



DEKALB PLANNING AND ZONING COMMISSION AGENDA
Monday, July 7, 2025
6:00 P.M.

DeKalb Public Library
Yusunas Meeting Room
309 Oak St.
DeKalb, IL 60115

A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES

1. June 16, 2025.

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

E. NEW BUSINESS

1. **Public Hearing** – A petition by the City of DeKalb for text amendments to Chapter 23 “Unified Development Ordinance (UDO)” of the Municipal Code to allow cannabis dispensing organizations to have onsite consumption lounges.
2. **Public Hearing** – A petition by Heartland Bank and Trust, represented by Ryan Cour, for a special use permit to allow a bank with drive-through facilities for the property located at 330 Grove St. (SW corner of Grove St. and S. 4th St.).
3. **Public Hearing** – A petition by Crystal (Worrell) Garvey for approval of a variance the Unified Development Ordinance to allow a 6-foot-high privacy fence to be constructed in a portion of the front yard for the property located at 1838 E. Lincoln Highway.

F. REPORTS

G. ADJOURNMENT

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
June 16, 2025

The Planning and Zoning Commission held a meeting on June 16, 2025, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak Street, DeKalb, Illinois. Chair Maxwell called the meeting to order at 6:00PM.

A. ROLL CALL

Recording Secretary, Olivia Doss, called the roll. Planning and Zoning Commission members present were: Steve Becker, Trixy O'Flaherty, Maria Pena-Graham, Jerry Wright, Vice Chair Bill McMahon and Chair Max Maxwell. Planning Director Dan Olson and Assistant City Manager Bob Redel were present representing the City.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the June 16, 2025, agenda as presented. Mr. Becker motioned to approve the agenda as presented. Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. June 2, 2025 – Chair Maxwell requested a motion to approve the June 2, 2025, minutes as presented. Ms. O'Flaherty motioned to approve the minutes as submitted. 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

- a. **Public Hearing** – A petition by Edward Davenport for approval of a variance to the Unified Development Ordinance to allow a new 6 (six) foot-high privacy fence to be constructed in a portion of the front yard along North Bridge Road for the property located at 2324 Monticello Drive.

Edward Davenport reviewed his reasoning for the variance request. He noted he was only looking to replace the existing fence with the exact same style and height and put it in the same location. Mr. Davenport then provided a brief background on himself, and how he ended up at 2324 Monticello Drive. He explained if he was unable to keep the home the same as when he purchased it, two hardships would be created. First, Mr. Davenport stated he has two Dobermans. If required to switch to a 4 (four) foot-high open fence, his male Doberman would be able to stand on his hind legs and look over the fence. The shorter fence also increases the possibility of the dogs choosing to leave the yard. Mr. Davenport believed the 6 (six) foot-high privacy fence is part of being respectful to his neighbors walking by. Additionally, the higher fence adds a second layer of safety for the built-in swimming pool in his yard. He noted a 4 (four) foot-high fence is easy to hop over, and opined innocent acts can have tragic results.

Mr. Davenport further explained that moving the fence back to meet current ordinance guidelines negates his reason for purchasing the home. Ultimately, he would end up with more backyard outside of his fence than in it due to the in-ground pool. In an effort to soften the look of the fence, he has

maintained several trees and bushes on the outside of the fence. He added about 15% of the fence is not covered by landscaping, and he expressed he is willing to add more.

Dan Olson gave his staff report dated June 12, 2025. He explained that Mr. Davenport is requesting a variance to Articles 7.06.3, 7.06.4.b and 7.06.6 of the Unified Development Ordinance (UDO) to allow a six (6) foot-high cedar privacy fence in a portion of the front yard along North Bridge Rd. The UDO states that privacy fences cannot be over three (3) feet tall if they are in front of the front building line (home).

Mr. Olson confirmed the fence will replace an existing six (6) foot high privacy fence that is legal non-conforming. The current fence was constructed in 2007. In 2009 the City amended the UDO to prohibit privacy fences in any yard abutting a street over three (3) feet in height. Previously, the UDO allowed six (6) foot high privacy fences in the yard on a corner lot that did not serve as access for the lot.

He described how the fence will run from the south end of the home to within five (5) feet of the sidewalk along North Bridge Rd. The fence will then stretch along North Bridge Rd. to the east property line. There is an existing six (6) foot high chain link fence along the east property line. In addition, there is a wood fence along the north lot line that extends to the northeast corner of the home. The home is about 34 feet from the right-of-way line along North Bridge Rd. The lot is .286 acres (12,458 sq. ft.). There is an existing in-ground pool in the backyard that further limits the useable area of the rear yard and greatly limits the area where a six (6) foot high privacy fence could be placed.

Mr. Olson affirmed Mr. Davenport is making the request to replace the existing fence at the same height and location. Over the past three (3) years the fence has deteriorated, and a few panel and post repairs have been necessary. The fence has become a patchwork of repairs and has developed into an eyesore. The backyard contains an inground pool and the fence secures Mr. Davenport's two dogs. He stated the complete replacement of the fence is the best course of action to take.

He detailed how Mr. Davenport could put up a four (4) foot high open fence in the yard along North Bridge Rd., however the owner has noted challenges with that option. Mr. Davenport states in his summary the four (4) foot high fence will not contain his dogs and may encourage them to jump over the fence and therefore raise safety concerns. Mr. Davenport has maintained landscaping between the fence and the sidewalk over the years to soften the look of the privacy fence and has agreed to add landscaping to further screen the new fence.

Mr. Olson noted the location where the petitioner can place a six (6) foot high privacy fence, under current City regulations, hinders their ability to enjoy the privacy and safety of their full yard. The existing fence has not impaired public health and safety, has not had a negative impact on the surrounding neighborhood and has not caused any safety issues.

Mr. Olson mentioned two written public comments were received prior to the meeting. Amy Doll of 224 Concord Drive and Mike Cullison of 2318 Monticello Drive wrote in support of the request.

Chair Maxwell asked if anyone in the audience wished to speak.

Harold Grafe of 218 North Bridge Rd. spoke in support of the variance request. Mr. Grafe said he walks the neighborhood frequently and is acquainted with Mr. Davenport's Dobermans. He agreed they would put their legs on the fence and stare at people walking by. He believes the 6 (six) foot-high privacy fence is a good barrier for that and the pool. He found no visibility issues with the fence as a neighbor. While it needs repair and replacement, it does not provide any distractions while driving.

With no additional speakers present, Chair Maxwell closed the public hearing.

Commission member Becker noted this request raised two issues; 1. If it were a new fence the Commission would not be considering dogs or pools, but whether or not the proposed fence meets the variance standards, and 2. Mr. Davenport is simply replacing a fence. He questioned why they would not let him replace the fence as it is. Mr. Becker added the fence has been there for years and will improve looks, help with the dogs and pool safety. Mr. Olson agreed that a new fence would be a clean slate. He explained the non-conforming issues with the fence. He added the current fence has not caused any issues; it is not blocking the view of neighboring homes and has no impact on the adjacent neighbors.

Chair Maxwell looked to Mr. Olson for confirmation the fence was in code at the time it was put in, to which Mr. Olson confirmed it was.

Vice Chair McMahon inquired about the need for landscaping conditions since other variance requests have been approved without them. Mr. Olson responded that the fence is going quite far into the yard along North Bridge Rd. and Mr. Davenport already has landscaping there to help screen the fence. He explained he is only suggesting a few more shrubs to be added. Mr. Davenport was planning on adding landscaping anyway and agreed to the condition of the variance to add more shrubs.

Mr. McMahon asked how long Mr. Davenport will have to meet the landscaping condition requirements. Mr. Olson stated the City would work with him. The fence permit will need to be pulled first, and once the fence has been completed, then he can complete the landscaping. Mr. McMahon inquired if that was acceptable to Mr. Davenport and it was.

Several positive comments were made by the Commission regarding the proposed fence.

Chair Maxwell asked for a motion to approve the variance. Vice Chair McMahon moved that based on the submitted petition, testimony presented and findings of fact, I move the Planning and Zoning Commission approve a variance to Articles 7.06.3, 7.06.4.b and 7.06.6 of the Unified Development Ordinance to allow a new 6-foot-high privacy fence to be constructed in a portion of the front yard along North Bridge Rd. for the property located at 2324 Monticello Dr. as shown on Exhibit A of the staff report dated June 12, 2025 subject to the addition of landscaping between the proposed fence and sidewalk along North Bridge Rd. per the approval of the Planning Director. O'Flaherty seconded the motion.

A roll call vote was taken: Becker – yes, O'Flaherty – yes, Pena-Graham – yes, Wright – yes, McMahon – yes, Maxwell - yes. The motion passed 6-0-0.

F. REPORTS

Planning Director Olson stated the next meeting on July 7, 2025, will have three (3) hearings. Text Amendments to the Unified Development Ordinance (UDO) are proposed regarding onsite cannabis lounges, a special use permit for Heartland Bank to build a bank with a drive through at the SW corner of Grove Street and South 4th Street, and a fence variance for 1838 E. Lincoln Highway.

He let the Commission know the special use permit amendment for the modular classroom at Littlejohn Elementary School had been approved at the last City Council meeting. The permit was extended for three (3) more years.

G. ADJOURNMENT

Chair Maxwell requested a motion to adjourn. Mr. Wright motioned to adjourn, and Mr. McMahon seconded the motion. The meeting adjourned at 6:18 p.m.

Respectfully submitted,

Olivia K. Doss, Recording Secretary

Minutes approved by the Planning and Zoning Commission on July 7, 2025.

Click [here](#) to view the agenda packet for the June 16, 2025 Planning and Zoning Commission Meeting.

Click [here](#) to view the video recording of the June 16, 2025, Planning and Zoning Commission Meeting.

**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**
July 3, 2025

TO: DeKalb Planning and Zoning Commission

FROM: Dan Olson, Planning Director

RE: Text Amendments to Chapter 23 of the Municipal Code - Unified Development Ordinance – Onsite Consumption Lounges in Cannabis Dispensaries

BACKGROUND AND ANALYSIS

On May 27, 2025, the City Council discussed possibility of allowing “tasting rooms” in cannabis dispensaries. Nakia McAdoo, a principal with Excelleaf Dispensary at 305 E. Locust Street, requested City Council guidance about the prospect of opening a “tasting room” in their dispensary. Currently, Section 7.18.07, paragraph 12, the City’s UDO prohibits any cannabis business establishment from allowing any person “to smoke, inhale or consume cannabis on the property.” The Council has the authority, upon the recommendation of the Planning & Zoning Commission, to revise UDO provisions. There was consensus among those Council members present at the May 27th meeting to move forward with the amendments to the UDO. The minutes from the May 27 Council meeting are in the background materials.

Ms. McAdoo proposed to only allow the consumption of limited quantities of various edible cannabis products and was not interested in featuring inhaled products in the proposed tasting room. Space for the tasting room has existed in the facility at 305 E. Locust Street since its opening in November 2023 but the room’s occupancy would depend on a proposed revision to Section 7.18.07 of the UDO as well as an occupancy permit from the City’s Building Department. Any sales from the featured edible products in the proposed tasting room would generate sales tax at the local cannabis rate of 3%. It should be noted that the consumption of cannabis poses uniquely different onset and duration characteristics for edible as opposed to inhaled cannabis.

The proposed amendments will establish conditions related to the location of the onsite consumption lounges within the building, maximum square footage, food and beverage restrictions, tobacco and liquor prohibition, hours of operation, age restrictions, employee training, security measures and other restrictions.

The specific amendments are in the attached Exhibit A and will be reviewed at Monday's Commission meeting. The City Attorney and City Manager will be attending the Commission meeting on Monday to respond to any questions or comments.

RECOMMENDATION

Staff recommends approval of the amendments, and a sample motion is prepared below.

Sample Motion:

Based on the submitted petition and testimony presented, I move the Planning and Zoning Commission recommend to the City Council approval of text amendments to Article 7.18.07, paragraph 12 of the Unified Development Ordinance to allow cannabis dispensing organizations to have onsite consumption lounges as indicated in Exhibit A of the staff report dated July 3, 2025.



EXHIBIT A

6. Any violation of applicable building codes or fire life-safety codes or City-imposed inspection requirements shall constitute a violation of any zoning permission or special use permit granted hereunder. Upon a finding that an approved Special Use Permit will or has become unsuitable and/or incompatible in its location as a result of any nuisance or activity generated by the use, the Council shall have the authority to revoke the permit after affording the current property owner the right to be heard through due process or a public hearing with a due process hearing afforded.

7.17.03 Development Review Standards

1. Any party seeking to open a Retail Tobacco Store shall be required to file all documents which would be required to demonstrate compliance with the terms of this Code, and any documents required to apply for and obtain a review of a proposed special use permit.
2. After a pre-application meeting with the Community Development Director or their designee, an applicant for a Special use shall be required to submit plans and documents as deemed necessary, including, but not limited to, a Plat of Survey, a Site Plan, Engineering Plan, Architectural Plans and Elevations, Building Material Samples, Lighting Plan, Signage Plan, Business and Operational Plan, and Security Plan. Given the unique challenges and public safety threats posed by this use, the applicant shall also be required to file such additional documentation and provide such additional information as may be required by the City Manager, Community Development Director, Chief of Police, or Fire Chief or their designees.

7.18 Cannabis Business Establishment

7.18.01 Purpose and Intent

1. This Ordinance is intended to protect the public health, safety and welfare by establishing regulations to restrict the location of and/or create a setback between cannabis business establishments and incompatible uses.
2. The zoning provided by this section shall only apply to a cannabis business establishment duly licensed and operating under State law.
3. The following definitions shall apply:

“Adult-use Cannabis Craft Grower” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, as it may be amended from time-to-time, and regulations promulgated thereunder.

“Adult-use Cannabis Cultivation Center” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, as it may be amended from time-to-time, and regulations promulgated thereunder.

“Adult-use Cannabis Dispensing Organization” means a facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, as it may be amended from time-to-time, and regulations promulgated thereunder.

“Adult-use Cannabis Infuser Organization” or “Infuser” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, as it may be amended from time-to-time, and regulations promulgated thereunder.

“Adult-use Cannabis Processing Organization” or “Processor” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, as it may be amended from time-to-time, and regulations promulgated thereunder.

“Adult-use Cannabis Transporting Organization” or “Transporter” means an organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, as it may be amended from time-to-time, and regulations promulgated thereunder.

“Cannabis Business Establishment” means an adult-use cannabis dispensing organization and a medical cannabis dispensing organization.

“Cannabis” means marijuana, hashish, and other substances that are identified as including any parts of the plant *Cannabis sativa* and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, “cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. “Cannabis” does not include industrial hemp as defined and authorized under the Industrial Hemp Act. “Cannabis” also means concentrate and cannabis-infused products.

“Medical Cannabis Dispensing Organization” means a facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients, individuals with a provisional registration for qualifying patient cardholder status, or an Opioid Alternative Pilot Program participant, per the Compassionate Use of Medical Cannabis Act, 410 ILCS 130/1, *et seq.*, as it may be amended from time-to-time, and regulations promulgated thereunder.

“Medical Cannabis Cultivation Center” means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

“Enclosed, locked facility” room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by agents of a licensed cannabis business establishment and acting pursuant to State law.

“State law governing statute” means the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and the Compassionate Use of Medical Cannabis Act, 410 ILCS 130/1, *et seq.*, as they may be amended from time-to-time, and regulations promulgated thereunder.

7.18.02 Compliance with Applicable Laws

A cannabis business establishment shall be required to comply with all applicable laws, ordinances, regulations, statutes or other regulatory authority applicable thereto, including but not limited to, State law and the City of DeKalb Municipal Code. Violation of any applicable law, regulation, or ordinance shall constitute a public nuisance and violation of any zoning authority or special use permit granted hereunder.

7.18.03 Submittal Requirements

After a pre-application meeting with the City, an applicant for any special use or other zoning approval required herein for a cannabis business establishment shall be required to submit plans and documents as deemed necessary by the City, including, but not limited to, a Plat of Survey, a Site Plan, Engineering Plan, Architectural Plans and Elevations, Building Material Samples, Lighting Plan, Signage Plan, Business and Operational Plan, Compliance with State law, Anticipated Parking and Traffic Plan, Impact on Surrounding Areas, and Security Plan.

7.18.04 Permitted Zoning Districts and Setback Requirements

1. An adult-use cannabis dispensary organization and a medical cannabis dispensary organization shall be permitted only as a special use in the following zoning districts: LC, GC, CBD, and LI. An adult-use cannabis dispensary organization and a medical cannabis dispensary organization may also be permitted in the PD-C and PD-I Districts as a special use if the governing ordinance allows.
2. An adult-use cannabis craft grower shall be permitted only as a special use in the following zoning districts: LI and HI. An adult-use cannabis craft grower may also be permitted in the PD-I District as a special use if the governing ordinance allows.
3. A cannabis business establishment may not be located within 250 feet of the property line of a nursery school, preschool, primary or secondary school, daycare center, daycare home, or an academic building or residence hall of a State university.
4. An adult-use cannabis dispensary organization may not be located within 1,500 feet of the property line of a pre-existing adult-use cannabis dispensary organization.
5. An adult-use cannabis craft-grower shall not be located with 1,500 feet of the property line of another craft grower or cultivation center.
6. A cannabis business establishment shall comply with the setback requirements and standards of the underlying zoning district, except as may be otherwise provided by this Section and the UDO.

7.18.05 Parking Requirements

1. A cannabis business establishment shall be required to comply with the parking requirements applicable to the facility under the provisions of this UDO. For example, a dispensary shall comply with the parking requirements applicable to a Commercial Service Facility and Retail, and an adult-use cannabis craft grower shall comply with the parking requirements applicable to a manufacturing facility under the provisions of this UDO.
2. Parking for a cannabis business establishment shall be ~~located~~ in an area ~~which~~ that is visible from a public road.
3. Parking areas for a cannabis business establishment shall be well lit and monitored by video surveillance equipment with live images that can be viewed by agents of the cannabis business establishment.

7.18.06 Exterior Display, Signage and Advertising

1. No cannabis business establishment shall be maintained or operated in a manner that causes, creates or allows the public viewing of cannabis, cannabis paraphernalia or similar products from any sidewalk, right-of-way or any property other than the lot on which the cannabis business establishment is located. No portion of the exterior of the cannabis business establishment shall use or contain any flashing lights, search lights, spotlights or any similar lighting system.
2. Signage shall comply with the standards of the underlying zoning district.
3. No cannabis business establishment shall have signage or engage in advertising that is not in compliance with State law, including but not limited to 410 ILCS 705/5520, which is adopted and incorporated herein by reference as if fully set forth herein.
4. A sign shall be posted in a conspicuous place at or near all dispensary entrances and shall include the following language: "Persons under the age of 21 are prohibited from entering." The required text shall be no smaller than 1 inch in height nor greater than 12 inches in height.

7.18.07 Other Development Restrictions

1. No more than five (5) special use permits for an adult-use cannabis dispensing organization shall be permitted within the City's corporate limits.
2. The uses, terms and conditions for the location of a cannabis business establishment as defined by this UDO shall not be applicable to other types of cannabis businesses, including but not limited to, Adult-Use/medical Cannabis Cultivation Centers, Adult-Use Cannabis Infuser Uses, Adult-Use Cannabis Processing Uses, or Adult-Use Cannabis Transportation Uses unless otherwise approved by a subsequent text amendment to this UDO. Any type of cannabis business other than a cannabis business establishment as defined by this UDO that wishes to locate in DeKalb may propose a text amendment to this UDO.
3. No cannabis business establishment shall allow any person who is not at least twenty-one (21) years of age on the premises. No cannabis business establishment shall employ anyone under the age of twenty-one (21).
4. A cannabis business establishment may operate between the hours of 6:00 a.m. to 10:00 p.m.
5. No cannabis business establishment shall have a drive-through service, drive-thru window, or any form of outdoor sales.
6. A cannabis business establishment shall comply with State law governing statute, applicable law, and the City's local building, fire, and zoning requirements or regulations.
7. No adult-use cannabis dispensing organization shall operate in violation of the operational requirements and prohibitions set forth in 410 ILCS 705/15-70, which are adopted and incorporated by reference as if fully set forth herein.
8. No medical cannabis dispensing organization shall operate in violation of the requirements and prohibitions set forth in 410 ILCS 130/130, which are adopted and incorporated herein by reference as if fully set forth herein.
9. No adult-use cannabis craft grower shall operate in violation of the requirements, provisions and prohibitions set forth in 410 ILCS 705/30-30, which are adopted and incorporated by reference as if fully set forth herein.

10. A cannabis business establishment shall provide to the City a security plan that includes, but is not limited to, the following:

- a. The cannabis business establishment shall be an enclosed, locked facility and shall provide and maintain adequate security on the premises, including lighting, video surveillance and alarms reasonably designed to ensure the safety of persons and to protect the premises from theft;
- b. The parking area, client entrance, sales area, back room, storage areas and delivery bay and entrance shall be monitored by video surveillance equipment with live images that can be viewed by agents of the cannabis business establishment, continually recorded in a tamper proof format;
- c. A sign shall be posted in a prominent location which includes the following language "This area is under live/recorded video surveillance to aid in the prosecution of any crimes committed against this facility or its patrons";
- d. Reporting of criminal activity on the licensed premises to local law enforcement officials within 24 hours of the discovery of such criminal activity; and
- e. The Chief of Police or designee shall review and approve the adequacy of lighting, security and video surveillance prior to the issuance of a Special Use Permit;

11. Loitering is prohibited on the property of a cannabis business establishment property.

12. No cannabis business establishment shall allow any person to smoke, inhale, or consume cannabis on the property ~~and the license premises occupied by the~~ of a cannabis business establishment, except as may be allowed at an Adult-use Cannabis Dispensing Organization's onsite consumption lounge under this UDO. A sign, at least 8.5 by 11 inches, shall be posted inside the cannabis business establishment building in a conspicuous place and visible to employees and clients, ~~which~~ shall include the following language: "Smoking, eating, drinking, or other forms of consumption of cannabis products on the property is prohibited." If an Adult-use Cannabis Dispensing Organization is permitted to operate an onsite consumption lounge under this UDO, then the sign shall include the following language: "Smoking, eating, drinking, or other forms of consumption of cannabis products on the property is prohibited, except that persons who are 21 years of age or older may eat or drink cannabis purchased from the dispensary at the onsite consumption lounge."

13. An Adult-use Cannabis Dispensing Organization may operate an onsite consumption lounge under a permit issued by the City Manager, subject to the following conditions:

- a. The permit for the onsite consumption lounge shall be publicly displayed in a conspicuous location on the onsite consumption lounge;
- b. The applicant for the onsite consumption lounge permit shall pay to the City a non-refundable permit application fee of \$500.00;
- c. The onsite consumption lounge shall be located on the licensed premises of the Adult-use Cannabis Dispensing Organization, in an enclosed private area that is: (i) inside the dispensary's building; (ii) not visible to the public; (iii) no more than 1,000 square feet of floor space; (iv) segregated from the dispensary's public areas by a locked and secured door accessible only from the inside of the dispensary; and (v) depicted in a floor plan, which shall be subject to the discretionary approval of the City Manager;
- d. No person under 21 years of age shall be allowed on the onsite consumption lounge;

- e. No person who is intoxicated, or appears to be intoxicated, shall be allowed on the onsite consumption lounge;
- f. Cannabis, food, or beverages shall be consumed only on the onsite consumption lounge;
- g. Cannabis shall be consumed only by eating, drinking, or other similar forms of ingestion;
- h. No smoking, vaping, inhaling, or any other form of consumption of cannabis that is not eating or drinking shall be allowed on the onsite consumption lounge;
- i. No alcohol or tobacco shall be allowed on the onsite consumption lounge;
- j. No cannabis, food, or beverages shall be consumed, used, sold, or possessed on the onsite consumption lounge, unless sold on the licensed premises by the Adult-Use Cannabis Dispensary that is operating the onsite consumption lounge;
- k. The sale and service of all food and beverages shall comply with the Illinois Food Code, the Food Handling Regulation Enforcement Act, the City's Municipal Code, and the DeKalb County Code;
- l. The hours of operation for the onsite consumption lounge may be between the hours of 6:00 a.m. to 10:00 p.m.; however, the onsite consumption lounge shall not operate when the dispensary's public areas are not in operation;
- m. No sound or vibration exceeding 90 decibels when measured with a standard meter A scale within two feet of the onsite consumption lounge's exterior wall shall be allowed;
- n. No cannabis business establishment or any other person may encourage the sale of cannabis or cannabis products by giving away cannabis, cannabis products, food, beverages, or any items of value (i.e., no "free samples"), by conducting games or competitions related to the consumption of cannabis or cannabis products, or by giving any discounts on the sale of cannabis, cannabis products, food, beverages, or any other items;
- o. All employees of an onsite consumption lounge shall be: (i) a licensed agent or agent-in-charge of the dispensary; and (ii) not consuming or under the influence of cannabis while on-duty;
- p. An employee of an onsite consumption lounge shall be present within the permitted area of the onsite consumption lounge during all hours of operation of the onsite consumption lounge;
- q. All cash and currency collected at the onsite consumption lounge shall be treated the same as cash and currency collected by the dispensary, and shall be stored in compliance with 410 ILCS 705/15-100;
- r. The onsite consumption lounge shall be subject to random inspections by the City's Police Department, Fire Department, or Building and Code Compliance Division, which shall not be impaired or interfered with by any person;
- s. Strict compliance with a responsible operations plan for the onsite consumption lounge provided by the Adult-Use Cannabis Dispensary and kept onsite, which shall be subject to the discretionary approval of the City Manager, and shall include, but not be limited to, the following: (i) a detailed explanation of how the dispensary's employees will monitor and prevent over-intoxication, underage access to the onsite consumption lounge, the illegal sale or distribution of cannabis or cannabis-infused products in the onsite consumption

lounge, the illegal use or possession of cannabis or cannabis-infused products in the onsite consumption lounge, other potential criminal activity on the premises, and how to best prevent impaired driving by encouraging consumers to consider alternative transportation options; (ii) a documented employee training plan that addresses all components of the responsible operations plan; (iii) staffing plans; (iv) hours of operation; (v) pricing policies and procedures; (vi) proof of comprehensive general liability insurance coverage with policy limits of not less than \$1,000,000 per person and per occurrence in effect during all times which names the City of DeKalb as an additional insured endorsement on a primary, non-contributory basis with waiver of subrogation; and (vii) such other information as the City Manager may request;

- t. Strict compliance with a security plan for the onsite consumption lounge provided by the Adult-Use Cannabis Dispensary and kept onsite, which shall be subject to the discretionary approval of the City's Police Chief, and shall include, but not be limited to, the following: (i) a locked and secured door at all areas of ingress and egress to and from the onsite consumption lounge; (ii) the installation and maintenance of operational security cameras facing all areas of ingress and egress; (iii) the presence of a security guard for each security door of the onsite consumption lounge during all hours of operation; (iv) the name and telephone number of the licensed agent or agent-in-charge of the dispensary; (v) identification of all staff who will work at the onsite consumption lounge; and (vi) such other information as the Police Chief may request;
- u. Strict compliance with a cannabis product destruction and waste management plan for the onsite consumption lounge provided by the Adult-Use Cannabis Dispensary and kept onsite, which shall be subject to the discretionary approval of the City's Police Chief, and shall include, but not be limited to, the following: (i) the destruction and disposal of cannabis abandoned, left, or discarded at the onsite consumption lounge; (ii) the destruction and disposal of cannabis waste left at the onsite consumption lounge; and (iii) such other information as the Police Chief may request; and
- v. Strict compliance with laws, regulations, codes, and ordinances providing for the regulation and taxation of onsite consumption lounges including, but not limited to, the Cannabis Regulation and Tax Act (410 ILCS 705/1-1, et seq.), 68 Ill. Adm. § 1291.340, and the City's Municipal Code, which are adopted and incorporated herein by reference.

12. —

7.19 Retail Sale of Firearms

7.19.01 Purpose and Intent

1. This Ordinance is intended to protect the public health, safety and welfare by establishing regulations to restrict the location of and/or create a setback between establishments which engage in the retail sale of firearms or related products, and incompatible uses.
2. The following definitions shall apply:

"Firearm" means any device which is either: a) defined as a firearm under applicable state or federal law; or, b) a device from which a projectile is discharged through the use of an explosive charge or propellant including but not limited to gunpowder.

"Firearm Ammunition" means any device which: a) consists of a complete cartridge, shell or round, ready for discharge in a firearm; b) is a component part of a cartridge, shell or round that can be assembled with other component parts to form a complete cartridge or round (e.g. bullet, primer, casing, propellant). For purposes of this Ordinance, propellant shall only be considered to be Firearm Ammunition where it is in a format ready to be directly utilized in a firearm cartridge, shell or round (e.g. smokeless powder in a format ready to be utilized).



TEXT AMENDMENT PETITION

TO: Community Development Department of the City of DeKalb, Illinois

FROM: Petitioner Name(s): City of DeKalb Telephone: 815-748-2361
Petitioner's Representative: Dan Olson, Planning Director Cell: _____
Mailing Address: 164 E. Lincoln Hwy. Email: dan.olson@cityofdekalb.com
DeKalb IL 60115

1. The petitioner hereby petitions the City of DeKalb to amend the Unified Development Ordinance as follows – attach additional page(s) if necessary:

A. What is the text amendment regarding?

Allowing onsite cannabis consumption lounges in cannabis dispensaries.

B. What Article(s) and Section(s) of the Unified Development Ordinance are proposed for amendment?

Article 7.18.07.12 and the creation of Article 7.18.07.13.

C. What is the proposed revised text?

See attached.

D. Describe the reason for this text amendment request, and what the intended effect will be.

To allow the consumption of limited quantities of various edible cannabis products in cannabis dispensaries.

2. The petitioner hereby submits the Petition Fee (\$250.00).

3. The petitioner hereby states that a pre-application conference ☐ *was ☐ was not held with City staff prior to the submittal of this petition.

*Date of pre-application conference: _____

Those in attendance: _____

***(Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.)**



4. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission's agenda only if it is completed in full and submitted in advance of established deadlines.
5. The petitioner has read and completed all of the information and affirms that it is true and correct.

Petitioner Signature

6-10-25

Date

Alderman Verbic noted that the need is extensive and urgent.

Alderman Larson asked if funding alone would move those on the waiting list to the recipient list.

Mr. Closter replied that funding is a roadblock at this time.

Alderman Smith stated the LaSalle Meals on Wheels operation handles 550 meals a day with the capacity of 700 or more. While the DeKalb operation has the same capacity, it's literally just funding that's lacking.

Mayor Barnes noted there would be an application process, which will follow the same guidelines and process.

There was consensus among those Council members present to move forward with the supplemental HSF grant funding. Mayor Barnes noted this item will be brought back for official approval at the June 9, 2025, Council meeting.

2. Consideration of a Proposal to Revise Chapter 23 "Unified Development Ordinance" (UDO), Section 7.18.07 "Other Development Restrictions", to Permit "Tasting Rooms" in Locally Licensed Cannabis Dispensaries.

Mayor Barnes read the consideration by title only.

MOTION: Alderman Carlson moved to bring the item to the floor for discussion; seconded by Alderman Powell.

Noting that the Excelleaf dispensary opened approximately a 1.5 years ago, Nakia McAdoo stated the community has embraced the dispensary and thanked the Council for supporting their vision of providing safe, tested, legal cannabis products to the community, noting the responsibility isn't taken lightly and they are constantly looking for ways to educate and inform customers. She added that Excelleaf served over 87,000 customers in 2024 and sold over 150,000 products, but there's still more work to be done.

Ms. McAdoo then stated Excelleaf is passionate about ensuring customers have a clear understanding of the products sold and how they can be used safely and effectively. Therefore, a new space has been created within the dispensary they hope will serve that purpose by allowing customers to sample a small amounts of product, learn how to use it safely, and sample it before purchasing.

Continuing, Ms. McAdoo stated there's a lot of confusion surrounding cannabis and products sold in dispensaries versus hemp, Delta 8 and Delta 9, which are sold at gas stations and convenience stores right here in DeKalb. This confusion leads to misuse because of the misleading dosing information, underage purchases at these sites, and the lack of regulation of the hemp industry. This space will allow customers to consume product samples in a safe regulated and law-abiding environment. It will also provide an opportunity to engage with customers about the importance of choosing the legal market for cannabis, current laws, consumption limits, and responsible use, while reducing the stigma associated with the regular use of cannabis.

Ms. McAdoo further stated that this is also meant to support the Illinois market as many customers are opting to go to cheaper, which offer cheaper prices at lower quality and take tax dollars out of Illinois. It is estimated that Illinois has lost approximately \$1 billion to Michigan and Missouri because customers are choosing to travel for cheaper prices and less tax. Customers that have an area to consume are more likely to purchase at that on-site dispensary and keep those tax dollars locally.

City Manager Nicklas then gave an overview of the item based on the information provided in the agenda packet.

Alderwoman Larson stated as someone who fights chronic pain to the point of requiring major surgery, a place to sample products that could let her function pain free would be wonderful.

Alderman Verbic asked City Attorney Rose if Chapter 38 (Intoxicating Liquors) of the City's Municipal Code would need to be amended to accommodate the request.

City Attorney Rose stated that Chapter 38 doesn't cover cannabis, but Chapter 23 (Unified Development Ordinance, also known as the "UDO") would need to be amended as it currently prohibits cannabis dispensaries from allow ingestion of product on site. He noted that Chapter 52 (Offenses Against Public Peace, Safety and Morals) prohibits the possession and use of cannabis in certain circumstances but he's unsure if it would need to be amended at this time.

There was consensus among those Council members present to move forward with the amendment to Chapter 23.

There was brief discussion regarding the Council's procedural preference pertaining to text amendments within the Municipal Code, either by consideration and then first reading with the waiver of second reading, or on first reading at one meeting and second reading at another. It was noted that either way, there's ample opportunity for Council discussion and public input.

Alderman Verbic noted the evolution of next steps for businesses who will want to allow smoking within their businesses, as is occurring in other locations in Illinois, asking if it should be taken care of in this step or will it be something in addition later.

City Manager Nicklas replied that the Building Code defines the amount of smoke allowed in a building and when to evacuate, so it's not covered in this amendment.

Mayor Barnes thanked Ms. McAdoo for her comments, noting he's heard nothing but positive comments about Excelleaf.

J. RESOLUTIONS

1. Resolution 2025-055 Authorizing a Third Amendment to the Land Lease and Solar Easement Agreement with DeKalb Taylor Solar, LLC (SunVest).

Mayor Barnes read the resolution by title only.

MOTION: Alderman Smith moved to approve the resolution; seconded by Alderman Verbic.

City Manager Nicklas gave an overview of this item based on the information provided in the agenda packet.

There were no questions or comments from the Council.

VOTE: Motion carried by a 7-0 roll call vote. Aye: Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Absent: Zasada. Mayor Barnes declared the motion passed.

At this point in the meeting, Mayor Barnes asked for a motion to consider the passage of the following resolutions in omnibus form and read them by title only:

2. Resolution 2025-056 Authorizing a Supplemental Professional Construction Engineering Services Agreement with Hampton, Lenzini, and Renwick, Inc. for the Widening and Reconstruction of Peace Road in an Amount Not to Exceed \$279,475.

LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Monday, July 7, 2025, at 6:00 p.m. in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL on the petition by the City of DeKalb for text amendments to Chapter 23 “Unified Development Ordinance (UDO)” of the Municipal Code. The proposed amendments are to Article 7.18 “Cannabis Business Establishment” of the UDO to allow cannabis dispensing organizations to have onsite consumption lounges. The proposed amendments will establish conditions for onsite consumption lounges related to location within the building, maximum square footage, food and beverage restrictions, tobacco and liquor prohibition, hours of operation, age restrictions, employee training, security measures and other restrictions.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 by 12:00 p.m. on Monday, July 7, 2025, or by e-mail to dan.olson@cityofdekalb.com. Further information regarding the petition is available from the Community Development Department at (815) 748-2361 or on the City of DeKalb’s web page at <https://www.cityofdekalb.com/1103/Public-Hearings>.

Max Maxwell, Chair

DeKalb Planning and Zoning Commission

**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**
July 3, 2025

TO: DeKalb Planning and Zoning Commission

FROM: Dan Olson, Planning Director

RE: Special use permit to allow a bank with drive-through facilities for the property located at 330 Grove St. (Heartland Bank and Trust)

I. GENERAL INFORMATION

- | | | |
|----|---------------------------------|---|
| A. | Purpose | Construction of a bank with drive-through facilities. |
| B. | Location/Size | 330 Grove St. (SW corner of Grove St. and S. 4 th St.) / .47 acres |
| C. | Petitioner | Heartland Bank and Trust |
| D. | Existing Zoning | "CBD" Central Business District |
| E. | Existing Land Use | Vacant |
| F. | Surrounding Zoning and Land Use | North: "CBD"; Public Parking Lot
South: "CBD"; Office Uses – Private and Public
East: "PD-R"; Multi-Family Residential
West: "CBD"; Restaurant, Banquet Facility |
| G. | Comprehensive Plan Designation | Public |

II. BACKGROUND AND ANALYSIS

The City has received a special use permit application from Heartland Bank and Trust to allow a bank with drive through facilities at 330 Grove St. The .47-acre vacant parcel is located at the SW corner of Grove St. and S. 4th St. The proposed bank building will be a single-story structure with approximately 2,100 square feet of interior space. The new facility will include two commercial drive-through lanes, and an ATM drive-through lane. Along with the special use application, a layout plan, utility plan, landscape plan, grading plan, photometric plan and building elevations were submitted.

Heartland Bank has spent the past few years looking for properties around the south side of DeKalb and in relative proximity to their current location at 913 S. 4th St. Because of the mix of commercial and residential properties, high traffic counts, and proximity to their current location, they have chosen the subject site. With other commercial and residential projects being completed around the area, the applicant believes the addition of a local community bank on the subject property will add to the aesthetics of the neighborhood and serve the financial needs of the community.

The site previously contained the DeKalb Community Center Building (Senior Center – Youth Services Bureau), which was demolished in 2023. Heartland Bank purchased the property last October. The applicant has indicated they will close the existing Heartland Bank branch at 913 S. 4th St. after the new one opens. The current bank property along S. 4th St. is located far off the road and has limited visibility.

The subject site is zoned “CBD” Central Business District. The CBD has no building or parking setbacks or maximum site coverage. The landscape plan does show a 14.5 foot paving setback along S. 4th St. with landscaping covering the area. A five (5) foot paving setback is provided along Grove St. with landscaping in the green space. Landscaping is also provided around the building, meeting all the UDO requirements. Two access points will be provided to the site. Access will be provided from Grove St. using the existing public alley. In addition, a full access off S. 4th St. is proposed. The applicant has obtained approval of the full access onto S. 4th St. from I.D.O.T. since it's a state-controlled highway. Although it is not required to have on-site parking, the plan shows 10 standard parking spaces and one handicap space.

The drive-through lanes were moved from the south side of the proposed building in previous versions of the plan to the north side. This change was made to encourage customers to exit the site using Grove St. instead of S. 4th St, which is busier roadway and has a higher speed limit. The site plan indicates adequate stacking area for three (3) vehicles per lane as required by the UDO. The queue for the vehicles in the drive-through lanes will not interfere with other site traffic or back up onto a public roadway. The various plans have been examined by staff and all comments applicable to this level of review have been addressed.



III. STANDARDS OF A SPECIAL USE

1. The proposed special use complies with all provisions of the applicable district regulations.

The proposed special will comply with all regulations of the “CBD” Central Business District and the Unified Development Ordinance (UDO).

2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.

The proposed special use will not have a detrimental effect on the adjacent properties or land uses. The proposed site plan provides for adequate stacking space for the drive-through per the UDO. The site has been zoned “CBD” Central Business District for decades. The surrounding area is already developed with a variety of uses including multi-family residential, offices, restaurant, banquet facility and public parking.

3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

The granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with a variety of uses including multi-family residential, offices, restaurant, banquet facility and public parking. The proposed special will operate in a manner that is not detrimental to the surrounding neighborhood.

4. Adequate utility, drainage and other such necessary facilities have been or will be provided.

Adequate public services and utilities are already provided to the subject site. The site plan indicates adequate stacking area for three (3) vehicles per lane as required by the UDO. The queue for the vehicles in the drive-through lanes will not interfere with other site traffic or back up onto a public roadway. Although not required to have on-site parking, the plan shows 10 standard parking spaces and one handicap space. Access will be provided from Grove St. using the existing public alley. In addition, a full access off S. 4th St. is proposed. The applicant has obtained approval of the full access onto S. 4th St. from I.D.O.T. since it's a state-controlled highway.

5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be



developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.

The proposed special use will not be detrimental to the permitted developments and uses in the surrounding area. The surrounding area is already developed with a variety of uses including multi-family residential, offices, restaurant, banquet facility and public parking. With other residential and commercial projects being completed around the area, the applicant believes the addition of a local community bank on the subject property will add to the aesthetics of the neighborhood and serve the financial needs of the community.

V. CITIZEN RESPONSE/COMMENTS

The City did not receive any written comments up to the posting of the agenda on July 3.

VI. RECOMMENDATION

The staff recommends approval, and a sample motion is below.

Sample Motion – Special Use Permit:

Based upon the submitted petition, testimony presented and findings of fact, I move the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of special use permit to allow a bank with drive-through facilities for the property located at 330 Grove St. (SW corner of Grove St. and S. 4th St.) per the site plan described in Exhibit A of the staff report dated July 3, 2025.



Exhibit A

- Layout Plan dated 6-12-25 prepared by Willett Hofmann Associates.
- Utility Plan dated 6-12-25 prepared by Willett Hofmann Associates.
- Grading Plan dated 6-12-25 was prepared by Willett Hofmann Associates.
- Landscape Plan (Sheet L1.1) dated 4-4-25 prepared by the Farnsworth Group.
- Photometric Plan dated 6-13-25 prepared by KSA Lighting & Controls.
- Building Elevations (Sheets A3.1 and A3.2) dated 4-4-25 prepared by the Farnsworth Group.

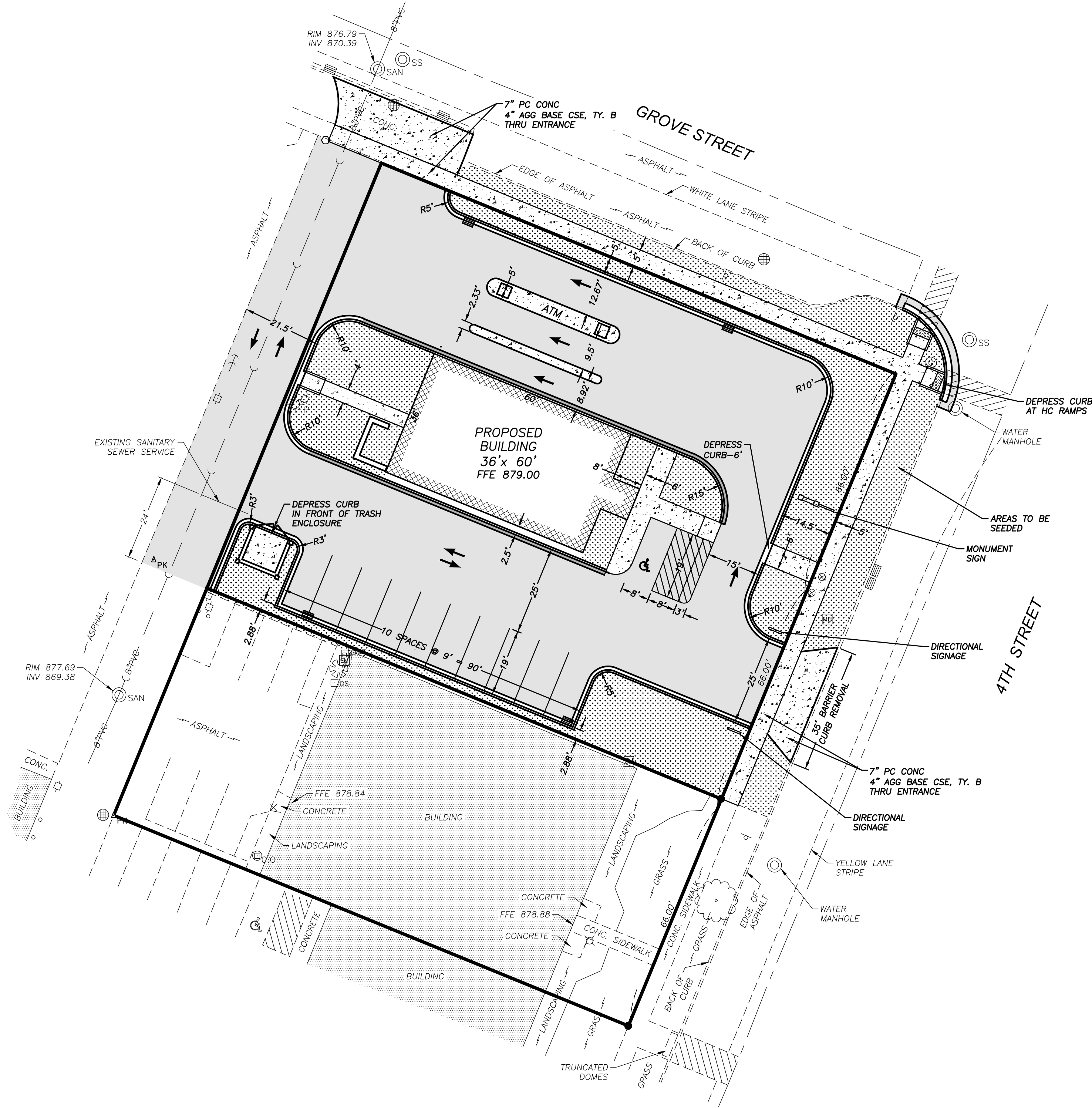
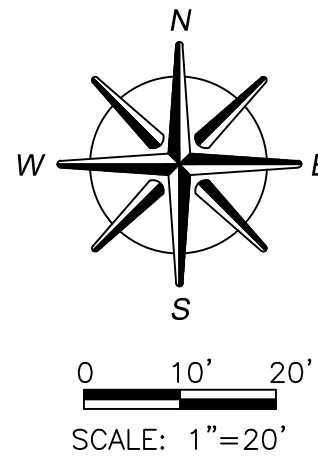


BENCHMARK INFORMATION:

FOUND CHISELED "X" ON S.E. BONNET BOLT OF FIRE
HYDRANT LOCATED AT N.W. CORNER OF S. 4TH STREET
AND GROVE STREET.

ELEV=880.34

EXHIBIT A



TOPOGRAPHIC		LEGEND	
---	BOUNDARY OF SURVEY	●	STEEL PIN FOUND
- - -	SECTION LINE	○	STEEL PIN SET
---	RIGHT OF WAY LINE	⊙	SET SURVEY NAIL
---	CENTERLINE	⊕	R.O.W. MARKER
---	BUILDING SETBACK (BSL)	+	CHISELED "X"
---	EASEMENT (IE)	▲	STONE FOUND
G	GAS MAIN	△	P.K. NAIL
W	WATERMAIN		
OE	OVERHEAD ELECTRIC LINE		
UE	UNDERGROUND ELECTRIC		
OT	OVERHEAD TELEPHONE LINE		
UT	UNDERGROUND TELEPHONE		
FO	FIBER OPTIC LINE		
X-X	FENCE LINE		
---	STORM SEWER		
---	SANITARY SEWER		
---	CURB AND GUTTER		
---	DEPRESSED CURB		
---	EXISTING CONTOUR LINE		
847	DECIDUOUS SHRUB		
848	CONIFEROUS SHRUB		
849	DECIDUOUS TREE		
850	CONIFEROUS TREE		
851	STUMP		
852	TELEPHONE POLE		
853	TELEPHONE PEDESTAL		
854	CABLE TV RISER		
855	POWER POLE		
856	POWER POLE WITH LIGHT		
857	ELEC. PAD W/ TRANS.		
858	GAS METER/REGULATOR		
859	MANHOLE FOR ELECTRIC		
860	HANDHOLE		
861	GUY WIRE		
862	STREET LIGHT		
863	FIRE HYDRANT		
864	MANHOLE		
865	CLEANOUT		
866	WATER VALVE		
867	WATER SERVICE		
868	GAS VALVE		
869	DROP INLET		
870	INLET		
871	SIGN		
872	PROPOSED SANITARY SEWER		
873	PROPOSED SANITARY MANHOLE		
874	PROPOSED SANITARY SERVICE		
875	PROPOSED WATER MAIN		
876	PROPOSED WATER SERVICE		
877	PROPOSED WATER VALVE		
878	PROPOSED FIRE HYDRANT		
879	PROPOSED WATER SERVICE		
880	PROPOSED STORM SEWER		
881	PROPOSED STORM INLET		
882	PROPOSED STORM MANHOLE		
883	PROPOSED DRAIN TILE		
884	PROPOSED END SECTION		
885	PROPOSED RIP RAP		
886	PROPOSED DIRECTION OF FLOW		
887	PROPOSED 100 YEAR FLOOD ROUTE		
888	TOP OF FOUNDATION		
889	PROPOSED CONTOUR LINE		
890	PROPOSED CURB & GUTTER		

REVISIONS

DESIGNED BY:
MAG

DRAWN BY:
D.V

SURVEYED BY:

BOOK NO:

REVISION

CITY REVIEW

DATE

06/12/25

1569Z24

DATE

06/12/2025

SHEET NO.

4 of 10

SITE PLAN
OF
NEW DEKALB BRANCH
FOR
HEARTLAND BANK AND TRUST

Permit Set

SHEET TITLE

LAYOUT
PLAN

JOB NUMBER

1569Z24

DATE

06/12/2025

SHEET NO.

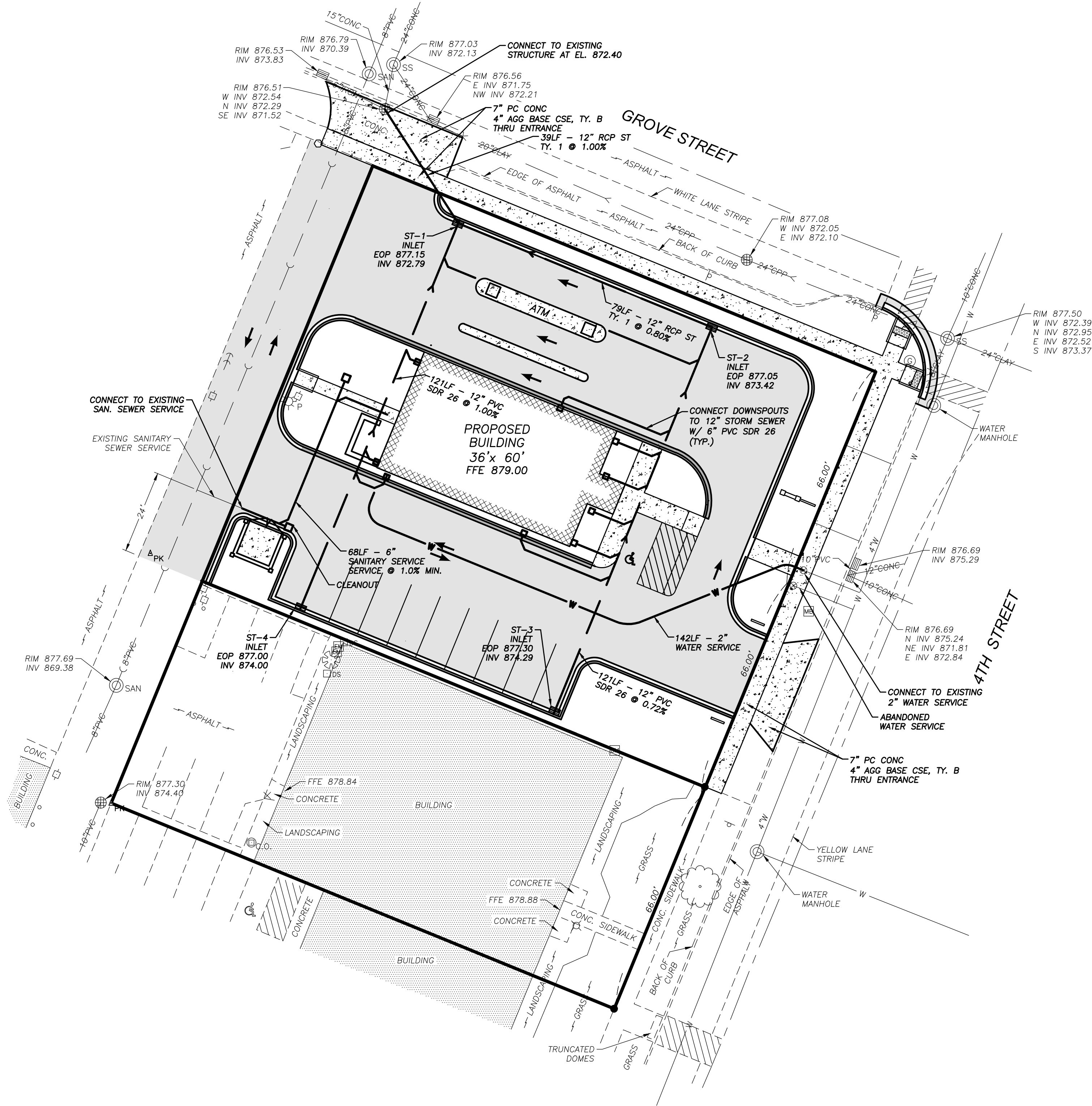
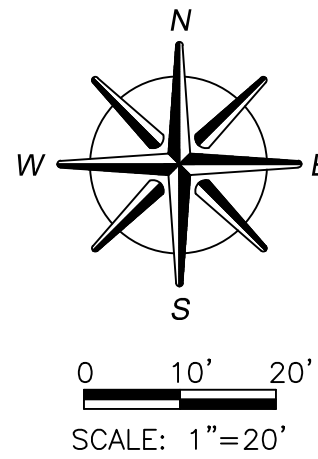
4 of 10

WILLETT HOFMANN
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TEL: 312.467.1115
WWW.WHOFMANN.COM
Illinois Professional Design Firm No. 184-000918/0015
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889	PROPOSED CONTOUR LINE		
890	PROPOSED CURB & GUTTER		

KISHWAUKEE WATER RECLAMATION DISTRICT

1) CONTRACTOR TO COORDINATE AN INSPECTION WITH JAMIE COCHRANE (jcochrane@kishwrd.com) AT
KISHWAUKEE WATER RECLAMATION DISTRICT TO ENSURE THE EXISTING BUILDING SERVICE IS IN SUITABLE
CONDITION FOR RE-USE.

REVISIONS

REVISION	DATE
CITY REVIEW	06/12/25

DESIGNED BY:

MAG

DRAWN BY:

DV

SURVEYED BY:

BOOK NO:

SITE PLAN
OF
NEW DEKALB BRANCH
FOR
HEARTLAND BANK AND TRUST

Permit Set

SHEET TITLE

UTILITY
PLAN

JOB NUMBER
1569Z24

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06/12/2025

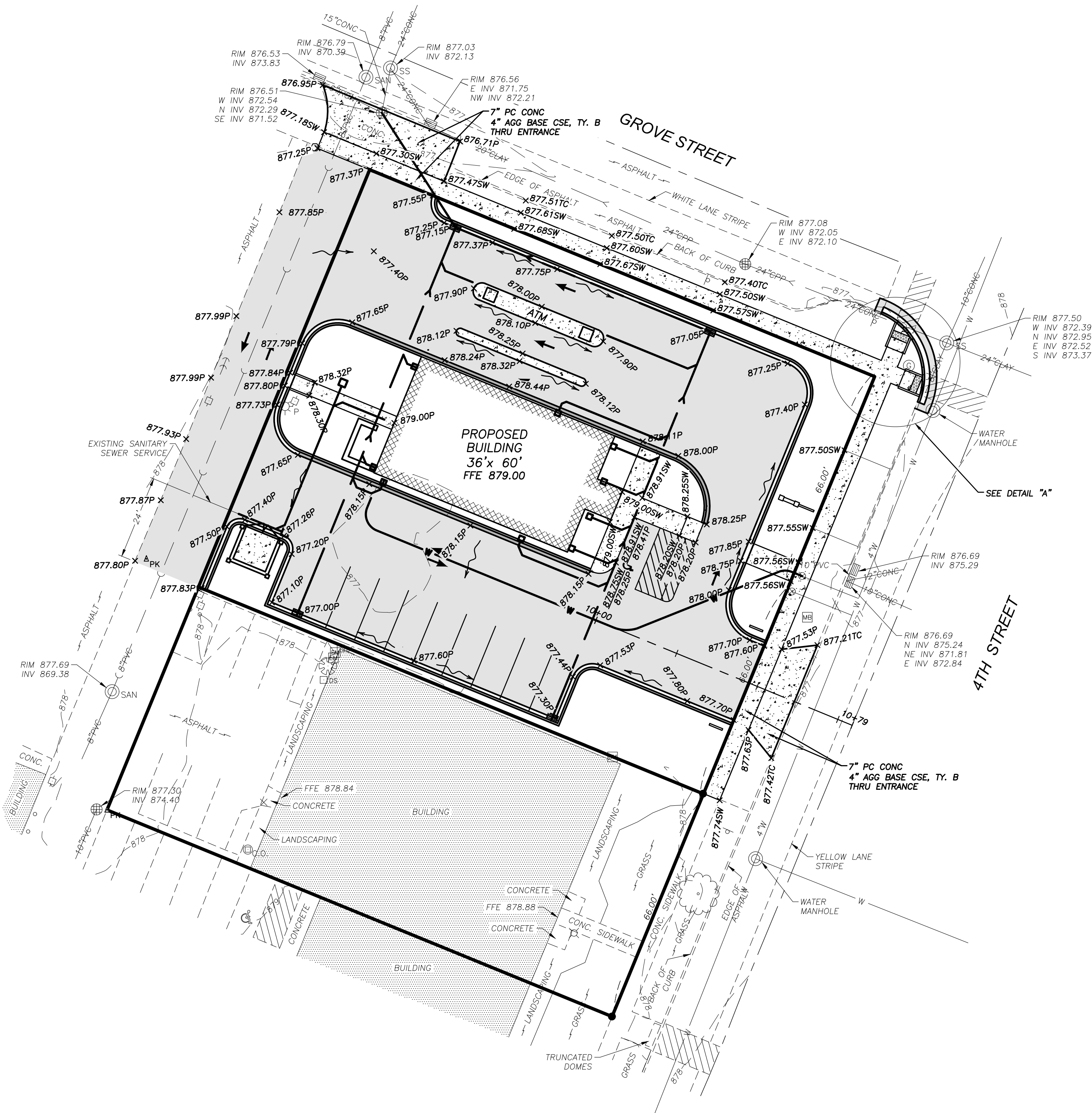
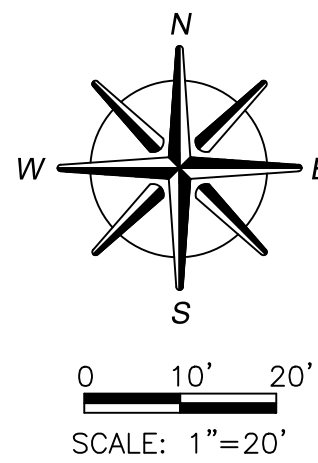
SHEET NO.

5 of 10

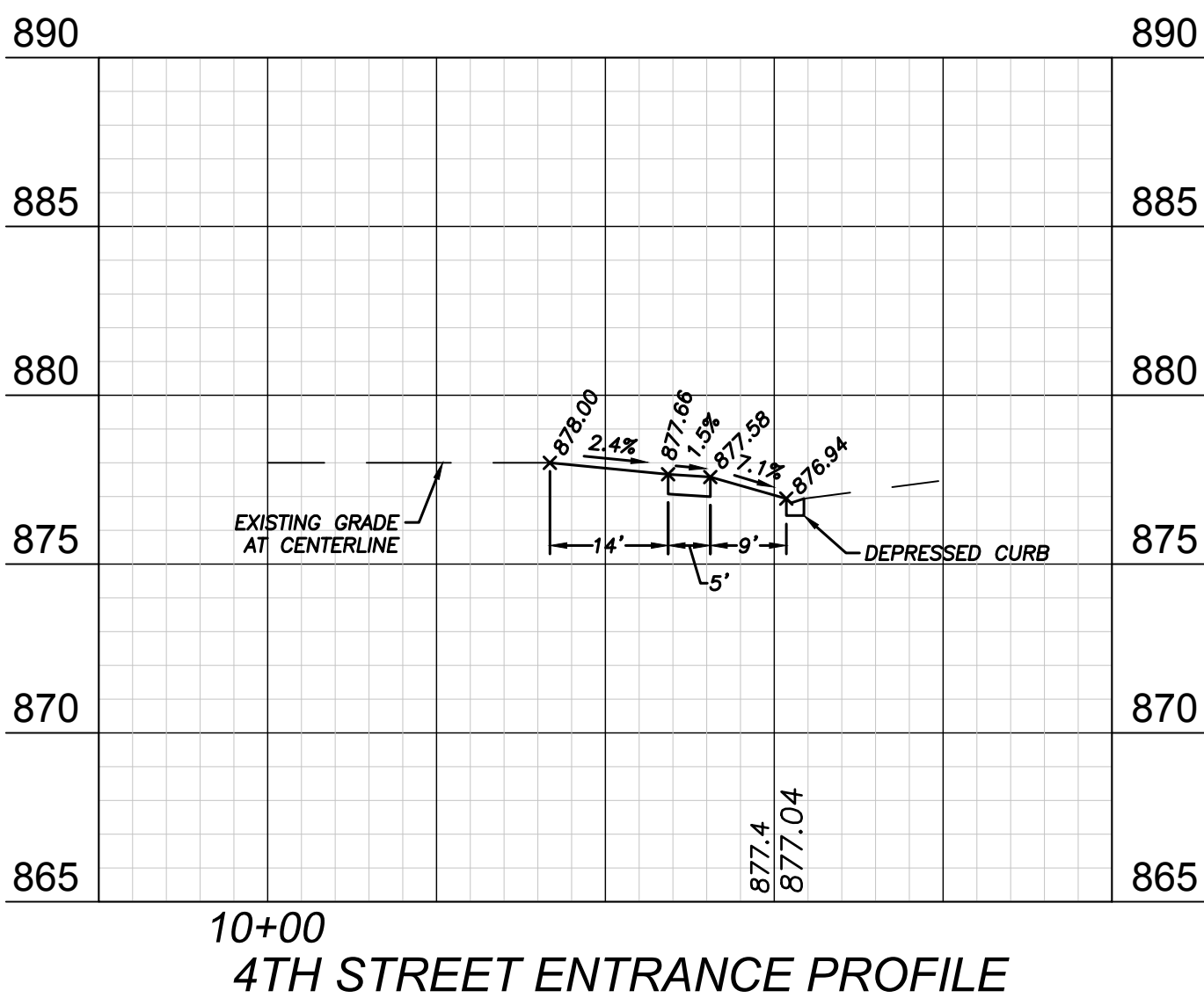
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---	EXISTING CONTOUR LINE		
---	DECIDUOUS SHRUB		
---	CONIFEROUS SHRUB		
---	DECIDUOUS TREE		
---	CONIFEROUS TREE		
---	STUMP		
---	TELEPHONE POLE		
---	TELEPHONE PEDESTAL		
---	CABLE TV RISER		
---	POWER POLE		
---	POWER POLE WITH LIGHT		
---	ELEC. PAD W/ TRANS.		
---	GAS METER/REGULATOR		
---	MANHOLE FOR ELECTRIC		
---	PROPOSED		
---	PROPOSED SANITARY SEWER		
---	PROPOSED SANITARY MANHOLE		
---	PROPOSED SANITARY SERVICE		
---	PROPOSED WATER MAIN		
---	PROPOSED WATER SERVICE		
---	PROPOSED WATER VALVE		
---	PROPOSED FIRE HYDRANT		
---	PROPOSED WATER SERVICE		
---	PROPOSED STORM SEWER		
---	PROPOSED STORM INLET		
---	PROPOSED STORM MANHOLE		
---	PROPOSED DRAIN TILE		
---	PROPOSED END SECTION		
---	PROPOSED RIP RAP		
---	PROPOSED DIRECTION OF FLOW		
---	PROPOSED 100 YEAR FLOOD ROUTE		
---	TOP OF FOUNDATION		
---	PROPOSED CONTOUR LINE		
---	PROPOSED CURB & GUTTER		








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ISSUE:

DATE: DESCRIPTION:

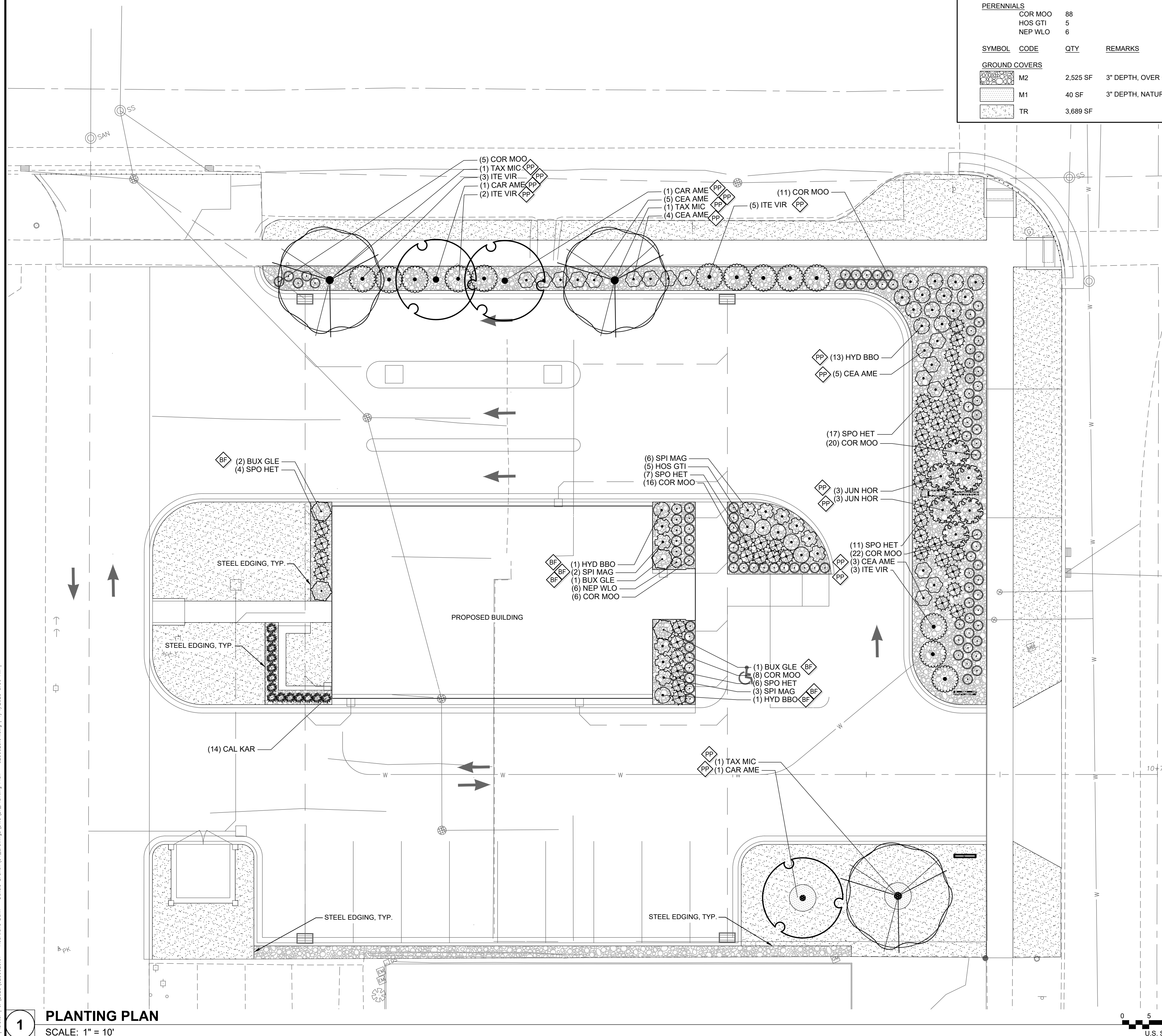
PLANT SCHEDULE							
	CODE	QTY	REMARKS	BOTANICAL NAME	COMMON NAME	SIZE	
TREES							
	CAR AME	3		CARPINUS CAROLINIANA	AMERICAN HORNBEAM	1.5" CAL	
	TAX MIC	3		TAXODIUM DISTICHUM 'MICKELSON'	SHAWNEE BRAVE™ BALD CYPRESS	2.5" CAL	
SHRUBS							
	BUX GLE	4		BUXUS X 'GLENCOE'	CHICAGOLAND GREEN BOXWOOD	24" TALL	
	CEA AME	17		CEANOTHUS AMERICANUS	NEW JERSEY TEA	24" TALL	
	HYD BBO	15		HYDRANGEA PANICULATA 'ILVOBO'	BOBO® PANICLE HYDRANGEA	24" TALL	
	ITE VIR	13		ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" TALL	
	JUN HOR	6		JUNIPERUS HORIZONTALIS	CREeping JUNIPER	1 GAL.	
	SPI MAG	11		SPIRAEA JAPONICA 'MAGIC CARPET'	MAGIC CARPET SPIREA	24" TALL	
GRASSES							
	CAL KAR	14		CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	1 GAL	
	SPO HET	45		SPOROBOLUS HETEROLEPIS	PRAIRIE DROPS EED	1 GAL	
PERENNIALS							
	COR MOO	88		COREOPSIS X 'MOONBEAM'	MOONBEAM TICKSEED	1 GAL	
	HOS GTI	5		HOSTA X 'GOLDEN TIARA'	GOLDEN TIARA HOSTA	1 GAL	
	NEP WLO	6		NEPETA X 'WALKER'S LOW'	WALKER'S LOW CATMINT	1 GAL	
SYMBOL	CODE	QTY	REMARKS	BOTANICAL NAME	COMMON NAME	VARIETY	SPACING
GROUND COVERS							
	M2	2,525 SF	3" DEPTH, OVER GEOTEXTILE FABRIC	AGGREGATE MULCH	1.5" RIVER ROCK		S.F.
	M1	40 SF	3" DEPTH, NATURAL COLOR	MULCH	HARDWOOD		S.F.
	TR	3,689 SF		TURF SEED RTF	RHIZOMATOUS TALL FESCUE		SEED

REQUIRED LANDSCAPE PER CITY OF DEKALB CODE

- PP** **PARKING LOT PERIMETER:**
- (1) TREE AND (4) SHRUBS SHALL BE PLANTED FOR EVERY (30) FEET OF FRONTAGE TO BE LOCATED WITHIN A STRIP OF LAND PARALLELING THE ADJACENT STREET AND HAVING A WIDTH OF NO MORE THAN (10) FEET.
 - PARKING LOT FRONTAGE IS 170 L.F. = 6 TREES & 24 SHRUBS REQUIRED
 - 6 TREES & 49 SHRUBS PROVIDED
- BF** **BUILDING FOUNDATION**
- AREAS SHALL BE LANDSCAPED AT A RATIO OF AT LEAST (1) SHRUB OR TREE FOR EVERY (10) FEET OF THE PRINCIPAL NEAREST EXTERIOR WALL
 - APPLICABLE BUILDING FRONTAGE IS 72' = 8 SHRUBS REQUIRED
 - 11 SHRUBS PROVIDED

GENERAL LANDSCAPE NOTES

1. SEE SHEETS L2.1 FOR TYPICAL PLANTING DETAILS & GENERAL PLANTING NOTES.
2. SEE SHEETS IR1.1 & IR2.1 FOR IRRIGATION INFORMATION



| Isoler | J:\2023\0230029.01 - Heartland Bank - Dekalb Branch\04 drawings\DWG\1 Planting Plan - 0230029.01.dwg | 4/4/2025 8:50 AM |

1 PLANTING PLAN

Permit Set

PROJECT:
Heartland Bank And Trust

New DeKalb Branch

330 Grove Street
Dekalb, IL 60115

DATE: 04/04/2025

DESIGNED: LMS

DRAWN: LMS

REVIEWED: JLF

FIELD BOOK NO.:

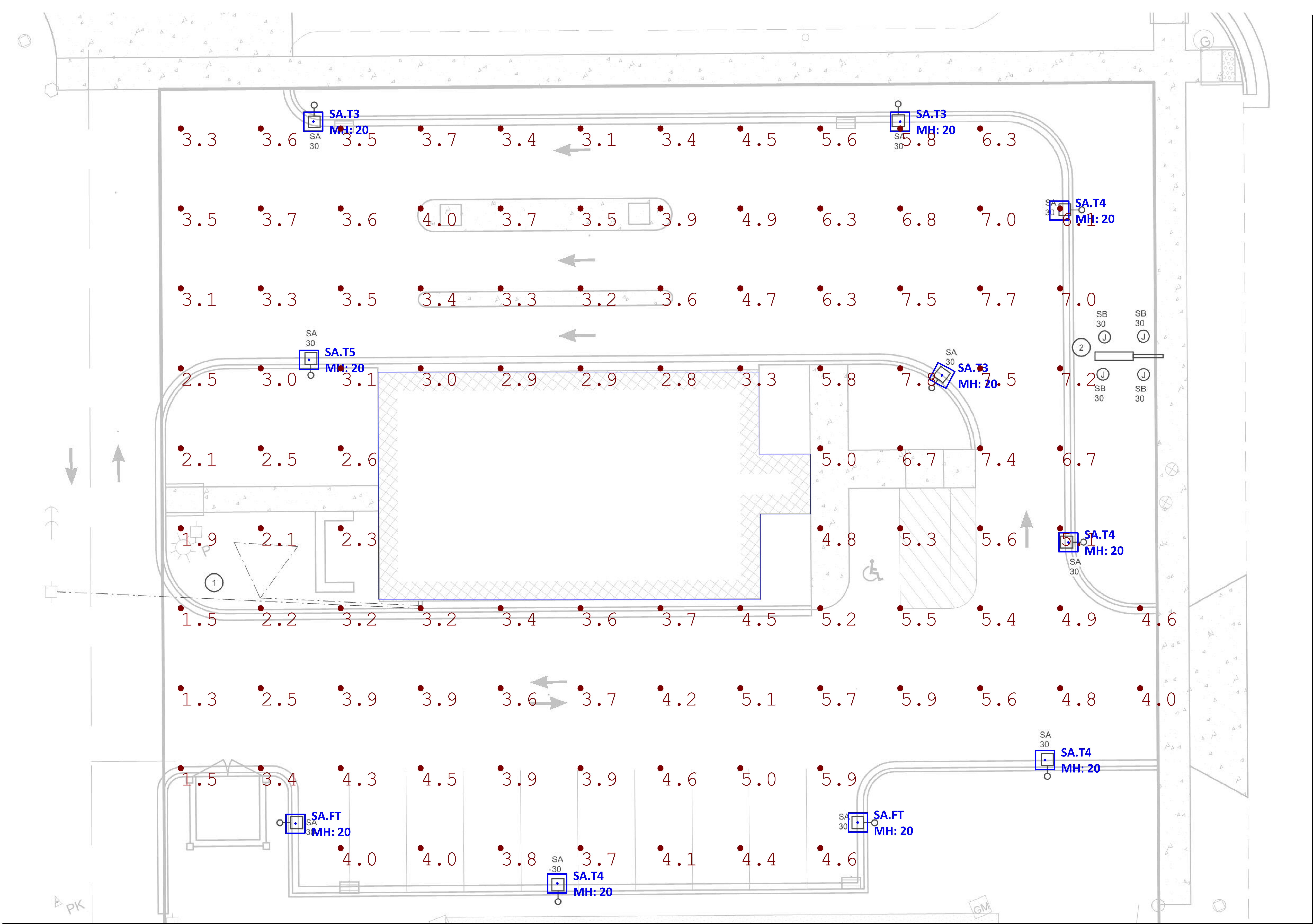
SHEET TITLE:

PLANTING PLAN

SHEET NUMBER: _____

L1.1

PROJECT NO.: 0230029.01

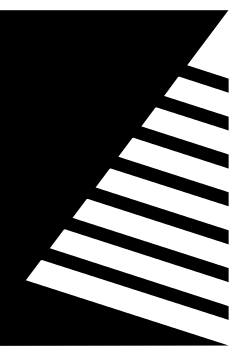


Luminaire Schedule				
Symbol	Qty	LLF	Description	Type
	2	0.950	LCN1-PLED-CPA-IV-FT-36LED-875mA-35K	SA.FT
	3	0.950	LCN1-PLED-CPA-III-M-36LED-875mA-35K	SA.T3
	4	0.950	LCN1-PLED-CPA-IV-36LED-875mA-35K	SA.T4
	1	0.950	LCN1-PLED-CPA-VSQ-M-36LED-875mA-35K	SA.T5

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Site	Illuminance	Fc	4.30	7.8	1.3	3.31	6.00

- Notes :
1. Calculation Work Plane : Ground Level
 2. Fixture Mounting Height : Noted Above
 3. Calculation Point Spacing : 10' x 10'

**This document contains confidential and proprietary information of KSA Lighting & Controls. This document may only be used by or for the benefit of KSA Lighting & Controls representatives and customers. This lighting layout is not a professional engineering drawing and is provided for informational purposes only, without warranty as to accuracy, completeness, reliability or otherwise. KSA Lighting & Controls is not responsible for specifying the light fixtures or illumination requirements for any specific project, nor is it responsible for meeting municipal or building code requirements. It is the obligation of the end-user to consult with a professional engineering advisor to determine whether this lighting layout meets the applicable project requirements for lighting system performance, safety, suitability and effectiveness for use in a particular application. Field verification is recommended when calculations are based on end-user or customer-provided information. End-user environment and application (including, but not limited to, voltage variation and dirt accumulation) can cause actual field performance to differ from the calculated photometric performance represented in this lighting layout. In no event will KSA Lighting & Controls be responsible for any loss resulting from any use of this drawing.



Farnsworth
GROUP

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NORMAL, ILLINOIS 61761
(309) 663-8436 / info@f-w.com

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ISSUE:
DATE: DESCRIPTION:

Permit Set

PROJECT:
Heartland Bank and Trust

New DeKalb Branch

330 Grove Street
DeKalb, IL 60115

DATE: 04/04/2025

DESIGNED: LRB

DRAWN: LRB

REVIEWED: JEB/CTF

SHEET TITLE:

EXTERIOR
ELEVATIONS

SHEET NUMBER:

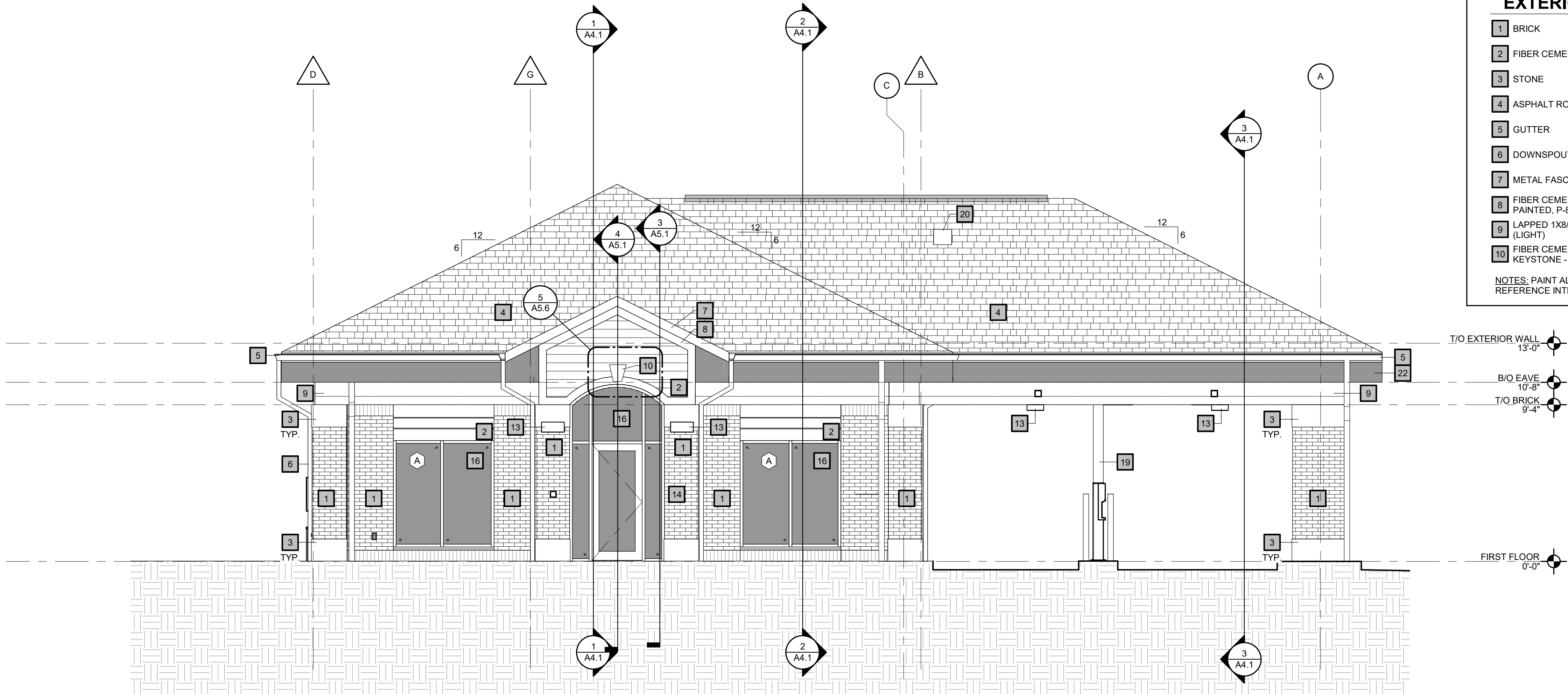
A3.1

PROJECT NO.: 0230029.01

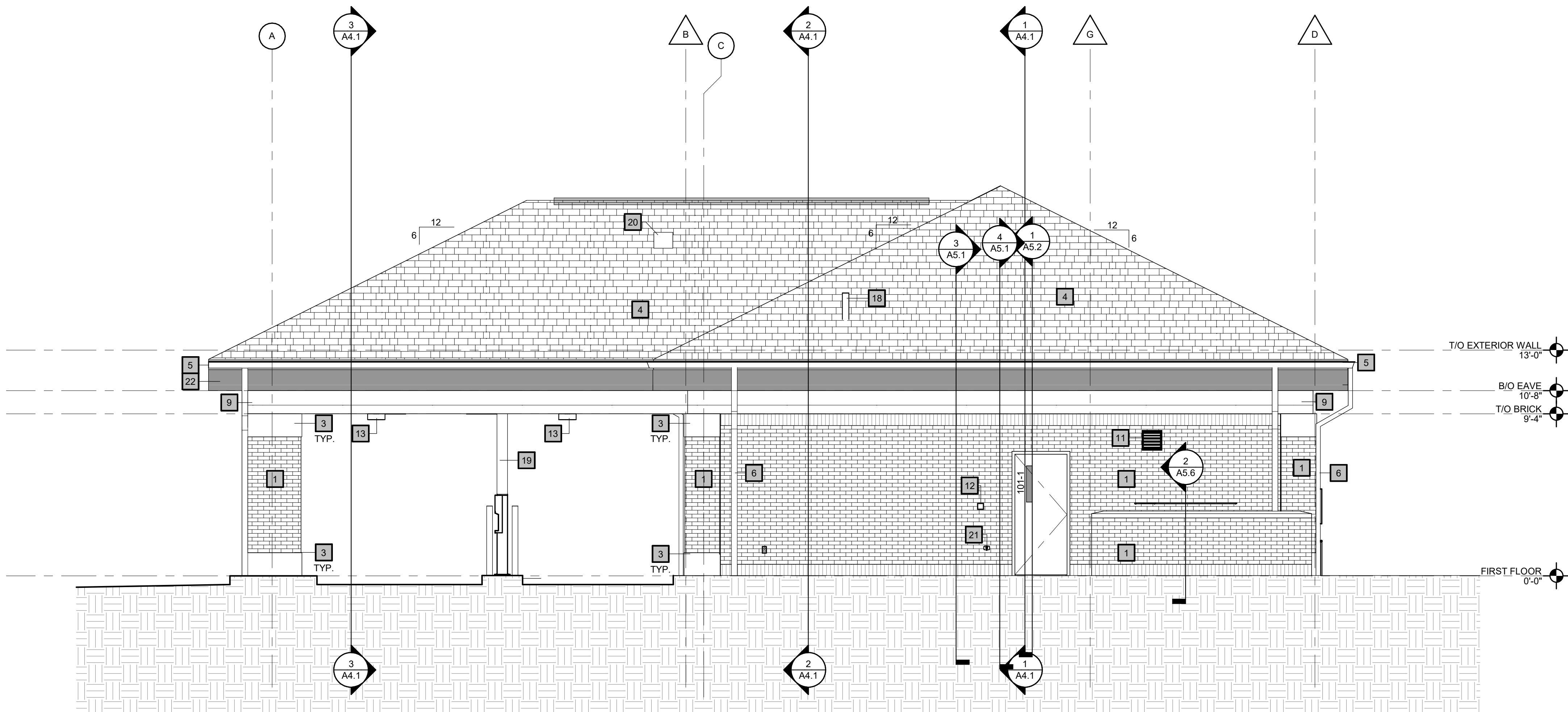
EXTERIOR LEGEND

- | | | |
|--|--|------------------------------|
| 1 BRICK | 11 MECHANICAL EQUIPMENT - SEE MECHANICAL DRAWINGS | 21 SILLCOCK |
| 2 FIBER CEMENT BOARD | 12 ELECTRICAL EQUIPMENT - SEE ELECTRICAL DRAWINGS | 22 FIBER CEMENT BOARD FASCIA |
| 3 STONE | 13 LIGHT FIXTURES - SEE ELECTRICAL DRAWINGS | |
| 4 ASPHALT ROOF | 14 KNOX BOX - COORDINATE FINAL LOCATION WITH FIRE DEPARTMENT | |
| 5 GUTTER | 15 CONTROL JOINT | |
| 6 DOWNSPOUT TO BELOW GRADE | 16 ALUMINUM STOREFRONT | |
| 7 METAL FASCIA - PAINTED | 17 NIGHT DROP BOX | |
| 8 FIBER CEMENT WOOD BOARD TRIM - PAINTED, P-8 (DARK) | 18 VENT PIPE - SEE MECHANICAL | |
| 9 LAPPED 1X8/1X10 TRM - PAINTED, P-9 (LIGHT) | 19 PNEUMATIC TUBE CUSTOMER STATION | |
| 10 FIBER CEMENT WOOD BOARD TRIM KEYSTONE - PAINTED, P-8 (DARK) | 20 ROOF VENT | |

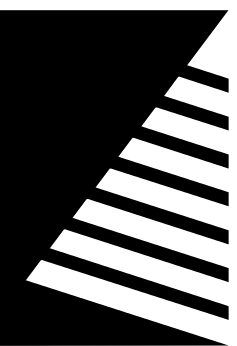
NOTES: PAINT ALL EXPOSED METAL ITEMS UNLESS OTHERWISE NOTED OR SHOWN.
REFERENCE INTERIOR FINISH SCHEDULE ON I0.1 FOR FOR INFORMATION.



2 EAST ELEVATION
SCALE: 1/4" = 1'-0"



1 WEST ELEVATION
SCALE: 1/4" = 1'-0"



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ISSUE: # DATE: DESCRIPTION:

Permit Set

PROJECT:
Heartland Bank and Trust

New DeKalb Branch

330 Grove Street
DeKalb, IL 60115

DATE: 04/04/2025

DESIGNED: LRB

DRAWN: LRB

REVIEWED: JEB/CTF

SHEET TITLE:

EXTERIOR ELEVATIONS

SHEET NUMBER:

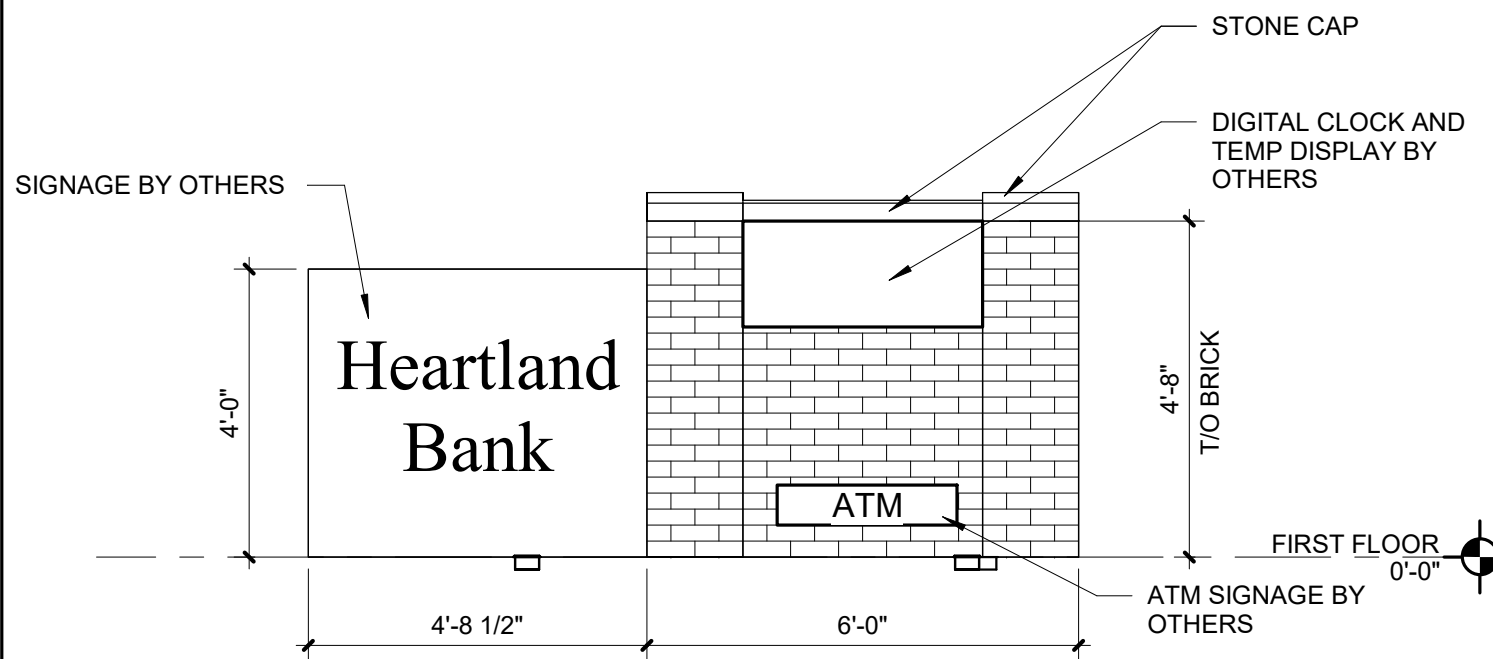
A3.2

PROJECT NO.: 0230029.01

EXTERIOR LEGEND

- | | | |
|--|--|------------------------------|
| 1 BRICK | 11 MECHANICAL EQUIPMENT - SEE MECHANICAL DRAWINGS | 21 SILLCOCK |
| 2 FIBER CEMENT BOARD | 12 ELECTRICAL EQUIPMENT - SEE ELECTRICAL DRAWINGS | 22 FIBER CEMENT BOARD FASCIA |
| 3 STONE | 13 LIGHT FIXTURES - SEE ELECTRICAL DRAWINGS | |
| 4 ASPHALT ROOF | 14 KNOX BOX - COORDINATE FINAL LOCATION WITH FIRE DEPARTMENT | |
| 5 GUTTER | 15 CONTROL JOINT | |
| 6 DOWNSPOUT TO BELOW GRADE | 16 ALUMINUM STOREFRONT | |
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| 10 FIBER CEMENT WOOD BOARD TRIM KEYSTONE - PAINTED, P-8 (DARK) | 20 ROOF VENT | |

NOTES: PAINT ALL EXPOSED METAL ITEMS UNLESS OTHERWISE NOTED OR SHOWN.
REFERENCE INTERIOR FINISH SCHEDULE ON I0.1 FOR FOR INFORMATION.

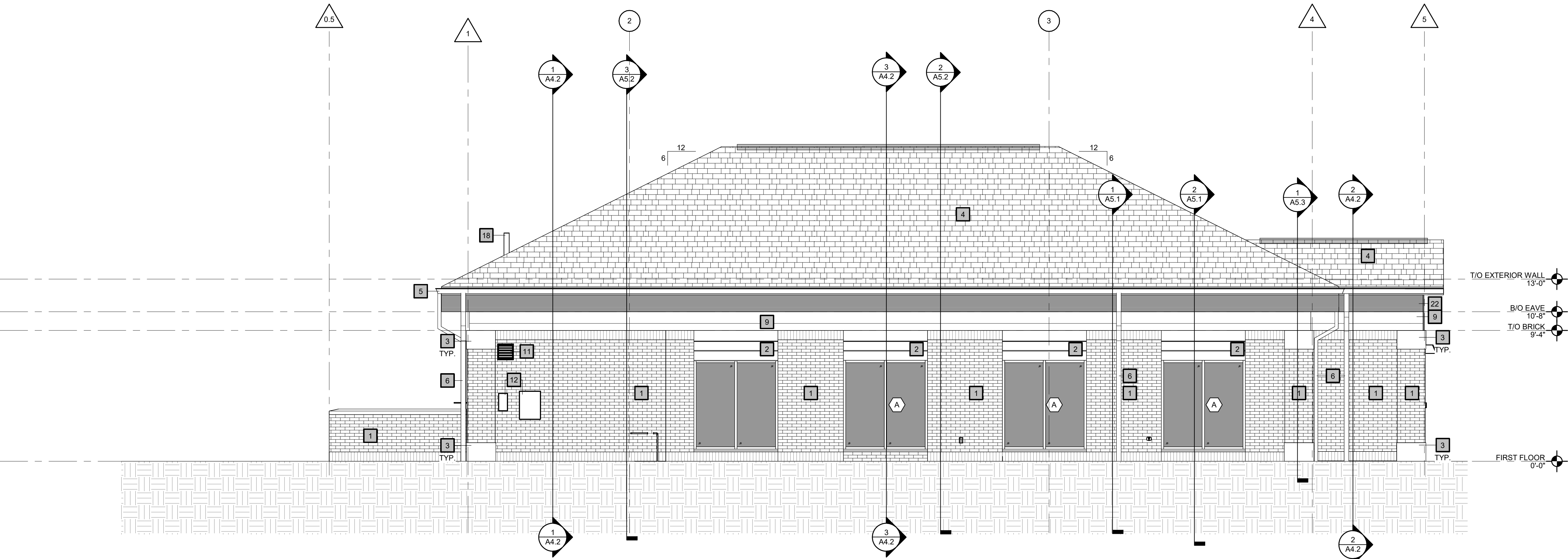


EXTERIOR SIGNAGE ELEVATION

SCALE: 3/8" = 1'-0"

NORTH ELEVATION

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"







SPECIAL USE PERMIT PETITION

TO: Community Development Department of the City of DeKalb, Illinois

FROM: Petitioner Name(s): _____ Phone: _____

Petitioner's Representative: _____ Email: _____

Mailing Address: _____

Property Owner: _____ Phone: _____

Mailing Address: _____ Email: _____

1. The petitioner hereby petitions the City of DeKalb to approve a Special Use Permit for the following property:

A. Legal Description and Parcel Number (s) – If necessary, attach the full legal description on a separate piece of paper: _____

B. Street Address or Common Location: _____

C. Size of Property (square feet or acres): _____

D. Existing Zoning: _____

E. Proposed Special Use (as listed in the UDO): _____

F. Proposed Use and Description: On a separate document, describe the proposed use's characteristics. Also, indicate whether or not the proposed use would: a) Prevent development and use of neighboring property; b) impact adjacent existing and future land uses; c) impact adjacent property values; d) impact the general public's health, safety, and welfare; and e) be in conformance with all elements of the "UDO," Unified Development Ordinance

2. The petitioner hereby submits the following information:

- ☒ Vicinity map of the area proposed for the special use
- ☒ Petition fee (\$500.00)
- ☒ **2 full size copies and** an electronic copy of a site plan, which must show the following items (per the requirements of Article 14.03.03 of the UDO):
- ☒ Property dimensions
 - ☒ Location and use of proposed structures
 - ☒ Number and location of parking spaces and loading area. Number of required parking spaces per the UDO
 - ☒ Location and type of landscaping (including existing trees 6" in diameter or greater and existing tree masses
 - ☒ Location, type, and height of fencing or walls
 - ☒ Location and width of driveways and curb cuts; internal traffic patterns
 - ☒ Floor area (square footage)
 - ☒ Location of exterior lighting
 - ☐ Location, type, and height of signage
 - ☒ Direction of storm water flow, location of detention area

(Note to Petitioner: A site plan for a special use permit is intended to be a schematic plan only. All plans must eventually conform to other City standards prior to the issuance of any building permits or other permits.)

3. The petitioner hereby states that a pre-application conference ☐* was ☒ was not held with City staff prior to the submittal of this petition.

*Date of pre-application conference: _____

Those in attendance: _____

(Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.)

4. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission's agenda only if it is completed in full and submitted in advance of established deadlines.
5. The petitioner has read and completed all of the above information and affirms that it is true and correct.

Ryan S. Cour Digitally signed by Ryan S. Cour
Date: 2025.06.12 13:40:16 -05'00'

Petitioner Signature

6/12/2025

Date

I hereby affirm that I am the legal owner (or authorized agent or representative of the owner – proof attached) of the subject property and authorize the petitioner to pursue this Special Use Permit petition as described above (petitioner must sign if they are the owner).

Craig Orwig Digitally signed by Craig Orwig
Date: 2025.06.12 13:43:07 -05'00'

Property Owner Signature

6/12/2025

Date

From: [Ryan Cour](#)
To: [Olson, Dan](#)
Subject: RE: 330 Grove St. - Heartland Bank
Date: Monday, June 23, 2025 11:40:39 AM
Attachments: [image007.png](#)

[**NOTICE:** This message originated outside of the City Of DeKalb mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Good afternoon,

Heartland Bank and Trust is planning to build a new branch on the corner of Grove Street and South 4th Street (330 Grove St. DeKalb, IL 60115). The proposed building is a single-story building with approximately 2,100 square feet of interior space. The new facility will include a commercial drive-up lane, pneumatic tube drive-up lane, and an ATM drive-up lane. Access to the property will be available from 4th Street and Grove Street which allows a better flow of traffic through the property. Heartland Bank has spent the past few years looking for properties around the current location because of the mix of commercial and residential properties, high traffic counts, and proximity to our current location at 914 S. 4th Street. With current commercial projects being completed around the area, we feel the addition of a local community bank will add to the aesthetics of the neighborhood and serve the financial needs of the community. With the construction of the new branch, our current property in DeKalb will remain open until the new building is ready to occupy. Once we open the new branch for business, the 914 S. 4th Street location will be closed permanently. Currently this property sits far off the road and has limited visibility from the road. We are excited for this project and want to reinvest in the community of DeKalb.

Thank you,

Ryan Cour

Vice President

Operations and Facilities Director



3601 Wabash Ave. Springfield, IL 62711

(217) 321-3408

rscur@hbtbank.com

www.hbtbank.com



This communication is intended for the exclusive use of the addressee(s). It may contain information that is privileged, confidential and/or protected from disclosure, and that may be subject to the Electronic Communications Privacy Act of 1986,



LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Monday, July 7, 2025, at 6:00 p.m. in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL, on the petition by Heartland Bank and Trust represented by Ryan Cour for a special use permit to allow a bank with drive-through facilities for the property located at 330 Grove St. (SW corner of Grove St. and S. 4th St.). The subject property has a Parcel Identification Number (PIN) of 08-23-304-011 and is zoned “CBD” Central Business District.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 by 12:00 p.m. on Monday, July 7, 2025, or by e-mail to dan.olson@cityofdekalb.com. Further information regarding the petition is available from the Community Development Department at (815) 748-2361 or on the City of DeKalb’s web page at <https://www.cityofdekalb.com/1103/Public-Hearings>.

Max Maxwell, Chair

DeKalb Planning and Zoning Commission



Illinois Department of Transportation

Office of Highways Project Implementation / Region 2 / District 3
700 East Norris Drive / Ottawa, Illinois 61350-1628

February 26, 2025

Heartland Bank & Trust (HBT)
c/o Willett Hofmann & Associates
330 Grove St.
DeKalb, IL 60115



Highway Permit: 3-17865-25
Route: IL 23
Location: SW corner of S. 4th St. (IL 23) & Grove St., DeKalb
County: DeKalb

Dear Sir or Madam:

You may now proceed with the work as specified in the attached permit. This permit in no way presumes to release you from conforming with county or municipal zoning regulations.

As soon as the work is completed, please sign this letter as indicated and return to this office. The letter must be returned by September 1, 2025, unless a time extension is given, otherwise the permit becomes null and void.

Please complete the attached BSPE 725, Traffic Control Authorization Request, and return prior to the beginning of construction.

The applicant shall notify Sean Meiborg at 815-895-4551 or the Permits Section Chief at 815-434-8490 twenty-four hours in advance of starting any work covered by this permit.

Clarification of the permit should be requested in the event the terms or specifications are not clear.

Sincerely,

Trisha Thompson, P.E.
Region Two Engineer

By: Michael A. Short, P.E.
Program Development Engineer

This is to inform you that the work authorized by Highway Permit No. 3-17865-25 has been completed in accordance with the terms and conditions of the permit and is ready for final acceptance.

Signed: _____
Applicant



District 3

Project Heartland Bank & Trust (HBT)

Marked Route IL 23

County DeKalb County

Permit Number 3-17865-25

Section _____

Location SW corner of S. 4th St (Rt 23) and Grove St in DeKalb.

Inclusive Dates of Work _____ to _____ Work Hours ☐ AM ☐ PM to ☐ AM ☐ PM

Work Type ☐ Maintenance ☐ Construction ☐ Traffic ☐ Other

Describe Work _____

Contractor or Agency Performing Work _____

Responsible Engineer: (Construction Foreman/Superintendent, Maintenance/Traffic Field Engineer)

Name _____ Telephone No. _____

Office Home

(If traffic control is to be employed between 5:00 p.m. and 8:30 a.m. or on Saturday, Sunday or holidays give additional names and numbers)

Name _____ Telephone No. _____

Name _____ Telephone No. _____

Name _____ Telephone No. _____

Controls: (Describe specific controls to be used, including reference to appropriate Highway Standards or sections of manuals, and set forth any special controls proposed).

Distribution: District Operations/Traffic Engineer
Project Implementation Engineer
Field Engineer
Resident Engineer
ISP District

Submitted by: _____

Approved by: _____
(District Operations/Traffic Engineer)

L-17865


**Illinois Department
of Transportation**
Highway Permit
Whereas, I (We) Heartland Bank & Trust (HBT) c/o Willett Hofmann & Associates3-17865-25

(Name of Applicant)

(Application Serial Number)

330 Grove St.

(Mailing Address)

DeKalb

(City)

IL

(State)

60115

(Zip Code)

hereinafter termed the Applicant, request permission and authority to do certain work herein described on the right-of-way of the State

Highway known as ILRoute 23

, Section _____

From Station _____

to Station _____

DeKalb

County. The work is described in detail on the attached plan or sketch and/or as follows:

***LOCATION: SW CORNER OF S. 4TH ST. (RT 23) & GROVE ST., DEKALB**

Upon approval this permit authorizes the applicant to locate, construct, operate and maintain at the above-mentioned location, construction of new bank with a twenty-five (25) foot commercial entrance, 7" PC Concrete and 4" Agg Base Cse including sidewalk and other related non-utility improvements as shown on the attached plans which become a part hereof.

The applicant shall notify Steve Niemann, Field Engineer, Phone: 815-942-0351 or the District Permit Section, Phone: 815-434-8490 twenty-four hours in advance of starting any work covered by this permit.

Aggregate material shall be obtained from a state approved stockpile and shall be: Type A, CA6

The state right of way shall be left in good condition. (No advertising matter shall be placed on the state right of way).

All turf areas which are disturbed during the course of this work shall be restored to the original line and grade and be promptly seeded in accordance with Standard State Specifications.

Whenever any of the work under this permit involves any obstruction or hazard to the free flow of traffic in the normal traffic lanes, plans for the proposed method of traffic control must be submitted to and approved by the Regional Engineer at least 72 hours, and preferably longer, before the start of work.

(SEE ATTACHED SPECIAL PROVISIONS)

All work authorized by this permit shall be completed 180 Days after the date this permit is approved, otherwise the permit becomes null and void.

This permit is subject to the conditions and restrictions printed on the second page of this form.

This permit is hereby accepted, and its provisions agreed to this 31 day of January, 2025.

Witness Signature

Date

Applicant Signature

Date

1-31-25
1/31/25

Address

405 N Hershey Rd

Address

405 N Hershey Rd

City

State

Zip Code

City

State

Zip Code

BloomingtonIL61704BloomingtonIL61704

Sign and Return to: Regional Engineer

Regional Engineer Signature

Date

Approved by Department of Transportation:

FEB 28 2025



325 Grove St

DeKalb, Illinois



Google Street View

Oct 2022

[See more dates](#)



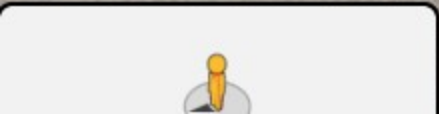
Grove St

DeKalb, Illinois

Google Street View

Oct 2022

See more dates



**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**
July 3, 2025

TO: DeKalb Planning and Zoning Commission
FROM: Dan Olson, Planning Director
RE: Variance – 1838 E. Lincoln Hwy. (Crystal Garvey)

I. GENERAL INFORMATION

- | | | |
|----|---------------------------------|--|
| A. | Purpose | To allow a 6-foot-high privacy fence in a portion of the front yard along E. Lincoln Hwy. |
| B. | Location/Size | 1838 E. Lincoln Hwy/.77 acres |
| C. | Petitioner | Crystal (Worrell) Garvey |
| D. | Existing Zoning | “LC”; Light Commercial District |
| E. | Existing Land Use | Single-Family Home |
| F. | Surrounding Zoning and Land Use | North: “LI” and “GC”; Various Commercial Uses
South: “LC”; Single-Family Residential
East: “LC”; Single-Family Residential
West: “LC”; Single-Family and Commercial |
| G. | Comprehensive Plan Designation | Commercial |

II. BACKGROUND AND ANALYSIS

The City received a variance petition from Crystal Garvey of 1838 E. Lincoln Hwy. The petitioner is requesting a variance to Articles 7.06.3 and 7.06.6 of the Unified Development Ordinance (UDO) to allow a six (6) foot-high privacy fence in a portion of the front yard along E. Lincoln Hwy. The UDO states that privacy fences cannot be over three (3) feet tall if they are in front of the front building line (home). The applicant notes in their summary they would like to construct the fence for safety and privacy reasons. In addition, the fence will also provide a barrier from garbage blowing on their property and help buffer the traffic noise from E. Lincoln Hwy.

The applicant is requesting the six (6) foot high privacy fence along the west property line and in front of the front building line. The proposed fence would extend 66 feet from a point near the garage on the property to the west (1834-1836 E. Lincoln Hwy.) to about 31 feet in front of the home on the subject site. The fence will replace a previous fence that was four (4) to six (6) feet high and also located along the west lot line. The previous fence extended to about six (6) feet away from the sidewalk along E. Lincoln Hwy. The fence was approximately 30 years old, deteriorated over time and gradually fell down. The fence was permitted through DeKalb County. The subject site was annexed by the City in 2011 and rezoned to the "LC" Light Commercial District in 2012.

The applicant is requesting the fence be extended to be in line with the residential structure to the west at 1834 E. Lincoln Hwy. The proposed fence would be about 31 feet in front of the home on the subject site. The fence will transition down to a four (4) foot high open (50%) fence starting at 25 feet from the sidewalk along E. Lincoln Hwy. It should be pointed out that if the same fence (height and location) were proposed along the east property line of 1834 E. Lincoln Hwy. they would not need a variance.

The proposed four (4) foot high portion of the fence would not interfere with access or motorist visibility leaving the subject site or leaving the property to the west. The site at 1834-1836 E. Lincoln Hwy. contains a tree service business (Midwest Tree & Landscape) and a home with renters. The previous fence did not impair public health and safety and did not create a negative impact on the surrounding neighborhood and did not cause any safety issues.

III. FINDINGS OF FACT FOR VARIATIONS

The request has been reviewed using the criteria regarding variances stated in Article 18, Section 18.03.03 of the UDO, titled "Findings of Fact," as follows:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of that district.

The subject lot is zoned "LC" Light Commercial District. The Unified Development Ordinance (UDO) states that privacy fences in front of the front building line (home) cannot be over three (3) feet tall. The fence will replace a previous fence that was located



along the west lot line that is shared with 1834-1836 E. Lincoln Hwy. The proposed fence would be about 31 feet in front of the home on the subject site. The fence will transition down to a four (4) foot high open (50%) fence starting at 25 feet from the sidewalk along E. Lincoln Hwy. The proposed four (4) foot high portion of the fence would not interfere with access or motorist visibility leaving the subject site or the property to the west.

2. The extraordinary or exceptional conditions of the property, requiring the request for the variance, were not caused by the applicant.

The subject lot is .77 acres (33,541 sq. ft.) and has existed for many decades. The applicant purchased the property in 2005. The site was annexed by the City in 2011 and rezoned to the "LC" Light Commercial District in 2012. The existing shape of the property, layout of the home on the site, previous fence location and resulting variance request were not caused by the applicant.

3. The proposed variance will alleviate a peculiar, exceptional, or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.

The home on the subject site is about 50 feet to the edge of the sidewalk along E. Lincoln Hwy. The home to the west of the site at 1834 E. Lincoln Hwy. is about 32 feet from the edge of the sidewalk. The applicant would like to extend the new fence even with the residential structure at 1834 E. Lincoln Hwy. If the same fence (height and location) was proposed along the east property line of 1834 E. Lincoln Hwy. they would not need a variance. The previous fence did not impair the public health and safety or have a negative impact on the surrounding neighborhood.

4. The denial of the proposed variance will deprive the applicant of the use of his/her property in a manner equivalent to the use permitted to be made by the owners of property in the immediate area.

The proposed fence will be similar and in the same location as a previous fence. If a six (6) foot high fence was proposed along the east property line of 1834 E. Lincoln Hwy., and transitioned down to a four (4) open fence, they would not need a variance. The former fence did not impair the public health and safety and did not create a negative impact on the surrounding neighborhood.

5. The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.

The proposed fence will not alter the character and scale of the structures in the neighborhood. The applicant is requesting the fence extend even with the residential structure at 1834-1836 E. Lincoln Hwy. The proposed fence will be about 31 feet in front of the home on the subject site. The fence will transition down to a four (4) foot high open (50%) fence starting at 25 feet from the sidewalk along E. Lincoln Hwy. The proposed four (4) foot high portion of the fence would not interfere with access or motorist visibility



leaving the subject site or the property to the west.

6. The proposed variation will not impair an adequate supply of light and air to adjacent property; unreasonably increase the congestion in public streets, increase the danger of fire or endanger the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of DeKalb.

The fence will not impair an adequate supply of light and air to adjacent properties. Furthermore, it will not impair the public health and safety and will not have a negative impact on the surrounding neighborhood and will not impede traffic or cause any safety issues. The City received an email from Michelle Brokop of MARS Inc. (1827 E. Lincoln Hwy.) noting support of the variance request.

IV. PUBLIC INPUT

The City received an email from Michelle Brokop of MARS Inc. (1827 E. Lincoln Hwy.) noting support of the variance request.

V. RECOMMENDATION

Per the UDO, decisions to approve or deny variances lie solely with the Planning and Zoning Commission. The staff supports the request, and a sample motion is provided below.

Sample Variation Motion:

Based on the submitted petition, testimony presented and findings of fact, I move the Planning and Zoning Commission approve a variance to Articles 7.06.3 and 7.06.6 of the Unified Development Ordinance to allow a 6-foot-high privacy fence to be constructed in a portion of the front yard for the property located at 1838 E. Lincoln Highway as shown on Exhibit A of the staff report dated July 3, 2025.



EXHIBIT A



4' Open

25'

6' Privacy

66'

Transition
Allowed Per
Building Dept.

1838



1831

1837

1845

1901

E Lincoln Hwy

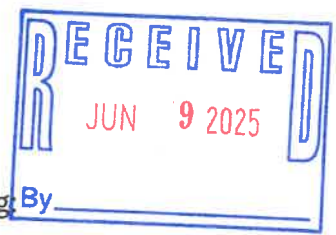
1832

1836

1838

1840





Documentation attached on additional page(s) that supplies the following: By _____

A. Explain the nature of the variance requested and attach a scale drawing of the survey of the property showing lot lines, location of existing buildings, structures and other improvements, and showing the proposed addition or change requiring the variance.

We seek to simply replace the fence that was previously between 1838 E Lincoln Hwy and 1834 E Lincoln Hwy exactly how it was, but which has now completely fallen due to age (approx., 30 years). Ours (1838) is a residential property. 1834 is a commercial property containing a tree service, as well as a rental residence. The variance requested asks that the 6' height of the replacement fence be allowed to extend even with the front residential structure located at 1834 E Lincoln Hwy, which is where the existing fence transitioned from 6' to 4'. We ask that our request be considered to offer us both privacy and security on our property in a manner which is consistent with the prior fence between the two properties.

B. Describe in detail how the strict application of the terms of the ordinance relating to the request for a variance imposes practical difficulties or particular hardship while not serving merely as a convenience to the petitioner.

In the absence of the existing fence, several things have occurred. On at least two occasions our personal safety were compromised on our property with individuals crossing property lines in an intoxicated and agitated state. Garbage and other debris from the commercial property finds its way into our yard, requiring regular cleanup and maintenance. Additionally, the incoming and out going commercial traffic adds to the noise already created by residing on a State Highway, not to mention reducing our privacy. We would like to restore the fence to assist in these areas without the need to involve law enforcement.

C. Demonstrate the request for a variance will be in harmony with the general purpose and intent of the ordinance by clarifying the request will NOT:

1) Impair an adequate supply of light and air to adjacent property,

As shown in the images attached, there will not impair an adequate supply of air, nor light to either property. Additionally, the proposed fence would still adhere to a 25' setback before beginning the 6' height and solid fence panels. The proposed 4' section at the front of the fence (closest to the road) would still be 50% open as required by the building code.

2) Unreasonably increase congestion upon public streets,

The proposed fence would still adhere to a 25' setback before beginning the 6' height and solid fence panels. The proposed 4' section would still be 50% open as required by the building code. The proposed end to the fence is the same as the prior fence which was in place for many decades and had been previously permitted by the County of DeKalb, as it does not (and did not reduce visibility in any way).

3) Increase the danger of fire or endanger public safety,

This proposed fence is a straight line fence which does not enclose any route of egress for either property, nor does it cause any public safety concerns.

4) Unreasonably diminish or impair established property values within the surrounding area,

Given that the area where this property exists, the proposed fence should increase the property value and beauty of the residential properties in the area. The neighbors at 1840 E Lincoln Hwy are the parents of the property owner requesting this variance and are the only other residential property beside 1834 within visual distance of 1838.

5) In any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of DeKalb.

I cannot imagine how adding a fence which extends the 6' height three additional fence panels would impair public health, safety, comfort, morals, or welfare of the inhabitants of the City of DeKalb. If this fence were being proposed on by the residents at 1834 and were being placed on their property (approx. 2 feet West of the proposed location of this fence) this variance would not be necessary as the building code would allow for the 6' solid height to end equal with the front of the residential structure at 1834. Additionally, we have spoke with the property owner at 1834 and he gave his verbal approval and support for the replacement of the proposed fence.

D. Demonstrate that denial of the request for a variance will:

1) Prevent the property in question from yielding a reasonable return if only permitted to be used under the conditions allowed by ordinance,

If not allowed this variance a 4' 50% open fence will not provide additional privacy, noise reduction or debris control.

2) Prove the exceptional conditions were not caused by the applicant,

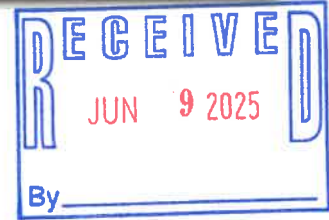
The prior fence which we seek to replace was previously permitted by the County of DeKalb. Additionally, I purchased/inherited the property with the existing fence and existing zoning. More recently our property was annexed by the City of DeKalb, which as the property owner I was also not responsible.

3) Prove the proposed variance will deprive the applicant the use of the property in a manner equivalent to the use permitted to be made by owners of property in the area,

Denial of this request would not allow me to feel safe or private in the use of my front yard.

4) Result in a structure that is appropriate to and compatible with the character and scale of structures in the area.

Given that many of the structures in the area are commercial in nature the proposed structure is absolutely compatible with the character and scale of other structures in the area.



VARIANCE REQUEST

TO: Community Development Department, City of DeKalb, Illinois

FROM: Petitioner Name(s) Crystal (Worrell) Garvey

Phone 815-762-5763

Mailing Address 1838 E. Lincoln Highway

City DeKalb

State IL

ZIP 60115

Email crystalgarvey11@comcast.net

Property Owner Name(s) Same as Petitioner

Phone _____

Mailing Address _____

City _____

State _____

ZIP _____

Email _____

1. The petitioner hereby petitions the Planning and Zoning Commission to approve a Variance Request for the following property

A. Common Address of Property 1838 E. Lincoln Highway

B. Parcel Identification Number (PIN) 08-24-377-001

C. Legal Description – attach additional page(s) if necessary _____

See attached

2. Current Zoning District Light Commercial District Current Use Single-Family Residential

3. From what portion of the Unified Development Ordinance are you requesting a variance?

Article 7

Section 06

Paragraph 3 and 6

4. The petitioner hereby submits the following:

- ☐ Variance Fee (\$100.00 Residential; \$250.00 Non-Residential)
- ☐ Plat of Survey of the property showing lot lines, location of existing buildings, structures, and other improvements, and a scale drawing of the proposed addition(s) or change(s) requiring the variance
- ☐ Documentation attached on additional page(s) that supplies the following:
 - A. Explain the nature of the variance requested and attach a scale drawing of the survey of the property showing lot lines, location of existing buildings, structures and other improvements, and showing the proposed addition or change requiring the variance.
 - B. Describe in detail how the strict application of the terms of the ordinance relating to the request for a variance imposes practical difficulties or particular hardship while not serving merely as a convenience to the petitioner.
 - C. Demonstrate the request for a variance will be in harmony with the general purpose and intent of the ordinance by clarifying the request will NOT:
 - 1) Impair an adequate supply of light and air to adjacent property,
 - 2) Unreasonably increase congestion upon public streets,
 - 3) Increase the danger of fire or endanger public safety,
 - 4) Unreasonably diminish or impair established property values within the surrounding area,
 - 5) In any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of DeKalb.
 - D. Demonstrate that denial of the request for a variance will:
 - 1) Prevent the property in question from yielding a reasonable return if only permitted to be used under the conditions allowed by ordinance,
 - 2) Prove the exceptional conditions were not caused by the applicant,
 - 3) Prove the proposed variance will deprive the applicant the use of the property in a manner equivalent to the use permitted to be made by owners of property in the area,
 - 4) Result in a structure that is appropriate to and compatible with the character and scale of structures in the area.

*The petitioner hereby states that a pre-application conference (☐ was / ☐ was not) held with City staff prior to the submittal of this petition

Date of meeting June 3, 2025

Those in attendance Dan Olson, Planning Director and Dale Phelps, Complete Fence

***Note to Petitioner:** *A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.*



5. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission's agenda only if it is completed in full and submitted in advance of established deadlines.
6. The petitioner hereby agrees to abide by the requirements set forth in the Planning and Zoning Commission's Public Hearing Procedures.

I hereby swear that all statements contained herein, and any plans and papers submitted herewith, are true to the best of my knowledge and belief.

Crystal Garvey Digitally signed by Crystal Garvey
Date: 2025.06.09 11:52:05 -05'00'

Petitioner Signature

Date

Crystal Garvey Digitally signed by Crystal Garvey
Date: 2025.06.09 11:52:16 -05'00'

Property Owner Signature

Date

From: [MARS STARTERS & ALTERNATORS](#)
To: [Olson, Dan](#)
Subject: 1838 E Lincoln Hwy
Date: Friday, June 27, 2025 4:40:14 PM

[**NOTICE:** This message originated outside of the City Of DeKalb mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Dan,

I support the proposal from Crystal (Worrell) Garvey to put up the privacy fence.

I appreciate the notice,

Michelle Brokop
M.A.R.S., Inc.
Starters & Alternators
815-756-9019

LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Monday, July 7, 2025, at 6:00 p.m. in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL, on the petition by Crystal (Worrell) Garvey for approval of a variance to Articles 7.06.3 and 7.06.6 of the Unified Development Ordinance to allow a 6-foot-high privacy fence to be constructed in a portion of the front yard for the property located at 1838 E. Lincoln Highway. The subject site has a Parcel Identification Number of 08-24-377-001 and is zoned "LC" Light Commercial District.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 by 12:00 p.m. on Monday, July 7, 2025, or by e-mail to dan.olson@cityofdekalb.com. Further information regarding the petition is available from the Community Development Department at (815) 748-2361 or on the City of DeKalb's web page at <https://www.cityofdekalb.com/1103/Public-Hearings>.

Max Maxwell, Chair

DeKalb Planning and Zoning Commission

*This is where the 4' section of fence
is proposed to begin



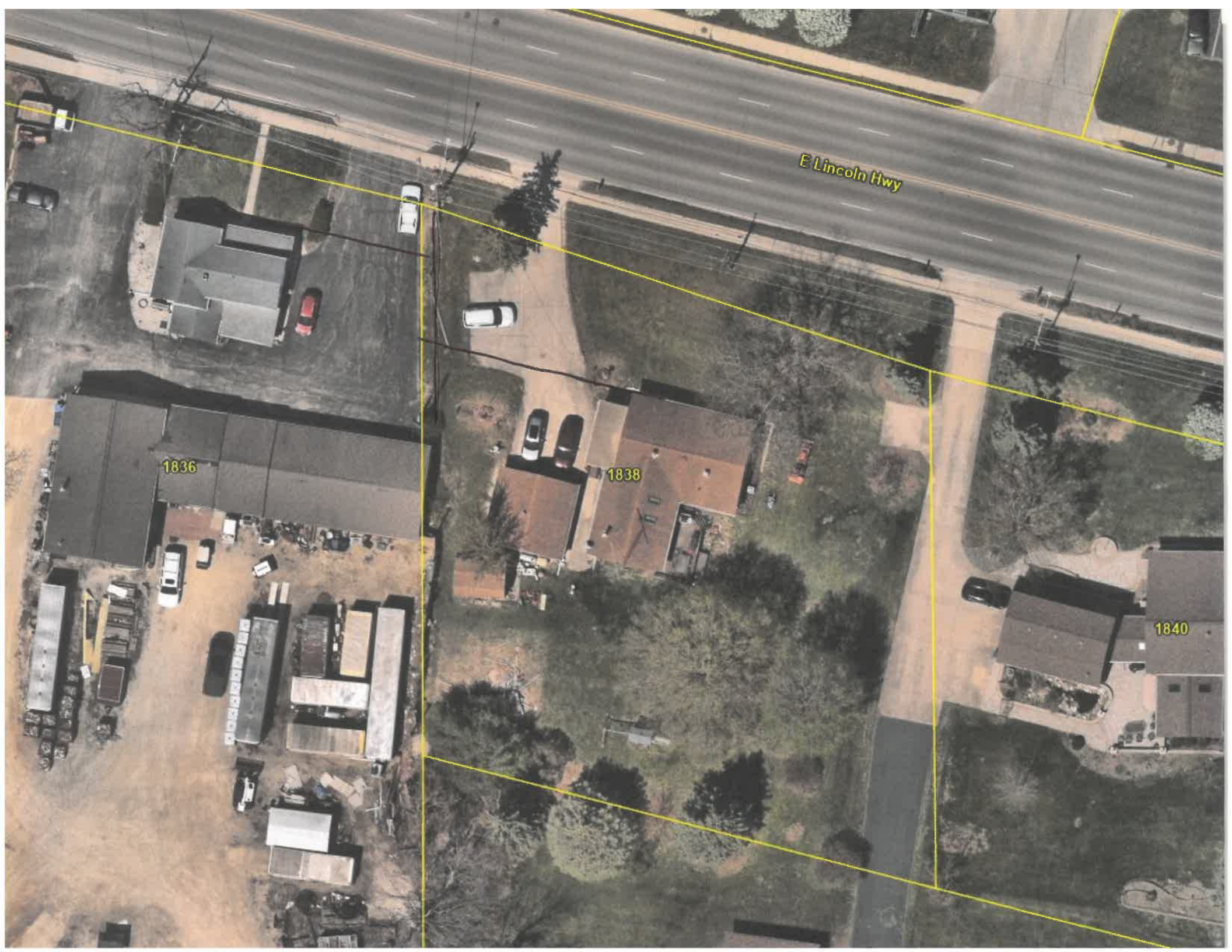
Existing Fence Posts
View from 1838 towards
West 1834













1843 Lincoln Hwy
DeKalb, Illinois

Google Street View

Sep 2012 [See latest date](#)



1836 IL-38

DeKalb, Illinois



Google Street View

Aug 2023

[See latest date](#)

