PASSED: MAY 8, 2023

APPROVING THE REZONING OF THE SITE AT 902 PEACE ROAD, DEKALB, ILLINOIS, FROM THE "HI" HEAVY INDUSTRIAL DISTRICT TO THE "PD-I" PLANNED DEVELOPMENT INDUSTRIAL DISTRICT AND APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN (EO5 HOTELS).

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, EO5 Hotels, represented by Pramit Patel, (the "Petitioner") is the contract purchaser of the property commonly known as 902 Peace Road, DeKalb, Illinois, (the "Property") and legally described as follows:

LOT 2 IN AIRPORT NORTH INDUSTRIAL PARK, UNIT NO. 4, BEING A SUBDIVISION OF PART OF SECTIONS THIRTEEN (13) AND FOURTEEN (14), TOWNSHIP FORTY (40) NORTH, RANGE FOUR (4), EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1997 AS DOCUMENT 97009526 IN BOOK "Z" OF PLATS, PAGE 267, ALL IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

WHEREAS, the Petitioner requested the City's approval of the following: (1) the rezoning of the property from the "HI" Heavy Industrial District to the "PD-I" Planned Development Industrial District to accommodate a 4-story 121 room Marriott branded hotel (the "Rezoning"); (2) the Preliminary Development Plan and Development Standards attached and incorporated as Exhibit A (the "Preliminary Development Plan"); and (3) exceptions to the City's Unified Development Ordinance (the "UDO") to: (a) permit an increase of the maximum site coverage from 70% to 77%; and (b) decrease the parking setbacks from five feet to 4.5 feet for the north property line (the "Exceptions"); and.

WHEREAS, on May 1, 2023, pursuant to due notice, the City's Planning and Zoning Commission (the "PZC") held a public hearing on the Petition, made findings of fact, and recommended the approval of the Petition; and

WHEREAS, the City's corporate authorities adopt and incorporate by reference the PZC's findings of fact and recommendation and further find that: (1) approving the Petition is in the City's best interests for the protection of the public health, safety and welfare; and (2) the Rezoning, Preliminary Development Plan and Exceptions conform with the UDO's applicable standards, except as otherwise provided by this Ordinance, as follows:

III. STANDARDS FOR ZONING MAP AMENDMENT

 The proposed rezoning conforms to the Comprehensive Plan, or conditions have changed to warrant the need for different types of land uses in that area. The proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding areas trend in development.

The 2022 Comprehensive Plan recommends the Property for Commercial use. The proposal also meets many of the goals and objectives set forth in the Plan. The trend of development in the area has been commercial uses. The lot has been vacant for 26 years since the plat for the Airport North Industrial Park Unit 4 Subdivision was approved in 1997.

2. The proposed rezoning conforms to the intent and purpose of the Unified Development Ordinance.

The rezoning of the Property to the "PD-I" Planned Development Industrial District will better match the proposed hotel use. Planned Developments allow the developer and the City the flexibility to agree to appropriate development standards. The proposed rezoning request and development are in compliance with the UDO, except for the Exceptions provided by this Ordinance. The Petition also meets the General Standard requirements for a Planned Development as described in Article 5.13.07 of the UDO.

3. The proposed rezoning will not have a significantly detrimental effect on the long-range development of adjacent properties or adjacent land uses.

The proposed rezoning will not have a detrimental effect on the adjacent properties or land uses as it entitles the subject property to a use that is complementary and compatible with the adjacent area. A Marriott brand hotel is not available in the area and will offer another hospitality option and keep Marriott loyal guests in DeKalb. The development will also increase hotel/motel and property tax revenue for the City and other taxing bodies. Adequate off-street parking is provided on the site and access to Peace Road will be improved to accommodate the use and increase safety. The proposed "PD-I" District fits into the surrounding area, with similar zoning surrounding the subject site.

4. The proposed rezoning constitutes an expansion of an existing zoning district that, due to the lack of undeveloped land, can no longer meet the demand for the intended land uses.

The Property is currently zoned "HI" Heavy Industrial District. Rezoning the Property to "PD-I" Planned Development Industrial District will allow the demand for the intended land use to be accommodated and the intended use is compatible with the surrounding area.

5. Adequate public facilities and services exist or can be provided.

Adequate public services and utilities are already provided to the Property or adjacent to the site. Stormwater detention will be provided underground. There is an 8-inch water main on the property and a 15-inch sanitary sewer line is located along the west side of Peace Road. A total of 136 parking spaces are provided on the lot exceeding the required number of 127 spaces per UDO. The existing access to Peace Road will be modified to accommodate the use and improve safety.

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 as Section 1 to this Ordinance.

SECTION 2: The City's corporate authorities approve the Petition including, but not limited to, the Rezoning, the Preliminary Development Plan, and the Exceptions, for the development of a 4-story, 121 room Marriott branded hotel, subject to the following conditions: (1) the City's "Official Zoning Map" shall be amended to depict the Property within the "PD-I" — Planned Development Industrial District"; (2) Petitioner shall develop and use the Property in accordance with the Preliminary Development Plan and Development Standards attached and incorporated as Exhibit A; (3) the access to the Property be revised on the Final Development Plan per approval of the City Engineer; and (4) except as may be otherwise expressly provided by this Ordinance and the Exceptions, Petitioner shall comply with applicable laws, regulations, ordinances and provisions

of the City's Municipal Code pertaining to the use, development, maintenance and taxation of the hotel development approved by this Ordinance.

SECTION 3: 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 4: 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 8th day of May 2023 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, McAdams, Verbic, Walker, Barnes. Nay: None. Absent: Perkins. Second Reading waived by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, McAdams, Verbic, Walker, Barnes. Nay: None. Absent: Perkins.

OF ILLI

COHEN BARNES, Mayor

Ruth A. Scott, Executive Assistant

Exhibit A

Preliminary Development Plans

Preliminary Development Plan (Concept Plan "B") dated 4-5-23 prepared by Wendler Engineer.

Exterior Elevations (Sheets 211 and 212) dated 6-24-21.

Planned Development Standards

Permitted Uses:

121 room hotel with accessory uses.

Bulk Regulations/Landscaping/Parking/Open Space:

Setbacks, building lines, site coverage, building dimension limitations, height restrictions, parking, landscaping and other similar restrictions and regulations shall meet those standards as set forth in the "PD-I" District and "HI" District of the UDO, except for the waivers as listed below.

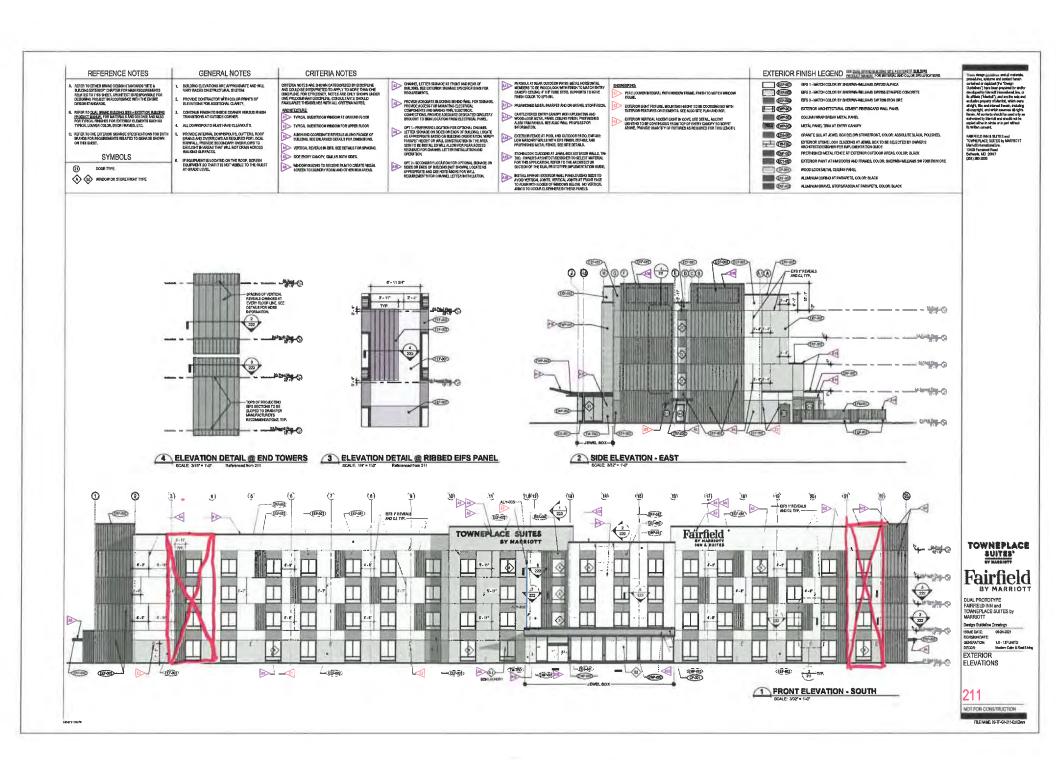
Article 5.13.07.4.a. - Increase the maximum site coverage from 70% to 77% as shown on the Preliminary Development Plan (Concept Plan "B") dated 4-5-23 prepared by Wendler Engineer.

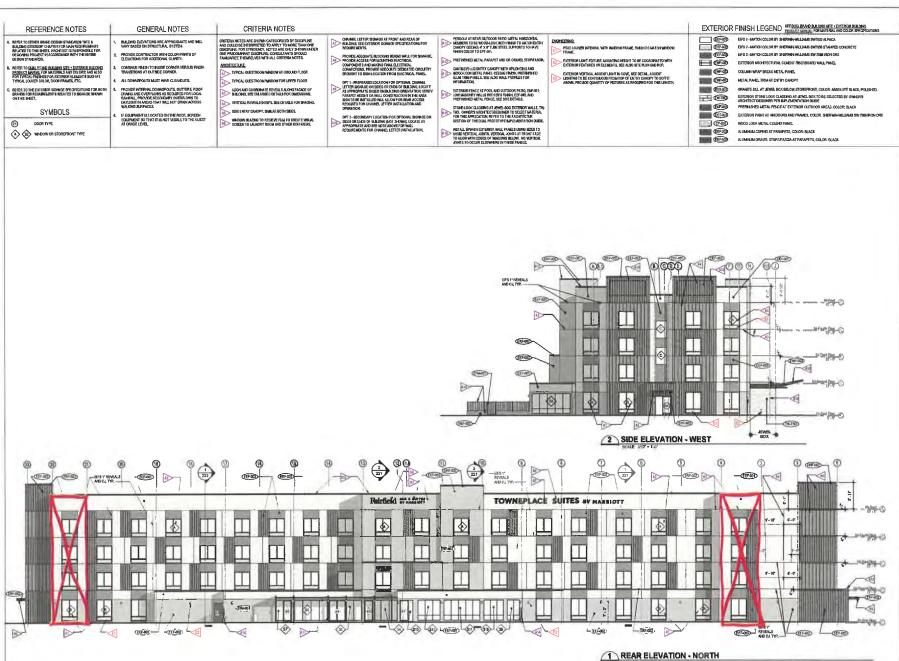
Article 12.03.6. - Decrease the parking setback along the north property line from 5 feet to 4.5 feet as shown on the Preliminary Development Plan (Concept Plan "B") dated 4-5-23 prepared by Wendler Engineer.

Final Development Plan:

A Final Development Plan including engineering plans, landscape plan, lighting plan and final building elevations shall be submitted and reviewed by the Planning and Zoning Commission and City Council prior to the issuance of a building permit.

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FAIRFIELD INN & SLITES and TOWNEPLACE SUITES by SAM Meriott International Inc. 10400 Fernacod Read Batheeds, AU 20017 (201) 380-3000

TOWNEPLACE SUITES' **Fairfield**

DUAL PROTOTYPE FAIRFIELD INN and TOWNEPLACE SUITES by MARRIOTT

AARRIOT:

Design Guideline Drewings

ISSUE DATE:

GE-24-2021

REVESION DATE:

GE-EXATION:

LC - 137 LINTS

NEODIT:

Modern Calin & Real Liding

EXTERIOR ELEVATIONS

NOT FOR CONSTRUCTION