERTY)

PART OF LOT 1 IN COURTNEY'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 11, 1968, IN PLAT BOOK O, PAGE 60, AS DOCUMENT 346397 IN THE OFFICE OF THE DEKALB COUNTY RECORDER, AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, LOCATED IN DEKALB COUNTY, ILLINOIS, BEING BOUNDED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE NORTH 89 DEGREES 46 MINUTES 03 SECONDS WEST (BASIS OF BEARINGS – ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83) BROUGHT UP TO GROUND COORDINATES) ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION 1,214.03 FEET TO THE SOUTHEASTERN CORNER OF CHICAGOWEST BUSINESS CENTER, BEING A SUBDIVISION OF PART OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 2020, AS DOCUMENT 2020-013910 IN THE OFFICE OF THE DEKALB COUNTY RECORDER; THENCE NORTH 00 DEGREES 08 MINUTES 44 SECONDS EAST ALONG THE EASTERN LINE OF SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION 50.00 FEET TO THE SOUTHEASTERN CORNER OF LOT 2 IN SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION, SAID POINT LYING 50 FEET NORTHERLY OF (MEASURED PERPENDICULAR TO) THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 08 MINUTES 44 SECONDS EAST ALONG THE EASTERN LINE OF SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION AND ITS NORTHERLY EXTENSION 2,184.08 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 16 SECONDS EAST PERPENDICULAR TO THE EASTERN LINE OF SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION 1,174.12 FEET TO A POINT LYING 50 FEET WESTERLY OF (MEASURED PERPENDICULAR TO) THE EAST LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE SOUTH 00 DEGREES 24 MINUTES 15 SECONDS WEST PARALLEL WITH AND 50 FEET WESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER SECTION 2,185.86 FEET TO A POINT LYING 50 FEET NORTHERLY OF (MEASURED PERPENDICULAR TO) THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 89 DEGREES 46 MINUTES 03 SECONDS WEST PARALLEL WITH AND 50 FEET NORTHERLY OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION 1,164.25 FEET TO THE POINT OF BEGINNING, CONTAINING 58.646 ACRES, MORE OR LESS.

SITE PLAN INFORMATION		
LOCATION: <u>GENERAL BUILDING</u>		
ITEM #	ITEM	TO BE PROVIDED
1	ASSOCIATE CAR PARKING FOR SUPPORT BUILDING	4534 SPACES
2	TRAILER PARKING	4000 SPACES (MIN. 10 IF OFF SITE)
3	LOADING DOCK SPACES	131 SPACES
4	SEPARATION BETWEEN GARS AND TRUCKS	YES
5	EMPLOYEE ENTRANCE AND DRIVEWAY	2 ENTRANCES, 1 SERVICE DRIVEWAY, 1 WALK DRIVE DRIVEWAY
6	GUARD HOUSE	TWO TENTS (ONE INSIDE), ONE GUARDHOUSE
7	PEDING	5' OPEN LANE, PAVING, SIGN, OVER PASS
8	TRUCK DRIVING AT CROSS INTERSECTION AT MAIN ROAD (CROSSING AT RED LIGHT)	15 TRUCK LANE AT INTERSECTION, 5 TRUCK LANE AT INTERSECTION

NOTE:
1) THIS CONCEPT PLAN IS SUBJECT TO CHANGE PENDING
FINAL ENGINEERING AND APPROVALS.
2) REFER TO PLANS BY EL COMPANIES FOR ARCHITECTURAL
INFORMATION.

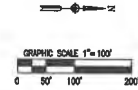


EXHIBIT C

1" = 100'
D460p
EXHIBIT

JACOB & HEFNER
ASSOCIATES
1153 Butterfield Rd., Suite 300, Downers Grove, IL 60515
PHONE: (630) 652-4600, FAX: (630) 652-4691
www.jacobandhefner.com

PROGRESS SITE LAYOUT EXHIBIT
SITE IMPROVEMENTS FOR PROJECT BARB
BL COMPANIES
DEKALB, ILLINOIS

		Date
3	REMOVED PER CLIENT	06/30/21
2	REV. ENTRANCE CONFIGURATION	08/28/21
1	ORIGINAL EXHIBIT DATE	08/24/21

EXHIBIT C



B.I. Engineering and Surveying
1000 N. 10th St.
Suite 100
Tulsa, OK 74103

PROJECT: 1000 N. 10th St.
DATE: 10/1/10
DRAWN BY: J. B. B. / J. B. B.
CHECKED BY: J. B. B. / J. B. B.
DATE: 10/1/10

TRIPLE COPY
FOR THE
SUBMITTER

A0.00

SECOND AMENDMENT TO ANNEXATION AGREEMENT
(ChicagoWest Business Center)

This Second Amendment to Annexation Agreement (the "Second Amended Agreement") is made and entered this 26th day of July 2021, by and between the City of DeKalb (the "City"), an Illinois home rule municipal corporation, and DeKalb 343, LLC (the "Owner"), an Illinois limited liability company. The City and Owner are collectively referred to as the Parties.

RECITALS:

WHEREAS, the City has the power and authority to enter into and amend annexation agreements pursuant to 65 ILCS 5/11-15.1-1; and,

WHEREAS, the Parties previously entered into an Annexation Agreement (the "Annexation Agreement"), recorded as 2007009696, for the development of approximately 343 acres of property that is legally described in Exhibit A to the Annexation Agreement and incorporated herein by reference (the "Property"), as a Retail, Commercial, Professional Office and Industrial Park; and

WHEREAS, the Parties previously entered into an Amended Annexation Agreement dated October 28, 2019 (the "Amended Agreement") for the development of an approximately 1,222,400 square foot food distribution center and an approximately 466,560 square foot food packing center for 106 acres of the Property that is legally described in Exhibit A to the Amended Agreement and incorporated herein by reference (the "Amended Agreement 106 Acre Property"); and

WHEREAS, the Owner petitioned the City to enter into this Second Amended Agreement for the development of an approximately 700,000 square foot warehouse and distribution center for approximately 58.65 acres of the Property that is legally described in Exhibit A to this Second Amended Agreement attached hereto and incorporated herein by reference (the "Second Amended Agreement 58 Acre Property"); and

WHEREAS, the Parties conducted all required public hearings and otherwise satisfied all conditions precedent to approve this Second Amended Agreement; and,

NOW, THEREFORE, in consideration of the promises, undertakings and covenants hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged by the Parties hereto, the Parties agree as follows:

1.0 Recitals: The foregoing recitals are true, accurate, adopted and incorporated herein as if fully set forth in this Section.

2.0 Amended Agreement Revised: With respect to the Amended Agreement 106 Acre Property only, Exhibits B and D to the Amended Agreement shall amend and

replace Exhibits B and D to the Annexation Agreement. Except as may otherwise be provided by this Second Amended Agreement, Exhibits B and D to the Annexation Agreement shall remain the same, in full force and effect, adopted and incorporated herein by reference.

3.0 Preliminary and Final Plans and/or Plats: With respect to the Second Amended Agreement 58 Acre Property only, Section 3.02 of the Annexation Agreement shall be amended to substitute the following plans: (1) the concept plan that is attached as Exhibit B to the Annexation Agreement shall be amended and replaced by the concept plan (site layout exhibit) dated 6-30-21 prepared by Jacob and Hefner Associates that is attached hereto and incorporated herein as Exhibit B to this Second Amended Agreement (the "Concept Plan"); and (2) the preliminary plan that is attached as Exhibit D to the Annexation Agreement shall be amended and replaced by the preliminary plan (site layout exhibit) dated 6-30-21 prepared by Jacob and Hefner Associates that is attached hereto and incorporated herein as Exhibit D to this Second Amended Agreement (the "Preliminary Plan").

Sections 3.02, 3.05 and 3.06 of the Annexation Agreement shall be amended to provide that: (1) the final plan may be reviewed and approved by City Staff prior to construction of the warehouse and distribution center for substantial compliance with the Preliminary Plan; and, (2) the City's corporate authorities and the City's Planning and Zoning Commission need not review and approve the final plan if City Staff determines that it substantially complies with the Preliminary Plan.

4.0 Zoning: The Development Guidelines stated in Section 3.03(D) of the Annexation Agreement shall not apply to the approved Preliminary Plan.

5.0 Utilities and Roadways: Section 5.05 of the Annexation Agreement shall be amended to allow for three (3) private access points along Gurler Road in accordance with the Preliminary Plan, and Section 5.06 of the Annexation Agreement shall be amended to allow for one (1) private access points along Crego Road in accordance with the Preliminary Plan.

6.0 Exhibit L to the Annexation Agreement Revised: Exhibit L (phasing outline) to the Annexation Agreement shall be amended to provide for infrastructure improvements, including roadways, in accordance with the Concept Plan and Preliminary Plan, on a phased approach, pursuant to the approval of the City Engineer and the Kishwaukee Water Reclamation District based on the latest studies.

7.0 Miscellaneous: Except as may otherwise be provided by this Second Amended Agreement, the terms of the Annexation Agreement and Amended Agreement shall remain the same and binding upon the Parties as provided therein. To the extent that there is a conflict or inconsistency between the Annexation Agreement, the Amended Agreement, and this Second Amended Agreement, the terms of this Second Amended Agreement shall prevail.

ATTEST:

By:


Ruth Scott, Executive Assistant

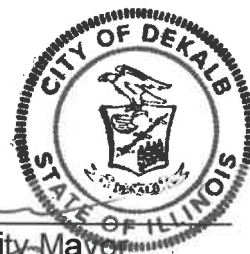
ATTEST:

By: _____

CITY OF DEKALB

By:


Cohen Barnes, City Mayor



DEKALB 343, LLC

By:

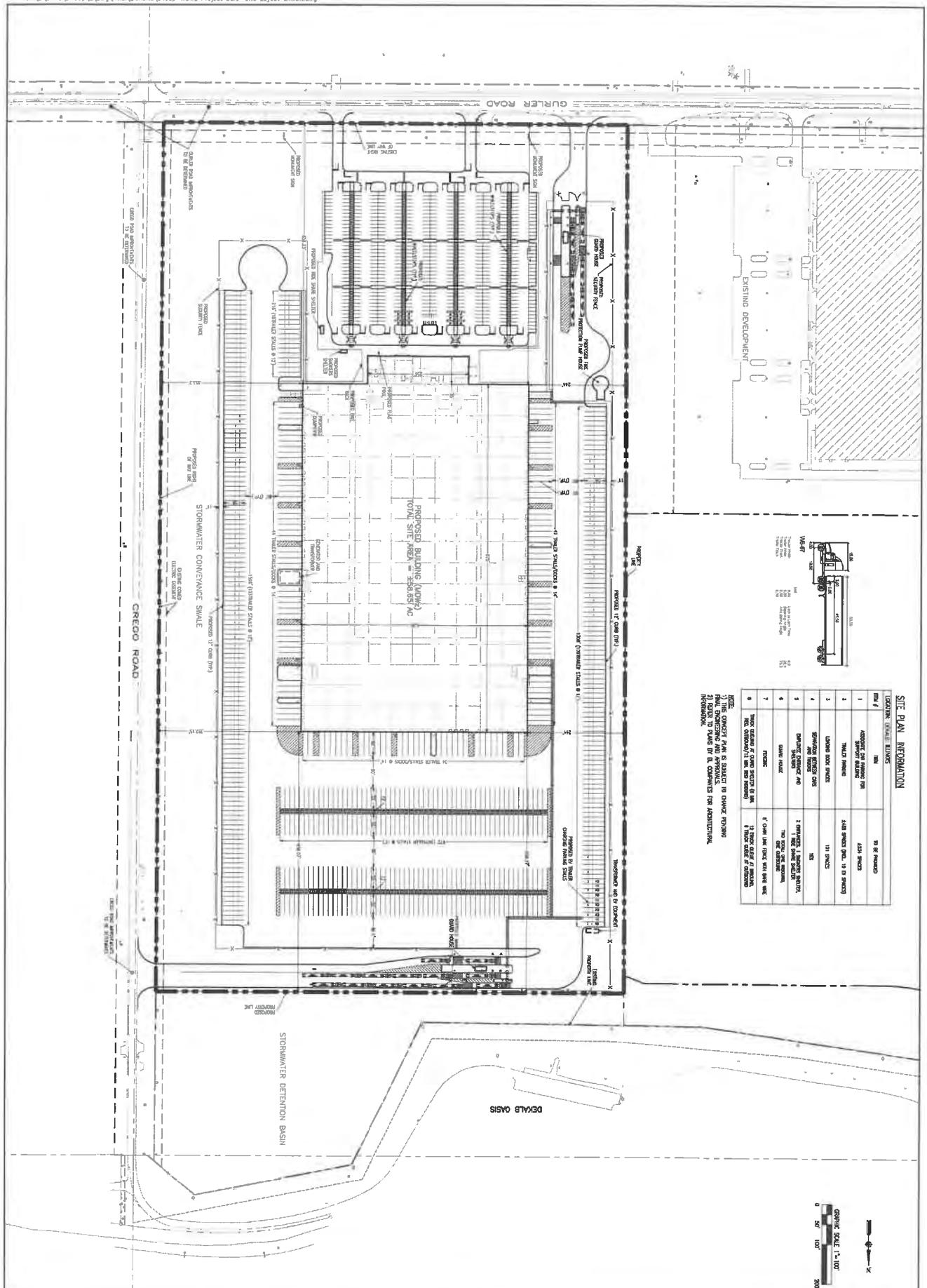

Jerry R. Krusinski, Manager

**EXHIBIT A
(LEGAL DESCRIPTION OF THE 58 ACRE PROPERTY)**

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EXHIBIT B
(Concept Plan)



SITE PLAN INFORMATION

LOCATION	DATE	BY	TO BE PROVIDED
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NOTES:
1. THE PROJECT PLAN IS SUBJECT TO CHANGE WITHOUT NOTICE.
2. THE ENGINEER AND ARCHITECT ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE OWNER.
3. THE ENGINEER AND ARCHITECT ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE OWNER.

GRAPHIC SCALE 1" = 100'
0 50 100 200'

JACOB & HEFNER ASSOCIATES

1333 Butterfield Rd, Suite 300, Downers Grove, IL 60515
PHONE: (630) 652-4600, FAX: (630) 652-4601
www.jacobandhefner.com

PROGRESS SITE LAYOUT EXHIBIT

SITE IMPROVEMENTS FOR PROJECT BARB

BL COMPANIES

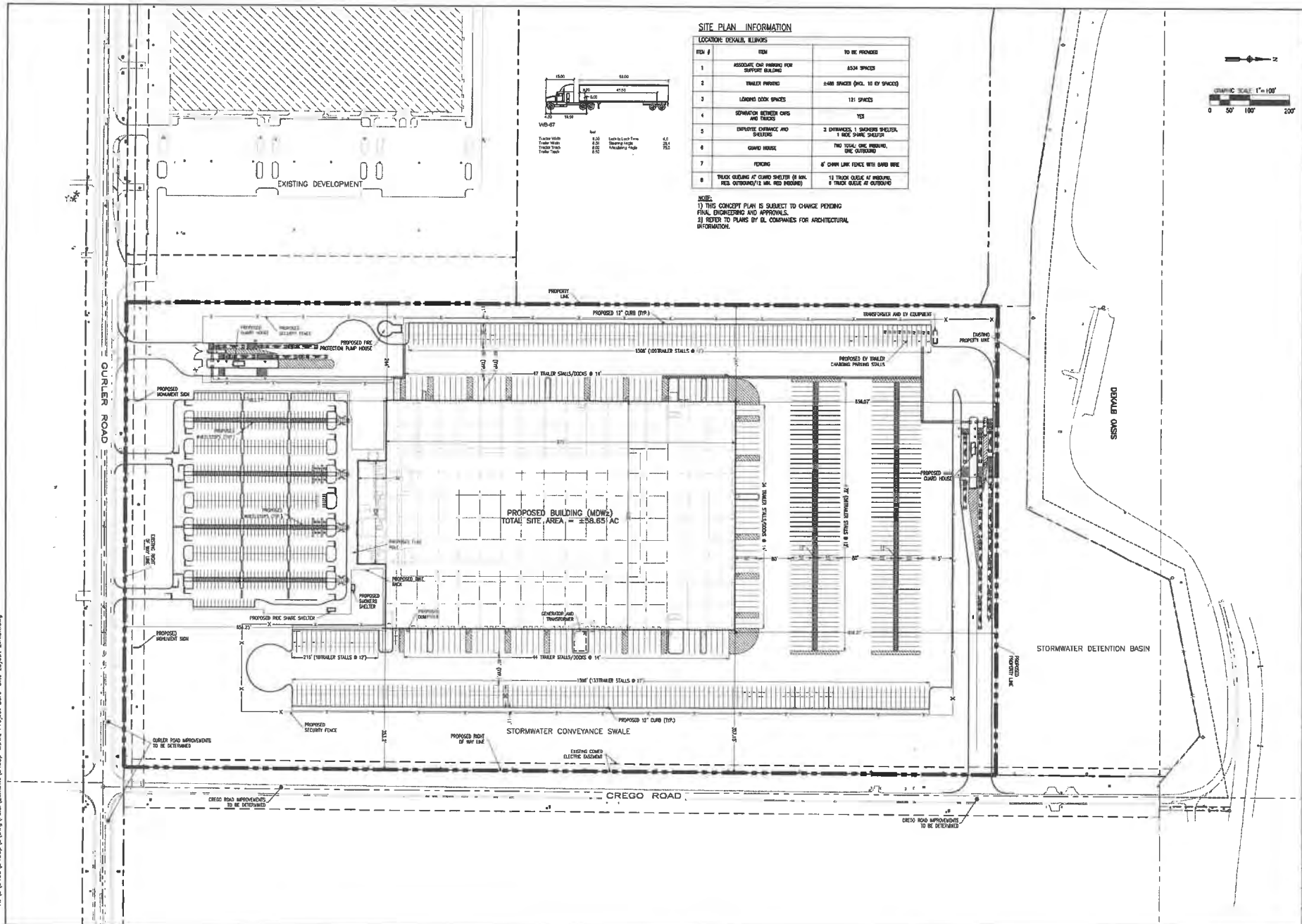
DEKALB, ILLINOIS

Revised	Description	Date
3	REVISED PER CLIENT	06/30/21
2	REV. ENTRANCE CONFIGURATION	06/28/21
1	ORIGINAL EXHIBIT DATE	06/24/21

1" = 100'
D460p
EXHIBIT

EXHIBIT C
(Intentionally Omitted)

EXHIBIT D
(Preliminary Plan)



SITE PLAN INFORMATION

LOCATION: DEKALB, ILLINOIS		
ITEM #	ITEM	TO BE PROVIDED
1	ADDITIONAL CAR PARKING FOR SUPPORT BUILDING	6500 SPACES
2	TRAILER PARKING	2400 SPACES (INCL. 10 BY SHEDS)
3	LOADING DOCK SPACES	121 SPACES
4	SEPARATION BETWEEN CRGS AND TRUCKS	YES
5	ENTRANCE ENTRANCE AND SHEDS	2 ENTRANCES, 1 SHEDS SHELTER, 1 BICE SHED SHELTER
6	CRG HOUSE	TWO TOTAL, ONE PROPOSED, ONE EXISTING
7	FENCING	6\"/>

NOTE:
 1) THIS CONCEPT PLAN IS SUBJECT TO CHANGE PENDING FINAL ENGINEERING AND APPROVALS.
 2) REFER TO PLANS BY EL COMPANIES FOR ARCHITECTURAL INFORMATION.

JACOB & HEFNER ASSOCIATES

1330 Butterfield Rd. Suite 300, Downers Grove, IL 60515
 PHONE: (630) 453-4600, FAX: (630) 453-4601
www.jacobandhefner.com

PROGRESS SITE LAYOUT EXHIBIT
SITE IMPROVEMENTS FOR PROJECT BARB
HL COMPANIES
DEKALB, ILLINOIS

Date	Description
06/20/21	3) REVISION PER CLIENT
06/29/21	2) REV. ENTRANCE CONFIGURATION
06/29/21	1) ORIGINAL EXIST DATE

1" = 100'
 D460p
 EXHIBIT



2021009766

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL

RECORDED: 7/27/2021 03:38 PM
REC FEE: 75.00

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

PAGES: 17

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 2021-027

AUTHORIZING AMENDMENTS TO ORDINANCE 2006-107 AND ORDINANCE 2006-109 TO ACCOMMODATE AN APPROXIMATELY 700,000 SQUARE FOOT WAREHOUSE AND DISTRIBUTION CENTER FOR THE CHICAGO WEST BUSINESS CENTER LOCATED BETWEEN ILLINOIS ROUTE 23, GURLER ROAD, AND CREGO ROAD, DEKALB, ILLINOIS AND ILLINOIS INTERSTATE 88 (TC PURSUIT SERVICES, INC. AND DEKALB 343, LLC).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 26th day of July 2021.

WITNESS my hand and the official seal of said City this 27th day of July 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



July 19, 2021

Mr. Max Maxwell, Chair
City of DeKalb Planning & Zoning Commission

Dan Olson, Principal Planner
Dan.Olson@CITYOFDEKALB.com

RE: Letter of Support for ChicagoWest Business Center Annexation, Zoning & Site Plan Amendments

Dear Chairman Maxwell:

On behalf of the DeKalb County Economic Development Corporation (DCEDC), a public private partnership dedicated to the expansion and diversification of the county economy, we wish to convey our support for the proposed amendments to ordinances providing for the annexation, zoning and site plan for the ChicagoWest Business Center Annexation Agreement to accommodate an approximate 700,000 square foot warehouse and distribution center by TC Pursuant Services, Inc. and DeKalb 343 LLC (Project Barb).

With the development of the Ferrara site, the layout of the lots, streets and other infrastructure shown in the 2006 Ordinances were modified and amendments were approved in 2019 to accommodate the Ferrara distribution center and pack center. The proposed site plan for the 58-acre site provides for further revisions to the building layout, roadways and access points to accommodate the proposed Project Barb building and site plan.

Extensive utility and infrastructure improvements in conjunction with the Ferrara and Facebook projects have brought the necessary utilities to the subject site. In addition, substantial roadway improvements to Gurler Rd., Peace Rd. were made, and improvements to the intersection of Rt. 23 and Gurler Road will be made providing access to and from the ChicagoWest Business Center and the Project Barb site.

Goal 2 of the DeKalb County Comprehensive Economic Development Strategy (CEDS Plan) calls for DCEDC to "Identify and recruit target industries ... in strong and growing sectors," including the Transportation, Logistics and Distribution Sector. In addition, Project Barb site is located within the DeKalb County Enterprise Zone, a program administered by DCEDC that provides state and local incentives for industrial development including distribution centers. Further, DCEDC's Talent Pipeline and Business Retention and Expansion Committee is working with Kishwaukee College, the DeKalb Workforce Development Office and other workforce service providers to share best practices, recruitment success stories and quality of life assets with new and existing DeKalb County employers to assist in employee recruitment.

For these reasons, DCEDC urges the DeKalb Planning and Zoning Commission to approve the amendments to the Chicago West Business Park annexation, zoning and site plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank H. Roberts".

Frank Roberts
President

A handwritten signature in black ink, appearing to read "Paul J. Borek".

Paul J. Borek
Executive Director

DeKalb County EDC
2179 Sycamore Road, Unit #102
DeKalb, IL 60115
815-895-2711 (phone) · 815-895-8713 (fax)

dcedc.org

bottom line period

Daily Chronicle

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Notice Content

PUBLIC NOTICE LEGAL NOTICE NOTICE is hereby given that a public hearing will be held before the DeKalb City Council at its regular meeting on Monday, July 26, 2021, at 6:00 p.m. in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL, on a petition by TC Pursuit Services, Inc. and DeKalb 343 LLC, owner, for approval of a second amendment to an annexation agreement approved by Ordinance 06-107 for the property described below in Legal A in relation to the concept plan, development guidelines, roadway access, roadway improvements, phasing plan, landscape standards, signage, subdivision and development plan approval and other amendments as needed in order to accommodate an approximate 700,000 square foot warehouse and distribution center as shown on the site plan made part of the zoning application. The area effected by the proposed amendments is approximately 58 acres out of a total site area of approximately 195 acres, which is described below in Legal B and generally located east of State Rt. 23, north of Gurler Road, west of Crego Road and south of I-88 in DeKalb, IL. Legal A PARCEL 1 The West 1/2 of the Northwest 1/4 laying South of the Illinois State Toll Highway and lying East of the East right of way line of the Chicago and Northwestern Railway Company of Section 35, Township 40 North, Range 4 East of the Third Principal Meridian, excepting therefrom that part of the West 1/2 of the Northwest 1/4 of Section 35, Township 40 North, Range 4, East of the Third Principal Meridian, DeKalb County, Illinois, described as follows: Commencing at the Southwest corner of the said West 1/2 of the Northwest 1/4; thence Easterly on the South line of the said West 1/2 of the Northwest 1/4, 131.14 feet to the Easterly right of way line of the Chicago and Northwestern Transportation Company property being the point of beginning of the tract being described; thence Easterly on the said South line, 1191.68 feet to the Southeast corner of the said West 1/2 of the Northwest 1/4, 80 feet; thence Westerly parallel with the said South line of the West 1/2, of the Northwest 1/4 1155.28 feet to the said Easterly right of way line; thence Southwesterly on the said Easterly right of way line, 87.81 feet to the said point of beginning, all in DeKalb County, Illinois. PARCEL 2 That part of the Southwest 1/4 of Section 35, Township 40 North, Range 4 East of the Third Principal Meridian, described as follows: Beginning at the Southeast corner of said Southwest 1/4; thence North, along the East line of said Southwest 1/4, 2642.56 feet to the Northeast corner thereof; thence Westerly, at an angle of 89 degrees 42 minutes 55 seconds, measured clockwise from said East line, along the North line of said Southwest 1/4, 2332.47 feet to the Southeasterly line of property described in Document No. 385340; thence Southwesterly, at an angle of 137 degrees 51 minutes 51 seconds, measured clockwise from said North line, along said Southeasterly line, 313.53 feet to the Easterly line of Federal Aid Route 24, said line being 80.0 feet Easterly of, as measured at right angle to, the center line of said Federal Aid Route 24; thence Southerly, at an angle of 132 degrees 22 minutes 17 seconds, measured clockwise from said Southeasterly line, along said Easterly line, 261.35 feet; thence Westerly, at right angles to said Easterly line, 20.0 feet; thence Southerly, at right angles to the last described course, parallel with the center line of said Federal Aid Route 24, and the tangent to the curve of the center line of Federal Aid Route 24, a distance of 1628.16 feet to an angle point; thence continuing Southerly, at an angle of 178 degrees 05 minutes 26 seconds

measured clockwise from said parallel line, parallel with said center line, and center line tangent 542.63 feet to the South line of said Southwest 1/4; thence Easterly, at an angle of 87 degrees 52 minutes 00 seconds, measured clockwise from said parallel line, along said South line, 2599.91 feet to the point of beginning all in DeKalb Township, in DeKalb County, Illinois. The above legal description also includes the following: Lots 1, 2 and 3 in Vatne's Subdivision, a subdivision of part of the Southwest 1/4 of Section 35, Township 40 North, Range 4 East of the Third Principal Meridian, according to the plat thereof recorded December 16, 1957 in Book "K", Page 9, as Document No. 289083, in DeKalb County, Illinois. PARCEL 3 That part of the East 1/2 of Section 35, and that part of the East 1/2 of the Northwest 1/4 of Section 35, lying Southerly of the Southerly right of way line of the East-West Toll High extension of the Illinois State Toll Highway Authority, all in Township 40 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois. Excepting therefrom the following: Lot 1 in Courtney's Subdivision on part of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 40 North, Range 4, East of the Third Principal Meridian, according to the plat thereof recorded December 11, 1968, as Document No. 346397, in Plat Book "O", Page 60, situated in DeKalb County, Illinois. And including Lot 1 in Courtney's Subdivision on part of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 40 North, Range 4, East of the Third Principal Meridian, according to the plat thereof recorded December 11, 1968, as Document No. 346397, in Plat Book "O", Page 60, situated in DeKalb County, Illinois; Except Lots 1, 2 and 3 in the Final Plat of Subdivision of Chicago West Business Center, a subdivision of part of the south half of Section 35, Township 40 North, Range 4 east of the Third Principal Meridian, according to the plat thereof recorded December 23, 2020 in Plat Cabinet 11, Slide No. 12-D, as Document 2020013910, in DeKalb County, Illinois. Legal B PART OF LOT 1 IN COURTNEY'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 11, 1968, IN PLAT BOOK O, PAGE 60, AS DOCUMENT 346397 IN THE OFFICE OF THE DEKALB COUNTY RECORDER, AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, LOCATED IN DEKALB COUNTY, ILLINOIS, BEING BOUNDED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE NORTH 89 DEGREES 46 MINUTES 03 SECONDS WEST (BASIS OF BEARINGS - ILLINOIS STATE PLANE COORDINATES EAST ZONE (NAD83) BROUGHT UP TO GROUND COORDINATES) ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION 1,214.03 FEET TO THE SOUTHEASTERN CORNER OF CHICAGOWEST BUSINESS CENTER, BEING A SUBDIVISION OF PART OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 4 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 2020, AS DOCUMENT 2020-013910 IN THE OFFICE OF THE DEKALB COUNTY RECORDER; THENCE NORTH 00 DEGREES 08 MINUTES 44 SECONDS EAST ALONG THE EASTERN LINE OF SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION 50.00 FEET TO THE SOUTHEASTERN CORNER OF LOT 2 IN SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION, SAID POINT LYING 50 FEET NORTHERLY OF (MEASURED PERPENDICULAR TO) THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 08 MINUTES 44 SECONDS EAST ALONG THE EASTERN LINE OF SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION AND ITS NORTHERLY EXTENSION 2,184.08 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 16 SECONDS EAST PERPENDICULAR TO THE EASTERN LINE OF SAID CHICAGOWEST BUSINESS CENTER SUBDIVISION 1,174.12 FEET TO A POINT LYING 50 FEET WESTERLY OF (MEASURED PERPENDICULAR TO) THE EAST LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE SOUTH 00 DEGREES 24 MINUTES 15 SECONDS WEST PARALLEL WITH AND 50 FEET WESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER SECTION 2,185.86 FEET TO A POINT LYING 50 FEET NORTHERLY OF (MEASURED PERPENDICULAR TO) THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 89 DEGREES 46 MINUTES 03 SECONDS WEST PARALLEL WITH AND 50 FEET NORTHERLY OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION 1,164.25 FEET TO THE POINT OF BEGINNING, CONTAINING 58.646 ACRES, MORE OR LESS. All interested persons are invited to appear and be heard at the time and place listed above. Further information is available from the Community Development Department, (815) 748-2361. Mayor Cohen Barnes City of DeKalb (Published in the Daily Chronicle July 8, 2021) 1899782

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