I, LYNN A. FAZEKAS, do hereby certify that I am the duly appointed 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:

ORDINANCE 2019-030

APPROVING THE FINAL PLANS FOR PLAZA DEKALB, PURSUANT TO ORDINANCE 2017-036, FOR THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF 2ND STREET AND LINCOLN HIGHWAY, DEKALB, ILLINOIS.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 11th day of March 2019. The original will be kept on file at the City of DeKalb Municipal Building.

WITNESS my hand and the official seal of said City this 8th day of April 2019.

Prepared by and Return to:

City of DeKalb
City Clerk’s Office
200 S. Fourth Street
DeKalb, Illinois 60115
ORDINANCE 2019-030          PASSED: MARCH 11, 2019

APPROVING THE FINAL PLANS FOR PLAZA DEKALB, PURSUANT TO 
ORDINANCE 2017-036, FOR PROPERTY LOCATED ON THE 
NORTHEAST CORNER OF 2ND STREET AND LINCOLN HIGHWAY, 
DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb is a home-rule municipal corporation with all power and 
authority derived under the law; and

WHEREAS, on August 14, 2017, Council approved Ordinance 2017-036, “Approving a 
Rezoning from Central Business District (CBD) to Planned Development Commercial 
(PD-C), Approval of a Concept Plan, and Approving a Development Agreement with 
Plaza DeKalb, LLC for Property Located on the Northeast Corner of 2nd Street and Lincoln 
Highway, DeKalb, Illinois.”; and

WHEREAS, on November 13, 2018, Council approved Ordinance 2018-082, “Authorizing 
and Amendment to Ordinance 2017-036 to Allow Additional Service Facilities to the List 
of Permitted Commercial Uses in Article II.C of the Ordinance up to 2,000 Square Feet 
and to Increase the Maximum Square Footage Allowed for “Professional Service Offices” 
from 1,000 Square Feet to 2,000 Square Feet (203, 209, 223 and 229 E. Lincoln Highway, 
DeKalb, IL) (Plaza DeKalb)”; and

WHEREAS, the Development Agreement (the “Agreement”) approved as part of 
Ordinance 2017-036 included requirements that Final Plans be submitted to staff and 
Council for approval prior to the issuance of permits and construction, without the need 
for further public hearing; and

WHEREAS, Article II H “Parking Provisions” of the Agreement requires a Parking 
Agreement be submitted and approved as part of final plans to be approved by the City 
specifying timing and location restrictions for residents, business owners and employees, 
and the annual fees required for parking passes; and

WHEREAS, Parking Regulations for Downtown DeKalb are being prepared for 
consideration by City Council in the near future (Downtown Parking Regulations), which 
necessitates a delay in the preparation of the Parking Agreement required by Ordinance 
2017-036 until after the Downtown Parking Regulations are approved by Council; and

WHEREAS, Plaza DeKalb, LLC (Developer) submitted Final Plans, which have been 
reviewed by staff, and are being forwarded to Council for final approval pursuant to the 
Agreement, with a recommendation from staff that the plans be approved subject to the 
conditions outlined herein; and

WHEREAS, the City Council of the City of DeKalb has determined that it is necessary 
and advantageous and supports the public health, welfare and safety to authorize this 
action.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, 
Illinois:
SECTION 1. The City Council of the City of DeKalb hereby approves the Final Plans for Plaza DeKalb (Final Plans) enumerated below, subject to the conditions listed:

1. Plat of Survey, attached hereto as Exhibit A, prepared by Shawn R. VanKampen of William E. Hanna Surveyors, dated February 27, 2019, for the properties identified in the Agreement.

CONDITIONS:

A. Prior to the issuance of a certificate of occupancy, Developer shall:

   i. Produce and provide Public Access/Sidewalk Easements in a form reasonable acceptable to the City Manager of the City of DeKalb for all areas south and west of the foundations for the buildings defined in Exhibit A.

   ii. Secure an easement from the City of DeKalb in a form reasonably acceptable to the City Manager for the City of DeKalb for an area on the north side of the building located on Parcel One that extends north a distance that encompasses the landscape area enclosed by the “20” Retaining Wall” shown in Exhibit A. The easement shall extend across the full width of Parcel One to accommodate exit stairs and loading areas north of Parcel One at the east end of the parcel.


CONDITIONS:

A. Sheet 1 of 5 shall be revised to show the location of the exiting stairs.

B. The pavement areas between the buildings and the through travel lane for Palmer Court shall be designated and designated and signed as a “No Parking Loading Area Only”.

C. A note shall be added to the plans indicating that any damage to improvements in adjoining rights-of-way shall be replaced in kind.

3. Floor Plans, Sheet SK4, attached hereto as Exhibit C.

CONDITIONS:

A. The locations of the windows shall be revised to be consistent with final elevation drawings.

B. A note shall be added to the plan that finishes shall be as approved in the Agreement authorized by Ordinance 2017-036.
C. The City acknowledges and approves a change in the Agreement to authorize the Developer to provide furniture as an option, to accommodate those who wish to provide their own furnishings. Subsection II(B)(2)(f) shall be hereby amended to reflect that units may be offered with or without furnishings, provided that all other building amenities are constructed as approved.

D. The outside roof-top area for residents shall include landscaping or other suitable screening around adjoining residential window areas. Developer may provide tables, chairs, patio umbrellas and other patio improvements specifically approved by the City Manager in writing provided they are of a weight that does not become a windblown hazard and are not otherwise deemed to be a public safety hazard. Heat producing amenities are only allowed if approved by the Chief Building Official in writing.

4. “Standard Sanitary Sewer Construction Details”, attached hereto as Exhibit D, prepared by DeKalb Sanitary District, not dated, consisting of Sheets 1 through 5.

5. South Elevation drawing attached hereto as Exhibit E.

**CONDITIONS:**

A. The “Plaza DeKalb” sign shown at the top of the building is not allowed but will be replaced by an iron “Plaza DeKalb” sign that is being custom built by Alfredo’s Iron Works in Cortland. This sign will be located above the Jamrah Restaurant on Parcel Two, as part of the rooftop plaza area that is accessible to the residential tenants of Parcel One. It will either be incorporated into the design of the iron fence shown in Exhibit E, or it will span between the two multiple story buildings in an arched fashion at a height roughly equal to the top of the second story windows.

B. Building awnings are optional, but if utilized should be similar in appearance to those shown.

C. One commercial wall sign for each business (up to a maximum of three on the Lincoln Highway Frontage) may be centered over the main entry for each business. The size of commercial wall signs must comply with the provisions in the UDO, however no wall sign shall extend above the first-floor stone façade features on the building.

D. Three bike racks features shall be replaced in the current locations. New racks, if used, must be approved in writing by the City Manager.

E. The existing tree in front of the Jamrah building may be removed and relocated to the location to the west shown on the South Elevation attached as Exhibit E.

F. The round planter shall be replaced to the west of the western bench. A new planter, if used, must be approved in writing by the City Manager.
G. The existing kiosk shall be replaced or relocated to an area approved in writing by the City Manager.

H. An existing garbage can shall be replaced near the traffic signal, and the garbage can between the two benches shall be a recycling receptacle to match existing conditions.

I. Entry doors must be recessed, so that the doors do not swing out into the sidewalk area.

6. West Elevation drawing attached hereto as Exhibit F.

CONDITIONS:

A. The “Residences” wall sign above the entry to the apartments may be as shown in Exhibit G, where the sign background matches the stone color, and the sign message is in a contrasting but neutral color.

B. Only one commercial wall sign is permitted on the west elevation and, if used, shall only be located above the windows between the two southern most stone piers. No wall sign shall extend above the first-floor stone façade features of the building.

C. Entry doors must be recessed, so that the doors do not swing out into the sidewalk area.

D. In the event a grocery store tenant occupies the building, developer shall provide and install signage for the two southern most parking spaces on the east side of Second Street for temporary loading. Sign shall state “Grocery Loading Only/Driver to Remain in Car”, or other similar message as approved by the City Manager in writing.

7. South Elevation drawing attached hereto as Exhibit H.

CONDITIONS:

A. One additional narrow window shall be placed on the west side of each upper level residential floor.

B. A detailed landscape plan showing the materials to be placed in the landscape area north of the building shall be provided to the City Manager prior to installation for his review and approval. The plan shall include at least two upright deciduous trees with narrow crowns having a minimum 2.5” caliper trunk at time of installation, along with other evergreen and/or deciduous shrubs, perennials and annuals to fill the area. Developer shall coordinate with the City Manager on the replacement of a sculpture that was previously located there and that is being stored by the City during construction.
C. Developer intends to utilize the existing dumpster enclosure located on the north side of Palmer Court. Developer shall pay garbage fees as authorized by Council pursuant to Ordinance 2019-022 and in effect as of that date (the "Base Rate"). The City Manager is authorized to require Developer to pay any and all incremental costs necessary to provide additional service above the Base Rate. No additional compactors or dumpsters may be utilized on the site or in Palmer Court, unless and until Developer submits plans for approval and constructs a masonry enclosure that is similar in appearance to the existing dumpster enclosure on the north side of Palmer Court.

D. Prior to the issuance of any certificate of occupancy, developer agrees to modify the existing four parking spaces located immediately west of the dumpster enclosure on the north side of Palmer Court from standard 9'x18' parking spaces to two (2) fully code compliance accessible parking spaces, including necessary striping, signage, and access.

SECTION 2. A final Parking Agreement shall be executed between the City and the Developer prior to the issuance of any certificate of occupancy pursuant to the requirements of Ordinance 2017-036.

SECTION 3. Thereafter, City staff are directed to fully comply with the terms of the Agreement, and to undertake the obligations contained therein.

SECTION 4. That the City Clerk of the City of DeKalb is authorized and directed to attest the Mayor's signature. This Ordinance shall take effect upon its approval and execution in accordance with applicable laws.


ATTEST:

[Signatures]
PARCEL ONE:
The south 133 feet of lot 54 in the county clerk's division of block 12 of the original town of DeKalb, excepting therefrom the east 21 feet; also, the east 4 feet of the north 121 feet of the south 133 feet of that part of second street lying west of and adjoining said lot 54, excepting therefrom the north 8 feet of the south 133 feet of lot 54, except the east 21 feet thereof; also, the north 8 feet of the east 4 feet of the north 121 feet of the south 133 feet of that part of north second street lying west of and adjoining said lot all being located in the city of DeKalb, DeKalb County, Illinois.

PARCEL TWO:
The east 20 feet of lot 54, except the south 12 feet thereof and except the north 35.12 feet thereof, all as measured perpendicular to the lot line in county clerk's subdivision of block 13 in the original village (now city) of DeKalb, according to the plat thereof recorded in book "C" of plats, page 42, on September 15, 1802, in DeKalb County, Illinois.

PARCEL THREE:
The south 15 feet of lot 54, except the southerly 8 feet, all as measured perpendicular to the lot line in county clerk's subdivision of block 12 of the original village (now city) of DeKalb, according to the plat thereof recorded in book "C" of plats, page 42, on September 15, 1802, in DeKalb County, Illinois.

PARCEL FOUR:
The south 120 feet of lot 54, except the southerly 6 feet thereof, all as measured perpendicular to the lot line of the county clerk's subdivision of block 12 of the original village (now city) of DeKalb, according to the plat thereof recorded in book "C" of plats, page 42, on September 15, 1802, in DeKalb County, Illinois.

NOTE: PARCEL ONE HAS AN EXCEPTION FOR THE EAST 21 FEET OF LOT 54 AND PARCEL TWO INCLUDES THE EAST 20 FEET OF LOT 54. THIS LEAVES A GAP BETWEEN THE TWO PARCELS OF 1.00 FEET.

PROPERTY ADDRESS: 124 North Second Street/ 203, 205, 223 & 229 East Lincoln Highway, DeKalb.

AREA SUMMARY:
PARCEL ONE CONTAINS 65,385 SQ FT
PARCEL TWO CONTAINS 2,280 SQ FT
PARCEL THREE CONTAINS 2,833 SQ FT
PARCEL FOUR CONTAINS 2,892 SQ FT
TOTAL CONTAINS 68,550 SQ FT

STATE OF ILLINOIS

COUNTY OF DEKALB

LEGEND:

1. Property line
2. Property corner
3. Property line marker
4. Property line extension
5. Property line not on plat
6. Property boundary
7. Property surveyed by
8. Property surveyed by
9. Property surveyed by

THIS IS TO CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY I HAVE MADE OF PROPERTY HEREIN SHOWN AND DESCRIBED, ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL SURVEY CONFORMS TO THE CURRENT ILLINOIS MAXIMUM STANDARDS FOR A BOUNDARY SURVEY. FIELD WORK COMPLETED FEBRUARY 29TH, 2019. WITNESSES MY HAND AND SEAL AT DEKALB, ILLINOIS THIS 27TH DAY OF FEBRUARY, 2019.

Prepared by:
W.C. Hannon Surveyors
License No. 184007113
508 Pine Street
DeKalb, Illinois 60115
(815) 756-2196
Fax: 748-2532
info@hannonsurveyors.com

FOR: JOHN PAPAS
JOB NO. WES 141123
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2020
TYPICAL UPPER FLOOR PLAN

- 2 EXITS REQUIRED & PROPOSED (2-HOUR ENCLOSURE)
- DIAGONAL DISTANCE = 126 FT, ... 1/3 = 43 FT.
- EGRESS DISTANCE = 69 FT, (> 43) EGRESS DISTANCE IS OK
- FULLY SPRINKLERED & ALARMED
  SEPARATE MIXED USE - 25 FT TRAVEL DISTANCE

SUMMARY DWELLING FLOORS:
- (1) 2 BEDROOMS AT 1,182 SF.
- (1) 2 BEDROOM AT 950 SF.
- (3) 1 BEDROOM AT 625 SF.
- (1) 1 BEDROOM AT 745 SF.
- (1) 1 BEDROOM AT 732 SF.
- TOTAL UNIT PER FLOOR = 7
- TOTAL FLOOR FOR RESIDENTS = 3
- TOTAL DWELLING UNITS = 21

---LINCOLN HIGHWAY (ROUTE 38)---

GROUND FLOOR PLAN
Exhibit D
General Notes

Based on the information provided, please include any additional details or requirements as specified in the general notes section. Ensure that all necessary precautions and considerations are taken into account during the sewer construction process.

Sanitary Sewer Construction Details

DeKalb, Illinois

Standard Sanitary Sewer Construction Details

DeKalb Sanitary District
301 Hollow Avenue - DeKalb, Illinois 60115
(815) 756-5737 Fax (815) 756-5842

Sewer Notes - Status Water

The Sewer Notes - Status Water section provides important information regarding the current status of sewer projects. This includes details on the construction, installation, and maintenance of sewers. The section specifies the requirements and standards that must be met to ensure the proper functioning of the sewers. It also includes guidelines for testing and inspection, as well as recommendations for future maintenance and repair.

Sanitary Sewer Projects - Status Water

The Sanitary Sewer Projects - Status Water section provides an overview of the current status of various sanitary sewer projects. This includes information on the type of projects, their locations, and the expected completion dates. The section also includes details on the resources required for each project, as well as any potential challenges or issues that may arise during the construction or maintenance process.

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