

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

The Planning and Zoning Commission held a Meeting on March 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, Vicki Buckley, David Castro, Ron Klein, Max Maxwell, and Jerry Wright. Commissioner Barbe was absent.

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

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Doe requested a motion to approve the March 20, 2019 agenda as presented. Mr. Maxwell motioned to approve the agenda as presented. Mr. Klein seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

January 23, 2019 – Ms. Buckley motioned to approve the minutes, Mr. Maxwell seconded the motion, and the motion was approved by unanimous voice vote.

February 6, 2019 – Mr. Klein motioned to approve the minutes, Mr. Maxwell 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 JLAR Illinois, LLC, represented by James Mason, requesting approval of a special use permit for an “Amusement Establishment (Indoor Sport Simulation Facility)” for a 2.4 acre site zone “GC” General Commercial District located at 1500, 1502, and 1504 Sycamore Road.

Jim Mason of 5N214 Wilton Croft Road, St. Charles, Illinois, stated he purchased the shopping center about 10-15 years ago. He noted the proposed

tenant space for the use is about 13,500 square feet and he has not been able to rent it out since the last tenant left about 4-5 years ago. Mr. Mason said he would like to turn it into a family fun center with food, video gaming, golf simulator machines, and bocce ball. He added there would be a bar and food available. Mr. Mason stated there will not be a kitchen, and that food would be brought in. Mr. Mason said the golf simulation machines will feature about 30-40 golf courses in the software, using Trackman Golf. He said golf equipment/accessories will also be offered for sale at the location.

Principal Planner Dan Olson went over the staff report dated March 15, 2019, and stated the applicant is proposing a special use to establish an Indoor Sport Simulation Facility at 1500-1504 Sycamore Road known as the Parkview Business Center. He added it is a small shopping center under single-ownership and the proposed tenant space was formerly used for a furniture store and professional offices. Mr. Olson stated the floor plan includes a warming kitchen and take-out pizza area, a full bar with five video-gaming machines, and a sport simulation area with seven bays for sports simulators. He noted seating is provided for about 54 persons inside the facility and the sport simulation area will take up about 8,530 square feet of the space and the restaurant/bar/video gaming area will encompass about 3,360 square feet. Mr. Olson added that on February 25, 2019, the City Council approved an amendment to the liquor code to create a new category of regulated liquor licenses to be called "Indoor Sports Simulator Facilities." He noted there are a total of 189 parking spaces provided on-site and approximately 166 parking spaces are required according to the Unified Development Ordinance.

Mr. Olson mentioned within the sport simulation area, participants will be able to register and purchase merchandise as well as use the pickup window for food. He also said the bar area will be utilized by those 21 and older while the pizza take-out and sport simulation area can be used by all ages. The permitted hours of sale for bar and hospitality sales are 6:00 am to 1:00 am Monday through Thursday; 6:00 am to 2:00 am Friday and Saturday; and 10:00 am to 1:00 am on Sundays. Mr. Mason added the sport simulation area will be open 24 hours a day as well as the pizza pick-up area. He noted approval of the special use would not constitute approval of a liquor license as they would have to get approval by the City Council and would have to meet all the requirements of the City liquor code.

Mr. Olson stated the proposal meets the standards for a special use and the proposed use complies with all provisions of the applicable zoning district regulations. He added the special use will not be unreasonably detrimental to the value of other property in the neighborhood, and that it meets the other standards for a special use. He stated First Rockford Group, who owns the shopping center at the northeast corner of Sycamore Road and East Dresser Road (Fitzworks) submitted a letter to the City mentioning their support for the proposal. He also said that Gregory Clark of 1407 North 14th Street submitted

a Citizen Response Form indicating his support of the proposal but wanted to see more specifics regarding alley access, parking, and noise. Mr. Olson stated that after the Commission agenda and packet was posted last Friday (March 15th) a Citizen Response Form was submitted by David Baker who owns a duplex along Oakwood Avenue. He stated Mr. Baker had noted his support for the proposal on the Form.

Chris Hooker of 520 Woodley Road stated he was here with Gregory Clark who owns the property at 1407 North 14th Street, behind the proposed special use. He said there are residential properties that run adjacent to the property in question and was concerned about the noise. He also asked if vegetation is proposed next to Sycamore Road, should there be noise abatement next to the residential. He asked if the current building was going to be demolished in any way. Mr. Olson responded there will just be renovations to the building and no demolition of buildings. Mr. Hooker also asked about parking and noted alcohol will be served until 2:00 am. Mr. Olson stated employees and guests can park both in the front and back of the property and there will be no increased noise. Mr. Maxwell asked if there were current issues with noise since there have been similar commercial uses located in the shopping center.

Geralyn Clark of 1407 North Fourth Street stated she owns a duplex near the proposed special use and has renters living in the duplex. She said she has not been able to fence the property and people cut through the property or park in their parking lot. Ms. Clark stated she wanted the petitioner of the proposed special use to make sure it is a secure area. She noted the alley behind the Secretary of State's office has trucks going through it during the day. She added she is worried about traffic in the fire lane and people walking through their property. She wants to know what Mr. Mason will do to abate these issues. She asked if there will be an excessive use of electricity or water. Mr. Olson stated there is an adequate water and electrical supply.

Greg Clark stated he does not oppose the indoor sport simulation use but wants to know what Mr. Mason will do about the potential traffic and noise issues. He said their duplex is fully rented and they are worried about the tenants. Mr. Mason stated the Clark's backyards do not back up to where the special use is proposed, and customers will be coming from Sycamore Road. Additionally, he stated the facility can only accommodate about 50-60 people at a time, and anyone who is rowdy will be asked to leave or will be arrested. He stated there will be about 20 cars at a time in the parking lot associated with the use and there will not be a water issue.

Mr. Castro stated he heard the residents' concerns and encouraged the owner and neighbors to sit down and talk about what they can do to mitigate the issues. Ms. Buckley asked about the 6:00 am liquor sales. Mr. Mason noted that it would be on an as-needed basis, and stated he doubted people will be drinking at 6:00 am. Mr. Maxwell said he believes it is a well thought out plan.

He asked about the distance requirements between video gaming establishments that are in the UDO. Mr. Olson stated since the proposed video gaming will be accessory to the special use (indoor sport simulation facility), and not the primary use, they will not have to meet the separation requirements for Video Gaming Establishments in the UDO.

Mr. Klein asked if parts of this facility will be open 24 hours a day. Mr. Mason stated it likely would be for the golf simulation area and there will not be alcohol served after 1:00 am or 2:00 am depending on the day. Mr. Klein asked about restrictions on underage people coming into the establishment where alcohol is served. Mr. Olson stated it will be like a bowling alley, and Mr. Mason added they would card customers and would have to comply with all the liquor regulations of the City. Mr. Klein asked about gambling and its location on the floor plan. Mr. Olson noted the location of the five video gaming machines and stated they will be separate from the indoor golf area. Mr. Mason also added the video gaming machines will close when the bar closes. He said there will be no restriction on minors coming in, but the video gaming machines and the bar will be secured after hours.

Mr. Wright asked what type of deliveries Mr. Mason expected. Mr. Mason stated everything will come off Sycamore Road and through the front door of the building. He noted some deliveries will come in the back, but less than the previous furniture store. Mr. Maxwell asked about signage. Mr. Mason stated there will be a wall sign advertising Mason Indoor Golf, DeKalb, USA and it will be classy and subtle. Chair Doe asked about the landscaping discussed for the rear of the property. Mr. Olson responded there needs to be at least five feet of setback at the rear of the property to have enough room for landscaping. He noted there is less than a five-foot setback along most of the rear yard and it slopes down, however they could look at it further.

Chair Doe gave the public one more opportunity to speak.

Ms. Clark stated she was in favor of the project and she just had her doubts. She said she does not want all that foot traffic through her property and wants Mr. Mason to make a commitment to help the Clarks with this issue.

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. Maxwell made a motion to recommend to the City Council approval of a Special Use Permit for a "Amusement Establishment (Indoor Sport Simulation Facility)" on the subject site located at 1500-1504 Sycamore Road in the subject tenant space shown on Exhibit A in the staff report and per the

conditions as indicated on Exhibit B in the staff report, which are listed below. Ms. Buckley seconded the motion.

Exhibit B:

1. The trash dumpster on the northern portion of the site shall be fully enclosed within 60 days after approval of the special use permit by the City Council.
2. Landscaping shall be added to the frontage along Sycamore Road to include seven shade trees (min. 2 ½" caliper) and 56 shrubs and to be installed within 60 days after approval of the special use permit by the City Council.
3. The number of required and provided parking spaces be documented on the survey/site plan and submitted with any building permits required for the special use permit.

A roll call vote was taken. Ms. Buckley – yes, Mr. Castro – yes, Mr. Klein – no, Mr. Maxwell – yes, Mr. Wright – yes, Chair Doe – yes. Motion passes 5-1-1. Ms. Barbe was absent.

2. **Public Hearing** – Petition by Commonwealth Edison Company (ComEd) represented by Scott Saef of Sidley Austin, LLP for approval of a Zoning Map Amendment, upon annexation, from the "SFR1" Single-Family Residential District to the "PD-I" Planned Development – Industrial District and approval of a Zoning Map Amendment from the "HI" Heavy Industrial District to the "PD-I" Planned Development – Industrial District to allow ComEd to expand their existing substation at 1827 Pleasant Street to improve the substation's reliability and to increase safety and security. Also requested is approval of a Planned Development Preliminary and Final Plan and waivers to the UDO.

Scott Saef of Sidley Austin LLP, representing ComEd, stated the substation will have the same use as before, but will have increased functionality and efficiency. He said it will have a straight "bus" system and the proposed annexation will be 5.62 acres of unincorporated property. He said no structure will exceed 14 feet in height, and it will be an unmanned site except when there is maintenance or an emergency. He said there are four main transformers and one will be move to the west. Mr. Saef noted the private drive will be paved and will be approximately 15-20 feet wide. He said lightning masts improve reliability and the new transmissions structure will be 60 feet tall, five will be removed while one will remain, and three will be added to allow for the new system. He said the fence will be upgraded with a seven-foot-tall chain link fence with storm water detention to the north. Mr. Saef said the project is consistent with the comprehensive plan and hopes to start it in Spring 2019 with a planned completion by the end of 2020.

Principal Planner Dan Olson went through the staff report dated March 19, 2019. He stated the expansion will primarily be occurring to the south and the area already in the City will be rezoned to PD-I. He added the request is to

allow ComEd to expand their existing electrical substation at 1827 Pleasant Street to improve the substation's reliability and increases safety and security. Mr. Olson said the expansion has the primary purpose of converting the substation's current "straight" electrical bus layout to a more current and resilient "ring" bus system. He continued by stating the ring bus system will include several new transformers and equipment and the rearrangement for the substation's electrical engineering will add reliability to the system and smooth out the electrical flows through the substation for the four 138 kV transmission lines. Mr. Olson noted that accompanying the 138 kV improvements will be upgrades and adjustments to the 12 kV and 34 kV electrical feeders, which provide distribution level service to the DeKalb Airport and the surrounding area.

Mr. Olson noted the new structures will include a 13-foot tall substation control building of 3,450 square feet and will be located in the eastern portion of the substation. He continued by stating the existing 768 square foot building will be expanded to 1,056 square feet and Buildings 2 and 3 will have no changes, with Building 2 possibly being demolished in a future phase. He noted there will be nine lightning masts, each of which will be about 86 feet in height and there are six existing transmission structures, with the tallest being about 119 feet tall. Mr. Olson mentioned there will be one new transmission structure at a height of about 68 feet and ComEd is also proposing to update the security at the site by replacing the existing chain link fence with a seven foot tall chain link fence with 12 inches of barbed wire at the top that angles both toward the interior and exterior of the property. He indicated a stormwater detention area will be installed at the north end of the site and the exiting private drive is mostly gravel and is proposed to be paved from Pleasant Street to the southerly property line of the site. Mr. Olson continued by stating ComEd has an access easement over the drive from the owner to the south and the existing gravel drive within the site must remain gravel for safety reasons and worker protection. He concluded by mentioning there will be no public access allowed to the site.

Chair Doe opened to public comment. There was none.

Mr. Castro asked if there was a physical barrier preventing people from walking to the substation. Mr. Saef said a secured barbed wire fence and a gate will prohibit anyone from entering. Ms. Buckley stated she is for the project. Mr. Wright asked if there were any dangers that could possibly arise for the public if they come into contact with the substation facilities. Mr. Saef said there were not, as the facility is setback far from any public roadway and is secured with a fence. Mr. Wright asked about the overall benefit of the project. Mr. Saef stated the upgrades will allow the substation to stay on-line during outages, without having to take the whole substation offline. He noted this is a proactive upgrade ComEd is doing and will prevent fewer outages in the future.

Ms. Buckley asked how many customers are served with this facility. Chip Carter, project manager stated the proposed improvements could affect over 11,000 customers and the substation does feed the DeKalb Municipal Airport. He said the project will improve operational flexibility, improve resiliency, and reduce last contingency measures. Mr. Maxwell asked who the legal owner of the property was. Mr. Olson said it was ComEd, including the portion that is proposed to be annexed. Chair Doe asked why there were no fire hydrants in the vicinity of the substation. Mr. Carter stated they monitor the site remotely for fire protection and they usually would not fight an electrical fire with water.

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. Maxwell made a motion to recommend to the City Council approval of a Zoning Map Amendment, upon annexation, from the "SFR1" Single-Family Residential District to the "PD-I" Planned Development – Industrial District for the property described in Legal A and approval of a Zoning Map Amendment from the "HI" Heavy Industrial District to the "PD-I" Planned Development – Industrial District for the property described in Legal B and approval of the Planned Development Preliminary and Final Plans, Development Standards and Waivers to the UDO as listed in Exhibit A in the staff report with the plan date changes as listed below. Mr. Wright seconded the motion.

Exhibit A:

- Preliminary and Final Development Plan dated 3-20-19 prepared for ComEd
- Grading and Utility Plan – Proposed Grading and Storm Sewer Layout for Substation dated 2-20-19 prepared by Christopher Burke Engineering, LTD.
- Fence Detail – TSS 82 dated 2-26-19.

A roll call vote was taken. Ms. Buckley – yes, Mr. Castro – yes, Mr. Klein – yes, Mr. Maxwell – yes, Mr. Wright – yes, Chair Doe – yes. Motion passes 6-0-1. Ms. Barbe was absent.

F. REPORTS

Mr. Olson mentioned the next Planning and Zoning Commission meeting will be Wednesday, April 3rd, and there is one public hearing scheduled. He also noted the miscellaneous text amendments to the UDO were approved by City Council on

February 25th as well as approval of the annual update to the zoning map on March 11th.

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 7:22 pm.

Respectfully Submitted,

Christine Wang, Recording Secretary

Minutes were approved by the Planning and Zoning Commission on May 8, 2019.