

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
July 18, 2022

The Planning and Zoning Commission held a meeting on July 18, 2022, at the DeKalb Public Library in the Yusunas Meeting Room located at 309 Oak Street, DeKalb, Illinois. Vice-Chair Bill McMahon 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, Shannon Stoker and Vice Chair Bill McMahon. Jerry Wright and Max Maxwell were absent. Planning Director Dan Olson was present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Vice Chair McMahon requested a motion to approve the July 18, 2022, agenda as presented. Ms. Stoker 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. June 21, 2022 –Vice Chair McMahon requested a motion to approve the June 21, 2022, minutes as presented. Mr. Becker motioned to approve the minutes as presented. Ms. Pena-Graham 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 DeKalb CUSD #428 for approval of an amendment to the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a modular classroom on the Gwendolyn Brooks Elementary School site located at 3225 Sangamon Road.

Tammy Carson, Director of Facility and Safety Operations for DeKalb School District, informed the Commission the petition was filed to allow for a modular classroom to be located on the south side of the existing school building on a blacktop surface. Ms. Carson stated the purpose for this petition is to add an intensive classroom inside the school building, which currently has no available space. She explained the intensive classroom would be placed in the current music room and the music room would be moved to half of the modular classroom with the other half reserved for storage. Ms. Carson said if approved the modular classroom would be in place for the 2022-2023 school year and they are requesting a three-year approval.

Dan Olson, Planning Director, covered the Staff Report dated July 14, 2022, and added there was a Final Plan approved in 1997 for Brooks School so any change to the Plan, including adding a modular classroom, requires a public hearing. Mr. Olson reiterated the music room would be moved out to the modular classroom so an intensive classroom could be placed in the current music room. He added with the additional classroom, the site still has plenty of parking available. Mr. Olson stressed the location of the modular classroom is south of the school and furthest from the residences to the north. He added there is quite a bit of distance to homes to the west of the proposed location.

Mr. Olson discussed the approval of other modular classrooms in the past at Tyler, Clinton Rosette, and Littlejohn Schools. Mr. Olson said a public comment form was received from Edward Botic of 544 Katherine Cir. and Eileen Botic Living Trust of 550 Katherine Cir. noting they do not support the request due to the modular classroom being stored in the parking lot before being approved. Planning Director Olson stated Cynthia Hadad of 648 Sterling Court sent a letter noting support for the request.

Mr. Olson said the Staff recommends approval of this request with the condition of a three-year term for the modular classroom to be on the site. He added if a longer time is needed, the School District would have to address it with the Commission.

Vice Chair McMahon asked if there were any comments from the public or questions from the Commission members.

Shannon Stoker wanted clarification on the location of the modular classroom in comparison to the complainants in Katherine Cir. She asked if it would be located behind the building away from their residence. Mr. Olson showed an aerial image noting the modular classroom will be south of the building and away from the homes.

Ms. O'Flaherty moved that based on the submitted petition and testimony presented, the Planning and Zoning Commission recommend to the City Council approval of an amendment to the Final Plan of The Bridges of RiverMist, Phase 2, approved by Ordinance 97-110 to allow a modular classroom at Gwendolyn Brooks Elementary, 3225 Sangamon Road, as shown on the attached Exhibit A, subject to the following condition:

1. The modular classroom may remain on the subject site in the location as shown on Exhibit A for no more than three (3) years of the date of approval of the Ordinance granting the amendment and shall, on or before said date, be removed from the property.

Ms. Pena-Graham seconded the motion.

A roll call vote was taken. Mr. Becker - Yes, Ms. O'Flaherty – Yes, Ms. Pena-Graham - Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes. Jerry Wright and Max Maxwell were absent. Motion passed 5-0-2.

- 2. Public Hearing** – A petition by Proper Hospitality Group, LLC represented by Peter Panagakis for approval of a special use permit for a drive-thru restaurant for the site at 922 S. 4th Street.

Peter Panagakis, representing Proper Hospitality Group, discussed the request for a special use permit for a drive-thru restaurant at 922 S. 4th Street. He said they purchased the building in September of 2021 and the building is now completely empty. Mr. Panagakis stated their plan is to improve and update the existing building and property. He noted the restaurant will be called Anna's Sandwich Shoppe with operating hours of 10:30 a.m. to 8:00 p.m. Monday through Saturday, being closed on Sunday's and holidays.

Mr. Panagakis stated indoor seating will consist of about 40 seats with additional outdoor dining available. He stressed the drive-thru will only be used for mobile order pickup and pre-ordered carryout orders. Peter Panagakis discussed the menu and informed that catering and delivery will be available.

Planning Director Olson went over the Staff Report dated July 14, 2022, and informed the Commission a revised plan was received after the posting of the agenda in which a copy was provided. Mr. Olson stated the building has been closed since 2009 and a special use permit is needed for a drive-thru in commercial zoning districts.

Mr. Olson discussed the access point being located on the south end of the building with one-way traffic flow. He added the parking lot will be re-striped and the access point from the alley will be removed. He also noted a 6-foot-high sight-proof fence will be added along the east lot line and landscaping will be added around the property. The exit point onto S. 4th St. will be located on the north side of the building and there is adequate parking.

Mr. Olson informed the existing brick on the building would be cleaned with wood grain panels being added to the top of the building. He continued by mentioning a small vestibule and tower will be added at the southwest corner of the building. Mr. Olson said a recommendation of operating hours between 6:00 a.m. and 8:00 p.m. is being suggested due to the proximity of residents to the east and south of the site. He stated this proposal is compatible with the surrounding area and brings much needed assistance to the S. 4th St. corridor.

Mr. Olson covered public responses received starting with Stephanie Kness of 932 S. 5th Street who questioned the hours of operation and signage. Glenn Miller of 1004 S. Street submitted concerns about the external speakers and any noise coming from the site. Mr. Olson addressed both concerns with the individuals. He went on and said the City received two letters of support from Noelle Jacobson of 424 Culver Street and Tom Winkle and Lorraine Scurti of 834 Leonard Avenue.

Mr. Olson said the Staff strongly recommends approval of this proposal with a condition that the hours of operation be between 6:00 a.m. and 8:00 p.m.

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

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

Steve Becker commented it will be nice to see something go in this building after being vacant for so long.

Bill McMahon questioned the limited drive-thru availability and if the speaker would be used. Peter Panagakis responded it will be used for mobile order pick-up, call ahead pick-up, and third-party delivery pick-up. He added the person will come up to the drive-thru and announce what order they are there for. He added a speaker would be used as a means of communication. Mr. McMahon said it seemed the concerns that were submitted by nearby residents have been addressed and he thinks it will be great to have something in the building.

Mr. Becker moved that based upon the submitted petition, testimony presented and findings of fact, the Planning and Zoning Commission forward its findings of fact and recommendation to the City Council approval of a special use permit for a drive-through restaurant located at 922 S. 4th Street per the site plan dated 7-13-22 and building elevation dated 5-11-22 and labeled as Exhibit A and per the condition that the hours of operation for the restaurant shall be limited between 6:00 a.m. and 8:00 p.m.

Ms. Stoker seconded the motion.

A roll call vote was taken. Mr. Becker - Yes, Ms. O'Flaherty – Yes, Ms. Pena-Graham - Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes. Jerry Wright and Max Maxwell were absent. Motion passed 5-0-2.

3. Minor Subdivision – Approval of a Final Plat submitted by James Planey, Midland Trust, for SV CSG DeKalb South Subdivision – North side Gurler Road, east of S. 1st Street.

Bill French, Regional Director of Project Development for SunVest Solar, appeared on behalf of James Planey. Mr. French said he is seeking approval for the subdivision in order to begin work on the solar project in late August or early September. He described the southern portion being used for the solar project and the remainder of the land would be used for potential development by Mr. Planey. Mr. French read a letter from James Planey expressing his gratitude and wonderful experience working with the City.

Planning Director Olson went through the Staff Report dated July 14, 2022, and said an ordinance was approved in February 2021 rezoning the site and approving the solar farm. He added the applicant would like to do a one-lot subdivision on about 23 acres of the 36.1-acre site. Mr. Olson said the applicant is subdividing a portion of the site in order for the solar project to move forward. He stated all comments have been addressed and there are a few minor labeling issues to clear up before the plat can be recorded.

Vice Chair McMahon asked if there were any comments or questions from the Commission members, in which there were none.

Shannon Stoker moved the Planning and Zoning Commission recommend approval of the Final Plat for SV CSG DeKalb South Subdivision dated 6-27-22 prepared by

Wendler Engineering Services as shown on Exhibit A subject to all staff comments being addressed prior to recording the Plat.

Ms. Pena-Graham seconded the motion.

A roll call vote was taken. Mr. Becker - Yes, Ms. O'Flaherty – Yes, Ms. Pena-Graham - Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes. Jerry Wright and Max Maxwell were absent. Motion passed 5-0-2.

F. REPORTS

Planning Director Olson announced the next scheduled Commission meeting will be held on Monday, August 1 and it will consist of one public hearing. He said Project Wildcat is 160 acres at the northwest corner of Peace Road and Gurler Road and will contain a distribution, packing and storage company.

Mr. Olson stated the August 15th meeting will be conducted at the Police Department since the library will be used for a budget meeting by the City Council. He noted one of the hearings on the 15th will be on the Comprehensive Plan update. He added there will also be a hearing regarding SunVest for their solar farm planned along Pleasant Street near the Airport.

Mr. Olson reminded the Commission that Recording Secretary Stephanie Turner will send out calendar invites a week prior to the first scheduled meeting for the month.

G. ADJOURNMENT

Ms. O'Flaherty motioned to adjourn, Ms. Pena-Graham seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:28 PM.

Minutes prepared by: Stephanie Turner Approved: August 1, 2022