

APPROVING A SPECIAL USE PERMIT FOR THE RENTAL OF TRUCKS AND TRAILERS AT 1371 S. FOURTH STREET, DEKALB, ILLINOIS (THE CURTIS RENTAL GROUP - DEKALB TOOL RENTAL).

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, the Curtis Rental Group (the "Petitioner"), is the lessee of the property located at 1371 S. 4th St. DeKalb, Illinois, PIN: 08-27-427-013 and 08-27-429-011, and legally described as:

LOT 1 OF PARDRIDGE PLACE UNIT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 19TH, 1987 IN BOOK "T" OF PLATS, PAGE 57, AS DOCUMENT NO. 87010024, IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

(the "Property"); and

WHEREAS, Petitioner requested that the City approve a special use permit for the rental of trucks and trailers on the Property (the "Special Use Permit"); and

WHEREAS, on May 6, 2024, pursuant to due notice, the City's Planning and Zoning Commission (the "PZC") held a public hearing on the Special Use Permit, made findings of fact, and recommended approving the Special Use Permit; 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 for the Property is in the public interest for the protection of the public health, safety and welfare, and further find that the Special Use Permit conforms with the applicable factors in the City's Unified Development Ordinance (the "UDO") as follows:

STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05(2) OF THE 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 of 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, and Petitioner has operated a rental business on the site since May of 2023 with no negative impacts.

The proposed special use meets the recommendations of the City's 2022 Comprehensive Plan, which indicates Commercial uses for the site. A condition is suggested in the recommendation that will limit the location of the outdoor storage area of trucks and trailers.

- 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 of neighboring properties. Much of the area is already developed with commercial and some multi-family residential uses. A restriction on the area for the storage of trailers and trucks is recommended to accommodate the residential area to the west of the Property. In addition, a maximum size of truck and trailer that can be stored is part of the recommendation.

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

Public services and utilities are already provided to the Property. There is adequate parking on-site for the proposed special use. There is a plan to reseal and restripe the parking lot this summer.

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 uses in the "LC" Light Commercial District. The proposed special use will be in compliance with the 2022 Comprehensive Plan, UDO, and Municipal Code. Adequate parking is provided on the site. Conditions are suggested in the recommendation that will limit the area where the storage of trucks and trailers can occur as well as the size of the trucks and trailers.

The proposed special use will not have a negative impact on development and use of neighboring property, adjacent existing or future land uses, adjacent property values, or the general public's health, safety, and welfare.

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 grant and approve a special use permit for the rental of trucks and trailers on the Property, subject to the following conditions:

1. No truck for rent shall exceed 26 feet in length (storage length);
2. No trailer shall exceed 32 feet in length;
3. No trucks and trailers shall be stored on the Property outside of the designated storage area depicted on the attached and incorporated Exhibit A;

~~4. The parking lot on the Property shall be resealed and restriped in conformity with the City's Municipal Code by December 31, 2024; and.~~

5. Petitioner shall comply with all applicable laws, regulations, ordinances, provisions of the City's Municipal Code, and this ordinance regarding the development, maintenance, use, and taxation of the Property and the rental of trucks and trailers on the Property.

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 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 13th day of May 2024 and approved by me as Mayor on the same day. Passed on First Reading by a 6-0-1 roll call vote. Aye: Zasada, Larson, Smith, Perkins, Walker, Barnes. Nay: None. Absent: Verbic. Second Reading waived by a 5-1-1 roll call vote. Aye: Zasada, Larson, Smith, Walker, Barnes. Nay: Perkins. Absent: Verbic.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant





2024007602

TASHA SIMS

RECORDER - DEKALB COUNTY, IL

RECORDED: 10/17/2024 01:55 PM

REC FEE: 75.00

PAGES: 6

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

POOR ORIGINAL OR CONTAINS COLORED INK
RECORDER NOT RESPONSIBLE
FOR REPRODUCTION

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 *corrected copy of:

ORDINANCE 2024-022 (*Previously recorded May 24, 2024, as document 2024003496)

**APPROVING A SPECIAL USE PERMIT FOR THE RENTAL OF TRUCKS
AND TRAILERS AT 1371 S. FOURTH STREET (THE CURTIS RENTAL
GROUP - DEKALB TOOL RENTAL).**

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 13th day of May 2024.

WITNESS my hand and the official seal of said City this 17th day of October 2024.



RUTH A. SCOTT, Executive Assistant



2024003496

TASHA SIMS

RECORDER - DEKALB COUNTY, IL

RECORDED: 5/24/2024 08:47 AM

REC FEE: 75.00

PAGES: 5

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

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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:

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CURTIS RENTAL GROUP – DEKALB TOOL RENTAL).**

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 13th day of May 2024.

WITNESS my hand and the official seal of said City this 24th day of May 2024.

RUTH A. SCOTT, Executive Assistant/Recording Secretary



Prepared by and Return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
164 E. Lincoln Highway
DeKalb, Illinois 60115