

ORDINANCE 2021-028

PASSED: JULY 26, 2021

AUTHORIZING AMENDMENTS TO ORDINANCE 2002-045 AND ORDINANCE 2019-004 TO AMEND SIGN REGULATIONS FOR THE NORTHLAND PLAZA SHOPPING CENTER – SYCAMORE ROAD, DEKALB, ILLINOIS (B33 NORTHLAND PLAZA, 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, the City previously approved Ordinance 2002-045 and Ordinance 2019-004, which approved the rezoning of the property legally described in Section 2 of this Ordinance and commonly referred to as “Northland Plaza” located along Sycamore Road (the “Subject Property”) to a Planned Development – Commercial (“PD-C”) zoning with sign regulations for the Subject Property; and,

WHEREAS, B33 Northland Plaza, LLC petitioned for approval of amendments to Ordinance 2002-045 and Ordinance 2019-004 to amend the sign regulations to increase the allowable wall sign area for the easterly building at Northland Plaza Shopping Center (2478-2560 Sycamore Road) located along Sycamore Road and Barber Greene Road (the “Amendments”); and,

WHEREAS, pursuant to public notice and hearing conducted on July 19, 2021, the City’s Planning and Zoning Commission recommended approving the Amendments; 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 Amendments conform to the applicable standards contained in the City’s Unified Development Ordinance; and (3) approving the Amendments is in the City’s best interests for the promotion of the public health, safety, morals and welfare; and

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

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

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

THE FINAL PLAT OF NORTHLAND PLAZA RESUBDIVISION NO. 3 BEING A RESUBDIVISION OF NORTHLAND PLAZA RESUBDIVISION NO. 2, RECORDED MARCH 21, 2019 IN PLAT CABINET 10, SLIDE 189-C AS DOCUMENT NUMBER 2019002045, BEING A RESUBDIVISION OF NORTHLAND PLAZA RESUBDIVISION RECORDED MARCH 26, 2003 IN PLAT CABINET 9, AT SLIDE 54-C AS DOCUMENT NORTHLAND PLAZA SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 17, 1965 IN BOOK “N” OF PLATS, PAGE 59, AS DOCUMENT NUMBER 330015, LOTS 1 THROUGH 12, BOTH INCLUSIVE, IN CARL KLAGES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 11, 1956 IN BOOK “J” OF PLATS, PAGE 29 AS DOCUMENT NUMBER 283590, 66-FOOT WIDE VACATED PUBLIC ROAD RECORDED

MARCH 26, 2003 PLAT CABINET 9, SLIDE 54-B AS DOCUMENT NUMBER 2003008142, PART OF PARCEL "B" OF EMMA H. KLAGES FARM PLAT ACCORDING TO THE PLAT THEREOF RECORDED MARCH 16, 1964 IN BOOK "M" OF PLATS, PAGE 83 AS DOCUMENT NUMBER 320526 AND PART OF SECTION 12, ALL IN TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEKALB COUNTY, ILLINOIS.

SECTION 3: The City's corporate authorities approve amendments to Section 5.3(d) of Ordinance 02-045 and Sections 4 and 5 of Ordinance 2019-004 for the Subject Property to: (1) allow wall signage on the easterly building (2478-2560 Sycamore Road) up to 2 square feet per lineal foot of building façade; (2) remove the 3-foot high maximum for individual sign lettering; and (3) allow canopy (projecting) signs and column signs to be included in the overall wall sign size.

SECTION 4: Except as may otherwise be provided by this ordinance, the terms of Ordinance 2002-045, as amended by Ordinance 2019-004, shall remain the same and in full force and effect. To the extent that there may be a conflict or inconsistency between this ordinance, Ordinance 2002-045, and Ordinance 2019-004, the terms of this ordinance shall prevail.

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 effect as if the invalid provision had not been a part of this ordinance.

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 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: This ordinance shall be in full force and effect after passage and publication as

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



2021009767

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL

RECORDED: 7/27/2021 03:38 PM

REC FEE: 55.00

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

PAGES: 3

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 2021-028

**AUTHORIZING AMENDMENTS TO ORDINANCE 2002-045 AND
ORDINANCE 2019-004 TO AMEND SIGN REGULATIONS FOR THE
NORTHLAND PLAZA SHOPPING CENTER – SYCAMORE ROAD,
DEKALB, ILLINOIS (B33 NORTHLAND PLAZA, 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