

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
October 5, 2020

The Planning and Zoning Commission held a meeting on October 5, 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

Recording Secretary Aaron Walker called the roll. Planning and Zoning Commission members present were: Chair Max Maxwell, Ron Klein, Bill McMahon and Trixy O'Flaherty. Vice Chair Christina Doe attended via Video Conference. Commission member Jerry Wright was absent. Principal Planner Dan Olson, City Engineer Zachary Gill, and City Manager Bill Nicklas was present representing the City of DeKalb. Steve Becker arrived at 6:05 PM.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the October 5, 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. September 8, 2020 – Chair Maxwell requested a motion to approve the September 8, 2020, minutes as presented. Mr. McMahon 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 Pappas Development LLC for the approval of a zoning map amendment from the “CBD” Central Business District to the “PD-R” Planned Development Residential District, a preliminary development plan,

and waivers to the Unified Development Ordinance for the property located at 200 S 4<sup>th</sup> Street (Johann DeKalb Suites).

Foti Pappas, representing Pappas Development LLC, stated the development will include four separate buildings. He advised there will be 78 units total including a mix of studio, 1 bedroom, and 2-bedroom apartments. He noted there is no commercial space in this development. He stated the target market is professionals and retirees looking for fully furnished units and hotel-style amenities. He advised the exterior facade would be brick and stone. Mr. Pappas mentioned the greenspace on the lot will be kept and expanded. He stated the goal is to coordinate with and enhance the surrounding neighborhood.

Mr. Klein questioned what the minimum lease length would be. Mr. Pappas advised the minimum length would be 1 year. Mr. Klein stated his concern for parking due to the number of units and younger families these apartments would attract. Mr. Pappas responded the target age for the development would be mid-thirties and older. He advised these units are not meant for college aged students.

Mr. Klein questioned what the expected turnover rate would be for this development. Mr. Pappas advised the turnover rate will match their other properties, which are above the industry average. Mr. Klein advised a citizen, Lynne Smith, was concerned about street parking. Mr. Pappas advised there are 78 proposed units with the majority being studio and 1-bedroom apartments. He stated there will be 140 parking spaces for the development, which will cover 1-2 vehicles per unit. Mr. Olson advised the proposal meets the parking space requirements per the Unified Development Ordinance.

Chair Maxwell noted this is the third project of this type by Pappas Development LLC in the area. He added they understand their customers and area demographics and would have accounted for parking. Chair Maxwell and Mr. Klein questioned the expected turnover rate for the property. Mr. Pappas advised they expect to retain 60-65% of their residents year over a year.

Mr. Becker inquired if this development would mirror the business plan of Isaac Suites, with its short-term leases. Mr. Pappas advised Isaac Suites' leases are typically 9 months or less. He stated Isaac Suites caters to traveling doctors, professors, and patients in the area while this development will be for more long term or permanent residents.

Principal Planner Dan Olson went through the staff report dated October 1, 2020. He advised on June 24, 2020 the City released a Request for Proposal (RFP) inviting interested parties to respond with proposals for the old City Hall block along South 4<sup>th</sup> Street. A total of three proposals were submitted to the

City. He advised Irving Construction, Pappas Development, and Mason Properties each submitted a proposal. He noted the City Council decided to move forward with the proposal from Pappas Development, LLC. He advised the property was purchased for \$600,000 and a TIF funding request of \$750,000 was submitted to cover development costs.

Mr. Olson mentioned a petition was submitted by Pappas Development, LLC to rezone the subject site from the "CBD" Central Business District to the "PD-R" Planned Development – Residential District. He noted, in the "CBD" District, dwelling units are only allowed above the ground floor, thus the request to rezone the site to the "PD-R" District. He stated waivers to the UDO were requested for density and buffer requirements adjacent to residential development.

Mr. Olson explained there will be four buildings with two facing S. 4th St. and two facing S. 5th St. The development will include 76 total dwelling units in four buildings with two different building types. Building Type One will include 12 - one-bedroom units, 3 – two-bedroom units and 1 efficiency unit and Building Type Two will include 22 efficiency units.

Mr. Olson advised access to the development will be provided from Grove Street and Franklin Street. He noted the existing alley that runs through the property will need to be vacated prior to a building permit being issued. Mr. Olson stated there are a total of 120 parking spaces required per the UDO and the submitted plan provides 130 parking spaces.

Mr. Olson noted the recommended development standards require the submittal of a Final Development Plan prior to the issuance of a building permit that will show all utilities, stormwater management improvements, landscaping and lighting, and will need to be in compliance with the UDO regulations. He added a Final Plat will also be required to be submitted meeting the UDO requirements as well as a Plat of Vacation for the alley.

Mr. Olson said the 2005 Comprehensive Plan recommends the subject site for Institutional and Commercial uses. He advised the development of the site will be an economic benefit to the community and surrounding area. He mentioned it will provide a good transition from the downtown district to single family homes.

Mr. Olson advised there were several comments received from the public. He said Luis Calderone of 308 S 3<sup>rd</sup> St had questions regarding the development, which were answered by City Staff. He stated Lynne Smith of 312 S 5<sup>th</sup> St does not support the proposal and had concerns with noise pollution, lighting, and parking. He mentioned Trent Sexton of 226 S 5<sup>th</sup> St submitted an e-mail and had several of the same concerns with the development.

Mr. Olson advised staff recommends approval of the rezoning request, as it will have a positive impact on the community and surrounding area.

City Engineer Zachary Gill stated he wanted to address some concerns from the public regarding the sanitary lines in the neighborhood. He advised the sanitary sewer system is owned by the Kishwaukee Water Reclamation District, which is a separate agency from the City. He stated he spoke with their engineers and advised they aren't concerned with the actual sanitary flow. He noted there is an 18-inch sanitary line under Franklin Street that runs to the west that can accommodate the proposed development. He advised the issue is when storm water gets into the sanitary sewer, which causes a surcharge. He noted the surrounding neighborhood is older and has several properties and homes with cracked or damaged storm sewer lines that are adding to his surcharge. He advised the new development will not affect this. He noted the District is having a board meeting this month to pass a new program to assist individual homeowners in repairing stormwater and sanitary lines that are contributing to the current issue. He advised there are several lines in the City Hall neighborhood that have older or clogged lines that are contributing to the storm water and sanitary line mixture, and the proposed development will actually help relieve some of the overflow.

Mr. McMahon questioned if the green space in the area will be maintained. Mr. Pappas advised the green space will be maintained and expanded with the development. He stated the parkway trees will not be removed and they will maintain their property and landscaping. Mr. Olson advised one parkway tree may be lost, but most of the parkway trees will be kept.

Ms. O'Flaherty advised she is concerned with the number of units and the design of the buildings. She said there are lot of homes in a one block area and she was hoping for townhouses or single-family homes. Mr. Pappas pointed out that parking and density problems typically arise when developments move towards two to three-bedroom apartments. He advised staying with mainly studio and 1-bedroom apartments will minimize the density and parking concerns. Ms. O'Flaherty mentioned she is still concerned with the density and number of units and preferred Steve Irving's proposal.

Chair Maxwell advised he appreciated Ms. O'Flaherty's concerns and agreed he would prefer a long-term investment rather than short term apartment rentals. Mr. Pappas advised he spent a lot of time driving around the neighborhood. He mentioned he does not believe anyone in the neighborhood can say they are completely satisfied with the area. He advised this development will be well kept, will clean up the area, and bring professionals to the neighborhood and downtown businesses.

Mr. Becker advised there are several things he likes about the project. He advised he is a realtor and he helped several friends from Northern Illinois University find housing in the past, and he wished there were a development like this around. He noted several people are not positive which neighborhood they want to permanently settle in, and a high-end rental property would give them the time to become familiar with the area. Mr. Becker also mentioned he is the Board President at the nearby Stage Coach Theatre and the project would provide much-needed foot traffic to the downtown area.

Chair Maxwell stated he understands the concerns brought up by the Commission and citizens. He stated he had concerns for Pappas Development LLC projects in the past, but his concerns were always quelled.

Mr. Pappas advised he has heard rumors that they build empty apartment complexes. He stated that statement is completely wrong and there is a current level of demand they cannot keep up with. He stated there have been immense commercial investments in DeKalb this year and in the coming years that will only increase the demand for this type of housing. He stated high-end apartments close to the downtown area is where the future is moving.

Chair Maxwell gave the public an opportunity to speak.

Bessie Chronopoulos, of 423 Gayle Ave, stated when City Hall was moved, it was a forgone conclusion. She added when the three proposals were submitted for the City Hall block, there was a staff recommendation that was approved, and there is another staff recommendation tonight that will also be approved despite public input. She advised Mr. Pappas was incorrect when saying high-end apartments are the future. She stated tiny houses and single-family homes are the trend. She advised she agrees with Ms. O'Flaherty's concern with the density of the project.

Ms. Chronopoulos stated the Planning and Zoning Commission is the second most important governing body in the City. She stated over the last couple of years she hasn't seen training for Commission members. She stated staff hasn't allowed Commission members to educate themselves.

Chair Maxwell stated she disagrees with Ms. Chronopoulos statements about recommendations and training. He stated the Commission reviews the staff report given by the City but decides on their own. He advised Commission members not only read the staff reports, but drive to the petitioned properties, speak with community members, and do research on their own. He advised the Commission is very diverse, consisting of long-term residents and business owners.

Ms. Chronopoulos questioned if the Comprehensive Plan was update in the last 15 years. She would prefer if developers put their efforts into updating the current housing stock and would prefer TIF dollars be put into revamping the current buildings downtown, rather than in new apartment complexes.

Ms. Chronopoulos advised when new apartments were built west of Annie Glidden Road, Annie Glidden North was forgotten, and those rental properties have become run down. She said she is afraid the same will happen to the older rental properties after this development is constructed.

Pam Oleson, of 511 Franklin Street, mentioned she is concerned with parking in the area. She advised there isn't enough street parking for any of her guests already and the development will just make the situation worse. She stated she would like a sign that would prevent parking near the alleyway and a sign stating resident parking only. Mr. Olson advised the Police Department and the City Engineer can look at the area and see if there are any improvements that need to be made to help the current parking situation.

Rita and Jon McNatt, of 220 S 5<sup>th</sup> St, stated their house looks directly over the parking lot and Mayor's Garden (Community Garden). She stated they moved to the area to be able to walk to downtown, have a historic house, and live on a cobblestone street. She stated the facade for the proposed buildings does not fit in the neighborhood. She added she would prefer a brownstone look and to have the signs removed from the buildings. Ms. McNatt questioned where the 90-100 ft distance between the project and adjacent homes referenced in the staff report starts and ends. Mr. Olson advised the buffer is from the homes on S. 5<sup>th</sup> Street to the proposed structure, not the lot line.

Chair Maxwell advised he agrees the designs will not look good with the surrounding properties and would prefer a single ground sign. Mr. Pappas advised he can have the sign changed and will meet with his design team to discuss changes. He advised he can make some changes to the color, signage, and minor architectural changes.

Mr. McNatt questioned why there is 18-feet of greenspace on the 4<sup>th</sup> Street side of the complex and only 15-feet from the 5<sup>th</sup> Street side. He noted 4<sup>th</sup> Street consists mainly of commercial properties and businesses, while 5<sup>th</sup> Street consists mainly of single-family homes. Mr. Pappas advised there will still be more greenspace than there currently is and will be better maintained than what is currently there. Mr. Pappas also noted he is more than willing to meet with surrounding residents to discuss what reasonable changes can be made to make the development more acceptable.

Mr. McNatt questioned why the rent at Cornerstone was advertised originally as \$1400 but is now down to \$1200. Mr. Pappas advised rent is not at \$1200

and there is still a demand for high-end rentals, and he wouldn't take the risk if there wasn't a market. He said DeKalb is losing residents constantly to other communities because the lack of high-end rental properties. He noted the last thing he wants to be is a bad neighbor and they have redesigned the building several times to match input they received. He advised he is more than willing to meeting with community members to get recommendations to make the development better.

Mr. Becker advised the aesthetics are important, but the decision to be made tonight is whether the proposed rezoning is appropriate and if the project will be a benefit to the community.

Trent Sexton, of 226 S 5<sup>th</sup> St, inquired why the two lower density buildings (16 units) are not along S. 5<sup>th</sup> St. and the two higher density buildings (22 units) on not along S. 4<sup>th</sup> St. He noted commercial properties are to the north and west and residential properties are to the south and east of the site. He stated it would help homeowners with traffic to have the buildings swapped.

Sata Prescott, of 420 Franklin Street, advised she strongly opposes the development. She stated she bought her house for the beautiful community garden in front of it. She advised this development will destroy the garden and will gentrify the neighborhood. She stated the community does not need more apartments, but more single-family homes. She added she would prefer a rent-controlled development, community garden, and wants proof of interior concepts and that the greenspace will be maintained and include a food product.

Mr. Olson offered a suggestion of adding the final architectural elevations to be submitted with the required final development plans mentioned in Exhibit C. He also noted it could be added to have the final development plans, including the final architectural elevations, come back to the Commission, rather than just being reviewed by City Staff. Mr. Pappas advised any changes to the current plans will be minor. He advised they cannot promise to overhaul the design entirely.

Ms. O'Flaherty questioned if the community garden could be kept in the development. Mr. Pappas advised he is in favor of having a community garden and is more than willing to try and make that happen.

Mr. McMahan questioned if the McNatt's and Mr. Sexton were comfortable working with Mr. Pappas. They both advised they are willing to meet and work with Mr. Pappas. Mr. McMahan advised he was comfortable with the proposed motion as presented in the staff report.

Mr. Klein noted the City is the property owner and Pappas Development LLC is the petitioner, so it's going to be approved anyways and the decision tonight doesn't matter.

Ms. Doe stated the naming of the building is confusing. She requested clarification on whether this property will be similar to Isaac Suites. She also stated she would prefer if the name would be Johann Tower or Johann Plaza, so it is not confused with Isaac Suites. She advised she does not want this property to become an extended stay property. Mr. Pappas responded the proposed development will be for long term or permanent residents. Ms. Doe noted adding a community garden to the proposal would be important to the neighborhood.

Chair Maxwell advised he would prefer the new set of elevations be presented back before the Planning and Zoning Commission with the final development plans.

Mr. McMahon moved the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of the rezoning of subject site at 200 S. 4th St. from the "CBD" Central Business District to the "PD-R" Planned Development Residential District and approval of a preliminary development plan as listed in Exhibit A to accommodate four, two-story structures with 76 furnished dwelling units, amenities such as meeting space, exercise and recreational facilities, accessory parking and greenspace subject to the standards listed in Exhibit B and subject to staff comments listed in Exhibit C and subject to final architectural evaluations be brought back before the Planning and Zoning Commission.

Mr. Becker seconded the motion.

A roll call vote was taken. Mr. Klein – No, Ms. O'Flaherty – No, Mr. McMahon – Yes, Mr. Becker – Yes, Ms. Doe – No, Chair Maxwell – Yes. Mr. Wright was absent. Motion Tied 3-3-1.

2. **Public Hearing** – A petition by Brian and Sue Allen for approval of a variance to Articles 7.06.4(b) and 7.06.6 of the Unified Development Ordinance to allow a six (6) foot high privacy fence to encroach eight (8) feet into the front building line along Concord Court for the property located at 202 Concord Drive.

Principal Planner Dan Olson went through the staff report dated October 1, 2020. He advised there is an existing five-foot-high privacy fence that is dilapidated and in poor condition. He explained the existing fence stretches from the southwest corner of the home to the edge of the sidewalk along Concord Court and then south along the property line and around the lot to the

southeast side of the home. He noted the fence was constructed with the home in 1985, prior to the current requirements for fences in the UDO.

Mr. Olson stated the new fence would be located eight (8) feet inside the front building line along Concord Ct. compared to the 25 feet the current fence sits. He added there are five (5) White Pine trees in the yard along Concord Ct. the owner would like to maintain, and the fence is proposed in a location that will allow the trees to be saved.

Mr. Olson said the lot size for the subject site is 10,423 sq. ft. He noted if the petitioner were required to build the fence at the required setback, they would have only about 3,550 sq. ft. of usable rear yard. He mentioned by placing the fence eight (8) feet into the required setback will gain them about 400 sq. ft. of additional yard area.

Mr. Olson pointed out the home directly south of the subject property (203 North Bridge Road) does not face Concord Ct., therefore the front of the home would not be blocked by the proposed fence.

Mr. Olson stated the City received an e-mail from Michael and Robin Rothamer of 201 Concord Drive indicating support for the variance. He noted a Citizen Response Form was received from Russell Witthoff and Ana Vargas of 209 Concord Drive stating support for the variance. Mr. Olson noted the applicant, Brian Allen, was available via Zoom if there were any questions.

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

Ms. O'Flaherty moved that the Planning and Zoning Commission approve a variance to Articles 7.06.4(b) and 7.06.6 of the Unified Development Ordinance to allow a six (6) foot high privacy fence to encroach eight (8) feet into the front building line along Concord Court for the property located at 202 Concord Drive as shown on the site plan dated 9-4-20 labeled as Exhibit A and per the fence detail labeled as Exhibit B.

Mr. Klein seconded the motion.

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

## F. REPORTS

Mr. Olson advised the next Commission meeting on October 19<sup>th</sup> will be held at the City of DeKalb Police Department on the 2<sup>nd</sup> floor. He advised there is one hearing scheduled for a variance for a garage addition at 216 N 1<sup>st</sup> St. He

added a Plat of Resubdivision for the Ferrara site may also be presented. Mr. Olson concluded by mentioning the Home2 Suites Hotel along S. Annie Glidden Road opened last week.

G. ADJOURNMENT

Mr. McMahon motioned to adjourn, Ms. Doe seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 7:53 PM.