

APPROVING AN AMENDMENT TO THE FINAL PLAN OF THE BRIDGES OF RIVERMIST, PHASE 2, APPROVED BY ORDINANCE 1997-110, TO ALLOW A MODULAR CLASSROOM AT GWENDOLYN BROOKS ELEMENTARY SCHOOL, 3225 SANGAMON ROAD, DEKALB, ILLINOIS (DEKALB COMMUNITY UNIT SCHOOL DISTRICT NO. 428).

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"), is the owner of the property located at 3225 Sangamon Road, DeKalb, Illinois and legally described in Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Petitioner requested that the City approve an amendment to the Final Plan of the Bridges of RiverMist, Phase 2, adopted by Ordinance 97-110, to allow a modular classroom on the Property (the "Petition"); and

WHEREAS, on July 18, 2022, pursuant to due notice, the City's Planning and Zoning Commission (the "PZC") held a public hearing on the Petition, made findings of fact, and recommended granting the Petition; and

WHEREAS, the City's corporate authorities find that: (1) the PZC's findings of fact are true, accurate, adopted and incorporated herein by reference; (2) the Petition conforms to the applicable factors in the City's Unified Development Ordinance (the "UDO"); and (3) it is in the City's best interests for the promotion of the public health, morals and welfare to grant the Petition pursuant to the provisions of this Ordinance; and

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 herein as Section 1 to this Ordinance.

SECTION 2: The City's corporate authorities grant the Petition and approve the adoption of an amendment to the Final Plan of the Bridges of Rivermist, Phase 2, adopted by Ordinance 1997-110, to allow a modular classroom to be placed for three (3) years on the Property, subject to the following conditions:

1. The modular classroom shall remain in the area shown on the site plan as depicted in Exhibit B attached hereto and incorporated herein by reference for no more than three (3) years from the effective date of this Ordinance; and
2. The modular classroom shall be removed from the Property on or before the date that is three (3) years from the effective date of this Ordinance.

SECTION 3: The City Manager and his designee are authorized to record this Ordinance in the DeKalb County Clerk and Recorder's Office.

SECTION 4: This Ordinance and each of its terms 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 to the extent this Ordinance is inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within 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 25th day of July 2022 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant

EXHIBIT A
(Legal Description of the Property)

The Property is legally described as follows:

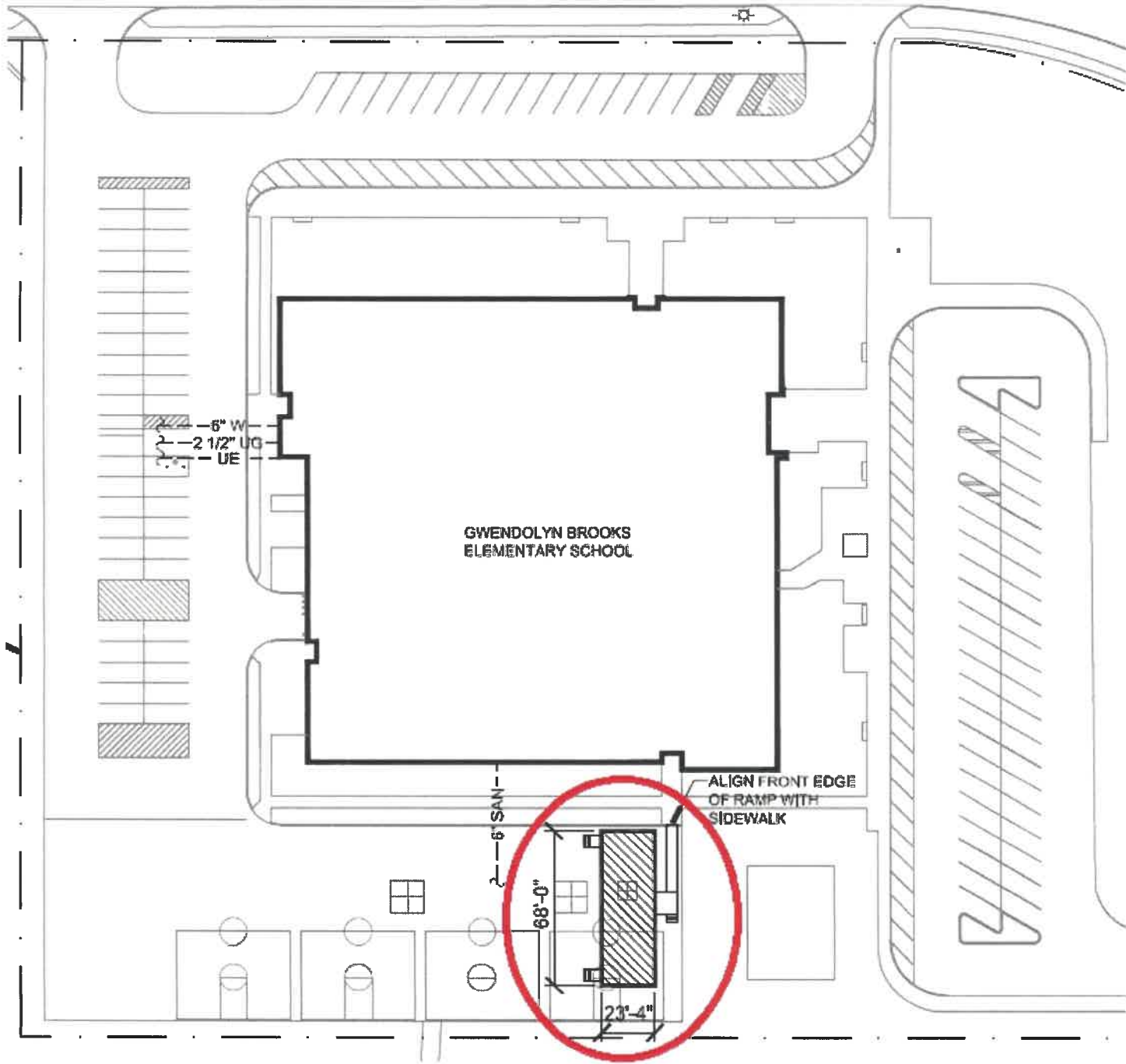
LOT 1 OF BRIDGES OF RIVERMIST SCHOOL SUBDIVISION P.U.D., BEING IN PART OF SECTIONS 2 AND 3, TOWNSHIP 40 NORTH, RANGE 4, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON FEBRUARY 4, 1998 AS DOCUMENT 98001626 IN BOOK "Z" OF PLATS, PAGE 304, IN DEKALB COUNTY, ILLINOIS.

Common Address: 3225 Sangamon Road, DeKalb, IL 60115

Parcel Identification Numbers ("PIN's"): 08-02-352-001 and 08-03-340-011.

EXHIBIT 8

CUTLER DRIVE



GWENDOLYN BROOKS
ELEMENTARY SCHOOL

ALIGN FRONT EDGE
OF RAMP WITH
SIDEWALK

6'-0" SAN

68'-0"

23'-4"



2022007248

**DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL**

**RECORDED: 7/29/2022 09:56 AM
REC FEE: 75.00**

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

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CERTIFICATION

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

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

ORDINANCE 2022-032

APPROVING AN AMENDMENT TO THE FINAL PLAN OF THE BRIDGES OF RIVERMIST, PHASE 2, APPROVED BY ORDINANCE 1997-110, TO ALLOW A MODULAR CLASSROOM AT GWENDOLYN BROOKS ELEMENTARY SCHOOL, 3225 SANGAMON ROAD, DEKALB, ILLINOIS (DEKALB COMMUNITY UNIT SCHOOL DISTRICT NO. 428).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 25th day of July 2022.

WITNESS my hand and the official seal of said City this 27th day of July 2022.

RUTH A. SCOTT, Executive Assistant



Prepared by and Return to:

City of DeKalb
City Manager's Office
Attention: Ruth A. Scott
164 E. Lincoln Highway
DeKalb, Illinois 60115