

APPROVING THE REZONING OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF W. HILLCREST DRIVE AND BLACKHAWK ROAD, DEKALB, ILLINOIS, FROM THE "LC" LIGHT COMMERCIAL DISTRICT TO THE "PD-C" PLANNED DEVELOPMENT COMMERCIAL DISTRICT AND APPROVAL OF A FINAL PLAT OF RE-SUBDIVISION TO ACCOMMODATE THE NIU CENTER FOR GREEK LIFE (NIU REAL ESTATE FOUNDATION).

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 City is the owner of the property legally described in the attached and incorporated Exhibit A (the "Property"); and

WHEREAS, NIU Real Estate Foundation (the "Applicant") is the contingent-contract purchaser of the Property and desires to develop the Property as the NIU Center for Greek Life pursuant to the provisions of a Real Estate Purchase and Sale Agreement with an effective date of July 22, 2024 (the "PSA"), which is adopted and incorporated by reference herein; and

WHEREAS, Applicant filed a petition (the "Petition") to: (1) rezone the Property from the "LC" Light Commercial District to the "PD-C" Planned Development Commercial District (the "Rezoning"); (2) approve the Planned Development Standards for the Property attached and incorporated as Exhibit B (the "Planned Development Standards"); (3) approve the preliminary development plan dated 8-22-24 attached and incorporated as Exhibit C (the "Preliminary Development Plan"); and (4) approve the Final Plat of Resubdivision dated 5-31-24 attached and incorporated as Exhibit D (the "Final Plat"); and

WHEREAS, on October 7, 2024, pursuant to due notice, the City's Planning and Zoning Commission (the "PZC") held a public hearing on the Petition, made findings of fact regarding the Petition, and recommended approving the Petition; and

WHEREAS, the City's corporate authorities adopt and incorporate by reference the PZC's findings of fact and further find that: (1) approving the Petition is in the public interest for the protection of the public health, safety and welfare; and (2) the Rezoning conforms with the applicable standards in the City's Unified Development Ordinance (the "UDO") as follows:

STANDARDS FOR ZONING MAP AMENDMENT

- 1. The Rezoning conforms to the Comprehensive Plan, or conditions have changed to warrant the need for different types of land uses in that area. The 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 subject site for a mix of uses: commercial and high density residential. The Plan also calls for the implementation of the Annie Glidden North Revitalization Plan with a critical focus at the intersection of W. Hillcrest Dr. and Blackhawk Rd. The NIU Center for Greek Life will serve as the focus of student life and activity for Greek students. The proposed "PD-C" Planned Development Commercial zoning classification is appropriate for the site and is compatible with the zoning and land uses in the surrounding area.

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

The rezoning of the subject property to the "PD-C" Planned Development Commercial District will allow for the Center for Greek Life to be established on the site. The purpose of Planned

Development zoning is to provide a means of achieving greater flexibility in development of land in a manner not always possible in conventional zoning districts. There are two exceptions to the UDO regarding building and parking/paving setbacks that are justified in order to allow the Center for Greek Life building to contain the needed space and services they will be providing.

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

The Rezoning will not have a detrimental effect on the adjacent properties. The Rezoning of the Property to "PD-C" Planned Development Commercial will be compatible with the zoning in the surrounding area, which consists of multi-family residential, Greek Housing, and commercial uses to the north and further west.

4. The 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 "LC" Light Commercial District. Rezoning the property to "PD-C" Planned Development Commercial District will allow the Property to be compatible with the zoning in 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, including water and sanitary mains. The proposed parking lot contains 92 total spaces, which should be more than adequate for the use. Public transportation also exists in the surrounding neighborhood. The Center will serve as the focus of student life and activity for Greek students in the area.

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: Subject to the conditions provided by Section 3 of this Ordinance, the City's corporate authorities grant the Petition and adopt and approve the following:

- A. The amendment of the City's "Official Zoning Map" to depict the Property as located in the "PD-C" – Planned Development Commercial District;
- B. The Planned Development Standards for the Property attached and incorporated as Exhibit B;
- C. The Preliminary Development Plan attached and incorporated as Exhibit C; and
- D. The Final Plat attached and incorporated as Exhibit D.

The City's corporate authorities further authorize and direct: (1) the City's respective officers to sign and attest the Final Plat; and (2) the City Manager to take all such actions on the City's behalf to effectuate the Rezoning and the Final Plat.

SECTION 3: The City's corporate authorities adopt and approve of the following conditions to the approvals provided by Section 2 of this Ordinance:

- A. The purchase of the Property by Applicant or its assignee pursuant to the provisions of the PSA; and

- B. Compliance by Applicant and its assignee with this Ordinance, the PSA, the City's Municipal Code, and applicable law regarding the ownership, maintenance, construction, development, use, occupancy, and taxation of the Property.

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 14th day of October 2024 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Absent: Zasada. Second Reading waived by a 7-0-1 roll call vote. Aye: Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Absent: Zasada.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant

**Exhibit A
(Legal Description)**

The Property is legally described as follows:

LOT 706 IN THE TWELFTH ADDITION TO ROLLING MEADOWS SUBDIVISION, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "R" OF PLATS ON PAGE 9, ON APRIL 14, 1976, AS DOCUMENT NO. 392887 IN THE RECORDER'S OFFICE OF DEKALB COUNTY, ILLINOIS, ALONG WITH LOT 1 BLOCK 2 OF DEK SUBDIVISION, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 15, 1978, IN BOOK "S" OF PLATS ON PAGE 2, AS DOCUMENT NO. 416803 IN THE RECORDER'S OFFICE OF DEKALB COUNTY, ILLINOIS, ALL SITUATED IN THE CITY OF DEKALB, THE COUNTY OF DEKALB AND THE STATE OF ILLINOIS.

TOTAL AREA = 122,343 square feet or 2.809 acres more or less

PINs: 08-15-151-011; 08-15-101-013

Exhibit B
(Planned Development Standards)

Planned Development Standards

Permitted and Special Uses:

NIU Center for Greek Life and 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 the standards set forth in the "PD-C" District and "LC" District of the UDO, except for the following exceptions:

1. The Property shall be allowed a building setback of 25 feet along the west property line adjacent to a residential zoned property as shown on the Preliminary Development Plan dated 8-22-24; and
2. The Property shall be allowed a parking/paving setback along Blackhawk Rd. of five (5) feet as shown on the Preliminary Development Plan dated 8-22-24.

Final Development Plan Review

A Final Development Plan shall be submitted and reviewed by the City's staff to ensure compliance with the Planned Development Ordinance, the Preliminary Development Plan, and the UDO's requirements. The City Manager shall approve the Final Development Plan upon City's staff review for compliance. Review and approval of the Final Development Plan by the Planning and Zoning Commission and City Council shall not be required.

Exhibit C
(Preliminary Development Plan)



www.f-w.com
Engineers | Architects | Surveyors | Scientists

#	DATE:	DESCRIPTION:
----------	--------------	---------------------

BD Set

NOT FOR CONSTRUCTION

NIU Center for Greek
Life

DATE:	08/22/2024
DESIGNED:	JMS
DRAWN:	OAS
REVIEWED:	JMS

SHEET NUMBER

A1.0

PROJECT NO.: 0231248.00



**Exhibit D
(Final Plat)**

FINAL PLAT OF NIU REAL ESTATE FOUNDATION RESUBDIVISION

BEING A RESUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL SITUATED IN THE CITY OF DEKALB, THE COUNTY OF DEKALB AND THE STATE OF ILLINOIS.



2024007628

TASHA SIMS
RECORDER - DEKALB COUNTY, IL
RECORDED: 10/18/2024 02:33 PM
REC FEE: 94.00
PAGES: 2

"KEEP IN FILE"

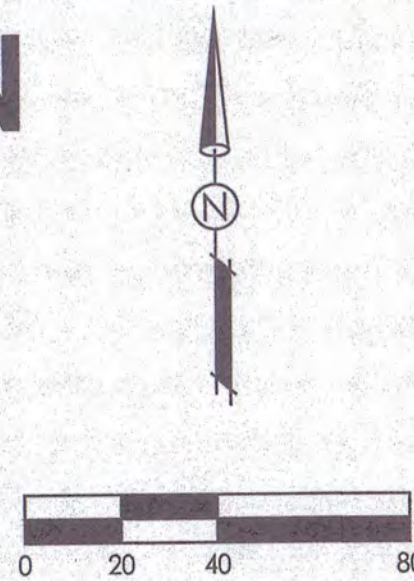
Plat Cabinet 11
Slide # 83-A

PINs 08-15-151-011, 08-15-101-013

LEGAL DESCRIPTION:

LOT 706 IN THE TWELFTH ADDITION TO ROLLING MEADOWS SUBDIVISION, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "R" OF PLATS ON PAGE 9, ON APRIL 14, 1976, AS DOCUMENT NO. 392887 IN THE RECORDER'S OFFICE OF DEKALB COUNTY, ILLINOIS, ALONG WITH LOT 1 IN BLOCK 2 OF DEK SUBDIVISION, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 15, 1978, IN BOOK "S" OF PLATS ON PAGE 2, AS DOCUMENT NO. 416803 IN THE RECORDER'S OFFICE OF DEKALB COUNTY, ILLINOIS, ALL SITUATED IN THE CITY OF DEKALB, THE COUNTY OF DEKALB AND THE STATE OF ILLINOIS.

TOTAL AREA = 122,343 SQUARE FEET OR 2.809 ACRES MORE OR LESS
1015 BLACKHAWK DRIVE, DEKALB, ILLINOIS 60115



OWNER'S CERTIFICATE:

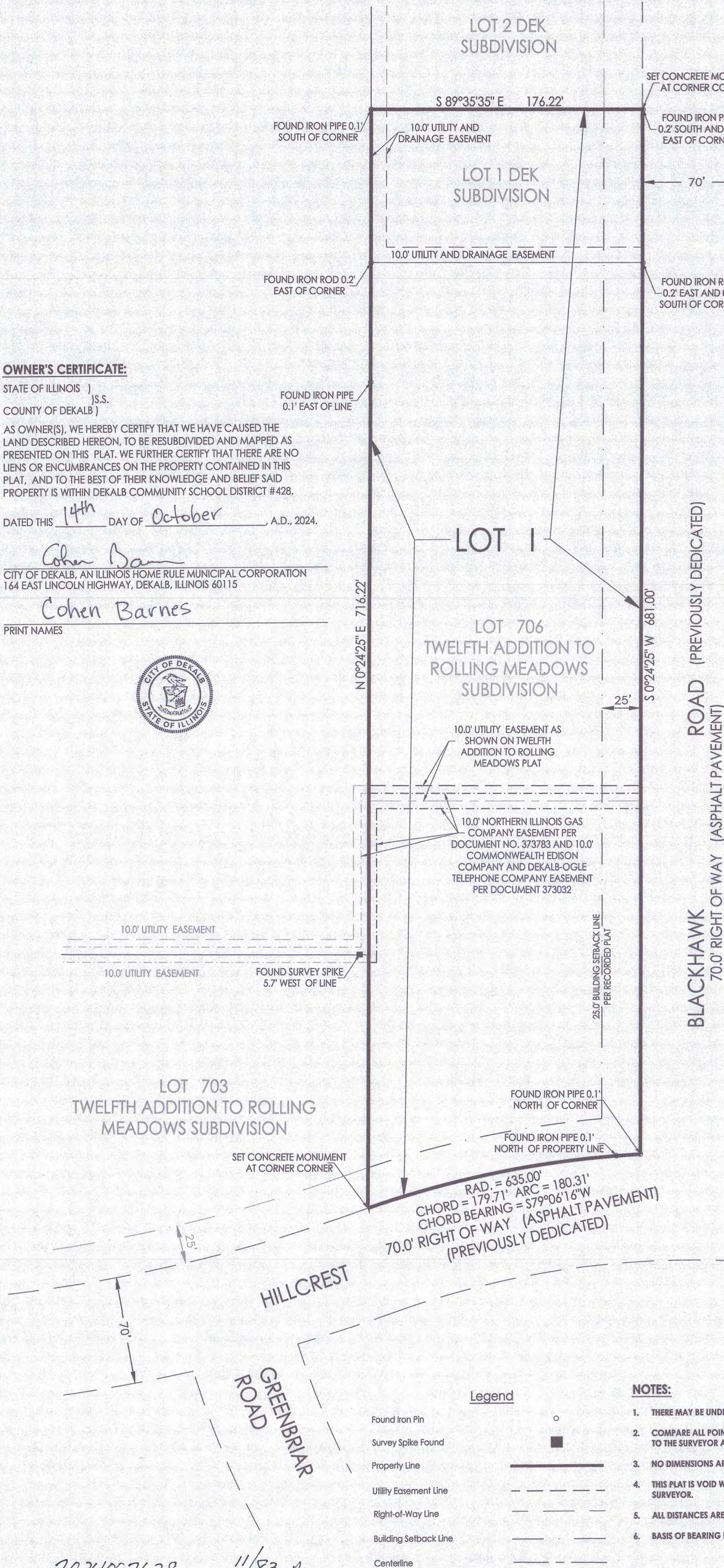
STATE OF ILLINOIS)
J.S.S.
COUNTY OF DEKALB)

AS OWNER(S), WE HEREBY CERTIFY THAT WE HAVE CAUSED THE LAND DESCRIBED HEREON, TO BE RESUBDIVIDED AND MAPPED AS PRESENTED ON THIS PLAT. WE FURTHER CERTIFY THAT THERE ARE NO LIENS OR ENCUMBRANCES ON THE PROPERTY CONTAINED IN THIS PLAT, AND TO THE BEST OF THEIR KNOWLEDGE AND BELIEF SAID PROPERTY IS WITHIN DEKALB COMMUNITY SCHOOL DISTRICT #428.

DATED THIS 14th DAY OF October, A.D., 2024.

Cohen Barnes
CITY OF DEKALB, AN ILLINOIS HOME RULE MUNICIPAL CORPORATION
164 EAST LINCOLN HIGHWAY, DEKALB, ILLINOIS 60115

PRINT NAMES



COUNTY RECORDER'S CERTIFICATE:

STATE OF ILLINOIS)
J.S.S.
COUNTY OF DEKALB)
THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DEKALB COUNTY, ILLINOIS.

THIS 18th DAY OF October, A.D., 2024.

AT 2:33 O'CLOCK PM.

PLAT CABINET 11 SLIDE NO. 83-A

THIS INSTRUMENT NUMBER 2024007628

Tasha Sims
TASHA SIMS - DEKALB COUNTY RECORDER



COUNTY CLERK'S CERTIFICATE:

STATE OF ILLINOIS)
J.S.S.
COUNTY OF DEKALB)
I, TASHA SIMS, AS COUNTY CLERK OF DEKALB COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID SPECIAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE PROPERTY DESCRIBED HEREON. GIVEN UNDER MY HAND AND SEAL

THIS 18th DAY OF October, A.D., 2024.

Tasha Sims
TASHA SIMS - DEKALB COUNTY CLERK



CITY COUNCIL'S CERTIFICATE:

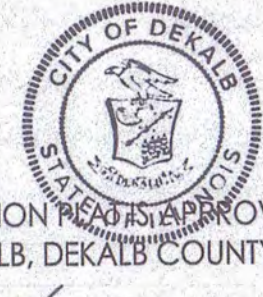
STATE OF ILLINOIS)
J.S.S.
COUNTY OF DEKALB)

THIS IS TO CERTIFY THAT THE ATTACHED RESUBDIVISION PLAT WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

APPROVED THIS 14th DAY OF October, A.D., 2024.

BY: Cohen Barnes
MAYOR: COHEN BARNES

ATTEST: Ruth Scott
EXECUTIVE ASSISTANT: RUTH SCOTT



KIMBERLY DRIVE

CITY PLANNING AND ZONING COMMISSION'S CERTIFICATE:

STATE OF ILLINOIS)
J.S.S.
COUNTY OF DEKALB)

THIS IS TO CERTIFY THAT THE ATTACHED RESUBDIVISION PLAT WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS.

APPROVED THIS 7th DAY OF October, A.D., 2024.

BY: William McMahon
Vice-CHAIRMAN: MAX MAXWELL



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
J.S.S.
COUNTY OF BOONE)

I, JEFFERSON J. BRAZAS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT AT THE REQUEST OF THE CITY OF DEKALB, I HAVE SURVEYED FOR THE PURPOSE OF RE-SUBDIVIDING LOT 706 IN THE TWELFTH ADDITION TO ROLLING MEADOWS SUBDIVISION, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK "R" OF PLATS ON PAGE 9, ON APRIL 14, 1976, AS DOCUMENT NO. 392887 IN THE RECORDER'S OFFICE OF DEKALB COUNTY, ILLINOIS, ALONG WITH LOT 1 IN BLOCK 2 OF DEK SUBDIVISION, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 15, 1978, IN BOOK "S" OF PLATS ON PAGE 2, AS DOCUMENT NO. 416803 IN THE RECORDER'S OFFICE OF DEKALB COUNTY, ILLINOIS, ALL SITUATED IN THE CITY OF DEKALB, THE COUNTY OF DEKALB AND THE STATE OF ILLINOIS. I FURTHER CERTIFY THAT THIS PLAT IS SITUATED WITHIN THE INCORPORATED CITY OF DEKALB, DEKALB COUNTY, ILLINOIS WHICH IS EXERCISING THE SPECIAL POWERS OF THE CITY PLAN AND THAT SAID PROPERTY IS LOCATED WITHIN TONEK, AREA OF MINIMAL FLOOD HAZARD, AS SET FORTH ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP NUMBER 17037C0234E, REVISED JANUARY 2, 2009. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT. FIELD WORK COMPLETE MAY 30TH, 2024.

DATED THIS 9TH DAY OF SEPTEMBER, A.D., 2024.

Jefferson J. Brazas
JEFFERSON J. BRAZAS
ILLINOIS PROFESSIONAL LAND SURVEYOR #3538



700 WEST LOCUST ST., BELVIDERE, ILLINOIS 61008 PHONE: (815) 547-8435, FAX: (815) 544-0421 ILLINOIS DESIGN FIRM NO. 184-001260	
CLIENT: CITY OF DEKALB	
CITY OF DEKALB, DEKALB COUNTY, ILLINOIS	
DATE: 05-31-2024	DRAWN BY: JJB
PROJECT NUMBER: 5702	DWG: 5702 SURVEY
SHEET 1 of 1	



2024007627

TASHA SIMS

RECORDER - DEKALB COUNTY, IL

RECORDED: 10/18/2024 02:33 PM

REC FEE: 75.00

PAGES: 10

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

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 2024-048

APPROVING THE REZONING OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF W. HILLCREST DRIVE AND BLACKHAWK ROAD, DEKALB, ILLINOIS, FROM THE "LC" LIGHT COMMERCIAL DISTRICT TO THE "PD-C" PLANNED DEVELOPMENT COMMERCIAL DISTRICT AND APPROVAL OF A FINAL PLAT OF RESUBDIVISION TO ACCOMMODATE THE NIU CENTER FOR GREEK LIFE (NIU REAL ESTATE FOUNDATION).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 22nd day of July 2024.

WITNESS my hand and the official seal of said City this 18th day of October 2024.



RUTH A. SCOTT, Executive Assistant

Prepared by + Return To:
City of DeKalb
164 E. Lincoln Hwy
DeKalb IL 60115



2024007628

TASHA SIMS

RECORDER - DEKALB COUNTY, IL

RECORDED: 10/18/2024 02:33 PM

REC FEE: 94.00

PAGES: 2

Plat ^{11/}83-A

Grantor: NIU Real Estate Foundation Resub
City of Dekalb

Grantee: None

Legal: Lot 0 > BIK 0 # 2854
Lot 1 > BIK 0 # 2854

Lot 706 BIK 0 # 3644
08-15-151-011

Lot 1 BIK 2 # 0814
08-15-101-013