

**AUTHORIZING AN AMENDMENT TO THE SPECIAL USE PERMIT APPROVED BY ORDINANCE 2023-021 IN ORDER TO EXTEND THE TIMEFRAME FOR A MODULAR CLASSROOM TO REMAIN ON THE SITE AT 1133 N. THIRTEENTH STREET, DEKALB, ILLINOIS (LITTLEJOHN ELEMENTARY SCHOOL).**

**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 CUSD #428 (the “Petitioner”), petitioned the City to amend a special use permit to extend the time by three (3) more years for a modular classroom to remain on the property at 1133 N. 13<sup>th</sup> Street, DeKalb, IL (the “Property”); and

**WHEREAS**, on June 2, 2025, pursuant to due notice, the City’s Planning and Zoning Commission (the “PZC”) held a public hearing on Petitioner’s request, made findings of fact, and recommended approving Petitioner’s request; and

**WHEREAS**, the City’s corporate authorities adopt and incorporate by reference the PZC’s findings of fact, find that approving an amended special use permit for the Property is in the City’s best interests for the protection of the public health, safety and welfare, and specifically find that the proposed amended special use permit conforms with the City’s standards for a special use permit under 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.**

Littlejohn Elementary School has been located on the Property since 1954. A special use permit was issued in 2001 and 2017 for a modular classroom on the Property. The City granted a three-year extension in 2020 and a two-year extension in 2023. The Property is zoned “SFR2” Single-Family Residential, which requires a special use for public school buildings. A new modular classroom will be placed on the Property and will be in the same location as the existing modular classroom. The modular classroom will meet all setbacks and other zoning requirements of the “SFR2” 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. An elementary school has existed on the Property since 1954. A modular classroom was located on the Property from 2001 to 2011 in approximately the same location as the proposed modular classroom. A modular classroom was re-established on the Property in 2017 and has not been a detriment to the neighborhood. The nearest home to the modular classroom is about 160 feet away.

- 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 will not prevent development on neighboring properties. The surrounding area is already developed with single-family residential uses and the school has existed on the Property since 1954. The modular classroom was previously located on the Property for approximately 10 years from 2001 to 2011 and the current modular classroom has been on the Property since 2017. The location of a modular classroom on the Property has not dominated the immediate area and it complies with the UDO's requirements.

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

Adequate public services are already provided to the Property and the modular classroom. The new modular classroom will have a vestibule and bathroom that the current one does not have. Additional lighting was added to the area between the school building and modular classroom in 2017.

**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.**

A modular classroom has been located in the same place since 2017 and has operated in a manner that is compatible with the surrounding area. An annual inspection is conducted on the modular classroom and a Temporary Facility Permit is issued by the DeKalb County Regional Office of Education. The modular classroom will allow the school district to serve the educational needs of the community, which promotes the public health, safety and general welfare of the City. The City received a Public Response Form from Fredrick and Lois Lathrop of 210 Oak Drive supporting the request.

**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 adopt, approve, and grant an amendment to Section 3 of Ordinance 2023-021 to extend the time frame for a modular classroom to remain on the Property as follows:

1. The modular classroom may remain on the Property in the location shown on Exhibit A (the "Site Plan") up to August 15, 2028. On or before August 15, 2028, the modular classroom shall be removed from the Property and the surface beneath the modular classroom shall be restored to a pre-installation, grassed condition.

**SECTION 3:** Except as may otherwise be provided by Section 2 of this Ordinance, the provisions of Ordinance 2023-021 and the special use permit for the modular classroom on the Property shall remain in full force and effect.

**SECTION 4:** 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 non-preemptive state law, this Ordinance shall supersede that state law in 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 9<sup>th</sup> day of June 2025 and approved by me as Mayor on the same day. Passed on First Reading by a 6-0-2 roll call vote. Aye: Zasada, Larson, Carlson, Verbic, Walker, Barnes. Nay: None. Absent: Smith, Powell. Second Reading waived by a 6-0-2 roll call vote. Aye: Zasada, Larson, Carlson, Verbic, Walker, Barnes. Nay: None. Absent: Smith, Powell.



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

COHEN BARNES, Mayor

ATTEST:

A large, stylized handwritten signature in black ink, likely belonging to Ruth A. Scott, is written over a horizontal line.

Ruth A. Scott, Executive Assistant

## EXHIBIT A

### PARKING:

20 CLASSROOMS

13 OFFICES

13 OFFICES - VISITOR SPACES

16 QUALIFYING EMPLOYEES

62 TOTAL SPACES REQUIRED

72 AVAILABLE PARKING  
SPACES INCLUDING 3  
HANDICAP SPACES

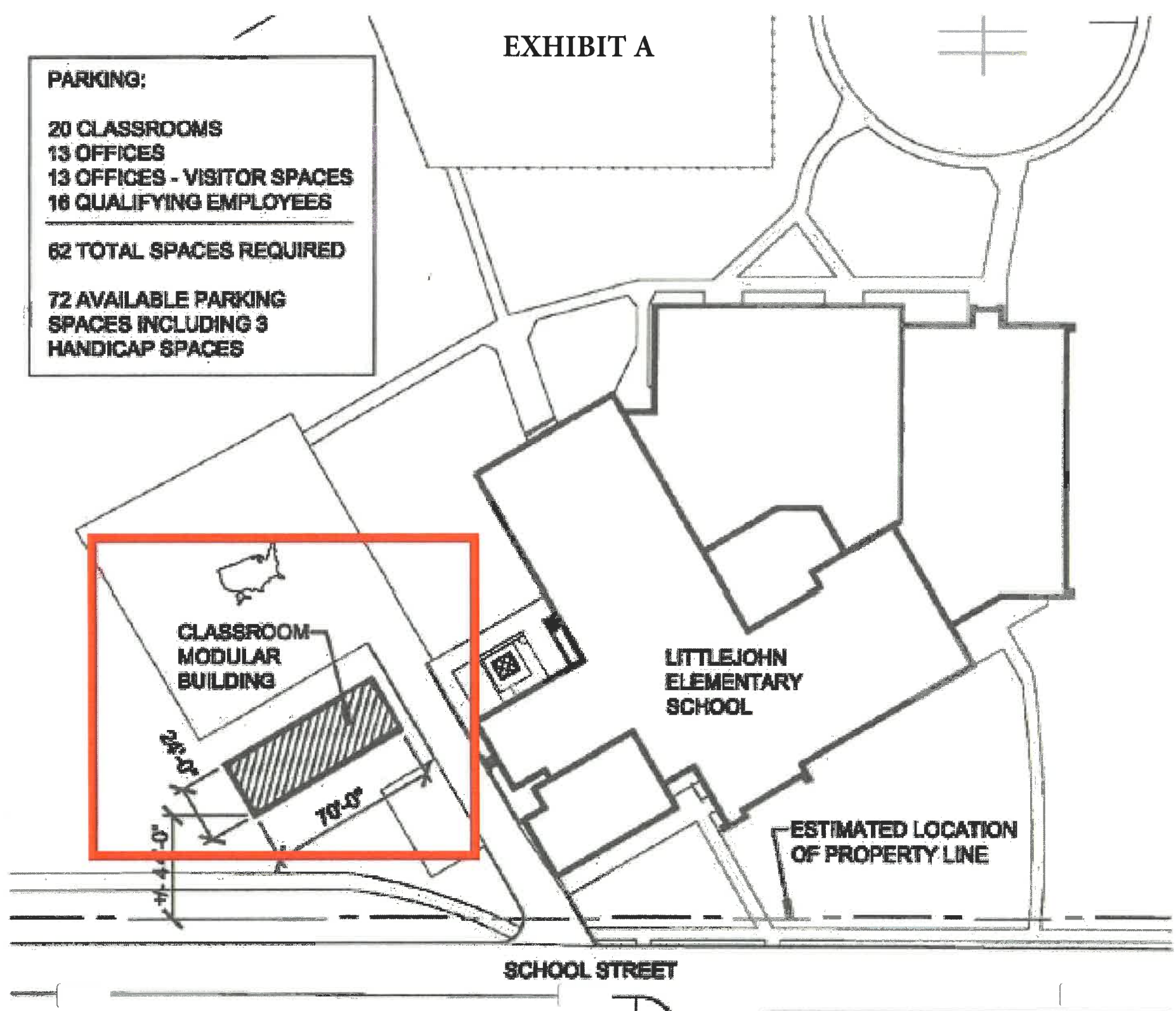




EXHIBIT B

SUBJECT SITE

MODULAR CLASSROOM

SYCAMORE RD

HURTMAN ST

SCHOOL ST

N 9TH ST

N 10TH ST

N 11TH ST

N 12TH ST

N 13TH ST

ELM ST

Addresses visible on map include: 805, 806, 802, 801, 901, 906, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 913, 919, 925, 929, 1002, 1100, 1105, 1108, 1110, 1114, 1116, 1118, 1120, 1121, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743,