

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
September 8, 2020

The Planning and Zoning Commission held a meeting on September 8, 2020, at the DeKalb Public Library in the Yusunas Meeting Room, 309 Oak St, DeKalb, Illinois. Chair Max 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

Principal Planner Dan Olson called the roll. Planning and Zoning Commission members present were: Chair Max Maxwell, Ron Klein, Steve Becker, Bill McMahon and Trixy O'Flaherty. Members absent were Christina Doe and Jerry Wright. 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 September 8, 2020, agenda as presented. Mr. Klein 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. July 20, 2020 – Chair Maxwell requested a motion to approve the July 20, 2020, minutes as presented. Mr. Becker motioned to approve the minutes as presented. Mr. Klein 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 Kelly and Natalia Diehl for approval of a zoning map amendment from the "TFR" Two-Family Residential District to the "LC" Light Commercial District for the property located at 822 E. Lincoln Highway.

The applicant Kelly Diehl stated his wife and himself decided to open a coffee shop at 830 E. Lincoln Highway. Mr. Diehl advised they also bought the vacant

lot next door located at 822 E. Lincoln Highway from the City of DeKalb to be used as a parking lot for the coffee shop. He noted the proposed coffee shop will be approximately 1100 sq. ft. and will offer mainly carry-out services.

Mr. Diehl advised the parking lot will be properly fenced and landscaped per the requirements of the "UDO" Unified Development Ordinance. He stated in order to use the subject property as a parking lot, the property needs to be rezoned to the "LC" Light Commercial District from the "TFR" Two-Family Residential District. He stated he has spoken to residents in the area, who are excited about the coffee shop.

Principal Planner Dan Olson went through the staff reported dated September 3, 2020. He noted Mr. Diehl currently owns 830 E. Lincoln Hwy, which was previously a beauty salon. He advised Mr. Diehl plans on turning it into a coffee shop, but they lack a parking area. He stated the City of DeKalb owned the empty lot next door at 822 E. Lincoln Highway. He advised it was a multi-family residence which the City condemned in 2017, took ownership in 2018, and demolished in October 2019. He mentioned the property was sold by the City to the Diehl's in November 2019.

Mr. Olson stated there will be a one-way entrance into the parking lot off East Lincoln Highway that exits into the alley and onto S. 9<sup>th</sup> Street. He noted the proposed parking lot at 822 E. Lincoln will accommodate approximately 10 angled parking spaces. He stated there are residential properties to the east and west of the parking lot, requiring a 6-foot-high privacy fence and landscaping per the UDO. He advised the petitioner is meeting the required setbacks for a paved surface, which is 5 feet from the east and west property lines and 10 feet from the alleyway.

Mr. Olson mentioned the subject property needs to be rezoned to the "LC" Light Commercial District to accommodate the proposed parking lot. He advised the coffee shop would be required to have approximately 7 parking spaces, which is based on the amount of indoor seating and number of employees on the maximum shift. Mr. Olson said the business has indoor seating for approximately 15 people and will have two employees on the maximum shift, which equates to 7 required spaces. He noted the property at 830 E. Lincoln Highway will have one handicap parking space, with the possibility of a second regular space.

Mr. Olson advised if the rezoning is approved, the petitioner will have to obtain a parking lot permit through the City of DeKalb Building Division, which would require more detail regarding the drainage, striping, and other requirements.

Mr. Olson stated the rezoning would not be detrimental to the neighborhood, as there are other Commercial and Industrial zoned properties adjacent to the

site and across the street from the property. He advised the parking lot plan does comply with the UDO and mentioned the plans will not be approved as an exhibit but will have to be approved through the Building Division with a permit.

Mr. Olson stated there was no public input submitted.

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

Chair Maxwell gave the Commission an opportunity to speak.

Mr. Klein advised he stopped by the subject property and spoke with Mr. Diehl. He said the lot is currently overgrown with weeds and is unsightly. He stated the parking lot would be an improvement and supports the rezoning request.

Mr. Becker questioned if the property was too small to accommodate a drive thru. Mr. Olson advised the petitioner would have to submit a special use petition to install a drive thru but doesn't believe they would have enough space to accommodate one. Chair Maxwell stated the parking lot was a good idea and supported the request.

Ms. O'Flaherty moved that the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a Zoning Map Amendment from the "TFR" Two-Family Residential District to the "LC" Light Commercial District on the subject site located at 822 E. Lincoln Highway.

Mr. Klein seconded the motion.

A roll call vote was taken. Mr. Klein – Yes, Ms. O'Flaherty – Yes, Mr. McMahon – Yes, Mr. Becker – Yes, Chair Maxwell – Yes. Ms. Doe and Mr. Wright were absent. Motion passed 5-0-2.

2. **Final Plat of Resubdivision** – A petition by Stephen Goldman for approval of the resubdivision of lots 49 and 50 in the Bridges of Rivermist Unit Two Subdivision located along Quinlan Ave (Final Plat of Goldman Resubdivision).

The petitioner, Stephen Goldman, explained he had purchased lots 49 and 50 on Quinlan Ave in the Bridges of Rivermist Unit 2 and would like to combine the two lots in order to build a home. He advised the easements between the lots will be vacated and the rear and side easements would be maintained. Mr. Goldman added he had received the easement release letters from all the utility companies.

Mr. Goldman noted there are single family residences on both sides of the lots and the site plan and home plans were included in the petition for review.

Mr. Olson stated all the lots in the Bridges of Rivermist Unit 2 have 5-foot utility easements on each side of the lots. He stated Mr. Goldman was required to obtain release letters from all the utility companies that have rights to the easement.

Mr. Olson mentioned the rear and side utility easements will be maintained, as well as the rear landscaping easement. He stated the easements between the two lots will be vacated with the submitted plat. He noted the property will only be accessible from Quinlan Ave and not from Rich Rd. Finally, Mr. Olson stated the proposed home and driveway will not come into conflict with any fire hydrants or any other subdivision improvements.

Chair Maxwell gave the Commission an opportunity to speak.

Mr. Klein stated he lives in the area and rides his bike by the property several times a week. He advised he had no issue with the proposal. Mr. Becker stated he had no problem with the request.

Mr. Goldman stated he currently rents a home in the subdivision and is looking forward to the new house. The Commission stated they appreciated the applicant constructing a new home in the development.

Mr. McMahon moved that the Planning and Zoning Commission recommend approval of the Final Plat of the Goldman Resubdivision dated September 1, 2020 prepared by Hanna Surveyors as shown on Exhibit A.

Mr. Becker seconded the motion.

A roll call vote was taken. Mr. Klein – Yes, Ms. O’Flaherty – Yes, Mr. McMahon – Yes, Mr. Becker – Yes, Chair Maxwell – Yes. Ms. Doe and Mr. Wright were absent. Motion was passed 5-0-2.

#### F. REPORTS

Mr. Olson advised there are no public hearings scheduled for the September 21 Planning and Zoning Commission meeting, which will most likely be cancelled. He noted a variance request for a fence was received for the October 5 meeting. He stated an RFP was submitted out for the redevelopment of the old City Hall block located at 200 S 4<sup>th</sup> St. He advised three proposals were submitted and reviewed by City Council, with the residential plan presented by John Pappas (Pappas Development) being the preferred one.

#### G. ADJOURNMENT

Ms. O'Flaherty motioned to adjourn, Mr. McMahon seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:22 PM.