

APPROVING A SPECIAL USE PERMIT FOR A SELF-SERVICE STORAGE FACILITY WITH INTERIOR UNIT ACCESS TO BE LOCATED AT 1700 SYCAMORE ROAD (DEKALB – HARLEM, LLC).

WHEREAS, the City of DeKalb (the “City”) is a home rule unit of local government and 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 - Harlem LLC (the “Petitioner”) is the owner of property located at 1700 Sycamore Road, DeKalb, Illinois (the “Subject Property”), which is legally described in Exhibit A, petitioned the City for approval of a special use permit for a “self-service storage facility, interior unit access” on the Subject Property; and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the City’s Planning and Zoning Commission (the “PZC”) on November 15, 2021; and

WHEREAS, the Petitioner has conducted all required public hearings before the PZC for a special use permit for a “self-service storage facility, interior unit access” on the Subject Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City’s corporate authorities adopt and incorporate the PZC’s findings of fact, and further find that approving the special use permit for the Subject Property is in the City’s best interests for the promotion of the public health, safety and welfare, and that the 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 self-service storage facility will comply with all regulations of the “PD-C” Planned Development Commercial District and the UDO. Adequate parking is already provided. There is a total of 332 parking spaces in the shopping center (311 in front of the building and 21 behind the building), more than adequate for the use. There are no employees and there will be about 15 visitors a day during the week and 20-25 visitors a day in the weekends.

The self-service storage facility will comply with all regulations of Article 7.21 of the UDO. The subject tenant space has become obsolete due to the struggles of the retail industry. It has been difficult to find a prospective tenant needing this large of a space (just over 20,000 square feet). In addition, the depth of space makes it unfeasible to divide into smaller retail spaces for lease as there is not enough width to do so despite the large square footage. Finally, the overall appearance of the shopping center is dated compared to the retail centers north on Sycamore Road. The current level of vacancies does not make it economically feasible to reconstruct the facade of the shopping center. Using 1700 Sycamore Road for interior access self-storage will help keep the building functional and provide additional rent revenue to be used for upkeep of the building and create a fuller appearance to prospective tenants for the remaining unleased suites.

- 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 surrounding area is already developed with a variety of commercial uses along Sycamore and E. Dresser Roads and single-family and multi-family residential to the east and south. The proposed special use will be in an existing tenant space. There will be no negative impacts from the proposed business to the general health, safety and welfare of the surrounding neighborhood.

- 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 not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with commercial uses to the north and west and single-family and multi-family residential to the east and south. The proposed special use is compatible with the surrounding land uses and conforms to the Comprehensive Plan.

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

The special use will be in an existing tenant space and not require any additional services or utilities. Adequate parking is provided, the parking lot is striped, and all handicap signage is in place. There is a total of 332 parking spaces (311 in the front and 21 behind the building) in the shopping center, more than adequate for the use. The proposed self-service storage facility will have very little parking demand.

- 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 in the "PD-C" District and will be compatible with the surrounding area. The proposed special use will provide needed climate controlled self-storage in the community. The occupancy of a long vacant tenant space will improve the value and overall public image of the shopping center and will help attract other tenants to the center.

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, correct, material, adopted and incorporated herein by reference as if fully set forth as this Section 1.

SECTION 2: This ordinance is limited and restricted to the Petitioner's proposed use of the Subject Property as legally described in Exhibit A attached hereto and incorporated herein by reference, and as represented to the City Council and the PZC.

SECTION 3: The City's corporate authorities approve a special use permit for a "self-service storage facility, interior unit access" for the "Tenant Space" on the Subject Property as depicted on the site plan dated 11-10-21 attached hereto and incorporated herein by reference as Exhibit B, and City staff are authorized and directed to record a copy of this ordinance with the DeKalb County Recorder.

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 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. The invalidity of any section of this ordinance shall not invalidate other sections or provisions thereof.

SECTION 5: 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 November 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, Larson, Perkins, McAdams, Faivre, Barnes. Nay: None. Absent: Smith, Verbic. Second Reading waived by a 6-0-2 roll call vote. Aye: Morris, Larson, Perkins, McAdams, Faivre, Barnes. Nay: None. Absent: Smith, Verbic.




COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant

EXHIBIT A

P.I.N.:

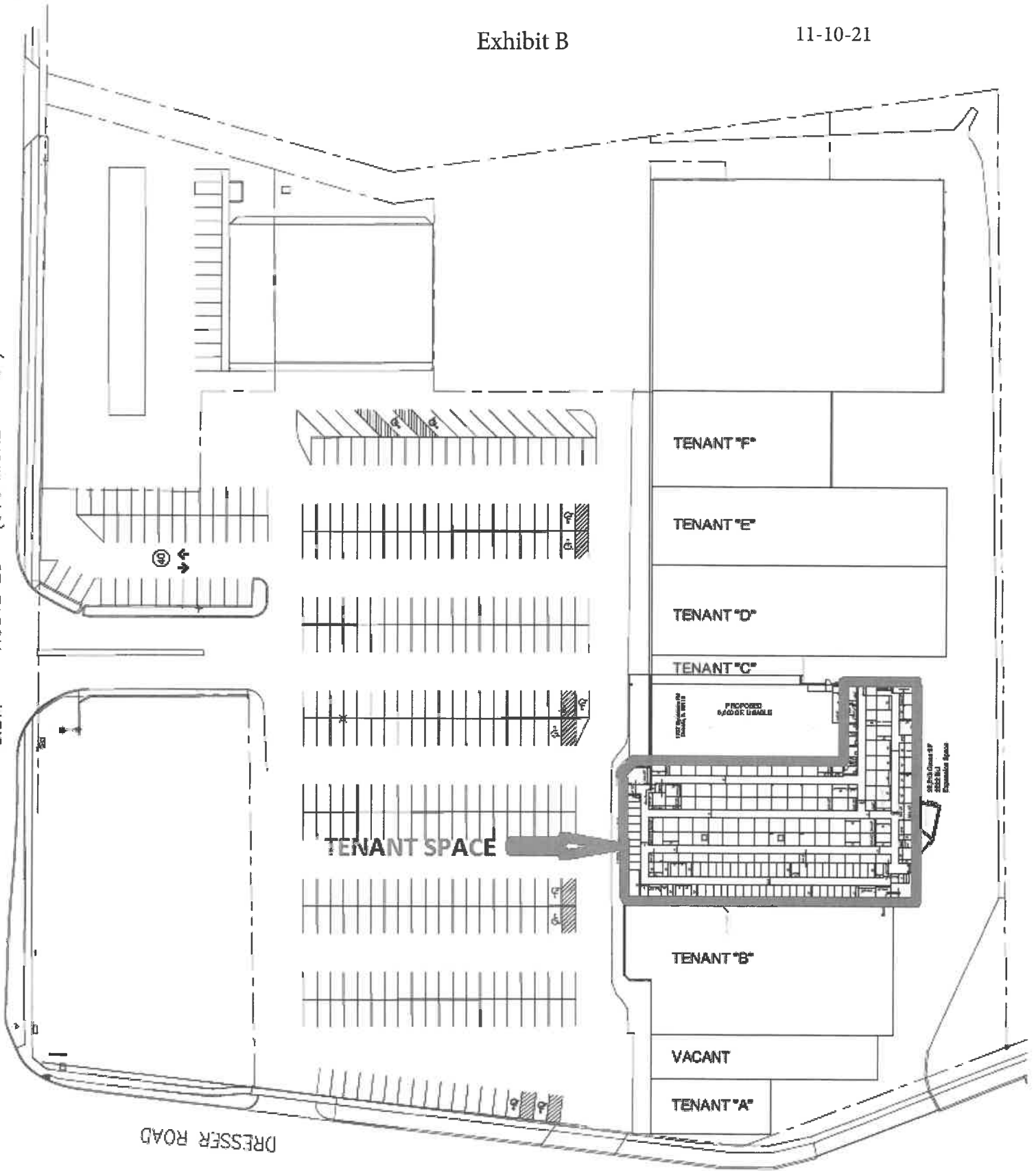
08-13-151-043

LEGAL DESCRIPTION:

LOTS H, J, K, L AND PART OF LOT G (EXCEPT THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT E OF THE DEKALB SHOPPING CENTER SUBDIVISION RECORDED IN BOOK "L" OF PLATS, PAGE IS, THENCE SOUTHEASTERLY ALONG THE MOST SOUTHWESTERLY LINE OF SAID LOT G FOR A DISTANCE OF 19.0 FEET THENCE NORTHEASTERLY ALONG A LINE PARALLEL WITH THE SOUTHEASTERLY LINE OF SIAD LOT E FOR A DISTANCE OF 140.0 FEET TO ITS INTERSECTION WITH AN EXTENSION OF THE NORTHEASTERLY LINE OF SAID LOT E; THENCE NORTHWESTERLY ALONG A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT G FOR A DISTANCE OF 19.0 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT E; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT E FOR A DISTANCE OF 140 FEET TO THE POINT OF BEGINNING), ALL AS PER THE PLAT OF DEKALB SHOPPING CENTER SUBDIVISION RECORDED IN BOOK "L" OF PLATS, PAGE IS, AS DOCUMENT NUMBER 299364, IN DEKALB COUNTY, ILLINOIS.

LOT F AND THAT PART OF LOT B AS PER THE PLAT OF DEKALB SHOPPING CENTER SUBDIVISION RECORDED IN BOOK "L" OF PLATS, PAGE IS, AS DOCUMENT NUMBER 299364, SITUATED IN DEKALB COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT B; THENCE WESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT B TO THE MOST WESTERLY CORNER OF SAID LOT B; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT B, A DISTANCE OF 57.0 FEET; THENCE NORTHEASTERLY ALONG A LINE PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT B TO THE NORTHEASTERLY LINE OF SAID LOT B; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINES OF SAID LOT B TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE FOLLOWING: A STRIP OF LAND DESCRIBED AS FOLLOWS; COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT B; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE, A DISTANCE OF 20.8 FEET; THENCE SOUTHEASTERLY ALONG A LINE PARALLEL WITH SAID NORTHEASTERLY LINE, A DISTANCE OF 31.5 FEET TO AN ANGLE POINT; THENCE SOUTHEASTERLY ALONG A LINE PARALLEL WITH SAID NORTHEASTERLY LINE TO ITS INTERSECTION LINE OF THE PREMISES FIRST HEREINABOVE DESCRIBED, AT A POINT 20.8 FEET SOUTHWESTERLY OF (AS MEASURED ALONG THE SOUTHEASTERLY LINE OF THE PREMISES FIRST HEREINABOVE DESCRIBED) THE NORTHEASTERLY LINE OF SAID LOT B; THENCE NORTHEASTERLY ALONG A LINE PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT B, A DISTANCE OF 20.8 FEET TO THE NORTHEASTERLY LINE OF SAID LOT B; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINES OF SAID LOT B TO THE POINT OF BEGINNING).

S.B.1. ROUTE 23 (SYCAMORE RD.)



DRESSER ROAD



2021015321

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL
RECORDED: 11/24/2021 09:39 AM
REC FEE: 55.00

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

PAGES: 6

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 2021-048

APPROVING A SPECIAL USE PERMIT FOR A SELF-SERVICE STORAGE FACILITY WITH INTERIOR UNIT ACCESS TO BE LOCATED AT 1700 SYCAMORE ROAD, DEKALB, ILLINOIS (DEKALB – HARLEM, LLC).

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

WITNESS my hand and the official seal of said City this 23rd day of November 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