

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
October 2, 2023

The Planning and Zoning Commission held a meeting on October 2, 2023, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St. 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, Shannon Stoker, and Vice Chair Bill McMahon. Maria Pena-Graham, 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 October 2, 2023, agenda as presented. Mr. Becker 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. September 18, 2023 – Vice Chair McMahon requested a motion to approve the September 18, 2023, minutes as presented. Ms. Stoker motioned to approve the minutes as presented. 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

1. **Public Hearing** – A petition by Dennis and Pamela Breese for approval of a variance to Article 7.04.10 of the Unified Development Ordinance to allow an accessory structure closer to the front lot line than the principal building (home) for the property located at 1744 Seaman Ave.

Dennis Breese, owner of the property at 1744 Seaman Ave., explained he has a shed in his driveway that holds his mowers and snow blowers which he uses to help his fellow neighbors at no cost. Mr. Breese stated the variance is to request the shed to be placed along Vienna Boulevard which would lie behind his house.

Planning Director Olson went through the Staff Report dated September 28, 2023, and described there are three sheds currently on the property, with one being in front of the garage which does not meet the requirements of the UDO. Mr. Olson informed the Commission the applicant met with the City to get this rectified and that is the purpose of the variance request. Mr. Olson mentioned the second shed which is behind the

fence along Seaman Ave. and was put up by the owner. He added the third shed is along Vienna Boulevard which received a permit from the City in 2010 and is partially in front of the home.

Mr. Olson stressed the hardship is due to the unique lot shape and there is not a lot of locations to place a shed that would meet the requirements of the UDO. He discussed the size of two sheds being 8 feet by 10 feet and the third being 16 feet by 10 feet. Mr. Olson said as part of the recommendation, there is a maximum square footage for accessory structures for the lot.

Mr. Olson conveyed the City's recommendation which is to move the shed from the driveway to the area behind the home along Vienna Boulevard. He mentioned the public input which has been received including a letter of support signed by 15 neighbors and a Public Response Form from Sherry Wood of 910 Vienna Blvd. noting her support. Mr. Olson said an e-mail was received from a neighbor not supporting the request, but the requestor withdrew their objection via an e-mail which the Commission received.

Mr. Olson explained the conditions that are recommended including no more than three sheds can be located on the site and cannot exceed 320 total sq. ft. In addition, the placement of shed 1 is to be no less than 3 feet 9 inches from the front lot line along Vienna Blvd.

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

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

Shannon Stoker commented she thought it is wonderful that the applicant received the 15 signatures from neighbors, it shows they have a great neighborhood.

Mr. Becker moved that based on the submitted petition, testimony presented and findings of fact, the Planning and Zoning approve a variance to Article 7.04.10 of the Unified Development Ordinance to allow an accessory structure (three sheds) closer to the front lot line than the principal building (home) for the subject property located at 1744 Seaman Ave. as shown on Exhibit A of the staff report and subject to the following conditions:

1. There shall be no more than three sheds on the subject property and the total square footage of all the sheds shall not exceed 320 sq. ft.
2. The placement of shed #1 as shown on Exhibit A shall be located no closer than 3' 9" from the front lot line along Vienna Blvd.

Ms. O'Flaherty seconded the motion.

A roll call vote was taken. Mr. Becker – Yes, Ms. O'Flaherty – Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes. Ms. Pena-Graham, Mr. Wright, and Mr. Maxwell were absent. Motion passed 4-0-3.

2. **Public Hearing** – A petition by the City of DeKalb for text amendments to the UDO to amend Article 5.09 “Central Business District” by amending the special use “New automobile, truck, and recreational vehicles sales, with vehicle repair and service facilities, rentals, or used car sales as an accessory use only” in Article 5.09.03 by removing the new automobile requirement and adding a three (3) acre property size maximum.

Planning Director Olson summarized the Staff Report dated September 28, 2023, and said the Central Business District currently has a special use for new automobile, truck, and recreational vehicles sales and this amendment would remove the new requirement and add a three (3) acre maximum lot size.

Mr. Olson reported the request stems from the next public hearing involving Classic Auto Haus who is wanting to sell classic cars at 215 N. 4th Street. He explained in 2007 the City approved many text amendments to the “CBD” to remove undesirable uses in the downtown area. Mr. Olson said one of the amendments was to require any car dealer in the downtown district to be a new car dealer and they could sell used cars as an accessory use.

Planning Director Olson stated the change is supported due to an increased use of internet car sales and it provides an opportunity for classic car dealers to locate in the “CBD”. He stressed the use would still remain as special use which would require review by the Planning and Zoning Commission.

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

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

Steve Becker questioned the amendments in 2007. Mr. Olson thought it maybe the City did not want car dealerships with a lot of used cars and signage in the downtown area.

Trixy O’Flaherty moved that based upon the submitted petition and testimony presented, the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of text amendments to the Unified Development Ordinance regarding automobile sales in the “CBD” Central Business District as indicated in Exhibit A attached to the staff report.

Ms. Stoker seconded the motion.

A roll call vote was taken. Mr. Becker – Yes, Ms. O’Flaherty – Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes. Ms. Pena-Graham, Mr. Wright, and Mr. Maxwell were absent. Motion passed 4-0-3.

3. **Public Hearing** – A petition by Classic Auto Haus, Inc., represented by Steve Turner, for a special use permit for automobile sales inside the building at 215 N. 4th St.

Steve Turner, owner of Classic Auto Haus Inc., informed they are an internet based classic car dealership that involves 1960's and 1970's muscle cars and convertibles. Mr. Turner stated the business is mainly done by appointment only, but hours will be 11:00 a.m. to 3:00 p.m. on weekdays and Saturdays by appointment. He added mechanical work will be outsourced and not completed on site and cars will not be stored outdoors.

Planning Director Olson covered the Staff Report dated September 28, 2023, and said the applicant believes they can park 35-40 cars in the building located at 215 N. 4th Street. A general floor plan of the space was shown to the Commission. Mr. Olson noted the applicant met with the City's Building Department to cover all code requirements and necessary permits for work that may be needed.

Mr. Olson mentioned the use will fill a vacant commercial building and the applicant met all the requirements of the UDO. He stated there were no public comments received on the matter. Mr. Olson said there would be two conditions to the special use permit, one being no outside storage of vehicles for sale and the other being no auto repairs or services are to be done at the subject location.

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

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

Steve Becker asked about the public being able to view the vehicles inside the building. Mr. Turner responded there may be a car and coffee type event and the public is welcome to come in during their open hours. Mr. Turner stated he knows there is a passion when it comes to classic cars and people are welcome to stop by at no charge.

Mr. Becker added it would be a perfect opportunity when downtown events take place.

Bill McMahan inquired on the number of employees there would be. Mr. Turner responded there would be mainly one employee who is a car guru.

Bill McMahan asked if 35-40 cars could fit in the building. Steve Turner answered that is the amount he is hoping for, and it seems up to 45 cars could fit.

Bill McMahan questioned if the front building facade would be changed. Steve Turner said possibly in the future, but he likes the current look.

Ms. Stoker moved that based upon the submitted petition, testimony presented and findings of fact, the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a special use permit for automobile sales at 215 N. 4th St. subject to the following conditions:

1. There shall be no outside storage of vehicles for sale.
2. There shall be no vehicle repairs or services.

Mr. Becker seconded the motion.

A roll call vote was taken. Mr. Becker – Yes, Ms. O’Flaherty – Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes. Ms. Pena-Graham, Mr. Wright, and Mr. Maxwell were absent. Motion passed 4-0-3.

F. REPORTS

Planning Director Olson announced the next Commission meeting is set for Monday, October 16th at the Police Department with two hearings currently scheduled. He noted they include text amendments to the UDO regarding signs, and an annexation and rezoning request for Wessels Farm Stand at Sycamore Rd. and Greenwood Acres Dr. Mr. Olson added the City Council approved the Goldin Property annexation and rezoning at their last meeting.

G. ADJOURNMENT

Ms. O’Flaherty motioned to adjourn, Ms. Stoker seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:24 PM.

Minutes prepared by: Stephanie Turner Approved: October 16, 2023