

**APPROVING THE REZONING OF PROPERTY LOCATED AT 209 GROVE STREET, DEKALB, ILLINOIS, FROM THE "LI" LIGHT INDUSTRIAL DISTRICT TO THE "CBD" CENTRAL BUSINESS DISTRICT (MICHAEL WARFEL).**

**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**, Michael Warfel (the "Petitioner") is the owner of the property commonly known as 209 Grove Street, DeKalb, Illinois, which is legally described in the attached and incorporated Exhibit A (the "Property")

**WHEREAS**, the Petitioner applied for the rezoning of the Property from the "LI" Light Industrial District to the "CBD" Central Business District (the "Rezoning"); and

**WHEREAS**, on April 7, 2025, pursuant to due notice, the City's Planning and Zoning Commission (the "PZC") held a public hearing on the Rezoning, made factual findings, and recommended approving the Rezoning; 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 Rezoning 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 ("UDO") as follows:

**STANDARDS FOR ZONING MAP AMENDMENT**

- 1. 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 Property has been zoned "LI" Light Industrial for several decades. The 2022 Comprehensive Plan recommends the subject site for commercial uses. The proposed "CBD" zoning classification is appropriate for the site, will accommodate the proposed uses, and is consistent with the zoning and land uses in the surrounding area.

- 2. The proposed rezoning conforms to the intent and purpose of the UDO.**

The rezoning of the Property to the "CBD" Central Business District will make it consistent and compatible with the 2022 Comprehensive Plan and the uses in the surrounding area. As described in the UDO, the intent of the "CBD" is to accommodate those retail and office uses which are characteristic of the downtown commercial core of the City. The proposed uses for the building fit the "CBD" Central Business District better than the "LI" Light Industrial District.

- 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. The requested zoning of "CBD Central Business District will be compatible with the zoning in the area and the intent of the UDO. The City's 2022 Comprehensive Plan recommends commercial uses for the Property.

- 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 "LI" Light Industrial District. The Rezoning of the Property to "CBD" Central Business District will allow it to be compatible with the zoning in the surrounding area. This industrial zoned area has been in existence for several decades; however, it has become more commercial in nature due to being surrounded by commercial and institutional uses. The existing zoning of "LI" Light Industrial is no longer compatible or fitting for the Property.

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

Adequate public services and utilities are already provided to the Property. There are three public parking lots in the immediate area that will accommodate the necessary parking for the proposed zoning and uses.

**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 Petitioner's application for the Rezoning and approve an amendment to the City's "Official Zoning Map" that depicts the Property as located in the "CBD" – Central Business District.


**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 this Ordinance is 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 14<sup>th</sup> day of April 2025 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None.



  
**COHEN BARNES, Mayor**

ATTEST:  
  
Ruth A. Scott, Executive Assistant

**EXHIBIT A**  
**(Legal Description of the Property)**

The Property is legally described as follows:

The West 28 feet (except the West 11 inches thereof) of Lot 71 in Block 11 of County Clerks Subdivision, a subdivision of Blocks 11, 12, 14 and 15 of the City of DeKalb, according to the plat thereof recorded in Book "C" of Plats, p 42 on September 15, 1902 in DeKalb County, Illinois.

Common Address: 209 Grove St., DeKalb, IL 60115  
PIN: 0823165003