

APPROVING A SPECIAL USE PERMIT FOR AN AMUSEMENT ESTABLISHMENT (CYBER AND ESPORTS CAFÉ) AT 901 LUCINDA AVENUE, DEKALB, ILLINOIS (4WILLZ LLC REPRESENTED BY WILLIAM WILLIAMS).

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, 4Willz LLC (the “Petitioner”), the lessee of property located at 901 Lucinda Avenue, DeKalb, Illinois and legally described in Section 2 of this Ordinance (the “Property”), petitioned the City to approve a special use permit for an amusement establishment consisting of a cyber and esports café on the Property (the “Special Use Permit”); and

WHEREAS, on October 17, 2022, pursuant to due notice, the City’s Planning and Zoning Commission (the “PZC”) conducted a public hearing on the Special Use Permit, made findings of fact, and recommended the approval of the Special Use Permit; and

WHEREAS, the City and Petitioner conducted all required public hearings before the PZC for a special use permit for an amusement establishment on the Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City’s corporate authorities adopt and incorporate by reference the PZC’s findings of fact, find that approving the Special Use Permit is in the City’s best interests for the protection of the public health, safety and welfare, and specifically find that the Special Use Permit conforms to the applicable factors 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 special use will comply with all regulations of the “LC” Light Commercial District and the UDO.

- 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 site has been zoned “LC” Light Commercial for decades. The building contains a variety of commercial and service uses that are compatible with the proposed special use. In addition, the proposed use fits in well with the adjacent university and meets the recommendations of the City’s 2022 Comprehensive Plan.

- 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 granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The building already has a variety of commercial and

service uses that will be compatible with the proposed use. With the proximity of NIU, the proposed location is ideal for students and others interested in esports gaming.

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

Adequate public services are already provided to the subject tenant space. There is adequate parking to the east and north sides of the building.

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. With the proximity of NIU, the proposed location is ideal for students and others interested in esports gaming. The proposed special use will be in compliance with the 2022 Comprehensive Plan. Adequate parking is provided to the east and north of the building.

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

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

SECTION 2: Subject to the Petitioner's compliance with the UDO, the City's Municipal Code, and applicable law, the City's corporate authorities approve a special use permit for an amusement establishment (Cyber and Esports Café) in the tenant space for the Property that is shown on Exhibit A and legally described as follows:

LOTS 5 AND 6 IN BLOCK 1; LOTS 1,2,3,4, AND 5 IN BLOCK 2; ALL IN WESTWOOD KNOLLS SUBDIVISION, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "G" OF PLATS, PAGE 174 AS DOCUMENT NO. 244179, IN DEKALB COUNTY, ILLINOIS; AND,

ALL OF THAT PART OF VACATED WESTWOOD ROAD LOCATED BETWEEN BLOCK 1 AND BLOCK 2 OF WESTWOOD KNOLLS SUBDIVISION, IN THE CITY OF DEKALB, AND BEING SOUTHERLY OF THE EXTENSION OF THE NORTHERLY LINE OF SAID BLOCKS, AND NORTHERLY OF THE EXTENSION OF THE SOUTHERLY LINE OF SAID BLOCKS;

ALSO THAT PART OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF GLIDDEN ACRES SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "N" OF PLATS, PAGE 13; THENCE NORTH, A DISTANCE OF 33 FEET TO THE SOUTHEAST CORNER OF LOT "D" OF SAID GLIDDEN ACRES

SUBDIVISION (MARKED BY AN IRON PIPE), THIS BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH ON THE EAST LINE OF SAID LOT "D" AND LOT "C", A DISTANCE OF 142.0 FEET; THENCE EASTERLY, 72.0 FEET TO THE NORTHWEST CORNER OF LOT 5 IN BLOCK 2 OF WESTWOOD KNOLLS SUBDIVISION; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 5, 142.0 FEET; THENCE WESTERLY, 72.0 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

Common Address: 901 E. Lucinda Ave., tenant space E, DeKalb, IL 60115
Parcel Identification Number ("PIN"): 08-15-351-007.

SECTION 3: The City Manager and his designee are authorized to record this ordinance in the DeKalb County Clerk and Recorder's Office.

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, this ordinance shall supersede state law in that regard within its jurisdiction.

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 24th day of October 2022 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant

EXHIBIT A

901-I	30'	2010 SF	Domino's
901-P	30'	2010 SF	Available \$10.00 PSF
901-R	20'	1150 SF	Graham Crackers
901-I	45'	3015 SF	Hot Spot Deli
901-K	85'	5695 SF	Available \$8.00 PSF (Upper Level)
901-L	195'	13065 SF	Available \$8.00 PSF (Mid Level)

901-A	60'	4020 SF	Available \$8.00 PSF
901-R	20'	1150 SF	Graham Crackers
901-B	55'	3685 SF	La Salsa Restaurant
901-C	14'	938 SF	Barber Shop
901-D	29'	1943 SF	Castillon Coffee
901-E	32'	2144 SF	E-Sports
901-F	64'	301-F2 3328 SF	Available \$7.00 PSF - 3328 SF
901-G	45'	1500 SF	Available \$10.00 PSF
901-G2	1400 SF	Boost Mobile	
901-M	30'	2010 SF	Panda House
901-H	60'	2410 SF	Sharks
901-T	14'	1450 SF	Huskie Smoothie

Tenant Space





2022010271

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL

RECORDED: 10/26/2022 01:49 PM
REC FEE: 75.00

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

PAGES: 5

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 2022-059

APPROVING A SPECIAL USE PERMIT FOR AN AMUSEMENT ESTABLISHMENT (CYBER AND ESPORTS CAFÉ) AT 901 LUCINDA AVENUE, DEKALB, ILLINOIS (4WILLZ LLC REPRESENTED BY WILLIAM WILLIAMS).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 24th day of October, 2022.

WITNESS my hand and the official seal of said City this 26th day of October 2022.



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