

APPROVING A SPECIAL USE PERMIT AT 611-615 N. FIRST STREET, DEKALB, ILLINOIS, FOR THE EXPANSION OF OAKWOOD CEMETERY (DEKALB TOWNSHIP).

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, DeKalb Township (the “Petitioner”) is the owner of property located at 611-615 N. First Street, DeKalb, IL and legally described in the attached and incorporated Exhibit A (the “Property”); and

WHEREAS, Petitioner requested that the City approve a special use permit to expand the Oakwood Cemetery on the Property (the “Special Use Permit”); and

WHEREAS, on May 5, 2025, 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 recommend that the City Council approve 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 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 (“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 provisions of the “MFR1” Multi-Family Residential 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 Property has been zoned “MFR1” Multi-Family Residential District for decades. The proposed special use is the expansion of an existing cemetery. The surrounding area is already developed with a variety of uses including a cemetery, church, apartment building, middle school, and commercial uses.

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 special use will not dominate the immediate area and prevent development on the neighboring properties. The surrounding area is already developed with a variety of uses, which include a cemetery, church, apartment building, middle school, and commercial uses. The proposed special use will operate in a manner that is not detrimental to the surrounding neighborhood.

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

Adequate public services and utilities are already provided to the Property. The site plan shows eight (8) additional parking spaces to adequately accommodate the proposed special use. Petitioner will comply with the floodplain regulations in the UDO.

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.

The proposed special use will not be detrimental to the permitted developments and uses in the surrounding area. The surrounding area is already developed with a variety of uses, which include a cemetery, church, apartment building, middle school, and commercial uses. The City received a Public Response Form from Bradford Shive of 8 Miller Ct. which supported the Special Use Permit.

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 and grant the Special Use Permit to allow for the expansion of Oakwood Cemetery on the Property in accordance with the site plan attached and incorporated as Exhibit B (the "Site Plan") and contingent upon Petitioner's compliance with this Ordinance and the UDO.

SECTION 3: This Ordinance 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 if this Ordinance is inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in 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 12th day of May 2025 and approved by me as Mayor on the same day. Passed on First Reading by a 6-0-2 roll call vote. Aye: Larson, Smith, Carlson, Powell, Verbic, Barnes. Nay: None. Absent: Zasada, Walker. Second Reading waived by a 6-0-2 roll call vote. Aye: Larson, Smith, Carlson, Powell, Verbic, Barnes. Nay: None. Absent: Zasada, Walker.



A handwritten signature in black ink, appearing to read "Cohen Barnes", is written over a horizontal line.

COHEN BARNES, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Ruth A. Scott", is written over a horizontal line.

Ruth A. Scott, Executive Assistant

EXHIBIT A
(Legal Description)

The Property is legally described as follows:

OUTLOT Y OF THE SECOND ADDITION TO S.A. SPICKERMAN'S RESUBDIVISION, BEING PART OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS,

AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID OUTLOT Y, SAID POINT ALSO BEING ON THE EAST LINE OF OAKWOOD CEMETERY; THENCE SOUTHERLY, ALONG SAID EAST LINE, 177.71 FEET; THENCE EASTERLY, AT AN ANGLE OF 89 DEGREES 14 MINUTES 44 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 131.23 FEET; THENCE NORTHERLY, AT AN ANGLE OF 111 DEGREES 27 MINUTES 43 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 150.00 FEET; THENCE WESTERLY, AT AN ANGLE OF 80 DEGREES 06 MINUTES 00 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 19.42 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT Y; THENCE CONTINUING WESTERLY, AT AN ANGLE OF 180 DEGREES 09 MINUTES 56 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG THE SOUTH LINE OF SAID OUTLOT Y, 168.26 FEET TO THE POINT OF BEGINNING, IN DEKALB COUNTY, ILLINOIS.

Common Address: 611-615 N. First Street, DeKalb, IL 60115;
PIN: 08-14-352-009 (partial) and 08-14-352-005.

EXHIBIT B

EXISTING
OAKWOOD
CEMETERY



PHASE ONE IMPROVEMENTS

FEBRUARY 2025

- 1 8-CAR PARKING LOT WITH 1 ADA SPACE
- 2 CONCRETE WALK
- 3 MEMORIAL PLAZA WITH DONOR BRICK PAVERS
- 4 PROPOSED PHASE I COLUMBARIA
- 5 DECOMPOSED GRANITE PATH
- 6 SEATWALL
- 7 TREE ALLEE WITH MEMORIAL TREES
- 8 SPECIMEN OAK TREE IN CURBED ENTRY ISLAND
- 9 REMEMBRANCE POLLINATOR GARDEN AND STORMWATER
- 10 CONCRETE PAD FOR FUTURE BENCH

ENGINEER'S ESTIMATE OF COST FOR
CIVIL SITE IMPROVEMENTS = \$99,655

INCLUDES GRADING, PARKING, CONCRETE, PAVER PLAZA,
SEATWALL, AND PHASE ONE GRANITE PATH

ANTICIPATED COUNTY COSTS	
COLUMBARIA	\$40,000
ALLEE TREES	\$21,750
SPECIMEN OAK	\$2,500
POLLINATOR	\$9,000
SHRUBS AND GROUNDCOVER	\$4,250
SCREENING EVERGREENS	\$5,000

TOTAL PHASE ONE COUNTY COSTS = \$82,500

FIRST STREET



EXHIBIT B

PROPOSED IMPROVEMENTS FEBRUARY 2025

- 1 8-CAR PARKING LOT WITH 1 ADA SPACE
- 2 CONCRETE WALK
- 3 MEMORIAL PLAZA WITH DONOR BRICK PAVERS
- 4 PROPOSED PHASE 1 COLUMBARIA
- 5 DECOMPOSED GRANITE PATH
- 6 SEATWALL
- 7 TREE ALLEE WITH MEMORIAL TREES
- 8 SPECIMEN OAK TREE IN CURBED ENTRY ISLAND
- 9 REMEMBRANCE POLLINATOR GARDEN AND STORMWATER
- 10 TRAILSIDE BENCH ON CONCRETE PAD (FUTURE)
- 11 FUTURE WOODLAND TRAIL
- 12 FUTURE CONCRETE AND COLUMBARIA EXPANSION

EXISTING
OAKWOOD
CEMETERY

FIRST STREET

