

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
February 16, 2021

The Planning and Zoning Commission held a meeting on February 16, 2021, at the DeKalb Public Library in the Yusunas Meeting Room located at 309 Oak Street, DeKalb, Illinois. Chair Maxwell called the meeting to order at 6:00 PM.

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

A. ROLL CALL

Principal Planner Dan Olson called the roll. Planning and Zoning Commission members present were: Ron Klein, Steve Becker, Trixy O’Flaherty, Jerry Wright, Bill McMahon, Maria Pena-Graham and Chair Max Maxwell. Principal Planner Dan Olson was present representing the City of DeKalb.

B. ELECTION OF VICE-CHAIRPERSON

Chair Maxwell requested nominations for the position of Vice Chair of the Planning and Zoning Commission. Ms. O’Flaherty motioned to nominate Mr. McMahon. Mr. Klein seconded the motion to nominate Mr. McMahon. There were no other nominations. The motion to elect Mr. McMahon as Vice Chair of the Planning and Zoning Commission was approved by unanimous voice vote.

C. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the February 16, 2021 agenda as presented. Mr. Klein motioned to approve the agenda as presented. Ms. O’Flaherty seconded the motion, and the motion was approved by unanimous voice vote.

D. APPROVAL OF MINUTES

1. January 19, 2021 – Chair Maxwell requested a motion to approve the January 19, 2021 minutes as presented. Mr. McMahon motioned to approve the minutes as presented. Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote.

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

None

F. NEW BUSINESS

1. **Public Hearing** – A petition by DeKalb Community Unit School District #428 requesting an amendment to the site plan approved by Ordinance 2020-015 which approved a special use permit for a private therapeutic day school on the subject site located at 900 E. Garden Street (former Chesebro Elementary School).

Tammy Carson, representing DeKalb CUSD #428, advised they will be moving a private therapeutic day school, Menta Group, to the former Chesebro School on the subject site. She stated along with the new tenant, there will be renovations to the property to include a new circle drive and 10 space parking lot off E. Garden Street. She mentioned the new parking lot will be primarily used for DeKalb CUSD #428 staff and Barb Food Mart patrons. Ms. Carson advised students and employees with the therapeutic day school will be accessing the property from E. Taylor Street and traffic from E. Garden Street will be limited.

Principal Planner Dan Olson went through the staff report dated 2-11-21. He advised the City of DeKalb previously approved a special use permit to allow a private therapeutic day school on the subject site. He noted the Menta Group is a non-profit social service organization that serves students with special needs that require varying levels of therapeutic support. He stated the School District reached out to Menta Group to open a school in the DeKalb area for children with disabilities. He mentioned, due to COVID-19, the project was put on hold since their approval last March. Mr. Olson said the Menta Group is temporarily operating out of 1600 E. Lincoln Hwy with 8-10 students on site and 25 remotely.

Mr. Olson stated the School District will be adding a one-way access drive and 10-space parking lot off E. Garden Street, but the main access will still be off E. Taylor Street. He advised all student and bus traffic will be from E. Taylor Street and the 10-space parking lot off E. Garden Street will be for School District staff, Barb Food Mart patrons, and visitors.

Mr. Olson mentioned four trees will be removed from the north side of the subject site to accommodate the parking lot and access drive. He noted along with the site improvements, the City Engineer advised a new water service line will be connected to the building and a fire hydrant will be installed southwest of the school building.

Mr. Olson stated there will be approximately 60-80 students, 25 Menta Staff members, and five School District staff on site during the week. He noted operating hours would be Monday-Friday 8:30am to 2:00pm for students and 8:00am to 3:30pm for staff during the months of September through June. He

added between June-August, the hours will be 8:00am to 12:00pm for students and 8:00am to 3:30pm for staff.

Mr. Olson mentioned twice a week on Wednesday, Thursday and two Sundays a month, there will be six to eight Barb Food Mart volunteers at the school who will park on the south side of the building. He said the Barb Food Mart will be open once a week on Thursday's from 3:30 PM to 6:30 PM. He stated twice a week, there will be a box truck delivering food to the Food Mart and will use the E. Garden Street entrance.

Mr. Olson advised a Citizen Response Form was received from Connie and Steve Boyden, of 821 Roosevelt Court, indicating they would like to see more specifics regarding the proposal before making a decision. They had concerns regarding the new access off E. Garden St. and drainage. Mr. Olson said City staff contacted the Boyden's and explained who would be using the access off Garden Street and noted a stormwater plan has been submitted to provide proper drainage per City regulations. He noted the Boyden's were pleased with the City's response.

Chair Maxwell gave the public an opportunity to speak.

Frances Clucas, of 405 S 9th Street, advised she had concerns with the new parking lot in the front. She stated she enjoys walking in the neighborhood and does not want to see a parking lot there. She added there has never been a lot of traffic off E. Garden Street and doesn't know why they need an additional parking lot. She questioned if the four trees that were being removed will be replaced.

Tammy Carson advised they received comments from other community members who had concerns regarding additional street parking on E. Garden Street when the school opens. She advised the parking lot will keep cars off E. Garden St., add handicap accessibility to the front of the building, as well as parking for the Barb Food Mart, School District staff, and visitors. She added, even prior to this project, the School District was planning on removing trees on the north side of the lot due to disease.

Ms. Clucas questioned if there will be any green space remaining on the north side of the property once the access drive and parking lot are added. Ms. Carson advised there will still be a large amount of green space between and on both sides of the access drive.

Ms. Clucas asked what happened to the bricks at the old playground (Barbland) that were dedicated to donators. Ms. Carson advised the playground is owned and managed by the Park District and they would have overseen the bricks. She mentioned she would contact the Park District and get back to Ms. Clucas.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. Wright asked what the relationship is between the therapeutic school and the School District. Ms. Carson advised they have no vested interest in Menta Group; however, several DeKalb students are currently bused to their academy in Aurora. She stated by bringing Menta Group to DeKalb, they can keep their students in the community. She noted approximately 30-40 DeKalb students would be attending Menta Group and the property can accommodate approximately 80 students.

Mr. Wright inquired when the school will open. Ms. Carson advised renovations will begin on March 8th and continue until July 15th. She stated the school will look to open in August for students.

Ms. O'Flaherty moved the Planning and Zoning Commission recommend approval of an amended site plan approved by Ordinance 2020-015 in order to add an access drive from E. Garden Street, a 10-space parking lot on the north side of the building and other improvements as shown on the site plans dated 1-19-21 labeled as Exhibit A (3 sheets) prepared by Arc Design Resources, Inc. and the floor plan/dumpster enclosure plan dated 1-19-21 labeled as Exhibit B prepared by Richard L. Johnson Architects as provided in the staff report, and subject to the following conditions:

1. There shall be no student drop-off or bus traffic along the access drive from E. Garden Street. All school bus and student drop off shall occur along the south side off the subject site off E. Taylor Street.
2. The petitioner shall re-stripe the parking lot, resurface the sidewalks, replace the parking lot signage, screen the trash dumpster, provide a new fire service line and fire hydrant in compliance with the Municipal Code and as shown on Exhibits A and B.

Mr. Wright seconded the motion.

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

- 2. Public Hearing** – A petition by Midland Trust Company requesting approval of a zoning map amendment from the “HI” Heavy Industrial District to the “PD-I” Planned Development – Industrial District and the First Amendment to the Planned Development Agreement approved by Ordinance 2019-002 for a

36.34 acre site located along the north side of Gurler Road, approximately 500 feet east of S. 1st Street.

Jim Planey, owner of the subject site, advised the rezoning will offer more opportunities for development on the property, including the potential for a solar garden by SunVest Solar.

Principal Planner Dan Olson went over the staff report dated 2-11-21. He noted the subject property is split into 3 different lots. He advised City Council passed Ordinance 2019-002 in 2019 which conditionally approved the rezoning of the subject site from the "HI" Heavy Industrial District to the "PD-I" Planned Development Industrial District. He stated the rezoning was contingent upon the approval of a solar energy generation facility through the State within one year. He mentioned in January 2020, City council approved a Resolution granting a one-year extension per the request of the applicant. He added SunVest Solar did not receive approval in 2020 and the ordinance did not allow for any further extensions.

Mr. Olson mentioned the Mr. Planey desires to have more flexibility for lots 1 and 2, as the current agreement restricts lots 1 and 2 to a solar energy generation facility only. He stated the rezoning will allow more development options for lots 1 and 2, while still allowing a solar facility on any of the three lots.

Mr. Olson stated the amended development agreement will remove the one-year time limit for State approval of a solar facility, as well as allow a solar facility or any permitted or special use in the "HI" District on all three lots. He advised the preliminary plat and plans approved for the solar facility will remain valid for two years after approval with the ability for the City Council to grant a one-year extension.

Mr. Olson noted the City received a comment from Elizabeth Beller, representing Oak Properties located at 2805 S. 1st St. (west side of S. 1st St., across from Harvestore Dr.) indicating support of the rezoning.

Chair Maxwell gave the public an opportunity to speak.

Gary Lothson, owner of the neighboring property to the south, mentioned he attended the hearing for fact finding purposes and advised the City's Comprehensive Plan marked his property as residential and was wondering how that fits with a neighboring "HI" zoning. Mr. Olson advised the Comprehensive Plan is being updated in 2021 and would probably be removing many residential designations including to the south of the subject site.

Chair Maxwell gave the Commission an opportunity to speak.

Ms. O’Flaherty clarified the petition is mainly for a modification to the agreement which was already in place and will allow all three parcels to have the solar garden and the uses and special uses in the “HI” Heavy Industrial District.

Mr. Becker questioned if there is any activity at the State level regarding the solar garden. Bill French, with SunVest Solar, advised there are discussions going on at the State and noted the project was part of the Future Energy Jobs Act, which was successful, but all funding has already been allocated. He added the Act functioned on a lottery system, and unfortunately their project wasn’t chosen. He is hopeful the State will pass legislation to amend the Future Energy Jobs Act or create a similar program.

Mr. Klein moved the Planning and Zoning Commission recommend approval of a zoning map amendment from the “HI” Heavy Industrial District to the “PD-I” Planned Development – Industrial District for the subject site and the approval of the First Amendment to the Planned Development Agreement approved by Ordinance 2019-002 as indicted on Exhibit A to the staff report. Mr. Wright seconded the motion.

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

G. REPORTS

Mr. Olson advised there are two hearing scheduled for the March 1st Planning and Zoning Commission meeting. He stated the first is a special use request by US Cellular for equipment upgrades at the building at 507 E. Taylor St. He noted a special use was previously approved by City Council, but work was never completed. He noted the special use has since expired and they have to re-apply. He added staff has requested US Cellar add reflective tape to their equipment, similar to what was done by T-Mobile at the same location. Mr. Olson said the second hearing involves text amendments by the City to clear up the language in the TFR and MFR Districts. He noted the amendment will allow existing properties to apply for a special use if they don’t meet the minimum lot area requirements.

Finally, Mr. Olson mentioned the next City Council meeting (February 22) will include discussions on the Nehring Electrical parking lot (1030 E. Locust St.). He advised there have been several concerns from citizens regarding the truck and semi traffic along E. Locust St. He noted the project will be up for second reading during the City Council meeting.

H. ADJOURNMENT

Mr. McMahon motioned to adjourn, Ms. O'Flaherty seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:46 PM.