

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
May 17, 2021

The Planning and Zoning Commission held a meeting on May 17, 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

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

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the May 17, 2021 agenda as presented. Mr. Wright motioned to approve the agenda as presented. Ms. O’Flaherty seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. April 19, 2021 – Chair Maxwell requested a motion to approve the April 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.

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

None

E. NEW BUSINESS

1. **Public Hearing** – A petition by Four Forty Four LLC requesting approval of a special use permit to allow dwelling units on the top floors of the buildings located at 400 E. Hillcrest Drive and 444 E. Hillcrest Drive.

Chuck Shepard (Principal of Four Forty Four LLC), 2400 Coltonville Rd in Sycamore, advised he owns Shepard Construction which has been in business since the early 1970's. He advised he grew up in the suburbs and came out to DeKalb to attend Northern Illinois University. He stated he has stayed in the area ever since.

Mr. Shepard said he has an excellent commercial tenant base at 400-444 E. Hillcrest Drive but is only at 50% occupancy. He advised he purchased the subject property in 2011 in an extremely distressed state. He stated he invested a considerable amount of money to redo the roofs, parking lot, siding, and bring the property up to date.

Mr. Shepard said he is currently paying 25% of his gross income from these properties for the property taxes. He stated the property is currently unsustainable at 50% occupancy and is requesting the City approve his petition to build apartment units on the top floors in order to have better occupancy rates. He noted he has been in contact with a commercial real estate agent who advised there aren't enough small businesses and too much competition to fill his vacant space. He added he has been in contact with Linda Tillis, a residential broker specialist for Century 21, who advised there is a need for the proposed apartment units.

Mr. Shepard mentioned the proposal will add a total of 17 apartment units which will be a mix of 1-bedroom and 2-bedroom units. He added the subject property has an excess of parking. He noted there are 133 parking stalls and the City's ordinances only require 89 spaces. He stated the surrounding area is beautiful and has a park like setting.

Principal Planner Dan Olson went through the staff report dated May 13, 2021. He advised the site is approximately 4.5 acres and is zoned Light Commercial. He stated dwelling units above the ground floor of a commercial space is allowed as a special use. He noted there are a total of 14 one-bedroom units and 3 two-bedroom units proposed. He stated 400 E. Hillcrest Drive will have 7 one-bedroom units and 1 two-bedroom unit, while 444 E. Hillcrest Drive will have 7 one-bedroom units and 2 two-bedroom units. He mentioned the petitioner indicated that rent would vary from approximately \$950 to \$1150 per month.

Mr. Olson said the buildings were constructed in the 1980's and Mr. Shepard purchased the building in 2011 and has made several improvements. He stated Mr. Shepard has only been able to obtain an occupancy rate of 55%-61%. He added Denise Weinmann, of RVG Commercial in DeKalb, has noted it has been difficult to fill commercial/office space due to several factors including COVID guidelines forcing employees to work from home. He stated Mr. Shepard has been in contact with residential real estate brokers as well, who

have advised there is a demand for this type of dwelling unit. Mr. Olson said the proposal will fit in well with the neighborhood, as the surrounding area contains a mix of single-family, two-family, multi-family, and commercial space.

Mr. Olson advised the Unified Development Ordinance would require the property to have 89 parking spaces. He added the property well exceeds that number by having 133 spaces including seven handicap spaces. He stated, however, five of the handicap spaces do not have the appropriate signage per the Illinois Accessibility Code. He noted staff is recommending the handicap spaces contain signage per the Illinois Accessibility Code and Municipal Code prior to occupancy of any apartment unit, which the petitioner has agreed to complete.

Mr. Olson advised the proposal meets all the requirements of the Light Commercial District and will not be detrimental to the surrounding area. He stated there is adequate parking and utilities and the proposal will not expand the footprint of the existing buildings. He noted staff is recommending approval of the proposal.

Mr. Olson stated the City received public input prior to the posting of the Commission agenda. He advised a Citizen Response Form was received from Rhonda and Steven Rasmusson, 809 Woodlawn Drive, indicating support of the project. He added emails were received from Elisa Hoffmann (409-413 and 417-419 E. Hillcrest Dr.) and Curt Haralson (447-449 E. Hillcrest Dr.), who both own duplexes across Hillcrest Dr. from the subject property. He advised the property owners had concerns with traffic, parking, noise and snow removal. Mr. Olson noted he responded to the questions and said the traffic impact will be minimal and there is an excess amount of parking on site. Mr. Shepard advised snow removal will not change and will be piled towards the retention pond.

Chair Maxwell gave the public an opportunity to speak. There was none.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. Wright questioned what his anticipated tenant demographic will be. Mr. Shepard responded he will be renting to professionals and to an older age group. He stated he will not be renting to students.

Chair Maxwell questioned if there is an elevator in the subject buildings. Mr. Shepard responded there is a hydraulic elevator in the 444 E. Hillcrest Drive building and a platform elevator in the 400 E. Hillcrest Drive building. He added he has proposals to upgrade the platform elevator.

Mr. McMahon questioned if there will be any exterior changes to the property. Mr. Shepard advised the changes will only be to the interior. Mr. McMahon inquired if the apartments will be furnished or unfurnished. Mr. Shepard responded he doesn't know at this point. He stated he will have to defer to his real estate broker to determine what will provide the greatest benefit. He said it might end up being a mix of furnished and unfurnished.

Mr. McMahon questioned if there will be assigned parking spaces for both the commercial and residential properties. Mr. Shepard advised he hasn't thought about assigning spaces, but each tenant will have individual key access to the property, so non-tenants wouldn't be able to access the apartment units.

Ms. Pena-Graham asked how many parking spaces will be available for each unit and if tenants will be given parking passes or stickers. Mr. Shepard advised City Code has determined how many spaces there will be for each tenant and he hopes that he won't have to require stickers or parking passes. He stated he will be very diligent, however, to ensure only tenants and customers park in his lot.

Ms. Pena-Graham questioned if the petitioner ever thought of creating condos instead of apartments. Mr. Shepard advised he had not. Ms. Pena-Graham said condos make the tenants invested in the community because they are homeowners rather than just tenants.

Mr. Wright moved that the Planning and Zoning Commission recommend to the City Council approval of a Special Use Permit to allow dwelling units above the ground floor for the buildings at 400 E. Hillcrest Dr. and 444 E. Hillcrest Dr. subject to the aerial image/site plan dated 5-13-21 labeled as Exhibit A to the staff report and subject to the following conditions:

1. There shall be no more than 17 apartment units on the subject site.
2. All handicap parking spaces and signage on site shall be brought into compliance with the Illinois Accessibility Code and Municipal Code prior to occupancy of any dwelling unit.

Mr. McMahon seconded the motion.

A roll call vote was taken. Ms. O'Flaherty – Yes, Ms. Pena-Graham – Yes, Mr. Wright – Yes, Vice Chair McMahon – Yes, Chair Maxwell - Yes. Mr. Becker was absent. Motion Passed 5-0-1.

F. REPORTS

Mr. Olson advised there will be one hearing during the June 7th Planning and Zoning Commission meeting. He stated T-Mobile, who has equipment located on top of the building at 507 E. Taylor Street, will be upgrading their equipment, adding antennas, and increasing their footprint. He noted they are being required to amend their special use permit that was approved a couple years ago to accommodate the upgrades.

Mr. Olson stated they will start initial discussion on the Comprehensive Plan update during the next Commission meeting. He advised he will provide an outline and a rough timeline for the next couple of months and into next year.

Mr. Olson mentioned during the April 26th City Council meeting, the text amendments to the barbed wire fencing regulations were approved. He added Travel Inn's demolition has been completed and the Harbor Freight Tools store plans to have a soft opening on May 25th, with an official opening in mid-June.

G. ADJOURNMENT

Ms. O'Flaherty motioned to adjourn, Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:26 PM.