

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
May 5, 2025

The Planning and Zoning Commission held a meeting on May 5, 2025, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak Street, DeKalb, Illinois. Chair Maxwell called the meeting to order at 6:00PM.

A. ROLL CALL

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

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the May 5, 2025, agenda as presented. Ms. O'Flaherty 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

1. April 7, 2025 – Chair Maxwell requested a motion to approve the April 7, 2025, minutes as presented. Mr. Wright motioned to approve the minutes as submitted. Mr. Becker 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 DeKalb Township for a special use permit to allow for the expansion of Oakwood Cemetery for the property located at 611-615 N. 1st Street.

Chair Maxwell read the petition by title only.

Attorney Craig Krandel, with law firm Zukowski, Rogers, Flood & McArdle, spoke on behalf of DeKalb Township. Mr. Krandel explained the Township currently operates Oakwood Cemetery. The cemetery adjoins with the First Congregational United Church of Christ, who has an interest in selling additional land to the Township. Mr. Krandel noted the church has a donor that would like to have the cemetery expand its land to allow space for a Columbarium, memorial park and walking path. He said the cemetery would expand by approximately .8 acres. No cemetery plots would be included in the expansion and the work will be done in two phases. He noted a small portion of property is in a flood zone, but no work will be done there and nothing will be stored.

Mr. Krandel went on to add there are eight parking spaces that will be transferred from the church to the cemetery. He explained First Congregational Church and DeKalb Township have a long-standing relationship, providing access to the church through the cemetery property. This will continue with a cross-access easement being added to the purchase contract for the land. Mr. Krandel believed the request met all criteria for a special use permit, and noted Mary Hess, DeKalb Township Supervisor,

was present and available for questions. To conclude, Mr. Krandel mentioned all the funding for the improvements on the new land will come from a church donor.

Planning Director Dan Olson gave his staff report dated May 1, 2025. He noted there was not much to add and thanked Mr. Krandel for explaining the request. Mr. Olson mentioned when the hearing notice was published, it stated the property was currently zoned "SFR2" Single-Family Residential, however, the property is actually zoned "MFR-1" Multi-Family Residential. Mr. Olson noted a cemetery is still a special use in the "MFR-1" Multi-Family Residential District.

Mr. Olson explained the City received a special use permit application from DeKalb Township to expand the Oakwood Cemetery along N. 1st St. The Township is purchasing .82 acres of property from the adjacent First Congregational United Church of Christ at 615 N. 1st St. The site is zoned "MFR1" Multi-Family Residential District, and a cemetery and mausoleums are a special use in that district. He added the 2022 Comprehensive Plan designates the site for Institutional type uses. The current cemetery is a legal non-conforming use.

Furthermore, Mr. Olson stated the additional property will primarily be used for a park with walking paths, a memorial plaza, new trees and Columbariums. There will be no cemetery plots on the subject site. He mentioned the site plan also includes eight new parking spaces and access will be provided through the parking lot of the church. The northern portion of the site is in the floodplain; however, the Township is only proposing landscaping and a possible walking path in that area, and no structures. Mr. Olson pointed out they will comply with the floodplain regulations in the Unified Development Ordinance. Mr. Olson indicated the City recommends approval of the special use permit and approval of plans for Phase One and Phase Two.

Mr. Olson brought to the Commission's attention the sole email response received regarding the expansion. Bradford Shive of 8 Miller Court emailed the City stating his support for the special use permit.

No public comments were made, and Chair Maxwell closed the public hearing.

Commission member Wright inquired if there would be burial plots located in the expansion. Mary Hess confirmed no burial plots will be added. She explained that an above ground Columbarium will be added as cremations are on the rise. Currently, the cremation rate is at 60% with an expected increase to 80%. To start, one columbarium with approximately 48 niches will be built on the expansion site. Additionally, Ms. Hess noted an ossuary is also being considered as another more affordable burial option. She said sadly, there is a rise in cremains not being picked up due to family members being unsure what to do with them. Ms. Hess added there will be a scattering garden available but assured the Commission there is a process with the State and those choosing to scatter cremains must follow. She concluded by stating there is still space in the cemetery to accommodate those looking for a full burial plot.

Mr. Becker believed this would be the best and highest use for the land.

Vice Chair McMahon asked how large the path would be. Ms. Hess stated a tree survey still needed to be completed, and final drawings have not yet been finished.

Chair Maxwell questioned the volume of tree removal required to accommodate the expansion. Ms. Hess responded they will be cleaning the area up, a lot of the trees are involuntary trees, and they want to be sure none of the trees could pose a hazard to the adjacent Carlson property (623-629 N. 1st St.). Fallen trees will be removed and replaced with new trees in the future. Mr. Olson showed an aerial of the site noting the southern half of the property contained no trees.

Mr. Becker asked if the path was going to be designed for walking or just for people to approach the cemetery. Ms. Hess stated the donor intends for the area to hold a memorial garden, meditation area and the walking path will be a natural extension of the beauty of the area.

Vice Chair McMahon requested additional information regarding people scattering ashes at the property. Ms. Hess explained those wishing to do so must contact the Township and arrangements would be made. Ms. Hess discussed her experiences with other scattering gardens, noting granite structures with spaces for name plates were often present to meet the memorialization requirements. The intent of the requirements is to keep people from scattering improperly.

Chair Maxwell asked for a motion to approve. Mr. Becker moved based upon the submitted petition, testimony presented and findings of fact, I move the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of special use permit to allow for the expansion of Oakwood Cemetery located at 611 N. 1st St. and a portion of the property located at 615 N. 1st St. per the site plan dated February, 2025 and labeled as Exhibit A in the staff report. Commissioner Wright seconded the motion.

A roll call vote was taken: Becker – yes, O’Flaherty – yes, Wright – yes, McMahon – yes, Maxwell - yes. Commission member Pena-Graham was absent. The motion passed 5-0-1.

b. **Plat of Resubdivision** – A request to approve the Final Plat of the Dirks Resubdivision located at 3435 and 3447 Owens Lane (Marshall Dirks).

Marshall Dirks, owner of 3435 and 3447 Owens Lane, discussed his request for a Plat of Resubdivision. Mr. Dirks explained he would like to combine the two lots he owns and is using Ken Spears Construction to complete the home addition. Mr. Dirks purchased the additional lot in 2020 which was vacant for 22 years. The second lot was turned into a garden, and he now has the desire to build a home addition across the common lot line. A utility easement is present along the common lot line which needs to be vacated. Mr. Dirks noted he has contacted approximately eight utility entities and is still waiting to receive releases from two of them: Frontier and ComEd. He confirmed that the City does not have water or sewer lines along the common lot line. He noted all utilities are located in the rear yard easement. Mr. Dirks stated currently no one has challenged the requests for easement vacations.

Mr. Olson presented his staff report dated May 1, 2025 and reminded the Commission of a similar request granted on Quinlan Avenue back in 2020. He explained the applicant and property owner, Marshall Dirks, is requesting to resubdivide lots 84 and 85 in the Bridges of Rivermist, Unit Two Subdivision from two lots into one. The addresses of the lots are 3435 (lot 84) and 3447 (Lot 85) Owens Lane. Lot 85 contains a single-family home and lot 84 contains a garden and no structures. Mr. Olson stated Lot 84 is 11,900 sq. ft. and Lot 85 is 10,418 sq. ft. with the new lot to be 22,318 sq. ft. or .51 acres.

Furthermore, Mr. Olson noted the applicant would like to add onto the existing home, however the addition would encroach over the common lot line. Mr. Olson said there is a 5-foot utility easement on the north side of Lot 84 as well as the south side of Lot 85. Both easements will be vacated with the approval of the plat. There are no utilities in the easements, and the applicant has been obtaining release letters from the utility companies that have rights to access the easement in case utilities are added at a later time. Mr. Olson stated the owner still needs releases from ComEd and Frontier and the Metronet release was received this morning.

Mr. Olson mentioned the plat has been reviewed by City staff and all comments have been adequately addressed. The applicant has provided a layout of the home on the lot along with the architectural elevations. Mr. Olson reminded the Commission their review only pertains to the Plat, not the layout of the home. The sidewalk will be completed across Lot 84 through a 50/50 cost-sharing agreement

between the owner and the City. Mr. Olson stated the City recommended approval subject to all utility releases being obtained prior to the recording of the plat.

Various supportive comments from the Commission were made.

Chair Maxwell asked for a motion to approve. Ms. O'Flaherty moved that the Planning and Zoning Commission recommend approval of the Final Plat of the Dirks Resubdivision dated August 9, 2024, prepared by Hanna Surveyors as shown on Exhibit A of the staff report subject to all utility approvals being obtained prior to the recording of the plat. Commissioner Becker seconded the motion.

A roll call vote was taken: Becker – yes, O'Flaherty – yes, Wright – yes, McMahon – yes, Maxwell - yes. Commission member Pena-Graham was absent. The motion passed 5-0-1.

F. REPORTS

Mr. Olson noted at the next meeting, May 19, 2025, a public hearing will take place linked to Hopkins Pool. He explained that any public entity in the SFR2 Residential District must obtain a special use permit for any facility/structure such as a pool. He added a variance is also request for a fence.

G. ADJOURNMENT

Chair Maxwell requested a motion to adjourn. Mr. Wright motioned to adjourn, and Ms. O'Flaherty seconded the motion. The meeting adjourned at 6:17 p.m.

Respectfully submitted,

Olivia K. Doss, Recording Secretary

Minutes approved by the Planning and Zoning Commission on May 19, 2025.

Click [here](#) to view the agenda packet for the May 5, 2025 Planning and Zoning Commission Meeting.

Click [here](#) to view the video recording of the May 5, 2025, Planning and Zoning Commission Meeting.