

## ADVISORY REPORT

**TO:** Planning Commissioners

**FROM:** Brandy Williams, Engineer and Zoning Administrator

**DATE:** June 20, 2024

**SUBJECT:** PC 24-03: Request for a Special Use Permit (SUP) – 50 W. Maple Ave., PIN 09-29-176-003  
Cortland IL 60112  
Public Hearing scheduled for July 18, 2024, 7:00 PM

**APPLICANT/  
OWNER:** Brandy Williams  
Town of Cortland  
59 S. Somonauk Road, PO Box 519  
Cortland, IL 60112

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### PROPOSAL

The Town of Cortland has submitted a request for a Special Use Permit (SUP) in accordance with Title 9, Chapter 10 of the Cortland Town Code regarding property at 50 West Maple Avenue, Cortland Illinois, PIN 09-29-176-003. The Town is requesting a Special Use Permit for a government building on the subject property currently zoned R-1 with Single Family Residence. The petition is attached as Exhibit A.

### LOCATION AND DESCRIPTION

The 6.5 acre property originally housed the Cortland Elementary School. The building was vacant and in disrepair prior to the Town receiving the property via a quit claim deed in 2022.

The Town intends to renovate the prior elementary school building to serve as a municipal complex housing the Public Safety Building and Town Hall.

*Existing and Surrounding Zoning:* The subject property and the properties to the west, north and east are zoned R-1 Single Family Residence. The properties to the south are zoned R-3 Two-Family Residence

The zoning map has been included as Exhibit B.

The 2023 Official Zoning Map can be found on the Town of Cortland website and at:

[https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland\\_Zoning\\_Map\\_2023.pdf](https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_Zoning_Map_2023.pdf)

*Existing and Surrounding Land Uses:* All adjacent properties are being used as zoned, residential. The subject property is not being used at this time.

### COMPREHENSIVE PLAN

The Town adopted a Comprehensive Plan in September 2023, which guides development throughout the community. The Future Land Use Map associated with this document depicts this property as Public Institutional use.

The proposed use coincides with the Comprehensive Plan.

Advisory Report – Special Use Permit (SUP) Petition, 50 W. Maple Ave., PIN 09-29-176-003  
June 20, 2024

Note: An excerpt of the Comprehensive Plan is attached as Exhibit C. The full Comprehensive Plan can be found on the Town of Cortland’s website and at:

[https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland 2023 Comprehensive Plan v05 Final.pdf](https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland%202023%20Comprehensive%20Plan%20v05%20Final.pdf)

STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN

In accordance with 9-10-6. – Procedures, C. Report of Hearing; Within thirty (30) days following the hearing, the plan commission shall transmit to the town board a written report giving its findings as to compliance of the proposed special use with the standards governing special uses and giving its recommendation for action to be taken by the town board.

A copy of the standards to be used and some examples of how the Report of Findings may be crafted are included in Exhibit D. Please keep in mind that these examples are suggestions only and are based upon information available at this time. Additional information may be presented during the hearing process which may impact how these points are addressed.

PLANNING COMMISSION ACTIONS

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. After closing the hearing, the Commission may discuss the merits of the presented information, establish the Findings of Fact upon which decisions may be made and render a recommendation to the Town Board.

The Planning Commission may recommend to either approve, deny or provide approval with conditions.

It is important to note that any motion must be made as a positive statement. (I.E., “I make a motion to approve the request for Special Use Permit at 50 West Maple Avenue known as PIN 09-29-176-00.”)

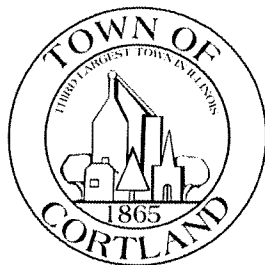
Respectfully Submitted,



Brandy Williams  
Engineer and Zoning Administrator

- Exhibit A – Application for Special Use Permit (SUP) Petition
- Exhibit B – Town of Cortland 2023 Official Zoning Map
- Exhibit C – Town of Cortland Comprehensive Map (Excerpt)
- Exhibit D – Report of Findings on Compliance to Standards Example

# EXHIBIT "A"



Date Filed:	4/19/24
Job Number:	N/A
PC Number:	PC 24-03

## LAND DEVELOPMENT APPLICATION

THE UNDERSIGNED RESPECTFULLY PETITIONS THE TOWN OF CORTLAND TO REVIEW AND CONSIDER GRANTING THE FOLLOWING APPROVAL ON THE LAND HEREIN DESCRIBED.  
(Check all that apply)

- Annexation\*                       Rezoning from \_\_\_\_\_ to \_\_\_\_\_  
 Text Amendment (attached proposed language)  
 Special Use Permit for a:     Planned Unit Development                       Other \_\_\_\_\_ Government Office and Buildings  
 Planned Unit Development:  
    Concept Plan                       Preliminary Development Plan                       Final Development Plan  
 Subdivision Plat:                       Preliminary Subdivision Plat                       Final Subdivision Plat

\* Attach an original copy of the annexation petition to this application

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PLEASE PRINT OR TYPE IN BLUE OR BLACK INK

### PART I. APPLICANT INFORMATION

APPLICANT	LAND OWNER <i>(If not the Applicant)</i>	CONTACT PERSON <i>(If not the Applicant)</i>
Name: Brandy Williams	_____	_____
Company: Town of Cortland	_____	_____
Address: 59 S. Somonauk Road, PO Box 519	_____	_____
Cortland, IL 60112-0519	_____	_____
E-mail: engineer@cortlandil.org	_____	_____
Phone: 815-756-9041	_____	_____

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY?                       YES                       NO  
(If the Applicant is not the owner of the subject property, a notarized letter from the Owner authorizing the Applicant to file the **Land Development Application** must be attached to this application.)

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST?                       YES                       NO  
(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

# Cortland Land Development Application

Date Filed:	4/19/24
PC Number:	PC 24-03

## PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: 50 West Maple Avenue, Cortland, IL

PARCEL INDEX NUMBER(S): 09-29-176-003

LEGAL DESCRIPTION: A FULL LEGAL DESCRIPTION MUST BE ATTACHED TO THIS APPLICATION

TOTAL AREA OF SUBJECT PROPERTY(IES) (ACRES): 6.50

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED:

CURRENT ZONING: R-1 PROPOSED ZONING: R-1 w/ SUP

RECOMMENDED LAND USE: Public Institution  
*(Based upon the recommendations of the Cortland Town Plan)*

PROPOSED LAND USE: Public Institution

NAME OF PROPOSED DEVELOPMENT: Municipal Complex

The subject property is located in which FIRE PROTECTION DISTRICT? Cortland Fire Protection District

The subject property is located in which SCHOOL DISTRICT? CUSD #428 - DeKalb

Attach relevant checklist(s) and associated information as outlined during the pre-application meeting.

I, Brandy Williams/Town of Cortland, hereby apply for review and approval of this application and represent that the application and requirements thereof and supporting information have been completed in accordance with the Zoning Ordinance and/or Subdivision Ordinance of the Town of Cortland.

Brandy Williams  
Signature of Applicant


4/19/24  
Date

State of Illinois  
County of DeKalb

Signed before me on April 19, 2024 by Brandy Williams  
Applicant

(Seal)

Cheryl Aldis  
Signature of Notary Public





2022009477

DOUGLAS J. JOHNSON  
RECORDER - DEKALB COUNTY, IL

RECORDED: 9/30/2022 01:23 PM  
REC FEE: 55.00

**QUITCLAIM DEED  
DEKALB COUNTY**

**Prepared By:**

Dick L. Williams  
139 E. Washington St.  
East Peoria, Illinois 61611

PAGES: 4

**After Recording Return To:**

The Town of Cortland  
59 S. Somonauk Rd.  
PO Box 519  
Cortland, IL. 60112-0519

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**QUITCLAIM DEED**

THE GRANTOR, **DESTAN ALIU**, of the City of Ottumwa, County of Wapello and State of Iowa, conveys, releases and quitclaims to the GRANTEE, **THE TOWN OF CORTLAND**, of the Town of Cortland, County of DeKalb and State of Illinois, the real estate described as follows:

See Attached

Tax ID: 09-29-176-003

Commonly known as: 50 W. Maple Ave. Cortland, IL. 60112

Grantor does hereby convey, release and quitclaim all of the Grantor's rights, title, and interest in and to the above-described property and premises to the Grantee, and to the Grantee's heirs and assigns forever, so that neither Grantor nor Grantor's heirs, legal representatives or assigns shall have, claim or demand any right or title to the property, premises, or appurtenances, or any part thereof.

Grantor hereby releases and waives all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Exempt under provisions of 35 ILCS 200/31-45(e)	<i>Destan Aliu</i>
	Buyer, Seller or Representative
9/14/2022	
Date	

Dated this 16 day of Sept, 2022.

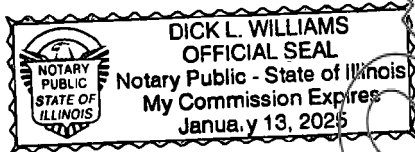
Destan Aliu  
DESTAN ALIU

STATE OF ILLINOIS )  
COUNTY OF Lazewell )

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that GRANTOR, **DESTAN ALIU** personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the foregoing instrument as his/her free and voluntary act for the uses and purposes therein set forth.

Given under my hand and seal this 16 day of Sept, 2022.

Dick L. Williams  
Notary Public



**GRANTEES ADDRESS**

Mail Tax Statements to:  
Town of Cortland  
59 S. Somonauk Rd.  
PO Box 519  
Cortland, IL. 60112-0519

EXHIBIT A

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 66 FEET SOUTH OF THE SOUTHWEST CORNER OF BLOCK 4 IN THE VILLAGE OF CORTLAND, WHICH POINT IS ALSO THE NORTHWEST CORNER OF SCHOOL LOT DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 50, PAGE 220, AS DOCUMENT NO. 25176 IN DEKALB COUNTY RECORDER'S OFFICE; THENCE WESTERLY, PARALLEL WITH THE SOUTH LINE OF BLOCK 3 IN THE VILLAGE OF CORTLAND (ALONG THE SOUTH LINE OF MAPLE STREET), A DISTANCE OF 186.97 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 89 DEGREES 51 MINUTES, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 465.96 FEET TO A NORTH LINE OF BRIARWOOD ACRES FIRST ADDITION; THENCE EASTERLY, AT AN ANGLE OF 90 DEGREES 09 MINUTES, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID NORTH LINE, 186.97 FEET TO A NORTHEAST CORNER OF SAID BRIARWOOD ACRES FIRST ADDITION; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID BRIARWOOD ACRES FIRST ADDITION, 29.04 FEET; THENCE EASTERLY, ON A NORTH LINE OF SAID BRIARWOOD ACRES FIRST ADDITION, 396.0 FEET TO THE WEST LINE OF BLOCK 10 OF CROFF'S ADDITION; THENCE NORTHERLY, ALONG SAID WEST LINE, 495 FEET TO THE SOUTH LINE OF MAPLE STREET; THENCE WESTERLY, ALONG SAID SOUTH LINE, 396.0 FEET TO THE POINT OF BEGINNING, ALL IN THE TOWN OF CORTLAND, DEKALB COUNTY, ILLINOIS.

**DOUGLAS J. JOHNSON**  
**DEKALB COUNTY RECORDER**  
**PLAT ACT AFFIDAVIT**

State of Illinois

} ss

County of DeKalb

Destan Aliu, being duly sworn on oath, states that \_\_\_he resides at

517 Lynnwood Cir, Ottumwa, IA 52501-4941

And further states that: *(please check the appropriate box)*

A.  That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or

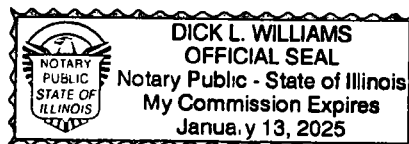
B.  That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: *(please circle the appropriate number)*

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances.
8. The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
9. The sale is of a single lot of less than 5 acres from a larger tract, and a survey has been made by an Illinois Registered Land Surveyor, and the sale is not a sale of any subsequent lot or lots from the same larger tract of land as determined by the dimensions and configuration of the larger tract on October 01, 1973; and further, local requirements applicable to the subdivision of land have been met.

Affiant further states that \_\_\_he makes this affidavit for the purpose of inducing the Recorder of DeKalb County, Illinois, to accept the attached deed for recording.

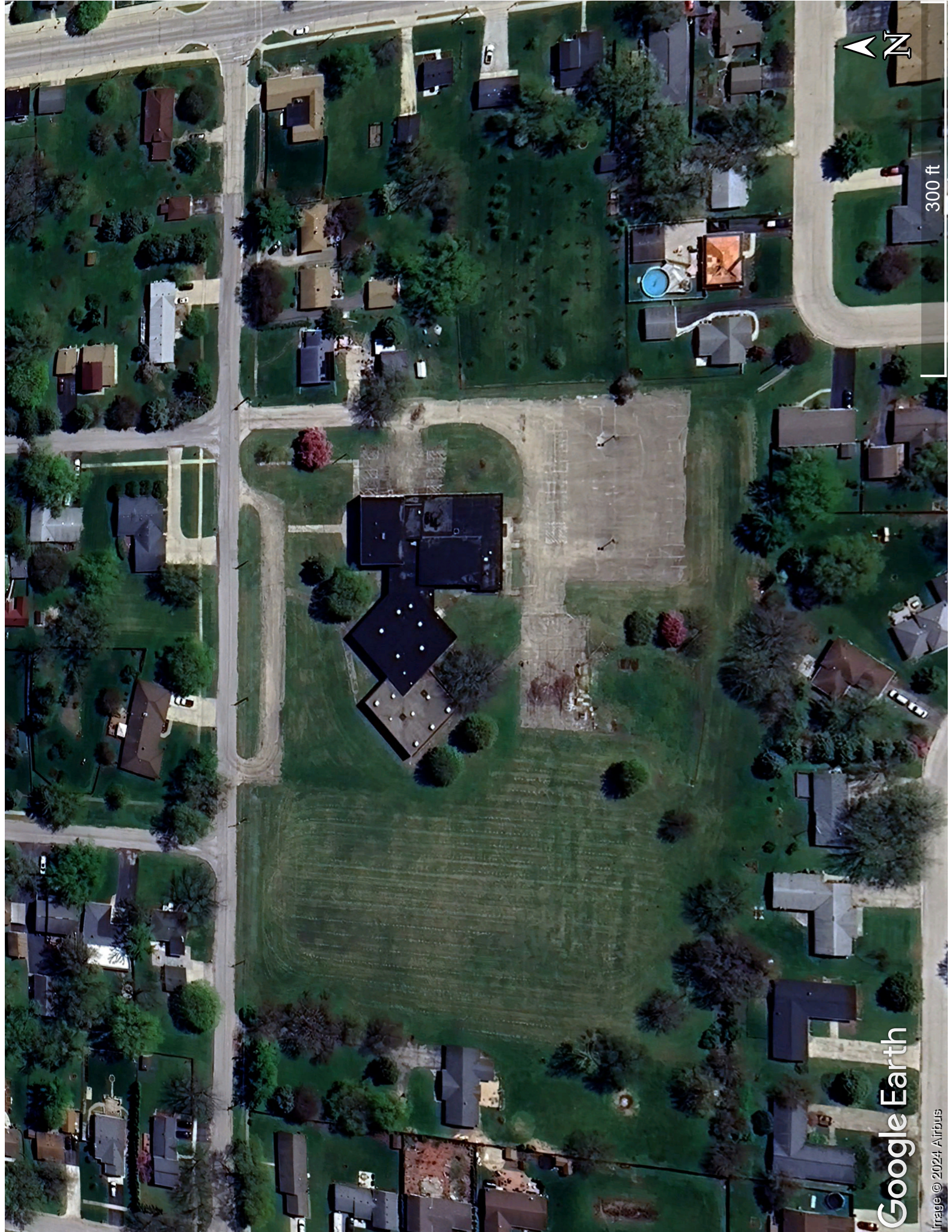
*Destan Aliu*  
Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 16 DAY OF 9-16-, 2022  
*Dick Williams*  
Signature of Notary Public



Revised 04/2001



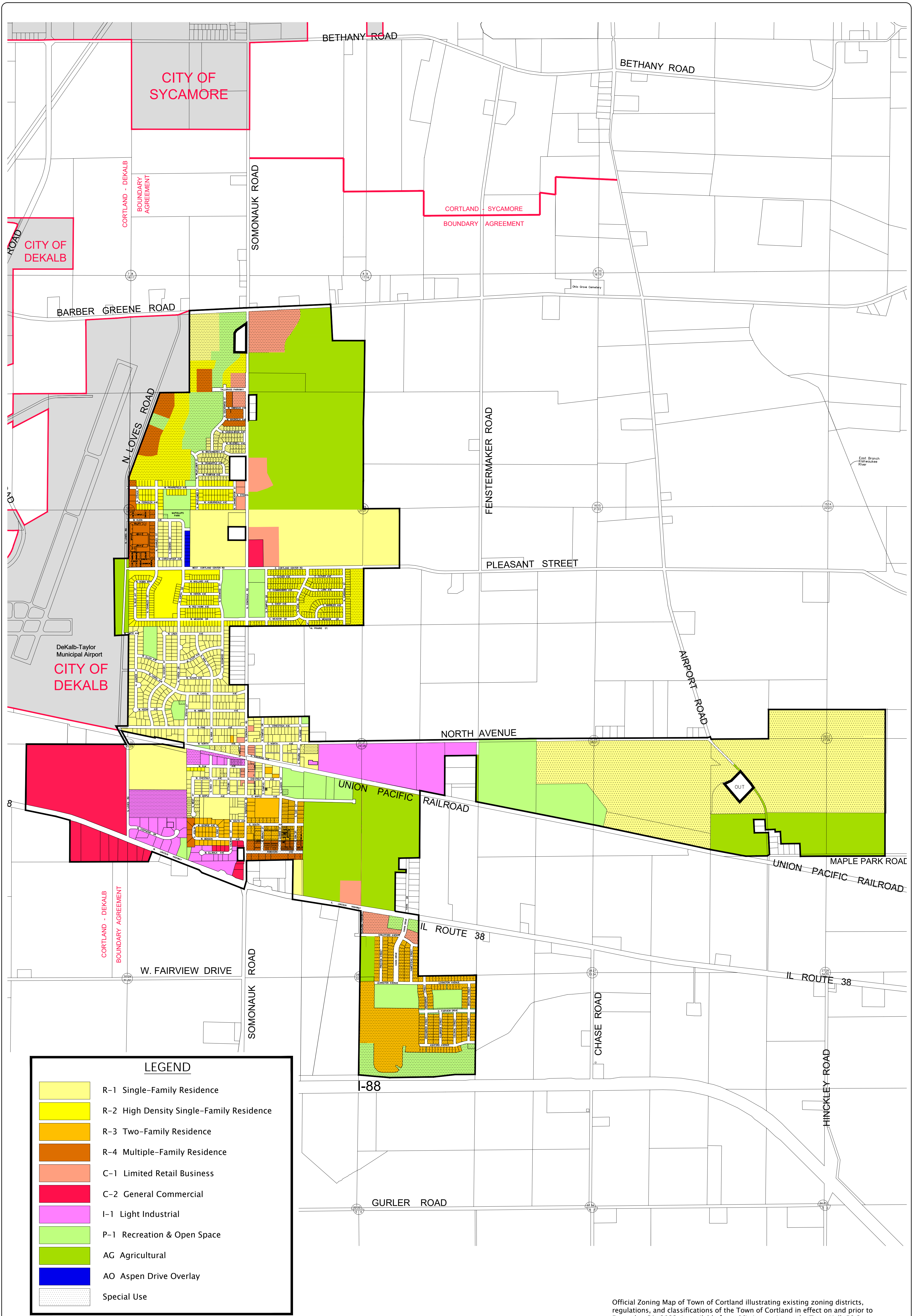


Google Earth

Image © 2024 Airbus

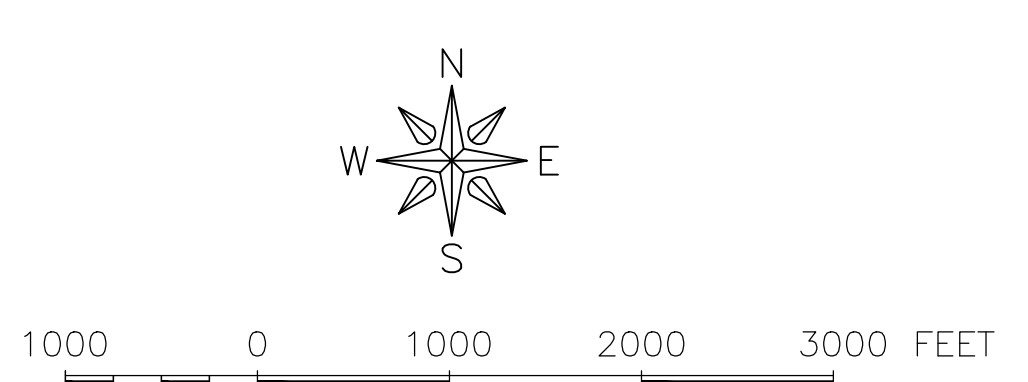
300 ft





Official Zoning Map of Town of Cortland illustrating existing zoning districts, regulations, and classifications of the Town of Cortland in effect on and prior to December 31, 2023, is available for public inspection at the Town Hall, 59 S. Somonauk Road, Cortland, Illinois, during business hours. This is provided in accordance with the requirements of Chapter 65 ILCS 5/11-13-19 of the Illinois Compiled Statutes.

**2023 Official Zoning Map**  
**Town Of Cortland, Illinois**



# EXHIBIT "C"

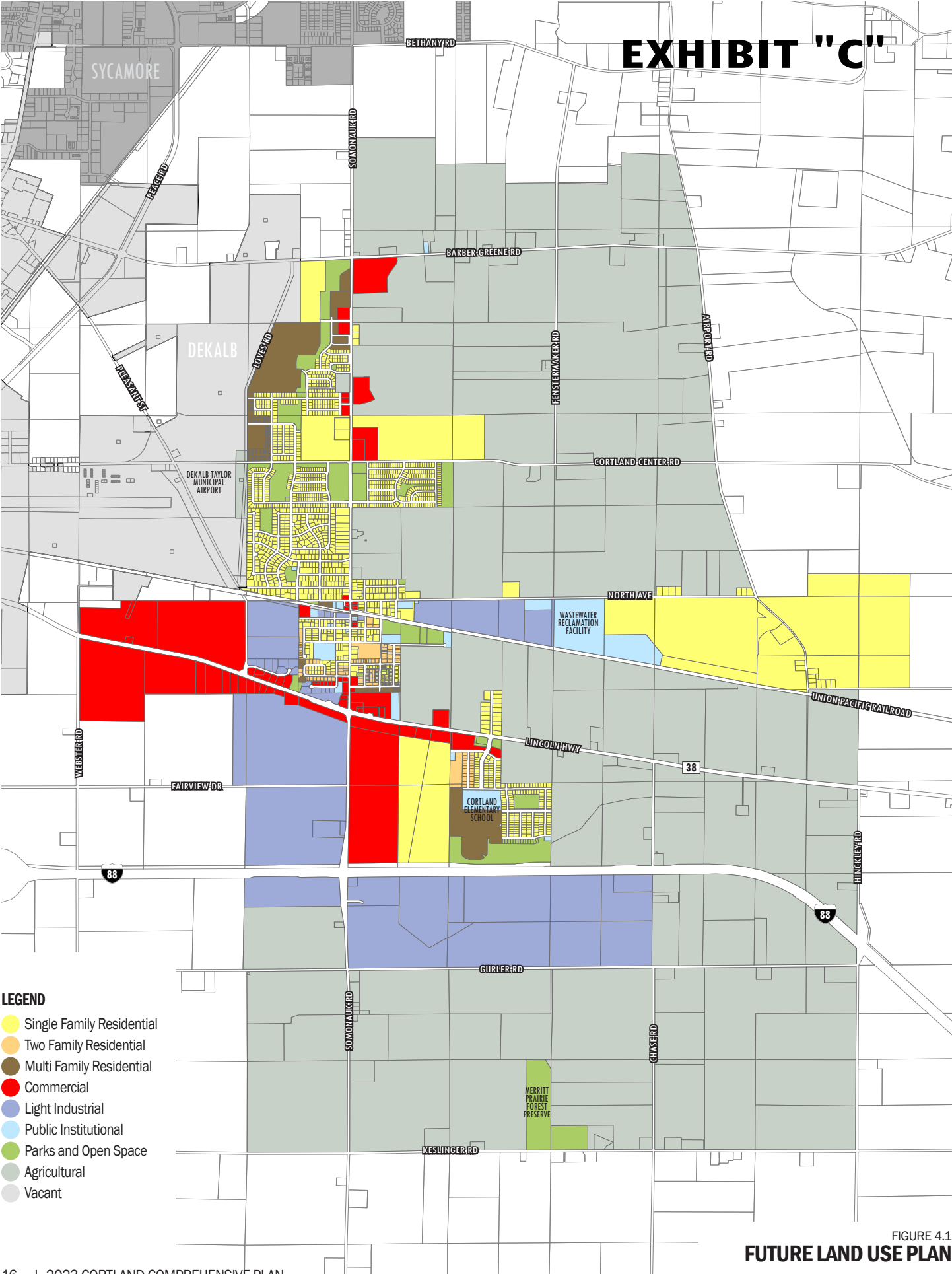


FIGURE 4.1  
FUTURE LAND USE PLAN

# EXHIBIT "D"

## REPORT OF FINDINGS

In accordance with 9-10-6. – Procedures, C. Report of Hearing; Within thirty (30) days following the hearing, the plan commission shall transmit to the town board a written report giving its findings as to compliance of the proposed special use with the standards governing special uses and giving its recommendation for action to be taken by the town board.

### 9-10-3. – Standards

A special use permit shall be granted only if evidence is presented to establish that:

A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;

The Planning Commission prepared the following statement;

The proposed use at the particular location requested is desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community by renovating a vacant building.

B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;

The Planning Commission prepared the following statement;

The proposed use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare. The proposed use is not require significant infrastructure as the use is similar to the originally intended use, an elementary school.

C. The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

The Planning Commission agreed this standard would be met.

D. Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title (Ord. 2008-03, 1-28-2008)

The Planning Commission deemed this standard not applicable.

### 9-10-5. – Conditions

The plan commission may recommend and the town board may impose such conditions or restrictions upon the location, construction, design and operation of a special use including, but not limited to, provisions for off street parking spaces and the duration of such permit, as they shall respectively find necessary or appropriate to secure compliance with the purpose an intent of this title and other standards set forth herein. (Ord. 2008-03, 1-28-2008)

The Planning Commission deemed conditions not applicable.