



DeKalb Municipal Building  
Council Chambers  
200 S. Fourth St., 2<sup>nd</sup> Floor  
DeKalb, IL 60115

## **AGENDA**

Planning and Zoning Commission

July 17, 2019

6:00 PM

### **A. ROLL CALL**

### **B. APPROVAL OF AGENDA** (Additions or Deletions)

### **C. APPROVAL OF MINUTES**

1. May 22, 2019 and June 19, 2019

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

### **E. NEW BUSINESS**

1. **Public Hearing** – Petition by 1704 Sycamore LLC, represented by Daniel Damaschke, for a rezoning from the ‘GC’ General Commercial District to the “PD-C” Planned Development Commercial District for a 1.61 acre site located at 1704 Sycamore Road to allow for a video gaming establishment. The petition also requests allowance of a video gaming establishment to be located within 500 feet of another video gaming establishment and to allow a Planned Development less than two acres. (Requested to be continued to August 7, 2019).

### **F. REPORTS**

### **G. ADJOURNMENT**

**From:** [Dan Damaschke](#)  
**To:** [Olson, Dan](#)  
**Date:** Friday, July 12, 2019 4:23:10 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.]

Mr. Olson,

I request the public hearing scheduled for [July 17, 2019](#) for [1704 Sycamore Road](#) be continued to [August 7, 2019](#).

Dan Damaschke  
1704 Sycamore LLC

Dan Damaschke

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
May 22, 2019

The Planning and Zoning Commission held a Meeting on May 22, 2019 at the City of DeKalb Municipal Building, 200 S. Fourth St., DeKalb, Illinois. Chair Christina Doe called the meeting order at 6:00 PM.

A. ROLL CALL

Recording Secretary, Christine Wang, called the roll. Planning and Zoning Commission members present were Chair Christina Doe, Katharina Barbe, Vicki Buckley, David Castro, and Max Maxwell. Commissioners Ron Klein and Jerry Wright were absent.

City staff present were Principal Planner, Dan Olson, and Recording Secretary, Christine Wang.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Christina Doe requested a motion to approve the May 22, 2019 agenda as presented. Ms. Barbe motioned to approve the agenda as presented. Mr. Maxwell seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

None

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

None

E. NEW BUSINESS

1. **Concept Plan Review** – Request by Pappas Development, LLC, for review of a Concept Plan (Sketch Plan) for a proposed mixed-use project on a three-acre site located along the east side of North 4<sup>th</sup> Street between Locust Street and Oak Street, commonly known as the Mooney Property.

John Pappas of Pappas Development in DeKalb stated he is proposing two 50,000 sq. ft. buildings with 40 apartment units and about 6,500 sq. ft. of commercial space in each building. He stated there will be about 180 parking spaces provide on the site. He noted the apartments will be similar to the Cornerstone and Plaza DeKalb projects.

Principal Planner Dan Olson stated the applicant is proposing a mixed-use project on a three-acre site located along the east side of N. 4<sup>th</sup> Street between Locust Street and Oak Street. He stated that the amenities will include a hospitality room, fitness center, and outdoor terraces. He said the applicant proposes to raze the former dealership building, mitigate known environmental problems and construct two, 4 story mixed-use buildings at about 50,000 sq. ft. each. Mr. Olson pointed out the proposed Concept Plan addresses many of the goals of the DeKalb City Center Plan and Downtown Revitalization Plan in relation to enhancing the downtown area with mixed-use developments and improving gateways into the downtown.

Mr. Olson said some initial site plan issues include parking, as there are 177 parking stalls provided on the site, and the estimated number of required parking spaces, per the UDO, is about 212. He said there will be a need for some parking relief as the applicant moves forward with the zoning petition and as more detailed plans are developed. Mr. Olson stated the parking demand would be further analyzed to ensure the project would have enough spaces. He said full access points are proposed off N. 4<sup>th</sup> St. and Oak St. and the plan reduces the number of access points that currently exist. Mr. Olson noted an additional access should be considered to Locust St. He mentioned there was one Citizen Response Form received from John Delano, of Delano's Decorating, indicating his support for the plan.

Mr. Olson advised the Commission this was a Concept Plan and the applicant is anticipating re-zoning the site from the "LI" Light Industrial District to the Planned Development – Commercial District if the project moves forward. He said they will also be submitting engineering, landscaping, and lighting plans. He stated the applicant appeared before the City Council for TIF financing to assist in the redevelopment of the site. Mr. Olson noted the estimated total project cost is \$13,875,000 and the preliminary TIF request is 3,000,000, or 21.6% of the project cost. He noted no vote was taken; however, the Council's consensus was to move forward with a preliminary development incentive agreement with the developer.

Chair Doe opened for public comment.

Bessie Chronopoulos of 423 Gayle Ave stated the City should be looking into the Comprehensive Plan and she is not overly concerned about TIF financing. She said the City should look at how this land should be developed and to keep the use of the property as high quality as possible. She questioned the need for more apartment units in DeKalb and stated she would like to see how Cornerstone and Plaza DeKalb develop first before she would support this project. Ms. Chronopoulos noted there are other buildings around the subject site that should also be looked at for further development.

John Morton of 721 N 9<sup>th</sup> St stated he feels the design is cold and uninteresting and the open space area between the buildings would not receive enough sunlight. He noted if the City will be tearing down a historic building, the resulting project should be better, and he feels the proposed plan does not provide that. He added the funds to construct the project will have to come from the public and that the population of DeKalb has declined by about one and a half percent from 2010 to 2016. Mr. Morton said taxpayers would fund about a fifth of the cost of the project but would not receive any benefit. He said he would like to hear about other opportunities for the site before agreeing to the proposed use.

Dave Kolars of 623 Franklin St. suggested an artist's cooperative in the City. He said a building that is structurally sound should not be torn down without knowing how much it would cost to be in compliance with EPA regulations. Mr. Kolars said he wants to keep the existing structure before tearing it down for something newer.

Steven Beckler stated he owns property on the northwest corner of N. 6<sup>th</sup> and Locust St. He said he likes the concept plan and does not mind that TIF money will go towards the project. Mr. Beckler encouraged the City to look at the surrounding properties and to expand this subject site's reach and improve the whole area.

Paul Sauser, property owner to the east of subject property on Locust St, noted the site is a huge eyesore and the previous user dumped sewer waste into the Kishwaukee River, and the City did not do much about it. He said the building is structurally sound but is not built to today's standards. He asked where the sewer is going to hook up to. He said he likes the project and noted Mr. Pappas has been in the business for a long time and knows what he is doing. Mr. Sauser said believes the Methodist Church will still be used as a church and encouraged the City to move quickly before the developer leaves.

Mr. Pappas addressed the Commission regarding the need for this type of housing. He noted Cornerstone has 51 units and has amenities such as private parking and a hotel lobby. He noted he missed the leasing season with Cornerstone; however it was 50% leased in the first 60-90 days. Mr. Pappas said after the holiday season, it was 100% occupied. He noted it was mostly occupied by young professionals such as doctors or pharmacists and some grad students. He said the surrounding properties downtown have not been developed properly because of mismanagement of TIF funds. He said the subject site (Mooney Property) has EPA issues and there are underground fuel tanks on the property. Mr. Pappas said he has not looked at the surrounding properties but believes there is a demand for this type of housing in DeKalb.

Mr. Olson addressed the question of sewer hookups from Chair Doe and noted the next step would involve the submittal of engineering plans to be examined by the City Engineer.

Ms. Barbe said she likes the general concept and did not know about the environmental problems of the property. She asked if these apartments would be furnished. Mr. Pappas said it might be a 50/50 option. Ms. Barbe said she agrees with Mr. Morton about the design and said it looked like a prison. She said there should be more interest to the look of the buildings. Mr. Pappas said the floor plan will remain the same but will try to change the exterior.

Mr. Castro asked what the known environmental issues were. Mr. Pappas said he had an EPA report and it could involve millions of dollars in remediation work, including underground tanks and asbestos. Mr. Castro requested that when the project comes back, a list of environmental issues and a more detailed history of the building be provided. Mr. Castro said he would like to see redevelopment of old buildings but does not know if it is feasible with this one. Mr. Pappas said because of the EPA issues with the building, he does not want to redevelop the building. Mr. Olson said in the downtown area, the City encourages redevelopment of buildings, however its unfeasible in this case. Mr. Castro asked Mr. Pappas how much of his own capital was he willing to invest. Mr. Pappas said he tested the market near NIU for this type of housing before investing in Cornerstone and said there is a proven market for it.

Mr. Castro said he heard from a DeKalb landlord that there was a surplus of apartments. Mr. Pappas said there is a surplus of bedrooms, not units, and he prefers to have 1-2 bedroom units rather than 3-4 bedroom units. Mr. Castro said the main economic engine is the University, and asked Mr. Pappas if he is investing in the University and believes it is moving in the right direction. Mr. Pappas said he believes the university is moving in the right direction, but currently apartment units are too expensive for what you receive and there is no safety. He said he does not want to enter into the college student market and is targeting young professionals instead.

Chair Doe stated the demand for a furnished, rented apartment by professionals does exist. Mr. Pappas said there is still a market for this type of housing unit in DeKalb.

Mr. Maxwell said he hates seeing historic buildings be torn down in favor of redevelopment, but noted this plan makes sense as there were no previous takers when the site was up for sale. He noted many people in their 20s and 30s do not want to own homes yet and there is a market for this type of rental unit. Mr. Pappas said the TIF funding is restricted to TIF-eligible expenses, including rectifying the EPA issues. Mr. Maxwell said there should be changes in the architectural design of the buildings, and Mr. Pappas concurred. Mr. Maxwell applauded Mr. Pappas for investing in DeKalb.

Ms. Buckley said there needs to be change in the current architectural design. She asked if there is a declining population because of the things to do in DeKalb or because there are other things that draw people away. Mr. Pappas said the college students leave on Thursdays and Fridays, which contributes to the issue of people leaving DeKalb. Ms. Buckley noted businesses are coming back to the downtown area, which could be the impetus for attracting more people to the area. Mr. Pappas noted this market comes down to disposable income, which there is less of today.

Chair Doe asked about parking and the proposed plan's reduced parking. Mr. Olson said there would have to be a waiver and justification for providing less spaces than required in the UDO. Mr. Pappas said it's not likely to get more parking spaces, but he will take another look at it. Chair Doe also agreed there needed to be a different architectural design to the buildings.

Chair Doe asked if there was any further public comment.

Mr. Sauser said the regulations for parking were too stringent in the past and most of the parking lot was empty when the car dealer occupied the site. Mr. Sauser said because of the property's proximity to the downtown area, parking is not going to be a huge issue.

Carolyn Morris of 1363 Omega Circle Dr. said the Commission should not encourage more parking beyond what is needed and would like to see more open space in parking lots. She said there is no longer an emphasis on driving and more of an emphasis on walking.

Chair Doe said the applicants needs to follow the UDO, but the applicant can bring a variance request forward. Mr. Maxwell said there needs to be close parking available to the proposed retail in the building.

Mr. Kolars stated the downtown area was a strong economic engine years ago, but after Sycamore Rd was developed, the downtown area no longer served as that engine. He said there used to be more parking per block on the street. He said there needs to be more clothing and food stores in the downtown area and the area does not fulfill the needs of residents.

Martha Robinson of 955 S 6<sup>th</sup> St. said the property should be developed to generate more sales tax and to bring more people with disposable income to the downtown area.

Ms. Chronopoulos said Mr. Pappas was correct in noting the TIF funds were not used correctly, and the Sycamore Rd. area saw more investment in the past. She said the trends have led to the decline of the Sycamore Rd. area, such as the decline of brick and mortar stores. She suggested building more

apartments similar to what is proposed. Ms. Chronopoulos noted the need to have more discussions like this instead of pointing fingers and the Landmark Commission needs to get involved in the review of the project.

Chair Doe said she likes to see people in the downtown area and feels the downtown area is coming back.

#### F. REPORTS

Mr. Olson mentioned the next Planning and Zoning Commission meeting will be Wednesday, June 5<sup>th</sup>, however no public hearings have been scheduled. Mr. Olson handed out the updated Development Status Report to the Commission.

#### G. ADJOURNMENT

Ms. Buckley motioned to adjourn, Mr. Maxwell seconded the motion, and the motion was approved by unanimous voice vote. The meeting adjourned at 7:30 p.m.

Respectfully Submitted,

Christine Wang, Recording Secretary

Minutes were approved by the Planning and Zoning Commission on July 17, 2019.

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
June 19, 2019

The Planning and Zoning Commission held a Meeting on June 19, 2019 at the City of DeKalb Municipal Building, 200 S. Fourth St., DeKalb, Illinois. Chair Christina Doe called the meeting order at 6:00 PM.

A. ROLL CALL

Recording Secretary, Christine Wang, called the roll. Planning and Zoning Commission members present were Chair Christina Doe, Katharina Barbe, David Castro, Ron Klein, and Jerry Wright. Commissioners Vicki Buckley and Max Maxwell were absent.

City staff present were Principal Planner, Dan Olson, and Recording Secretary, Christine Wang.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Christina Doe requested a motion to approve the June 19, 2019 agenda as presented. Ms. Barbe 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

April 3, 2019 – Mr. Castro motioned to approve the minutes, Ms. Barbe seconded the motion, and the motion was approved by unanimous voice vote.

May 8, 2019 – Mr. Klein to approve the minutes, Mr. Castro seconded the motion, and the motion was approved by unanimous voice vote.

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

None

E. NEW BUSINESS

1. **Public Hearing** – Petition by RLDR, LLC for a special use permit for a video gaming establishment in the “CG” General Commercial District to be located at 122 East Hillcrest Drive.

Rasim Spaijoski "Simo" of 120 E. Hillcrest Drive stated he is looking to open a video gaming establishment at the location and would be happy to answer any questions the Commission has.

City Planner Dan Olson stated per the UDO regulations a "Video Gaming Establishment" is a special use in the "GC" District. He stated "Simo" is the owner of Fanatico's Restaurant on Blackhawk Road and intends to be the operator of the proposed video gaming establishment. Mr. Olson said there are four other tenants currently located in the building including a pet groomer, beauty supply shop, barbershop and tobacco store.

Mr. Olson noted as of March 1, 2018 the existing number of liquor licenses for gaming establishment was seven, but within two months, three City Council actions were taken to expand that number to 10, including the proposed location. He said Maysy's along S. 4<sup>th</sup> St eventually satisfied all the City's requirements and recently opened, and Fatty's was issued a conditional liquor license for their proposed new building to be located on the north side of W. Lincoln Highway but have not submitted the necessary zoning and plan applications. Mr. Olson said this applicant, Fanaticos, was unable to follow through within the required timeline and so its application became null and void. He added the applicant recently indicated an interest to pursue the re-approval of the video gaming establishment. Mr. Olson stated that on May 13, 2019, the City Council approved an amendment to the Municipal Code to allow for an increase in the fixed number of liquor licenses for video gaming establishments to allow for the use on the subject site.

Mr. Olson said the applicant does not intend to serve hard liquor but instead would only serve soft beverages, beer and wine along with some snacks. He said the applicant is proposing to have the video gaming establishment open seven days a week and would follow the hours allowed for a video gaming establishment in the City Liquor Code. Mr. Olson also noted the applicant was made aware of the restrictions placed on Maysy's (854 S. 4<sup>th</sup> St.) regarding advertising alcohol and video gaming on their signage and the restriction on the hours alcohol could be served in the morning. He also noted the applicant would be willing to abide by the same standards as Maysy's if the Commission wishes to recommend them for the subject site.

Mr. Olson said a Citizen Response Form was received from Marvin and Jane Levinsky who own Studio One Salon and Spa located at 1007 N. 1<sup>st</sup> St, stating their opposition to the proposal indicating they believe the location is not appropriate for a video gaming establishment. He said an email was also received from Charles and Christine Hacker of 117 Tilton Park Dr who had questions regarding the proposal. Mr. Olson said staff responded to the email from the Hackers and is provided in the Commission's packet.

Mr. Olson said the Police Department had reviewed the data regarding calls for service for the seven existing video gaming establishments in the City and Interim Police Chief John Petragallo has indicated there is no significant demand for public safety resources nor any quality of life or crime concerns related to the existing stand-alone video gaming establishments.

Mr. Olson said conditions are recommended with the approval to require within 30 days after approval by the City Council the parking lot be restriped, two handicap parking signs be installed and three shade trees be planted in the parkway along E. Hillcrest Dr. He said these conditions have been discussed with the applicant and he has agreed to them.

Mr. Olson said the property is 370 feet away from the nearest property line of a school, meeting the state minimum separation requirements for liquor sales. He also pointed out the nearest existing video gaming establishment (CJ's at 1410 B Sycamore Road) is just under 3,500 feet away and well exceeding the minimum City requirement of 500 feet.

Mr. Klein asked if there was adequate off-street parking. Mr. Olson said there is enough parking provided noting there are 35 parking spaces on the site and 34 spaces are required per the UDO.

Chair Doe opened to public comment.

Vicky Davis of 129 Hillcrest Dr. said she has been a long-time resident of the area. She said she has no opposition to the establishment itself or to Mr. Spaijoski but has concerns about the growing number of bars and video gaming establishments as well as tattoo parlors. Ms. Davis said she is particularly concerned about the proximity of this establishment to children, a nearby daycare, and the school. She said she is worried about people smoking outside the establishment and about alcohol being served there. She said if the applicant withdraws his desire to serve alcohol, she would be more amenable to the special use.

David Jacobson of DeKalb stated he used to live in the neighborhood and owns property in the area. He said as a commercial property owner and as the owner of a gaming café in Elburn, he has never had any problems with the operation. He said there are many communities that gaming customers could take their business to and he would prefer they stay in DeKalb. He added the subject property and building was not in good shape and the current owner has worked hard to restore it to an acceptable appearance. Mr. Jacobson said he disagrees with the idea people have that bars contribute to the detriment of a community, and gave the example of how Normal, IL is flourishing and they have twice as many bars DeKalb has. He said because there are few bars in the community, the millennials do not feel like there is much to do, leading them to flee.

Mr. Castro asked if the Commission was providing a special use for the entire building or just for the tenant space. Mr. Olson clarified it was for the tenant space only. Mr. Castro noted he was satisfied with the signage limitations of Maisy's and there should be a larger discussion on signage limitations as a whole. Mr. Castro noted the rise in the number of video gaming establishments and said it may be the responsibility of the Commission to determine where these establishments are best suited and not necessarily how many there should be. He said he does not want to forget Ms. Davis' comments regarding the perception of DeKalb as the City moves forward. He says he does not, on a technical note, oppose the proposed special use.

Mr. Klein said he is not very enthused about these establishments and echoed Ms. Davis' concerns regarding the proximity of the video gaming establishment to a school and day care center. He said if the establishment was very successful, he was concerned about the overflow parking, but conceded it may not be that busy. Mr. Klein asked about the tenants in the building and if they were supportive of the request. Mr. Spaijoski stated all tenants were in favor as it brings more foot traffic and more revenue. He noted most of the storefronts were empty before the current tenants came in. He said he does not like to see so many businesses and properties in DeKalb empty. He said there will be other things advertised besides alcohol such as food, snacks, and perhaps coffee. Mr. Spaijoski said some of the other tenants are not open all the time the video gaming establishment would be open, so there should be plenty of parking.

Ms. Barbe said there are many empty properties in DeKalb and notes there should be some caution in considering filling an empty property for the sake of just filling it. She said there should not be a big problem regarding children as they will not go in the establishment. She said there should be a discussion regarding signage as she agrees there is an issue in general regarding flashy signs. Ms. Barbe said she is also cautious of giving workers a living wage. Mr. Spaijoski said he has employed several students at his other business, and it provides part-time experience for students. Ms. Barbe said there are a number of video gaming establishment so she said she was doubtful of how many customers would go elsewhere when there are several similar establishments.

Mr. Wright asked Mr. Spaijoski if he owns the building. Mr. Spaijoski said his family owns the property and building and other property in DeKalb and they live in the City. He added he will be managing the video gaming establishment. Mr. Wright asked if there were other storefronts on the property that were empty. Mr. Spaijoski responded there would only be one other empty store left and there were already other tenants who were attracted to the property. Mr. Wright said he is a business owner and understands trying to develop a business. He said he also struggles with having a vacant space versus a business in the space that may or may not thrive.

Chair Doe said the recent property renovations have improved the look of the site. She said she did not like the hours for selling alcohol and does not want liquor to be sold at 6 am, preferring instead alcohol to be sold at 10 am and after. She agreed with being careful with signage and applauded Mr. Spaijowski for trying to bring a new business to the area. Chair Doe said she is concerned about the detriment that could go along with gaming establishments, but she is not wholly opposed to the idea.

Mr. Klein asked if there could be a condition of the special use to restrict the type of alcohol served. Mr. Olson said the Commission could make that recommendation.

Chair Doe gave the public one more opportunity to speak.

Ms. Davis said she has seen the community go from a sleepy to a thriving town and asked the Commission to think carefully and to restrict this type of use.

Chair Doe gave the public one more opportunity to speak. There was none. Chair Doe closed the public hearing. Chair Doe asked if the Commissioners had any more questions or comments.

Mr. Castro made a motion to recommend to the City Council approval of a Special Use Permit for a Video Gaming Establishment at 122 E. Hillcrest Dr. per the conditions as indicated on Exhibit A of the staff report and to add restrictions on the type of alcohol served to include only beer and wine and to include the conditions as laid out in the Maisy's (854 S. 4<sup>th</sup> St.) proposal in relation to signage (signage not to advertise alcohol or video gaming, 40% max coverage of one windowpane) and the hours alcohol could be served (not before 10:00 am). Seconded by Mr. Klein.

A roll call vote was taken. Ms. Barbe – yes, Mr. Castro – yes, Mr. Klein – yes, Mr. Wright – yes, Chair Doe – yes. Motion passes 5-0-2. Ms. Buckley and Mr. Maxwell were absent.

## F. REPORTS

Mr. Olson mentioned the next Planning and Zoning Commission meeting will be Wednesday, July 3<sup>rd</sup>, and there is one public hearing. He noted City Council recently approved the Lovell's re-zoning, the Hometown Sports Bar patio and deck, and the Park District's change in their berming and landscaping on South Fourth St. for the Sports and Rec. Center.

Mr. Wright asked for the status on the Illini Tire property (NE corner of W. Lincoln Highway and Annie Glidden Rd.). Mr. Olson stated it is on the market but no one has come forward to the City for any proposed redevelopment. Mr. Castro asked for clarification on "grandfathering" in legal non-conforming properties. Mr. Olson

said there are limitations on it in the UDO and the situation would depend on how the particular property is zoned.

G. ADJOURNMENT

Mr. Klein motioned to adjourn, Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote. The meeting adjourned at 7:10 pm.

Respectfully Submitted,

Christine Wang, Recording Secretary

Minutes were approved by the Planning and Zoning Commission on July 17, 2019

DRAFT