
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A
CHILDCARE CENTER AS PART OF A PLANNED UNIT DEVELOPMENT
AT 450 CORONADO DRIVE**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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City Council

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Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.
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CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. _____

Date: May 12, 2025

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A
CHILDCARE CENTER AS PART OF A PLANNED USE DEVELOPMENT
AT 450 CORONADO DRIVE**

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, Petitioner, Elion Business Center LLC (“Petitioner”) under contract to purchase the property at 450 Coronado Drive (“Subject Property”); and

WHEREAS, the Subject Property includes a 10,050 square foot building, which has been vacant for an extended period of time; and

WHEREAS, the legal description of the Subject Property is attached herein as Exhibit A;
and

WHEREAS, the Subject Property is zoned Planned Use Development (“PUD”); and

WHEREAS, pursuant to Chapter 110, Article VII, Sec. 251, “the PUD, as a subdivision of land is intended to encourage improved design in the development of land by providing relief from traditional zoning requirements which may cause undue hardship or complication for desirable but unconventional development, and to establish standards and procedures for the issuance of a special use permit”; and

WHEREAS, as part of a Planned Use Development, Petitioner is seeking a Special Use Permit to operate a daycare Center; and

WHEREAS, on May 5, 2025, the City's Planning and Zoning Commission ("PZC") conducted a public hearing on Petitioner's request for a Special Use Permit to operate a childcare facility as part of the Planned Use Development on the Subject Property; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

WHEREAS, on May 5, 2025 the PZC voted 6-0 to recommend approval of the Special Use Permit to operate a Childcare Facility as part of a Planned Use Development; and

WHEREAS, the PZC has filed its report of findings and recommendations regarding the approval of the Special Use Permit for the Subject Property with the Mayor and City Council, and the City Council has duly considered said report, findings, and recommendations; and

WHEREAS, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to grant Petitioner a Special Use Permit.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

SECTION ONE: The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

SECTION TWO: That the report of findings and recommendations of the PZC are herein incorporated by reference as the findings of the Mayor and City Council, as complete as is fully set forth herein at length. This City Council finds that the Petitioner has provided evidence to establish that it has met the standards for granting a Special Use Permit as set forth in the Rochelle Municipal Code and Zoning Ordinance, and granting of the Special Use Permit for a daycare facility as part of a Planned Unit Development, as set forth herein is in the best interest of the City and its residents and is consistent with and fosters the purpose and spirit of the City's Municipal Code and Zoning Ordinance.

SECTION THREE: That a Special Use Permit for a daycare facility as part of the Planned Unit Development at the Subject Property (and legally described in Exhibit A) is hereby granted.

SECTION FOUR: If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION FIVE: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed Ordinance in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION SIX: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 12th day of May, 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 12th day of May, 2025.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

LEGAL DESCRIPTION

Lot 7 A as designated upon the Final Plat for “Resubdivision of Lot 7 in the Lighthouse Pointe Second Addition” Subdivision, located in Section 18, Township 40 North, Range 2 East of the Third Principle Meridian, in Ogle County, Illinois, according to the Plat thereof recorded in Plat File E on page 25 as Document No.202304666, in the Recorder’s Office of Ogle County, Illinois, situated in the Township of Dement, the County of Ogle and State of Illinois.

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Hueramo, City Clerk of the City of Rochelle, County of Ogle and State of Illinois,
DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____,
“AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A CHILDCARE CENTER
AS PART OF A PLANNED USE DEVELOPMENT AT 450 CORONADO DRIVE” which was
adopted by the Mayor and City Council of the City of Rochelle on May 12, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 12th day of May, 2025.

CITY CLERK