

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
February 20, 2019

The Planning and Zoning Commission held a Meeting on February 20, 2019, at the City of DeKalb Municipal Building, 200 South Fourth Street, 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 Max Maxwell. Commissioners Vicki Buckley and Jerry Wright were absent.

City staff present were Principal Planner Dan Olson, Community Development Director Jo Ellen Charlton, and Recording Secretary, Christine Wang.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Christina Doe requested a motion to approve the February 20, 2019, agenda as presented. Ms. Barbe motioned to approve the agenda as presented. Mr. Castro 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. **Minor Subdivision Plat** – Final Plat of Egyptian Theatre Subdivision – 135 North 2nd Street (City of DeKalb/Egyptian Theatre)

Alex Nerad, Executive Director of the Egyptian Theatre (the Theatre), 135 North 2nd Street, stated the Theatre has been looking to remodel for about ten years now. Mr. Nerad said the Theatre has been working on a design since preliminary funding was approved on December 18, 2018, by the City Council. He added they have been working with architects, local construction contractors, and engineers on the project. He said some neighbors of the Theatre have brought concerns to him and they have sat down with them to try

and resolve their concerns. He said they made changes to the architectural plans to adjust for the concerns brought forward and have met with the Egyptian Theatre Board for a month and a half. Mr. Nerad said as a result of these changes, they made considerable concessions and lost 200 square feet of storage, a public entrance, some women's bathroom space, and have reduced the building down as much as they can. He stated he feels what is before the City now is the best plan. Mr. Nerad also talked about the big economic and cultural impact the Theatre has on the community, and they have spent years evaluating the best options and use of public and donor dollars.

Lisa Sharp of Sharp Architects went over the architectural plans for the Theatre. She stated the property conveyance limits allows them to have fire access and an exit from the building. She added the City will be considering the conveyance of property to the Theatre next Monday at the City Council meeting. She said it is easier to consider the project as one building rather than two. She added they moved the building eleven feet east from where it was originally proposed. Ms. Sharp stated the full basement will be used for the two air handlers for the majority of the building, along with condensers for the air handlers, and the Theatre will also have new heat. She said the heating system is on its last legs and she has designed it so that it is within four inches of the wall. Ms. Sharp also stated that on the first floor, they are expanding to the south with two new women's restrooms and a men's restroom, with fourteen toilets in the women's and sixteen in the men's restrooms.

Ms. Sharp showed the impact on Palmer Court and compared the existing alley versus the concept plan. She referred to the concept plan and indicated they will be planting trees to the west of the addition and the trash corral will be re-located. She added they will be re-paving the alley and will be excavating in order to put in storm and sewer lines. Ms. Sharp also said they will be planting four trees west of the addition and keeping four trees south of the addition. She stated they will be building two new smaller trash corrals noting there are currently six total dumpsters. She finally noted there will still be a loading space for deliveries.

Ms. Sharp noted people have asked why they are proposing to expand into Palmer Court. She stated it is not going to be successful anywhere else, as the HVAC has to connect to the existing system, and it must go on the outside to the south of the building. She added this will allow them to connect the bathrooms into the foyer space and storage into the concession space. She said she would like the Commission to allow them to combine the two properties (existing Theatre property and area being conveyed from the City to the Theatre) subject to approval by the City Council.

Principal Planner Dan Olson went through the staff report dated February 15, 2019. He stated the City Council had approved a preliminary development incentive agreement regarding the Egyptian Theatre and a proposed

expansion and upgrades to the facility on December 18, 2018. He said the proposed expansion will be on the south end of the building in an area presently owned by the City in fee simple title, adjacent to and comprising a portion of Palmer Court. He said this area is not dedicated as a right-of-way. Mr. Olson mentioned as the property is within a TIF District, the City provided public notice of its intention to consider the conveyance of the property. Mr. Olson noted the Theatre was the only party that expressed interest in purchasing the property. He said that under the terms of the incentive agreement approved in December, the City would approve a final plat for the Egyptian Theatre Subdivision.

Mr. Olson noted the Commission's role is to review the final plat of subdivision and not the concept plan showing the expansion. He said the Commission was provided the concept plan to give them context in their review the plat. He indicated the plans have been reviewed by the City's Fire and Police Departments, the various taxing districts, and they have all approved of the plat and the plan. Mr. Olson stated the City had received letters from two adjacent business owners objecting to the plan, but also received a letter signed by eight adjacent business owners indicating their support of the plan.

Chair Doe opened the discussion to any public comment.

Mary Wilson owner of the adjacent Hillside Restaurant stated she has owned the restaurant for 30 years. She said she supports the addition of air conditioning at the Theatre, but not the concept plan as proposed. She added she is concerned about the quality of life and the property values of the surrounding buildings with the proposed expansion. Ms. Wilson said the plans need to be worked on and communication with the adjacent business owners needs to improve.

Larry Berke of 122 North First Street (Royal Travel) stated he had a lot of concerns about the project. He said he supported the addition of air conditioning at the Theatre, however had different ideas on how it could be done. He said the air conditioning units could be hung on the side of the building. He expressed concern about the lack of communication about the project from the Egyptian Theatre. Mr. Berke also stated there is only twelve feet of width left after the expansion in Palmer Court, leaving no room for the Fire Department to set up equipment for a fire. He stated he asked Mr. Nerad about the Theatre plans, and he responded that it was going to be two stories high and the air conditioning units would be size of a bus. Mr. Berke expressed concerns that millions of taxpayer's monies would be used to devalue surrounding properties. He said Mayor Smith apologized to him for the lack of communication, and the four to six months of construction in Palmer Court will reduce the value of the Hillside Restaurant and the surrounding properties.

Mr. Klein asked Ms. Sharp for clarification regarding the narrowest point to the Hillside Restaurant and what would the patrons at Hillside be looking at through their window. Ms. Sharp stated the Fire Department had given their approval regarding the resulting width of the alley. She stated the area facing the patrons at Hillside would be facing something decorative with stucco and trimwork and some lighting. Mr. Klein asked Ms. Sharp if they could move the HVAC system. Ms. Sharp stated they cannot, as it has to be on the south side of the building. She said the Berkes wanted them to flatten it from nine to ten feet, and the HVAC would either have to be on the ground or on the roof and therefore the toilets would be back to their original number.

Mr. Maxwell asked if there was an option to put it on the roof. Ms. Sharp stated they could do it, but they would have to find a way to get the duct work up there and there would be resulting noise issues in the Theatre. She noted putting it in the basement is the more expensive option.

Ms. Barbe asked if the surrounding property would be devalued because of the addition and if the Theatre had looked into it. Mr. Nerad said they had a commercial realtor from the area look at the surrounding property values. He said there would be no negative impact on property values and there are no reports indicating the proposed improvements would have a negative impact on values. In fact, Mr. Nerad stated the expansion would likely raise property values in the downtown area as the Theatre would be open year-round.

Mr. Berke asked why a study had not been conducted and stated the Egyptian Theatre had not been candid and honest with the surrounding property owners. Ms. Wilson stated restaurant patrons will be looking at storage and trucks coming through the area and this was not a healthy situation.

Ms. Sharp stated the storage will not be in front of the dining windows of the restaurant and the Theatre is currently using the alley for receiving and deliveries. Mr. Nerad noted Coca-Cola and Gold Medal are the only ones who deliver, and they only do it twice a month.

Chair Doe asked about the timeline of the expansion and the impact on neighbors. Mr. Nerad responded they plan to start construction in June or July, with construction taking place through the fall and will have the entire expansion done in December. He stated there would be a four-week period of time through the holidays in which they will be closed, and they would demolish the existing parts of the buildings and be reopened in early January 2020. He stated they have already been delayed a month by attempting to accommodate the neighbors, and the Theatre did not want to displace community partners who utilize the Theatre. Mr. Nerad indicated they planned to be open for summer 2020, but that further delays will push it to the summer of 2021.

Chair Doe asked about Cornfest and conflicts with the construction at the Theatre. Mr. Nerad stated they have coordinated with Cornfest in the past and there should be no issues. Mr. Nerad noted the increase in toilets means a new sewer down Palmer Court. Mr. Nerad indicated the Kishwaukee Water Reclamation District wanted to be involved with this project to include infrastructure upgrades that would go along with the Palmer Court work.

Mr. Castro asked for clarification regarding TIF regulations. Mr. Olson stated that TIF comes into play because the conveyance of property is based on the TIF agreement.

Ms. Wilson asked for how long the alley would be torn up. Ms. Sharp stated they were not sure but if the alley needed to be closed, they will try to be as short as possible.

Mr. Klein asked if the Hillside Restaurant's value will go down and if there was another way of installing the air conditioning. He also stated he is not convinced the firetruck would be able to go through the alley. Mr. Nerad stated he was disappointed that Hillside is opposed to this and said he believed it would be beneficial for the restaurant. He pointed out the current alley is not a friendly looking area and believes this project will be beneficial for the town. Mr. Nerad said he was not sure how this will be negative on the Hillside Restaurant as this would not change sight lines and would still allow them to operate like they do now. He stated that after ten years of research, it is clear the more successful the Egyptian Theatre is, the more successful the surrounding restaurants will be.

Mr. Berke stated the need for snow storage in Palmer Court decreases the size of the alley. Mr. Olson stated the role of the Commission is to review the final plat and not the plans for the Theatre expansion. Mr. Nerad stated that he specifically asked the Fire Department about the hook and ladder trucks, and stated the alley is not structurally built to hold the truck and they would not place the truck that close to the building.

Chair Doe closed the public discussion.

Mr. Castro made a motion to recommend to the City Council approval of the Final Plat of Egyptian Theatre Subdivision prepared by Survey-Tech, dated 2-18-19 subject to all staff comments being addressed prior to recording of the Plat and subject to the conveyance being approved by the Council. Seconded by Mr. Maxwell.

Mr. Maxwell discussed the conveyance of the property. Mr. Castro noted in the short-term, the neighbors will be affected negatively, and it is the responsibility of the City to keep it to a minimum. Mr. Klein stated he was not very enthused by the project but in the long-term it will be beneficial for Ms. Wilson's business.

Ms. Barbe stated she agreed about everything, and she was glad to have more bathrooms in the Egyptian Theatre. Chair Doe stated this was a positive opportunity as more events will be able to happen, will bring more people downtown and to the City. She said she understood there will be inconveniences during construction but there will be benefits after its completed.

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

F. REPORTS

Mr. Olson mentioned the next Planning and Zoning Commission meeting will be Wednesday, March 6th, and there are no public hearings scheduled at this time.

Chair Doe stated this was the last Planning and Zoning Commission meeting for Community Development Director Jo Ellen Charlton, and stated she wishes her the best. Ms. Barbe, Mr. Maxwell, and Mr. Klein agreed and also thanked Ms. Charlton. Ms. Charlton thanked the Commission for their support and stated it had been a pleasure to work with them. She added she hopes that wherever she ends up there will be people like this Commission who care about the work they do.

G. ADJOURNMENT

Mr. Klein motioned to adjourn, Mr. Maxwell seconded the motion, and the motion was approved by unanimous voice vote. The meeting adjourned at 7:08 pm.

Respectfully Submitted,

Christine Wang, Recording Secretary

Minutes were approved by the Planning and Zoning Commission on April 3, 2019.