

**ORDINANCE 11-59 Passed November 14, 2011**

**REZONING PROPERTY KNOWN AS THE  
DEKALB PUBLIC LIBRARY, FROM "RC-1"  
RESIDENTIAL CONSERVATION DISTRICT  
AND "LC" LIGHT COMMERCIAL, TO "PD-C"  
PLANNED DEVELOPMENT COMMERCIAL.**

**WHEREAS**, the DeKalb Public Library has submitted a petition to rezone the property at 309 Oak Street, from "RC-1" Residential Conservation District and "LC" Light Commercial, to "PD-C" Planned Development Commercial; and,

**WHEREAS**, a public hearing was held on the proposed rezoning on October 26, 2011, and was reviewed by the DeKalb Planning and Zoning Commission and received its approval by a vote of 6-Aye, 0-Nay, 1-Absent, indicating that the request complies with the requirements and criteria set forth in the Unified Development Ordinance for a zoning map amendment, and the proposed rezoning is in conformance with the Development Plan Map and is compatible with adjacent land uses; now,

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL** of the City of DeKalb, Illinois as follows:

**Section One.** That the Official Zoning Map of the City of DeKalb shall be amended by deleting therefrom the "RC-1" Residential Conservation District and "LC" Light Commercial zoning for property commonly known as 309 Oak Street, and legally described as:

Parcel 1 "RC-1"

Lots 4 and 5 in Block 3 of Lewis Huntley's Addition to the Village (now City) of DeKalb, DeKalb County, Illinois.

PIN: 02-23-154-002

Parcel 2 "RC-1"

Lots 7 and 8 in Block 2 in Lewis Huntley's Addition to the Village (now City) of DeKalb, according to the plat thereof recorded in Book "A" of Plats, page 8 1/4 on June 9, 1855 in DeKalb County, Illinois.

PIN: 08-23-153-006

Parcel 3 "LC"

Lot "A" in the resubdivision of Lot 1 in Block "B" of the original Town (now City) of DeKalb, DeKalb County, Illinois.

PIN: 08-23-156-001

Parcel 4 "LC"

Lot "B" in the resubdivision of Lot 1 in Block "B" of the original Town (now City) of DeKalb, DeKalb County, Illinois.

PIN: 08-23-156-002

Parcel 5 "LC"

The West 65 feet of Lot 10 in Block "B" of the original Town (now City) of DeKalb, according to the plat thereof recorded in Book "A" of Plats, page 8 1/4 on December 19th, 1953, in DeKalb County, Illinois.

PIN: 08-23-156-009

Parcel 6 "LC"

Lot 10 (except the West 65 feet thereof) in Block "B" of the original Town (now City) of DeKalb, according to the plat thereof recorded in Book "A" of Plats, page 8 1/4 on December, 19, 1953, in DeKalb County, Illinois.

PIN: 08-23-156-010

Parcel 7 "RC-1"

Lot 6 in Block 2 in Lewis Huntley's Addition to the Village (now City) of DeKalb, according to the plat thereof recorded in Book "A" of Plats, page 8 1/4 on June 9, 1855 in DeKalb County, Illinois.

PIN: 08-23-153-007

**Section Two.** That the Official Zoning Map shall be amended by designating the Property "PD-C" Planned Development Commercial.

**Section Three.** That the terms and conditions of this Planned Development, including the approval of the Concept Plan, waiver of parking requirements and waiver of minimum planned development size shall be as set forth within the Intergovernmental Development Agreement, approved by Ordinance 11-58 on this same date and subject to the following conditions:

1. That the zoning permissions, deviations from minimum standards as outlined above, and related relief provided under this ordinance shall be applicable and limited only to the use of the Property by the DeKalb Public Library for the construction of a public library in accordance with the Intergovernmental Development Agreement ("Agreement") entered into of even date herewith. Any other use or user shall be required to rezone the subject parcel in accordance with the Agreement.

**Section Four.** That all other provisions of the Unified Development Ordinance shall remain in full force and effect.

**Section Five: GENERAL PROVISIONS**

**REPEALER:** All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

**SEVERABILITY:** Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its passage, as provided by law.

**PASSED BY THE CITYCOUNCIL** of the City of DeKalb, Illinois, at a regular meeting, held on the 14<sup>th</sup> day of November, 2011 and approved by me as Mayor on the same day. Received and filed by voice vote. Waiver of second reading requirement in Section 2.04 (e) of the Municipal Code passed by roll call vote: 7-0. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, O' Leary. Passed on second reading by roll call vote: 7-0. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, O' Leary. Nay: None.

**ATTEST:**

  
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STEVE KAPITAN, City Clerk

  
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KRIS POVLSSEN, Mayor

