

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
July 17, 2023

The Planning and Zoning Commission held a meeting on July 17, 2023, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St. DeKalb, Illinois. Chair Max Maxwell called the meeting to order at 6:00 PM.

A. ROLL CALL

Recording Secretary Stephanie Turner called the roll. Planning and Zoning Commission members present were: Steve Becker, Trixy O'Flaherty, Maria Pena-Graham, Jerry Wright, Bill McMahon, and Chair Max Maxwell. Shannon Stoker was absent. Planning Director Dan Olson, City Manager Bill Nicklas, and City Engineer Zac Gill were present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the July 17, 2023, agenda as presented. Mr. McMahon 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. June 20, 2023 –Chair Maxwell requested a motion to approve the June 20, 2023, minutes as presented. Mr. Wright motioned to approve the minutes as presented. 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

1. **Public Hearing** – A petition by Nehring Electrical Works Company for the rezoning of parcels along E. Lincoln Highway, E. Locust Street, N. Seventh Street, N. Eighth Street, and N. Tenth Street, from "SFR1", "SFR2", "LC", "LI" and "HI" Districts to the "PD-I" Planned Development Industrial District.

Tom Jackowski, CFO of Nehring Electrical Works, started by saying Nehring Electrical Works has called DeKalb home for over 110 years and their wire and cable products are mainly used in the utility industry. He added they are experiencing substantial growth due to nationwide work on the electric grid and electrification of vehicles. Mr. Jackowski said Nehring Electrical Works started working with the City last year and identified 11 parcels that would allow Nehring to expand their footprint in DeKalb.

Mr. Jackowski stressed there are no immediate plans to construct new buildings, but to occupy two current buildings, one being the old Ideal Industries building along E.

Lincoln Highway. He explained certain structures would be demolished which should improve the aesthetics of E. Lincoln Highway.

Planning Director Olson went through the Staff Report dated July 13, 2023, and discussed the Redevelopment Agreement with Nehring Electrical Works that passed in October 2022. He added the Agreement was approved to help alleviate pressures between the Company and its residential neighbors caused by truck traffic, storage issues, and noise. He explained Nehring purchased 8 additional parcels off E. Lincoln Highway in the last year and the rezoning to "PD-I" allows the company flexibility for growth and rearranges vital functions for their properties.

Mr. Olson touched on the rezoning request and said it meets the 2022 Comprehensive Plan, it conforms to the UDO, and utilities and public services are already provided to the parcels. He announced the City received one public response to the request from Joseph Holm of 1427 E. Lincoln Highway. Mr. Holm stated he does not support the proposal due to semi-truck traffic and not wanting a stop light at the intersections of E. Lincoln Hwy. and Holly St. and E. Lincoln and Simonds St. Mr. Olson said he advised Mr. Holms there would not be a stop light at either of the intersections and there would be some additional truck traffic.

Mr. Olson informed the Commission the City recommends approval of the petition and detailed the request for rezoning to the PD-I District and the standards for each parcel. He mentioned there is a house at 1430 E. Lincoln Hwy., which is zoned Light Commercial that will remain intact. Mr. Olson covered the proposed development standards and explained any demolitions would have to meet City requirements. He also noted any new access to E. Lincoln Hwy. requires IDOT and the City Engineer's approval. Mr. Olson pointed out any outside storage of electrical wire spools would be required to be at least 50 feet from the E. Lincoln Hwy. right-of-way for the parcels east of the UP RR.

Planning Director Olson noted the parcels west of 1430 E. Lincoln Highway, one being a vacant lot and the others having buildings that will be demolished. He said a new access will be added to this site, with approval from IDOT and the City Engineer. Mr. Olson continued with the sites at 1330 and 1434 E. Lincoln Highway and stated the storage of spools would have to be behind the buildings and surrounded with an 8-foot-high privacy fence.

Chair Maxwell stated there were several people who asked to speak on the matter.

Damien Wilford, of 1018 E. Locust Street, voiced his concern with the zoning of the parking lot (N. 11<sup>th</sup> St. and E. Locust) and trucks parking right in front of his house in no parking zones. He said he calls the Police Dept. but nobody responds or calls him back. Mr. Wilford expressed concerns with trucks running overnight and honking their horns which wake up his kids. Planning Director Olson informed Mr. Wilford the parking lot will not change, and truck parking and the storage of spools will still be prohibited on the lot.

Mr. Wilford stated he is not worried about the parking lot, but more truck traffic. Mr. Olson stated the expansion by Nehring Electrical to the E. Lincoln Highway parcels will help alleviate the truck traffic on E. Locust St.

Mr. Jackowski said sometimes the truckers do not abide by the no parking signs along E. Locust St. and encouraged the Police to ticket the drivers. He stressed Nehring advises the truckers to not park along E. Locust and will redirect them when possible. Mr. Jackowski informed the Commission the two additional loading docks under construction now will help alleviate the parking of trucks in the street.

Mr. Wilford asked if there are more docks being added and if that would lead to more truck traffic. Ray Hott, President of Nehring Electrical Works, stated the two new docks under construction are intended to get trucks off the street. He added the number of truck docks will go from three to five. Mr. Hott reiterated when truck drivers call in, they are directed to park off the streets and go to designated off-street parking areas.

Mr. Wilford continued with a complaint stating the company's forklift drivers are honking their horns at all hours of the night and he has tried multiple ways to drown out the noise with no luck. He stressed this has been going on for two years. Mr. Hott said he will talk to the employees about Mr. Wilford's concerns.

Tony and Rebecca Petersen of 1415 E. Lincoln Highway expressed their concerns in regard to the truck traffic and stated trucks park and block their driveway all the time. Ms. Petersen stated the intersection at Holly St. and E. Lincoln Hwy. is dangerous and both her and her husband's cars have been rear ended waiting to pull into their driveway. Mr. Olson reiterated any new access would require a traffic study, IDOT and City Engineer approval. He stressed semis are not allowed to park on E. Lincoln Highway. City Engineer Zac Gill spoke on the traffic impact study that would be required and stated E. Lincoln is a State highway and a truck route. He said IDOT would review the study and take the appropriate actions to mitigate any issues.

James Gibson, of 1024 E. Locust Street, inquired if the City was ever going to conduct an air quality test due to the diesel trucks in the area. Mr. Olson stressed the issue up for discussion tonight are those tied to the rezoning of the properties. He also mentioned trucks have state and federal standards and must meet emission requirements. Mr. Gibson asked who he should contact for the air quality testing. City Engineer Zac Gill stated DeKalb is low for environmental pollution, so we are not monitored regularly. He advised Mr. Gibson he can contact the Illinois Environmental Protection Agency regarding air quality concerns.

Chair Maxwell asked if there were any questions or comments from the Commission members.

Steve Becker went over the issues brought up tonight mainly being tied to the truck traffic in the neighborhoods. He asked the applicant about the addition of two docks and if it would eliminate the trucks issues. Mr. Becker then asked the City about response time when the Police are called for violations.

City Manager Bill Nicklas stressed the Police will respond and the dispatchers will respond to all calls. Mr. Nicklas explained that Nehring has made changes to address the noise over the years. He added the rezoning petition is going to help the neighborhood, company, and the City as well.

Chair Maxwell asked the residents to continue the discussions on the Police Dept. response after the meeting, but the Commission must focus on the rezoning of the properties.

Mr. Becker readdressed Nehring about the additional docks being added. Ray Hott said that is the intention and he will talk to his employees about noise during late hours of the night. Mr. Maxwell suggested with the new land being purchased maybe a staging area could be created for trucks to park.

Mr. Wright stressed the company needs to work with the residents in the area and Nehring should be more proactive to address concerns instead of just saying to call the Police. He said if residents are stating the problems have been going on for three to four years, Nehring should be addressing the concerns.

Mr. McMahon moved that based on the submitted petition and testimony presented, the Planning and Zoning forward its findings of fact and recommend to the City Council approval of the rezoning requests for the parcels as listed on the chart and maps labeled as Exhibit A and per the development standards in Exhibit B.

Mr. Becker seconded the motion.

A roll call vote was taken. Mr. Becker – Yes, Ms. O’Flaherty – Yes, Ms. Pena-Graham - Yes, Mr. Wright – Yes, Mr. McMahon – Yes, Chair Maxwell – Yes. Shannon Stoker was absent. Motion passed 6-0-1.

2. **Public Hearing** – A petition by Jessica Cross and Nelson Lauersdorf for approval of a variance to Article 7.06.4.b and Article 7.06.6 of the Unified Development Ordinance to allow a 6-foot-high privacy fence in a portion of the front yard along E. Taylor St. for the property located at 801 S. 8<sup>th</sup> St.

Jessica Cross, property owner of 801 S. 8<sup>th</sup> Street, explained the request for a variance to replace their fence and rebuild it in the same location and height. She stated the variance is needed for a portion of the fence that goes past the structure of the house along E. Taylor St., which is currently not allowed per City code. Ms. Cross said she has dogs who can jump 3-foot and 4-foot fences so a variance to install a 6-foot fence is needed. Jessica added she has been asked to keep her dogs inside while children walk to and from school due to some children being afraid of dogs, so the privacy fence will help. Ms. Cross finished by stating they would lose 720 sq. ft. of usable property in the rear yard if the variance was not approved. She added the resulting usable area of the rear yard would be much less than her neighbors.

Planning Director Olson went through the Staff Report dated July 13, 2023, and stated Jessica did a great job explaining the hardships supporting the variance. Mr. Olson said a 6-foot high privacy fence cannot be closer to the street than the house on corner lots. He stated the applicants are replacing a fence that was built before 2009 when new standards for corner lots were put into place. Mr. Olson compared this property to others in the area and covered the reasons for the request as stated in the staff report.

Mr. Olson spoke on an e-mail received from Tetyana Butler of 809 S. 8<sup>th</sup> St. who approved of the request. He added the City believes the applicant met the standards for a variance and recommends approval.

Chair Maxwell asked if there were any questions or comments from the public in which there were none.

Chair Maxwell asked if there were any questions or comments from the Commission in which there were none.

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 Article 7.06.4.b and Article 7.06.6 of the Unified Development Ordinance to allow a 6-foot-high- privacy fence in a portion of the front yard along E. Taylor St. for the property located at 801 S. 8<sup>th</sup> St. as shown on Exhibit A of the staff report dated July 13, 2023.

Mr. Wright seconded the motion.

A roll call vote was taken. Mr. Becker – Yes, Ms. O'Flaherty – Yes, Ms. Pena-Graham - Yes, Mr. Wright – Yes, Mr. McMahon – Yes, Chair Maxwell – Yes. Shannon Stoker was absent. Motion passed 6-0-1.

#### F. REPORTS

Planning Director Olson announced the next Commission meeting is set for Monday, August 7, however there are currently no hearings scheduled so it may be cancelled. The budget calendar was handed out to show three dates for future Commission meetings that would be held at the Police Department if public hearings are scheduled.

#### G. ADJOURNMENT

Mr. Wright motioned to adjourn, Mr. Becker seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:58 PM.

Minutes prepared by: Stephanie Turner Approved: August 21, 2023