

ORDINANCE 2017-031

PASSED: JULY 10, 2017

APPROVING A SPECIAL USE PERMIT FOR A PUBLIC SCHOOL AND TO ALLOW FOR A MODULAR CLASSROOM AT 1121 SCHOOL STREET, DEKALB, ILLINOIS (LITTLEJOHN ELEMENTARY SCHOOL).

WHEREAS, the City of DeKalb is a home rule municipality with the power and authority conferred upon it by the Illinois Municipal Code and the Constitution of the State of Illinois; and

WHEREAS, DeKalb Community School District 428 (herein referred to as "Petitioner") owner of property located at 1121 School Street, DeKalb, Illinois commonly known as Littlejohn Elementary School, (herein referred to as "Subject Property"), has petitioned the City of DeKalb for approval of a special use permit for a public school in the "SFR2" Single-Family Residential District to bring the Subject Property into compliance with the Unified Development Ordinance and to allow for the addition of a modular classroom (mobile classroom) just to the west of the existing school building; and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the Planning and Zoning Commission on June 21, 2017; and

WHEREAS, the City and Petitioner have conducted all required public hearings before the Planning and Zoning Commission of the City of DeKalb for the special use permit for the Subject Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City Council has reviewed and adopts the following findings of fact of the Planning and Zoning Commission of the City of DeKalb, finds that the proposed special use permit is in conformance with the applicable factors contained therein, and finds that approval of the special use permit for the Subject Property is in the public interest and promotes the public health, safety and welfare;

STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05 (2) OF THE UNIFIED DEVELOPMENT ORDINANCE

1. The proposed special use complies with all provisions of the applicable district regulations.

The school has been located on the subject property since the 1954. The subject property is zoned "SFR2" Single-Family Residential, which requires a special use for public school buildings. There are no records indicating that a special use permit was issued for the property. Granting of the special use will bring the site into compliance with the UDO. The proposed mobile classroom will meet all setback 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 site since the 1950's. The proposed modular classroom will be situated at a location that meets all zoning requirements and formerly contained a mobile classroom that was not injurious to the surrounding neighborhood. A photometric plan will be required to be submitted reflecting additional lighting along the west side of the school building and near the hard surfaced play area and proposed modular classroom.

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 the neighboring properties. The surrounding areas is already developed with single-family residential uses and the school has existed on the site since 1954. The mobile classroom will be located in area that previously contained a mobile classroom and meets the requirements of the UDO.

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

Adequate public services are already provided to the subject site. The appropriate utilities will be provided to the mobile classroom and additional lighting will be added to the area between the school building and mobile classroom.

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 of DeKalb.

A mobile classroom was formerly situated in the same location as the one proposed and operated in a manner that was compatible with the surrounding area. The mobile 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.

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

Section 1. The recitals set forth in the preamble are hereby incorporated herein by reference and made a part of this Ordinance.

Section 2. This Ordinance is limited and restricted to the Subject Property described as follows:

The property is commonly described as 1121 School Street, DeKalb, IL 60115, has a Parcel Identification Number (PIN) of 08-14-453-037 and is shown on the attached Exhibit B.

Section 3: A special use permit for a public school to bring the site into compliance with the Unified Development Ordinance and to allow for the addition of a modular classroom just to the west of the existing school building is hereby granted for the Subject Property and subject to the conditions listed in Section 4 of this Ordinance.

Section 4: The approval herein is granted subject to the following conditions:

1. The modular classroom shall be located in the area as indicated on the Site Plan dated June 15, 2017, prepared by Richard L. Johnson Associates, and labeled as Exhibit A.
2. The modular classroom may remain on the subject site in the location as shown on Exhibit A for no more than three (3) years of the date of approval of the Ordinance granting the Special Use Permit, and shall, on or before said date, be removed from the property. At such time, the surface beneath the modular classroom shall be restored to a pre-installation, grassed condition.
3. Additional site lighting along the west side of the school building, near the hard surfaced play area and proposed modular classroom shall be provided within 60 days after approval of the Ordinance granting the Special Use Permit, pursuant to the submittal and approval of a photometric plan that is in compliance with the Unified Development Ordinance.
4. All trash dumpsters on the subject site shall be screened per the provisions of Article 7.11 of the Unified Development Ordinance within 60 days after approval of the Ordinance granting the Special Use Permit.

Section 5. All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

Section 6. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 7. That all provisions of the Unified Development Ordinance shall remain in full force and effect and this Ordinance shall take effect upon its passage and approval according to Law. The City Clerk or designee shall record a copy of this Ordinance included herein after execution of this Ordinance.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 10th day of July, 2017, and approved by me as Mayor on the same day. Passed by a 7-0-1 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Faivre, Smith. Nay: None. Absent: Verbic. Waiver of Second Reading passed by a 7-0-1 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Faivre, Smith. Nay: None. Absent: Verbic.

ATTEST:


SUSANNA HERRMANN, City Clerk


JERRY SMITH, Mayor

The seal of the City of DeKalb, Illinois, is circular with a double-line border. The outer ring contains the text "CITY OF DE KALB" at the top and "STATE OF ILLINOIS" at the bottom. The inner circle features a central emblem of a plow and a sheaf of wheat, with the year "1837" and the word "DEKALB" below it.

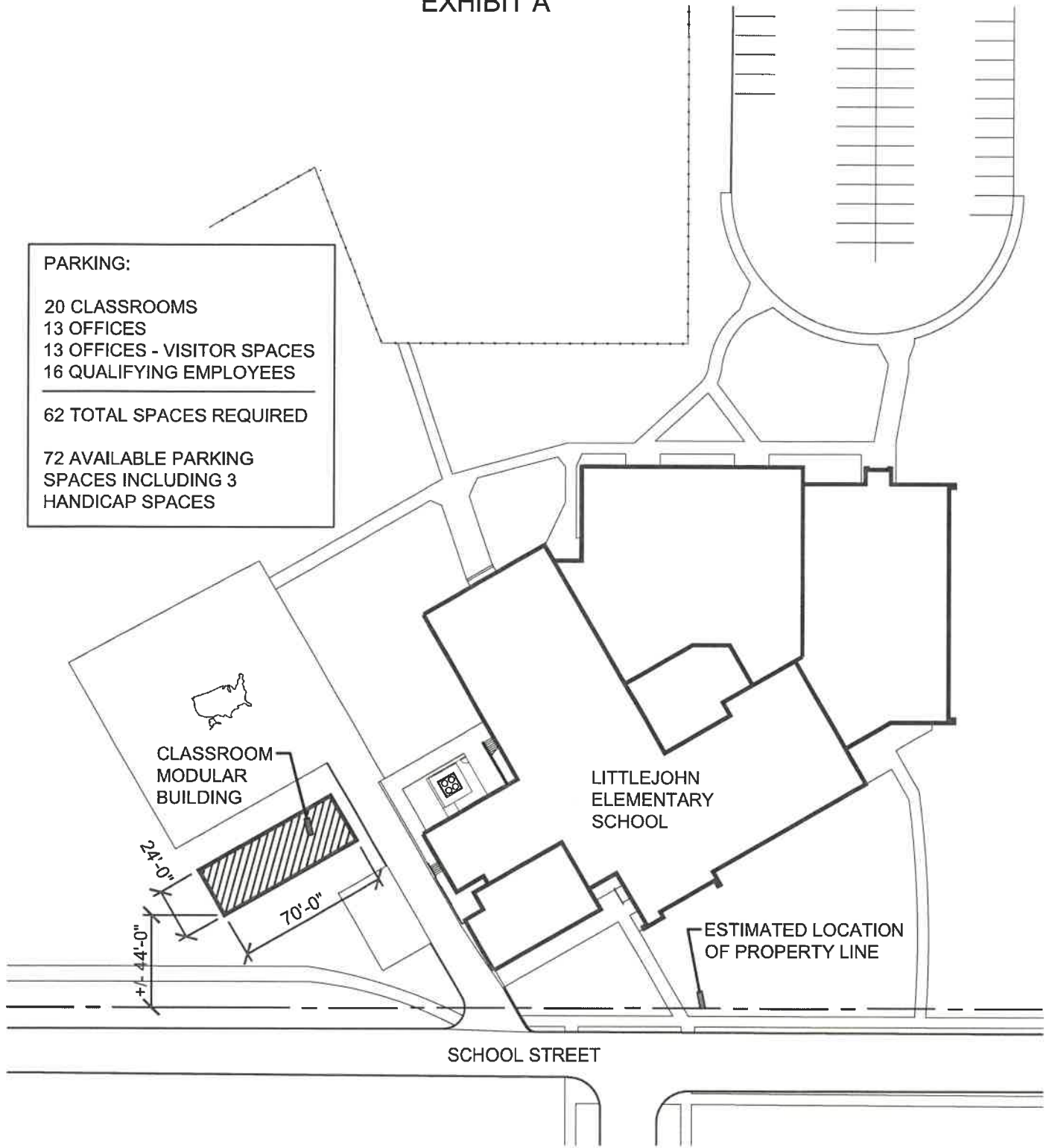
EXHIBIT A

PARKING:

20 CLASSROOMS
13 OFFICES
13 OFFICES - VISITOR SPACES
16 QUALIFYING EMPLOYEES

62 TOTAL SPACES REQUIRED

72 AVAILABLE PARKING
SPACES INCLUDING 3
HANDICAP SPACES



1

PARTIAL SITE PLAN

SCALE: 1/64"=1'-0"



LITTLEJOHN ELEMENTARY SCHOOL
MODULAR CLASSROOM
DEKALB CUSD #428

 **RICHARD L. JOHNSON**
ASSOCIATES | ARCHITECTS

JOB NO. 17-040
DATE: June 15, 2017 **A2**





2017007189

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL
RECORDED: 7/27/2017 11:37 AM
REC FEE: 81.00

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

PAGES: 7
POOR ORIGINAL OR CONTAINS COLORED INK
RECORDER NOT RESPONSIBLE
FOR REPRODUCTION

I, **RUTH A. SCOTT**, do hereby certify that I am the duly appointed Deputy City Clerk of the City of DeKalb, DeKalb County, Illinois, and as such officer, I am the keeper of the records and files of the City Council of said City.


I do further certify that the attached is a true and correct copy of:

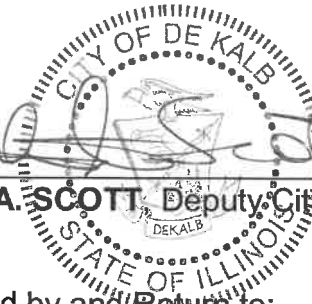
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PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois on the 10th day of July, 2017, and the original is now on file at the City of DeKalb Municipal Building.

WITNESS my hand and the official seal of said City this 19th day of July, 2017.



RUTH A. SCOTT, Deputy City Clerk


Prepared by and Return to:

Deputy City Clerk Ruth Scott
City of DeKalb
200 South Fourth Street
DeKalb, IL 60115