



DEKALB PLANNING AND ZONING COMMISSION AGENDA

January 4, 2021

6:00 P.M.

DeKalb Public Library
Yusunas Meeting Room
309 Oak Street
DeKalb, Illinois 60115

PLANNING AND ZONING COMMISSION MEETING

COVID-19 Notice: This meeting will be conducted in-person with a physically present quorum and open to the public. The corporate authorities of the City of DeKalb intend to conduct this meeting in compliance with all applicable social distancing and public health requirements. All persons attending this meeting in-person shall be required to wear protective face masks/coverings. Furthermore, the corporate authorities of the City of DeKalb intend to conduct this meeting pursuant to Illinois Governor JB Pritzker's Executive Order 2020-73 dated November 18, 2020 (the "Executive Order"), which prohibits gatherings of more than 10 people, unless the City of DeKalb determines that it is necessary to invoke the Governmental Functions exemption contained in Section 4(c) of the Executive Order "to ensure the operation of government agencies or to provide for or support the health, safety and welfare of the public."

As a convenience to the public, the City of DeKalb may also provide video, audio, telephonic or internet access for the public to monitor this meeting. The provision of any such remote means of access is not intended to provide for attendance by a means other than physical presence due to the COVID-19 public health emergency, nor is it intended to provide an opportunity for the public to address public officials, make public comment or otherwise participate in the meeting.

Persons wishing to provide public comment or otherwise address public officials in person during this meeting must comply with all applicable rules governing the conduct of this meeting including, but not limited to, the aforementioned social distancing and face covering requirements.

The City of DeKalb is providing the following conveniences for the public to monitor and participate in this meeting:

- Persons wishing to view the meeting from home or elsewhere can tune in to Channel 14 or by following the link provided [here](#).
- Persons wishing to provide public comment but are unable to attend the meeting in person or remotely may forward their comments by clicking on the link provided [here](#). Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure dissemination to the Planning and Zoning Commission before the meeting convenes.
- Zoom Meeting Information
Join Zoom Meeting
<https://us02web.zoom.us/j/83090359115?pwd=OEYwVkFZY2hnWmJ2anQ2anFqa1NJdz09>

Meeting ID: 830 9035 9115
Passcode: 052773
One tap mobile
+13126266799,,83090359115#,,,,*052773# US (Chicago)
- For those participating via Zoom and wishing to comment during the public hearing portion of the meeting, please click on the link provided [here](#) and add in the Comment Section that you wish to address the Commission verbally. Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure your name is added to the list of remote speakers.

A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES

1. December 7, 2020

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

E. NEW BUSINESS

1. **Public Hearing** – A petition by Nehring Electrical Works Company, represented by Scott Dillon, requesting a special use permit to allow a parking lot as a principal use when located within 300 feet of the use served and requesting variances regarding parking setbacks for the property located at 1030 E. Locust Street (southwest corner of E. Locust St. and N. 11th St.)

F. REPORTS

G. ADJOURNMENT

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
December 7, 2020

The Planning and Zoning Commission held a meeting on December 7, 2020, at the DeKalb Public Library in the Yusunas Meeting Room located at 309 Oak Street, DeKalb, Illinois. Chair Maxwell called the meeting to order at 6:00 PM.

Chair Maxwell stated he wanted to thank everyone for being here tonight. He mentioned for those attending, the meeting room has been set up to meet the CDC recommended distancing guidelines and the Executive Order from the Governor.

A. ROLL CALL

Principal Planner Dan Olson called the roll. Planning and Zoning Commission members present were: Ron Klein, Steve Becker, Trixy O'Flaherty, Jerry Wright, Bill McMahon, Vice Chair Doe and Chair Maxwell. No members were absent. Principal Planner Dan Olson and City Manager Bill Nicklas were present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the December 7, 2020, agenda as presented. Ms. O'Flaherty motioned to approve the agenda as presented. Vice Chair Doe seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. November 16, 2020 – Chair Maxwell requested a motion to approve the November 16, 2020, minutes as presented. Mr. Klein motioned to approve the minutes as presented. Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote.

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

None

E. NEW BUSINESS

1. **Public Hearing** – A petition by Safe Passage Inc. for approval of a zoning map amendment from the “CBD” Central Business District to the “PD-C” Planned Development Commercial District and approval of a preliminary development

plan to accommodate a new two-story 42,00 square foot building which will contain an emergency shelter, counseling services, administrative offices, outdoor playground and other accessory uses for the property located at 217 Franklin St.

Mary Ellen Schaid, representing Safe Passage, advised she is the Executive Director of Safe Passage. She stated they have been looking for a new location for the past five years. She advised Safe Passage is one of the only programs in the area that serve victims of domestic abuse, sexual assault, human trafficking, and other types of abuse.

Ms. Schaid stated Safe Passage currently operates a 30-bed shelter, which is comprised of five buildings along S. 4th St. Prospect St. and S. 5th St. She noted the shelter consists of an apartment building and four offsite apartments where they provide transitional housing. She advised the program primarily serves women and children, but also serve men. She noted they provide counseling services throughout the community and also provide a significant amount of public and prevention education in the schools throughout DeKalb County.

Ms. Schaid said when she first walked into the Safe Passage shelter, she immediately knew the building was inadequate for the services they needed to provide. She mentioned the shelter is an old farmhouse, which consists of five bedrooms and 1.5 bathrooms. She said they have bunk beds in each of the bedrooms due to the lack of space and have to turn away 15-20 people a month due to the lack of adequate facilities. Ms. Schaid stated having Safe Passage spread throughout five different buildings isn't ideal and is inefficient for their programs.

Ms. Schaid mentioned the new building will consolidate their services to one location and provide cohesiveness. She stated Safe Passage serves approximately 1,000 people each year, with a budget of 2.5 million dollars and are primarily grant funded by the federal government.

Ms. Schaid advised Safe Passage looked at several different properties to relocate to, but when the former DeKalb Clinic site became available, they immediately purchased it. She noted they sent out an RFP for the project and chose Pappas Development to construct their new building.

Ms. Schaid stated there will be 18 parking spaces on site for clients and Safe Passage has been in contact with the church (St. George Greek Orthodox Church) regarding using their 32-space parking lot across Franklin St. She stated the church does not use their parking lot during the week. She stated Safe Passage's current facility only has about 12 parking spaces and many of the employees have to park on the street or in the alley. She noted the parking

arrangement at the new facility will be a huge improvement. Ms. Schaid said the new facility will be able to accommodate a maximum of 60 people, which is double of their current facility.

Chair Maxwell questioned if they will be maintaining their old facility or if Safe Passage will be completely move to the new facility. Ms. Schaid advised they will be maintaining the old shelter (transitional housing building) for the time being, but their plan is to sell as many buildings as they can.

Mr. Klein questioned if the parking lot to the south of the subject site was owned by the DeKalb Clinic or the church (St. George Greek Orthodox Church). Mr. Olson advised it was originally owned by the DeKalb Clinic, but is currently owned by the church. Mr. Klein questioned what will happen if the negotiations with the church don't work out.

Principal Planner Dan Olson went through the staff report dated December 3, 2020. He advised the property is currently zoned "CBD" Central Business District and the petitioner is requesting the property be rezoned to "PD-C" Planned Development Commercial District. He stated Safe Passage is currently located in six buildings along S. 4th St., Prospect St. and S. 5th St. and offers a variety of services and programs for abuse victims.

Mr. Olson advised the new two-story facility will be approximately 42,000 sq. ft. and have 24 separate bedrooms to serve up to 65 individuals. He stated the building will include a full kitchen, administrative offices, therapy and counseling spaces, as well as a variety of other accessory uses.

Mr. Olson stated access to the facility will be provided from the same locations that served the DeKalb Clinic including entrances along South 2nd St., Franklin St., and South 3rd St. He noted the South 2nd Street access will be for deliveries and donation drop offs. He mentioned the new facility will have more green space than the DeKalb Clinic site due to the addition of an outside play area.

Mr. Olson mentioned the church (St. George Greek Orthodox Church) did provide a letter for tonight's Commission meeting advising they are in negotiations with Safe Passage for the use of their parking lot. He noted in the staff recommendation, a condition was added requiring a parking agreement be finalized prior to occupancy of the new facility.

Mr. Olson said there are 18-parking spaces on subject site for clients and employees. He stated the church across the street will provide 32 parking spaces if approval is granted. He mentioned there is an abundance of public parking in the area including 82 parking spaces in the Vaughn Parking Lot

located to the northwest of the subject site and 3-hour street parking for approximately 20 vehicles along S. 2nd and S. 3rd Streets.

Mr. Olson advised per the UDO the subject site is located in an area of downtown that does not require on-site parking. He added, however, the amount of parking already on site cannot be decreased. He stated DeKalb Clinic had approximately 60 spaces, and Safe Passage is looking for a waiver to bring the amount of parking spaces down to 18. He advised staff recommends approval of the waiver due to the decrease in traffic compared to the DeKalb Clinic, the nearby public parking available, and the pending parking agreement between Safe Passage and the church.

Mr. Olson mentioned an 8" sanitary sewer that runs through the middle of the site will be rerouted to the west and south along S. 2nd St. He stated a funding request will be coming to the City Council on December 28 that will involve an equal contribution from the petitioner, City, and the Kishwaukee Water Reclamation District to cover the cost of the sewer re-location.

Mr. Olson stated the DeKalb Police Department was asked if they had any concerns with Safe Passage's current and proposed location. He noted the Police Department indicated they did not have any safety concerns with the existing or new location. He mentioned Safe Passage and the Police Department have work together closely in the past and have a good relationship. Mr. Olson added the facility will have enhanced security measures that will include cameras and a fenced area for people entering the shelter.

Mr. Olson advised the DeKalb Clinic site hasn't been operational in approximately 10 years and the addition of Safe Passage will be a benefit to the community. He noted the rezoning will be complementary to neighboring properties in the area.

Mr. Olson mentioned the City received an email from Corey Gallon, owner of 316 South 2nd Street, indicating he does not support the proposal. Mr. Gallon's e-mail indicates he supports the cause but does not believe the rezoning will be beneficial to the neighborhood. Mr. Olson advised a second email was received from Chris Cosentino with the Cosentino Law Firm (213 and 217 S. 2nd St.) who indicated support for the proposal but had a concern about the availability of on-street parking in front of their offices.

Mr. Olson said staff recommends approval, which does not include approval of the architectural elevations at this time. He noted the recommendation to approve is subject to the preliminary development plan, Planned Development Standards, and submittal of the Final Development Plan prior to any permits being issued for the site.

Chair Maxwell gave the public an opportunity to speak.

David Hughes, of 305 S. 3rd St., expressed his concern for the parking arrangement. He mentioned with 60 bedrooms and 30-35 employees, there could be over 90 people at the property at any given time, well exceeding the 18 spaces on site and 32 spaces at the church. Mr. Olson clarified there are 24 bedrooms that can accommodate approximately 65 people. Mr. Hughes noted with residents living in the shelter, there will be more overnight parking than the DeKalb Clinic had.

Mr. Hughes questioned information found on the application compared to what was stated earlier. He advised the DeKalb Clinic was not vacant for the past 10 years and he has never seen any homeless people using the building. He mentioned the number of children being housed in the shelter will be a burden to the school district and taxpayers. Chair Maxwell added many of the families that receive assistance from Safe Passage are already DeKalb residents and it should not greatly impact taxpayers.

Ms. Schaid advised most of the children that stay at the shelter are younger than school age. She also noted if children come from the surrounding areas, such as Sycamore, they have the choice of going to school in Sycamore or DeKalb.

Mr. Hughes was concerned the people served by Safe Passage will bring the issues from their communities, including a tax burden and crime. Chair Maxwell clarified that Safe Passage already serves all of DeKalb County and is mostly federally funded. Ms. Schaid reiterated Mr. Maxwell's statement.

Mr. Hughes questioned if the City of DeKalb's Crime Free Housing program would apply to Safe Passage as well. Mr. Olson advised it would not, as the Crime Free Housing program is for rental properties and not transitional housing. Mr. Hughes questioned if there were any government regulations that would oversee Safe Passage. Mr. Olson advised Safe Passage would still have to follow all the standard building codes and pass all required building inspections.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. McMahon asked Ms. Schaid to expand on the enhanced security features mentioned previously. She advised their new building will have locked doors with keycard access only and several cameras. She noted Safe Passage has been in communication with the City of DeKalb Police Department to possibly install an alarm system that will directly notify the Department of any

emergency. She added in the six years she's has worked with Safe Passage, there has never been an issue where the offender of a crime has come on site.

Chair Maxwell questioned if the number of employees onsite is consistent throughout the week. He had concerns if staffing levels on weekends were the same as during the week and the church parking lot being full. Ms. Schaid responded there are very few staff members working during the weekends.

Mr. Klein questioned if Safe Passage has received any complaints in the past from neighbors or citizens regarding their property or practices. Ms. Schaid advised they haven't received any complaints from neighbors and most probably don't even know they are there.

Vice Chair Doe inquired if Safe Passage had a back-up plan for parking if the negotiations with the church fall through. Ms. Schaid advised they do not have a back-up plan for parking currently, but she strongly believes the negotiations will be successful. She advised if it does fall through, they are not required to have parking on-site. Vice Chair Doe questioned what happens if the parking agreement falls through. Mr. Olson responded one of the conditions of the approval is for Safe Passage to provide a signed parking agreement with the church before they can occupy the building.

Mr. Becker advised he believes this is a great location for Safe Passage due to nearby transit and other community services in the area. He stated, however, he had concerns with parking even if the agreement with the church goes through. He advised he has been to several funerals at the neighboring church and the parking lot is completely full and even spills out onto the street. He questioned what Safe Passage will do when the church has events or funerals during the week.

John Pappas, representing Pappas Development, advised he is a member of the church and there are approximately 30-40 members. He noted he doesn't believe there will be more than 1-2 funerals per year and for those days they will have to adjust, but it will not be an issue. He stated he was very confident Safe Passage will come to an agreement with the church and parking won't be an issue.

Mr. Becker questioned if the church would have priority access to the parking lot. Ms. Schaid advised staff would park off-site if the church needed to use the parking lot.

Mr. Pappas added Safe Passage is trying to be as friendly to the surrounding neighborhood as possible. He noted the development footprint will have 35%

greenspace and stated Safe Passage will adjust what they need to help the community, including parking.

Chair Maxwell advised he received a Citizen Response Form from Mary Lou Hughes of 305 S. 3rd Street. She stated she is against the proposal and had concerns with conflicting statements in the application and the legal notice regarding the number of rooms and beds available. She mentioned her concerns with a drop in property values due to being in proximity to a shelter.

Mr. Wright questioned if the parking spaces at the new facility is approximately the same as the number of spaces they currently have throughout their current facilities. Ms. Schaid advised she doesn't know how many spaces they have currently but noted they don't have much traffic coming and going from Safe Passage. She stated if their clients have a car, they will keep those on site and require their employees to park offsite.

Mr. Wright questioned if there was a discussion on whether some of the green space should be used for parking. Ms. Schaid advised they decided to have more greenspace due to the availability of the parking lot across the street.

Ms. O'Flaherty moved the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of the rezoning of subject site at 217 Franklin St. from the "CBD" Central Business District to the "PD-C" Planned Development Commercial District and approval of a preliminary development plan as listed in Exhibit A to accommodate an emergency shelter, counseling services, administrative offices, outdoor playground and other accessory uses subject to the standards listed in Exhibit B and subject to staff comments listed in Exhibit C.

Mr. Klein seconded the motion.

A roll call vote was taken. Mr. Klein – Yes, Ms. O'Flaherty – Yes, Mr. Becker – Yes, Mr. Wright - Yes, Mr. McMahon – Yes, Vice Chair Doe – Yes, Chair Maxwell – Yes. Motion Passed 7-0-0.

- 2. Final Plat of Resubdivision** – A petition by Kevin Theisen for approval to resubdivide Lot 3 of Hamrick's Subdivision into two lots located at 1100 S. 7th Street (Final Plat of Theisen Resubdivision).

Kevin Theisen advised he was the owner of Standard Roofing located at 1100 S. 7th Street. He stated on February 21st, 2020, a fire destroyed his entire business that was located on the subject site and he is unable to rebuild the company from the ground up.

Mr. Theisen stated he plans on taking the current 2-acre lot and divide it into two 1-acre lots. He said he plans on constructing a new building on the southern lot but doesn't exactly know what it's use will be. He added he plans on selling or developing the northern lot, depending on any offers or inquiries.

Principal Planner Dan Olson went over the staff report dated December 3, 2020. Mr. Olson advised the intent is to resubdivide the current lot into two lots. He stated the property is zoned Light Industrial and the proposed resubdivision will accommodate future commercial uses. He noted a 20 ft. easement is proposed along the common lot line for utilities and drainage. He mentioned staff is working on a private easement with the owner and the KWRD due to a sanitary sewer line that runs through the northern lot to the prior building.

Chair Maxwell gave Commission members an opportunity to speak.

Ms. O'Flaherty moved that the Planning and Zoning Commission recommend approval of the Final Plat of Theisen Resubdivision dated 12-1-20 prepared by Hanna Surveyors as shown on Exhibit A.

Mr. Klein seconded the motion.

A roll call vote was taken. Mr. Klein – Yes, Ms. O'Flaherty – Yes, Mr. Becker – Yes, Mr. Wright - Yes, Mr. McMahon – Yes, Vice Chair Doe – Yes, Chair Maxwell – Yes. Motion Passed 7-0-0.

- 2. Final Plat of Subdivision** – A petition by DeKalb 343 LLC for approval to subdivide approximately 148 acres of land along Gurler Road for the Ferrara Candy Co. (Final Plat of Subdivision – ChicagoWest Business Center).

Jerry Krusinski, representing DeKalb 343 LLC, advised this is a 3-lot subdivision of the Ferrara campus along Gurler Road. He stated the parcels are divided between the distribution center, the pack center, and a future expansion area for Ferrara.

Principal Planner Dan Olson went over the staff report dated December 3, 2020. He reiterated the three lots would be created to accommodate the distribution center, pack center, and future expansion area. He noted an access easement is proposed along the east end of Lot 2 for the benefit of Lot 3 and a 20-foot public utility easement is planned along Gurler Road. He stated the distribution center and pack center, lots 1 and 2 respectively, are planned for occupancy in early 2021.

Mr. Olson said there will be a separate sanitary easement with the Kishwaukee Water Reclamation District, which is being worked out between the District and

property owner and will be established separately. He noted staff has reviewed the plat and recommends approval.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. Klein moved that the Planning and Zoning Commission recommend approval of the Final Plat of Subdivision for ChicagoWest Business Center dated 11-18-20 prepared by Jacob and Hefner Associates as shown on Exhibit A.

A roll call vote was taken. Mr. Klein – Yes, Ms. O’Flaherty – Yes, Mr. Becker – Yes, Mr. Wright - Yes, Mr. McMahon – Yes, Vice Chair Doe – Yes, Chair Maxwell – Yes. Motion Passed 7-0-0.

F. REPORTS

Mr. Olson advised the December 21 Commission meeting will likely be cancelled. He mentioned the next meeting will be on January 4 and includes a hearing for a parking lot at 1030 E. Locust Street for Nehring Electric.

Mr. Olson stated the City will be updating the Comprehensive Plan in 2021 and the Commission will be involved in the process and providing recommendations.

Mr. Olson finally mentioned that during the City Council Meeting on November 23 the Council approved the special use for the U-Haul on W. Hillcrest Drive.

G. ADJOURNMENT

Mr. Wright motioned to adjourn, Vice Chair Doe seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 7:07 PM.