

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
March 17, 2025

The Planning and Zoning Commission held a meeting on March 17, 2025, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak Street, DeKalb, Illinois. Vice Chair McMahon called the meeting to order at 6:14PM.

A. ROLL CALL

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

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Vice Chair McMahon requested a motion to approve the March 17, 2025, agenda as presented. Ms. O'Flaherty motioned to approve the agenda as presented. Ms. Pena-Graham seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. March 3, 2025 – Vice Chair McMahon requested a motion to approve the March 3, 2025, minutes as presented. Mr. Wright motioned to approve the minutes as submitted. Ms. O'Flaherty 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 the Peugh Family Limited Partnership, represented by Kathy Peugh, for approval of a variance to the Unified Development Ordinance in order to incorporate a 15 sq. ft. electronic changeable copy sign (digital display sign) on an existing legal non-conforming ground sign at the Shell Express Lane Gas Station located at 175 W. Lincoln Highway.

Vice Chair McMahon read the petition by title only.

Kathy Peugh spoke on behalf of the Peugh Family Limited Partnership. Ms. Peugh explained they are requesting an electronic message board to add to their current sign. She noted the digital display messages would be good for business as they have been open for six (6) months and still receive inquiries regarding the types of services they offer. Ms. Peugh added they have digital display signs at all of their other locations, and they work with the Chamber of Commerce and Rotary frequently.

Planning Director, Dan Olson, gave his Staff Report dated March 13, 2025 on the petition. Mr. Olson explained the petitioner is requesting a variance to Article 13.06.04.3 of the Unified Development Ordinance (UDO) to allow an electronic changeable copy sign (digital display sign) of 15 sq. ft. on an existing legal non-conforming ground sign for the Shell (Express Lane) Gas Station at 175 W. Lincoln

Hwy. The applicant is proposing to add the digital display sign at the bottom of the existing ground sign that is located at the southeast corner of the property.

Mr. Olson stated the existing sign is 22 feet high and a total of 66 sq. ft. and is currently legal non-conforming in terms of height and size. The maximum height for a ground sign is 10 feet and 50 sq. ft. in size. Mr. Olson thought the sign was probably constructed several decades ago and built per the regulations at that time. The applicant purchased the property in 2022 and completed renovations on the site. Three service bays were converted into a convenience store and other improvements were made to the property. He reminded the Commission they approved variances for setbacks and parking to help accommodate the renovations.

Mr. Olson mentioned the applicant is proposing to add a 15 sq. ft. digital display sign at the bottom of the existing sign. The total sign area will be 81 sq. ft. For electronic changeable copy signs (digital display signs), the UDO states the maximum size cannot be more than 50% of the allowable size or 40 sq. ft., whichever is less. Mr. Olson confirmed this will not be an issue, as the digital display portion of the sign will be about 15 sq. ft. or 18% of the total sign area.

He noted in the summary the applicant is requesting to add the digital display sign to allow better communication with their customers. In addition, it will enhance their ability to sell more goods and services and thus increase the economic return for the business. Mr. Olson added they also mentioned the proposed variance will not impair public health, safety, comfort, morals or welfare of the surrounding area or City.

Mr. Olson recalled in 2020 the Commission approved a variance for First National Bank of Omaha (FNBO) at 121 W. Lincoln Highway to incorporate a 40 sq. ft. double-faced electronic changeable copy sign on an existing legal non-conforming ground sign. The sign was 29.5 feet high and a total of 102 sq. ft. in size. Additionally, in 2012, the City approved a special use permit for National Bank and Trust (now First Midwest Bank) for an electronic changeable copy sign to be placed on the northeast corner of the building. The sign was 36.5 sq. ft. and there were several operational conditions added to the permit. Mr. Olson added in 2022 the Planning & Zoning Commission approved a variance for Inboden's Meat Market (1106 N. 1<sup>st</sup>.) to construct a 50 sq. ft. digital display sign on an existing legal non-conforming ground sign.

Director Olson said additional pole signs are present along W. Lincoln Highway that exceed the 10-foot height maximum and are similar in height to the subject sign. In addition to the sign for FNBO, the other pole signs include American Liquors (159 W. Lincoln), Los 3 Burritos (185 W. Lincoln) and Papa Johns (203 W. Lincoln).

Concluding, Mr. Olson stated the UDO requires that electronic changeable copy signs have a minimum of five (5) seconds between message changes, limits on message movements and transitions and lighting limitations. The applicant has indicated they will comply with all the regulations for electronic changeable copy signs in the UDO.

Vice Chair McMahon opened the hearing up to public comments, but none were made, and the public hearing was closed.

Ms. Pena-Graham stated the requested variance made sense, and no other comments were made by the Commission.

Vice Chair McMahon requested a motion on the petition. Ms. O'Flaherty moved that based on the submitted petition, testimony presented and findings of fact, the Planning and Zoning Commission

approve a variance to allow a 15 sq. ft. electronic changeable copy sign (digital display sign) on an existing legal non-conforming ground sign at the Shell Express Lane Gas Station located at 175 W. Lincoln Highway as shown on the sign detail and aerial photo labeled as Exhibit A.

A roll call vote was taken: O'Flaherty – yes, Pena-Graham – yes, Wright – yes, McMahon – yes. Commission members Maxwell and Becker were absent. The motion passed 4-0-2.

b. **Plat of Vacation** – A request to vacate a portion of Simonds Ave. (City of DeKalb and Algus Packaging, LLC)

Planning Director Olson gave a brief overview of the City and Algus' request. He explained the City is proposing to vacate a portion of the southern end of Simonds Ave. City Engineer, Zac Gill, and Mr. Olson noted several decades ago, the City acquired property rights for a potential extension of Simonds Ave. southward for future connections/circulation. The nature of development in that area has reached a point where such an extension or other modification of the City street network would no longer be pursued. In the interim, Algus Packaging Inc. (1212 E Taylor St.) has developed, at their own costs, a secondary access road through the subject area across City parcels. While this is legally allowed under the City permitting procedure, it is a better approach to use legal means to transfer this land to Algus.

Mr. Olson and Mr. Gill stated Algus' use is the highest and best and would be more appropriately combined with their surrounding private holdings. Transfer of this property does not negatively impact the public, with the upside being the support and collaboration with a long-established business and the investments they have made. The right-of-way of Simonds Ave. to be vacated is 110' x 66' in dimensions. The area south of the proposed vacated right-of-way was deeded to the City in the past but never dedicated as ROW.

Mr. Gill explained there have been dozens of these scenarios in the City and most cities, that occur as people develop their property. Part of the original plat development process is ensuring the building has an appropriate stretch of land dedicated as Right-of-Way for potential road networking, so it is not impeded by a single user. He noted at some point, the City acquired a portion of Simonds Avenue, and the other portion was purchased via fee simple ownership. The purpose of this would have been to extend Simonds Ave. south to eventually intersect with Macom Drive. Mr. Gill stated an extension of Simonds Ave. to Macom Dr. is not going to happen at this point, and the status of this section of land has been lingering. He believes Algus will have a much more productive use of this property as an additional access point. The City has previously allowed Algus to obtain permits and install a paved road on a portion of Simonds Ave. Mr. Gill explained the request is for clean up purposes, as it is more appropriate for this portion of Simonds Ave. to be part of Algus' facility from a legal standpoint. He did not feel there was any reason for the City to hold on to it.

Mr. Olson introduced the CEO of Algus Packaging, Rod MacNeille. Mr. MacNeille did not choose to speak at this time but was available to answer any questions. Mr. Olson went on to explain Algus has been using this portion of Simonds Avenue for their truck traffic, as S. 10<sup>th</sup> Street has limits on trucks. After recommendation from the Commission, the request for vacation will be heard in front of the City Council for final action.

Mr. Olson did clarify the City will maintain the Right-of-Way leading north up to E. Lincoln Highway. Mr. Gill confirmed the City has completed all of the improvements up to the point where the survey terminates. Mr. Gill explained the survey was based on instructions from his office regarding where the City was comfortable terminating the property.

Vice Chair McMahon opened it up to the Commission for comments. Ms. O'Flaherty stated it made sense to her, and she was surprised to learn Simonds Ave. now joins up with Albus Packaging. Vice Chair McMahon asked Mr. MacNeille if they have two facilities. Mr. MacNeille affirmed that they have a facility on Peace Road and this one at E. Tally St.

Vice Chair McMahon asked for a motion to approve. Ms. O'Flaherty moved that the Planning and Zoning Commission recommend approval of a Plat of Vacation dated 12-2-24 for a portion of Simonds Ave. as shown on Exhibit A.

A roll call vote was taken: O'Flaherty – yes, Pena-Graham – yes, Wright – yes, McMahon – yes. Commission members Chair Maxwell and Becker were absent. The motion passed 4-0-2.

#### F. REPORTS

Mr. Olson stated the next Commission meeting will be held on April 7, 2025. The Commission will receive a link this week to the City webpage regarding the hearing. He explained the hearing will be a rezoning request for 209 Grove Street; the owner is looking to have the property rezoned from the "LI" Light Industrial District to the "CBD" – Central Business District. He noted the owner has done work to improve the building and is hoping to have it rezoned to open it up to potential businesses.

Mr. Olson then apprised the Commission of the notable events that occurred at the last City Council meeting. The annual update to the City Zoning Map was approved. The Commission received a copy of the map and the updates outlining the work the Commission did in 2024 for rezoning and special use requests. Mr. Olson mentioned there is an interactive zoning map on the City's website that is great for realtors and developers. He also noted the UDO Text Amendments regarding EV charging stations were approved at the last Council meeting.

#### G. ADJOURNMENT

Vice Chair McMahon requested a motion to adjourn. Wright motioned to adjourn, and Ms. O'Flaherty seconded the motion. The meeting adjourned at 6:29 p.m.

Respectfully submitted,

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Olivia K. Doss, Recording Secretary

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

Click [here](#) to view the agenda packet for the March 17, 2025 Planning and Zoning Commission Meeting.

Click [here](#) to view the video recording of the March 17, 2025, Planning and Zoning Commission Meeting.