COVID-19 Notice: This meeting will be conducted in-person with a physically present quorum and open to the public. The corporate authorities of the City of DeKalb intend to conduct this meeting in compliance with all applicable social distancing and public health requirements. All persons attending this meeting in-person shall be required to wear protective face masks/coverings. Furthermore, the corporate authorities of the City of DeKalb intend to conduct this meeting pursuant to Illinois Governor JB Pritzker’s Executive Order 2020-73 dated November 18, 2020 (the “Executive Order”), which prohibits gatherings of more than 10 people, unless the City of DeKalb determines that it is necessary to invoke the Governmental Functions exemption contained in Section 4(c) of the Executive Order “to ensure the operation of government agencies or to provide for or support the health, safety and welfare of the public.”

As a convenience to the public, the City of DeKalb may also provide video, audio, telephonic or internet access for the public to monitor this meeting. The provision of any such remote means of access is not intended to provide for attendance by a means other than physical presence due to the COVID-19 public health emergency, nor is it intended to provide an opportunity for the public to address public officials, make public comment or otherwise participate in the meeting.

Persons wishing to provide public comment or otherwise address public officials in person during this meeting must comply with all applicable rules governing the conduct of this meeting including, but not limited to, the aforementioned social distancing and face covering requirements.

The City of DeKalb is providing the following conveniences for the public to monitor and participate in this meeting:

- Persons wishing to view the meeting from home or elsewhere can tune in to Channel 14 or by following the link provided here.
- Persons wishing to provide public comment but are unable to attend the meeting in person or remotely may forward their comments by clicking on the link provided here. Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure dissemination to the Planning and Zoning Commission before the meeting convenes.
- Zoom Meeting Information
  Join Zoom Meeting
  https://us02web.zoom.us/j/83090359115?pwd=OEYwVkFZY2hnWmJ2anQ2anFqa1Njdz09

  Meeting ID: 830 9035 9115
  Passcode: 052773
  One tap mobile
  +13126266799,83090359115,,,,,*052773# US (Chicago)

- For those participating via Zoom and wishing to comment during the public hearing portion of the meeting, please click on the link provided here and add in the Comment Section that you wish to address the Commission verbally. Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure your name is added to the list of remote speakers.
A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES
   1. December 7, 2020

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

E. NEW BUSINESS
   1. Public Hearing – A petition by Nehring Electrical Works Company, represented by Scott Dillon, requesting a special use permit to allow a parking lot as a principal use when located within 300 feet of the use served and requesting variances regarding parking setbacks for the property located at 1030 E. Locust Street (southwest corner of E. Locust St. and N. 11th St.)

F. REPORTS

G. ADJOURNMENT
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: Ron Klein, Steve Becker, Trixy O'Flaherty, Jerry Wright,
Bill McMahon, Vice Chair Doe and Chair Maxwell. No members were absent.
Principal Planner Dan Olson and City Manager Bill Nicklas were present
representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the December 7, 2020, agenda as
presented. Ms. O'Flaherty motioned to approve the agenda as presented. Vice
Chair Doe seconded the motion, and the motion was approved by unanimous
voice vote.

C. APPROVAL OF MINUTES

1. November 16, 2020 – Chair Maxwell requested a motion to approve the
November 16, 2020, minutes as presented. Mr. Klein motioned to approve the
minutes as presented. Mr. Wright 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 Safe Passage Inc. for approval of a zoning map
amendment from the “CBD” Central Business District to the “PD-C” Planned
Development Commercial District and approval of a preliminary development
plan to accommodate a new two-story 42,000 square foot building which will contain an emergency shelter, counseling services, administrative offices, outdoor playground and other accessory uses for the property located at 217 Franklin St.

Mary Ellen Schaid, representing Safe Passage, advised she is the Executive Director of Safe Passage. She stated they have been looking for a new location for the past five years. She advised Safe Passage is one of the only programs in the area that serve victims of domestic abuse, sexual assault, human trafficking, and other types of abuse.

Ms. Schaid stated Safe Passage currently operates a 30-bed shelter, which is comprised of five buildings along S. 4th St, Prospect St. and S. 5th St. She noted the shelter consists of an apartment building and four offsite apartments where they provide transitional housing. She advised the program primarily serves women and children, but also serve men. She noted they provide counseling services throughout the community and also provide a significant amount of public and prevention education in the schools throughout DeKalb County.

Ms. Schaid said when she first walked into the Safe Passage shelter, she immediately knew the building was inadequate for the services they needed to provide. She mentioned the shelter is an old farmhouse, which consists of five bedrooms and 1.5 bathrooms. She said they have bunk beds in each of the bedrooms due to the lack of space and have to turn away 15-20 people a month due to the lack of adequate facilities. Ms. Schaid stated having Safe Passage spread throughout five different buildings isn't ideal and is inefficient for their programs.

Ms. Schaid mentioned the new building will consolidate their services to one location and provide cohesiveness. She stated Safe Passage serves approximately 1,000 people each year, with a budget of 2.5 million dollars and are primarily grant funded by the federal government.

Ms. Schaid advised Safe Passage looked at several different properties to relocate to, but when the former DeKalb Clinic site became available, they immediately purchased it. She noted they sent out an RFP for the project and chose Pappas Development to construct their new building.

Ms. Schaid stated there will be 18 parking spaces on site for clients and Safe Passage has been in contact with the church (St. George Greek Orthodox Church) regarding using their 32-space parking lot across Franklin St. She stated the church does not use their parking lot during the week. She stated Safe Passage’s current facility only has about 12 parking spaces and many of the employees have to park on the street or in the alley. She noted the parking
arrangement at the new facility will be a huge improvement. Ms. Schaid said the new facility will be able to accommodate a maximum of 60 people, which is double of their current facility.

Chair Maxwell questioned if they will be maintaining their old facility or if Safe Passage will be completely move to the new facility. Ms. Schaid advised they will be maintaining the old shelter (transitional housing building) for the time being, but their plan is to sell as many buildings as they can.

Mr. Klein questioned if the parking lot to the south of the subject site was owned by the DeKalb Clinic or the church (St. George Greek Orthodox Church). Mr. Olson advised it was originally owned by the DeKalb Clinic, but is currently owned by the church. Mr. Klein questioned what will happen if the negotiations with the church don’t work out.

Principal Planner Dan Olson went through the staff report dated December 3, 2020. He advised the property is currently zoned “CBD” Central Business District and the petitioner is requesting the property be rezoned to “PD-C” Planned Development Commercial District. He stated Safe Passage is currently located in six buildings along S. 4th St., Prospect St. and S. 5th St. and offers a variety of services and programs for abuse victims.

Mr. Olson advised the new two-story facility will be approximately 42,000 sq. ft. and have 24 separate bedrooms to serve up to 65 individuals. He stated the building will include a full kitchen, administrative offices, therapy and counseling spaces, as well as a variety of other accessory uses.

Mr. Olson stated access to the facility will be provided from the same locations that served the DeKalb Clinic including entrances along South 2nd St., Franklin St., and South 3rd St. He noted the South 2nd Street access will be for deliveries and donation drop offs. He mentioned the new facility will have more green space than the DeKalb Clinic site due to the addition of an outside play area.

Mr. Olson mentioned the church (St. George Greek Orthodox Church) did provide a letter for tonight’s Commission meeting advising they are in negotiations with Safe Passage for the use of their parking lot. He noted in the staff recommendation, a condition was added requiring a parking agreement be finalized prior to occupancy of the new facility.

Mr. Olson said there are 18-parking spaces on subject site for clients and employees. He stated the church across the street will provide 32 parking spaces if approval is granted. He mentioned there is an abundance of public parking in the area including 82 parking spaces in the Vaugh Parking Lot
located to the northwest of the subject site and 3-hour street parking for approximately 20 vehicles along S. 2nd and S. 3rd Streets.

Mr. Olson advised per the UDO the subject site is located in an area of downtown that does not require on-site parking. He added, however, the amount of parking already on site cannot be decreased. He stated DeKalb Clinic had approximately 60 spaces, and Safe Passage is looking for a waiver to bring the amount of parking spaces down to 18. He advised staff recommends approval of the waiver due to the decrease in traffic compared to the DeKalb Clinic, the nearby public parking available, and the pending parking agreement between Safe Passage and the church.

Mr. Olson mentioned an 8” sanitary sewer that runs through the middle of the site will be rerouted to the west and south along S. 2nd St. He stated a funding request will be coming to the City Council on December 28 that will involve an equal contribution from the petitioner, City, and the Kishwaukee Water Reclamation District to cover the cost of the sewer re-location.

Mr. Olson stated the DeKalb Police Department was asked if they had any concerns with Safe Passage’s current and proposed location. He noted the Police Department indicated they did not have any safety concerns with the existing or new location. He mentioned Safe Passage and the Police Department have work together closely in the past and have a good relationship. Mr. Olson added the facility will have enhanced security measures that will include cameras and a fenced area for people entering the shelter.

Mr. Olson advised the DeKalb Clinic site hasn’t been operational in approximately 10 years and the addition of Safe Passage will be a benefit to the community. He noted the rezoning will be complementary to neighboring properties in the area.

Mr. Olson mentioned the City received an email from Corey Gallon, owner of 316 South 2nd Street, indicating he does not support the proposal. Mr. Gallon’s e-mail indicates he supports the cause but does not believe the rezoning will be beneficial to the neighborhood. Mr. Olson advised a second email was received from Chris Cosentino with the Cosentino Law Firm (213 and 217 S. 2nd St.) who indicated support for the proposal but had a concern about the availability of on-street parking in front of their offices.

Mr. Olson said staff recommends approval, which does not include approval of the architectural elevations at this time. He noted the recommendation to approve is subject to the preliminary development plan, Planned Development Standards, and submittal of the Final Development Plan prior to any permits being issued for the site.
Chair Maxwell gave the public an opportunity to speak.

David Hughes, of 305 S. 3rd St., expressed his concern for the parking arrangement. He mentioned with 60 bedrooms and 30-35 employees, there could be over 90 people at the property at any given time, well exceeding the 18 spaces on site and 32 spaces at the church. Mr. Olson clarified there are 24 bedrooms that can accommodate approximately 65 people. Mr. Hughes noted with residents living in the shelter, there will be more overnight parking than the DeKalb Clinic had.

Mr. Hughes questioned information found on the application compared to what was stated earlier. He advised the DeKalb Clinic was not vacant for the past 10 years and he has never seen any homeless people using the building. He mentioned the number of children being housed in the shelter will be a burden to the school district and taxpayers. Chair Maxwell added many of the families that receive assistance from Safe Passage are already DeKalb residents and it should not greatly impact taxpayers.

Ms. Schaid advised most of the children that stay at the shelter are younger than school age. She also noted if children come from the surrounding areas, such as Sycamore, they have the choice of going to school in Sycamore or DeKalb.

Mr. Hughes was concerned the people served by Safe Passage will bring the issues from their communities, including a tax burden and crime. Chair Maxwell clarified that Safe Passage already serves all of DeKalb County and is mostly federally funded. Ms. Schaid reiterated Mr. Maxwell’s statement.

Mr. Hughes questioned if the City of DeKalb’s Crime Free Housing program would apply to Safe Passage as well. Mr. Olson advised it would not, as the Crime Free Housing program is for rental properties and not transitional housing. Mr. Hughes questioned if there were any government regulations that would oversee Safe Passage. Mr. Olson advised Safe Passage would still have to follow all the standard building codes and pass all required building inspections.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. McMahon asked Ms. Schaid to expand on the enhanced security features mentioned previously. She advised their new building will have locked doors with keycard access only and several cameras. She noted Safe Passage has been in communication with the City of DeKalb Police Department to possibly install an alarm system that will directly notify the Department of any
emergency. She added in the six years she’s has worked with Safe Passage, there has never been an issue where the offender of a crime has come on site.

Chair Maxwell questioned if the number of employees onsite is consistent throughout the week. He had concerns if staffing levels on weekends were the same as during the week and the church parking lot being full. Ms. Schaid responded there are very few staff members working during the weekends.

Mr. Klein questioned if Safe Passage has received any complaints in the past from neighbors or citizens regarding their property or practices. Ms. Schaid advised they haven’t received any complaints from neighbors and most probably don’t even know they are there.

Vice Chair Doe inquired if Safe Passage had a back-up plan for parking if the negotiations with the church fall through. Ms. Schaid advised they do not have a back-up plan for parking currently, but she strongly believes the negotiations will be successful. She advised if it does fall through, they are not required to have parking on-site. Vice Chair Doe questioned what happens if the parking agreement falls through. Mr. Olson responded one of the conditions of the approval is for Safe Passage to provide a signed parking agreement with the church before they can occupy the building.

Mr. Becker advised he believes this is a great location for Safe Passage due to nearby transit and other community services in the area. He stated, however, he had concerns with parking even if the agreement with the church goes through. He advised he has been to several funerals at the neighboring church and the parking lot is completely full and even spills out onto the street. He questioned what Safe Passage will do when the church has events or funerals during the week.

John Pappas, representing Pappas Development, advised he is a member of the church and there are approximately 30-40 members. He noted he doesn’t believe there will be more than 1-2 funerals per year and for those days they will have to adjust, but it will not be an issue. He stated he was very confident Safe Passage will come to an agreement with the church and parking won’t be an issue.

Mr. Becker questioned if the church would have priority access to the parking lot. Ms. Schaid advised staff would park off-site if the church needed to use the parking lot.

Mr. Pappas added Safe Passage is trying to be as friendly to the surrounding neighborhood as possible. He noted the development footprint will have 35%
greenspace and stated Safe Passage will adjust what they need to help the community, including parking.

Chair Maxwell advised he received a Citizen Response Form from Mary Lou Hughes of 305 S. 3rd Street. She stated she is against the proposal and had concerns with conflicting statements in the application and the legal notice regarding the number of rooms and beds available. She mentioned her concerns with a drop in property values due to being in proximity to a shelter.

Mr. Wright questioned if the parking spaces at the new facility is approximately the same as the number of spaces they currently have throughout their current facilities. Ms. Schaid advised she doesn’t know how many spaces they have currently but noted they don’t have much traffic coming and going from Safe Passage. She stated if their clients have a car, they will keep those on site and require their employees to park offsite.

Mr. Wright questioned if there was a discussion on whether some of the green space should be used for parking. Ms. Schaid advised they decided to have more greenspace due to the availability of the parking lot across the street.

Ms. O’Flaherty 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 217 Franklin St. from the “CBD” Central Business District to the “PD-C” Planned Development Commercial District and approval of a preliminary development plan as listed in Exhibit A to accommodate an emergency shelter, counseling services, administrative offices, outdoor playground and other accessory uses subject to the standards listed in Exhibit B and subject to staff comments listed in Exhibit C.

Mr. Klein seconded the motion.

A roll call vote was taken. Mr. Klein – Yes, Ms. O’Flaherty – Yes, Mr. Becker – Yes, Mr. Wright - Yes, Mr. McMahon – Yes, Vice Chair Doe – Yes, Chair Maxwell – Yes. Motion Passed 7-0-0.

2. Final Plat of Resubdivision – A petition by Kevin Theisen for approval to resubdivide Lot 3 of Hamrick’s Subdivision into two lots located at 1100 S. 7th Street (Final Plat of Theisen Resubdivision).

Kevin Theisen advised he was the owner of Standard Roofing located at 1100 S. 7th Street. He stated on February 21st, 2020, a fire destroyed his entire business that was located on the subject site and he is unable to rebuild the company from the ground up.
Mr. Theisen stated he plans on taking the current 2-acre lot and divide it into two 1-acre lots. He said he plans on constructing a new building on the southern lot but doesn’t exactly know what it’s use will be. He added he plans on selling or developing the northern lot, depending on any offers or inquiries.

Principal Planner Dan Olson went over the staff report dated December 3, 2020. Mr. Olson advised the intent is to resubdivide the current lot into two lots. He stated the property is zoned Light Industrial and the proposed resubdivision will accommodate future commercial uses. He noted a 20 ft. easement is proposed along the common lot line for utilities and drainage. He mentioned staff is working on a private easement with the owner and the KWRD due to a sanitary sewer line that runs through the northern lot to the prior building.

Chair Maxwell gave Commission members an opportunity to speak.

Ms. O’Flaherty moved that the Planning and Zoning Commission recommend approval of the Final Plat of Theisen Resubdivision dated 12-1-20 prepared by Hanna Surveyors as shown on Exhibit A.

Mr. Klein seconded the motion.

A roll call vote was taken. Mr. Klein – Yes, Ms. O’Flaherty – Yes, Mr. Becker – Yes, Mr. Wright - Yes, Mr. McMahon – Yes, Vice Chair Doe – Yes, Chair Maxwell – Yes. Motion Passed 7-0-0.

2. Final Plat of Subdivision – A petition by DeKalb 343 LLC for approval to subdivide approximately 148 acres of land along Gurler Road for the Ferrara Candy Co. (Final Plat of Subdivision – ChicagoWest Business Center).

Jerry Krusinski, representing DeKalb 343 LLC, advised this is a 3-lot subdivision of the Ferrara campus along Gurler Road. He stated the parcels are divided between the distribution center, the pack center, and a future expansion area for Ferrara.

Principal Planner Dan Olson went over the staff report dated December 3, 2020. He reiterated the three lots would be created to accommodate the distribution center, pack center, and future expansion area. He noted an access easement is proposed along the east end of Lot 2 for the benefit of Lot 3 and a 20-foot public utility easement is planned along Gurler Road. He stated the distribution center and pack center, lots 1 and 2 respectively, are planned for occupancy in early 2021.

Mr. Olson said there will be a separate sanitary easement with the Kishwaukee Water Reclamation District, which is being worked out between the District and
property owner and will be established separately. He noted staff has reviewed the plat and recommends approval.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. Klein moved that the Planning and Zoning Commission recommend approval of the Final Plat of Subdivision for ChicagoWest Business Center dated 11-18-20 prepared by Jacob and Hefner Associates as shown on Exhibit A.

A roll call vote was taken. Mr. Klein – Yes, Ms. O’Flaherty – Yes, Mr. Becker – Yes, Mr. Wright - Yes, Mr. McMahon – Yes, Vice Chair Doe – Yes, Chair Maxwell – Yes. Motion Passed 7-0-0.

F. REPORTS

Mr. Olson advised the December 21 Commission meeting will likely be cancelled. He mentioned the next meeting will be on January 4 and includes a hearing for a parking lot at 1030 E. Locust Street for Nehring Electric.

Mr. Olson stated the City will be updating the Comprehensive Plan in 2021 and the Commission will be involved in the process and providing recommendations.

Mr. Olson finally mentioned that during the City Council Meeting on November 23 the Council approved the special use for the U-Haul on W. Hillcrest Drive.

G. ADJOURNMENT

Mr. Wright motioned to adjourn, Vice Chair Doe seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 7:07 PM.
TO: DeKalb Planning and Zoning Commission
FROM: Dan Olson, Principal Planner
RE: 1030 E. Locust St. – Special Use Permit and Variances for Parking Lot (Nehring Electrical Works Company)

I. GENERAL INFORMATION

A. Purpose To allow a 20-space parking lot for Nehring Electrical Works Company
B. Location/Size 1030 E. Locust St./.2 acres
C. Petitioner Scott Dillon – Nehring Electrical Works Co.
D. Existing Zoning “SFR2” Single-Family Residential District
E. Existing Land Use Vacant
G. Comprehensive Plan Designation Medium Density Residential
II. BACKGROUND AND ANALYSIS

The petitioner, Scott Dillon representing Nehring Electrical Works Company, is requesting a special use permit to establish a 20-space parking lot at 1030 E. Locust St. (SW corner of E. Locust and N. 11th St.). The site is zoned “SFR2” Single-Family Residential District and a special use permit is required for a parking lot as a principal use when located within 300 feet of the use served. Variances are also requested for parking setbacks.

A home previously existed on the subject lot and was demolished in 2012, the same year the petitioner purchased the property. Nehring Electrical Works produces wire and cable products and is located in a total of seven buildings along the north and south sides of E. Locust St. They also have a building north of the Union Pacific tracks. An aerial map is provided in the packet showing the uses for each of the buildings. Nehring needs additional parking as the result of business growth in their operations. They have limited space for the outside storage of electrical wire spools and employee/guest parking.

Nehring is currently using the former parking lot and detention area in front of building #4 (1105 E. Locust St.) to store large steel spools that were previously stored at the corner of N. 7th St. and E. Locust St. Storing the reels in front of building #4 has greatly reduced the need to transport the reels between Nehring’s facilities, which had previously caused issues along E. Locust St. In addition, the storage of the spools to a location less visible to the public is an improvement. Some of the steel spools have also been placed inside their buildings.

The City issued a temporary permit this past summer to Nehring to allow the temporary storage of electric wire spools on the subject lot. The site was graded, aggregate (gravel) was added and a catch basin was installed and was tied into the storm sewer network on N. 11th St. The wire spools were removed from the lot a few months ago. The applicant plans to pave and stripe the lot per the UDO standards and to reserve for employee parking. It will not be used for truck parking or staging, and a condition is recommended in the approval to prohibit larger trucks. Trucks will occasionally need to pull in the access off E. Locust St. and back up into one of the Nehring docks on the north side of the street.

The new 20-space parking lot will help reduce the high use of on-street parking along E. Locust St., which inhibits safe traffic flow. Parking for the most part is restricted to one side of E. Locust St., except for the stretch between N. 8th St. and N. 9th St. where it’s allowed on both sides. Parking is allowed along the both sides of N. 11th St. between E. Lincoln Highway and E. Locust St. Nehring Electrical has about 150 total employees, with 70 on the first shift and 40 on the second and third shifts. There are approximately 45 parking spaces in front of building #3 and about 45-50 on-street spaces along E. Locust St. between N. 8th St. and N. 11th St.

The proposed parking lot will contain 20 parking spaces and will have one-way access from E. Locust St. with vehicles exiting to the alley to the south. The spaces will be on a 45-degree angle and meet the dimensional requirements required in the UDO. The width of the drive aisle will be 17 feet, which exceeds the minimum in the UDO of 12.5 feet. The
additional width is needed allow trucks to occasionally pull in the access off E. Locust St. and back up into one of the Nehring docks on the north side of Locust St. A six-foot high wooden privacy fence will be added along the west lot line meeting the screening requirements in the UDO for a parking lot next to a residential property. There will be no lights in the parking lot, which will make it more compatible with the adjacent residents. A streetlight is located at the southeast corner of N. 11th St. and E. Locust St. and along the east side of N. 11th across from the alley. Additionally, the parking lot will add value to the neighborhood by providing weekend parking for the Kishwaukee Kiwanis Park which lies to the south of the lot.

Variances

In the UDO, parking lots are required to be setback at least 10 feet from adjoining street rights-of-way. The proposed parking lot will be built up to the right-of-way along N. 11th St. and along E. Locust St. A five-foot landscape setback is being maintained along the west property line, which meets the UDO requirement for an interior lot line. A six-foot high wooden privacy fence will be added along the west lot line meeting the screening requirements in the UDO for a parking lot next to a residential property. The petitioner had previous discussions with the property owner to the west (1024 E. Locust St.) and they preferred the fence over landscape screening.

III. STANDARDS OF A SPECIAL USE

1. The proposed special use complies with all provisions of the applicable district regulations.

The proposed parking lot will comply with all regulations of the “SFR2” Single-Family Residential District and the UDO, except for the variances as discussed in the staff report. Conditions attached to the approval will make sure the parking lot is not used for truck or semi parking or staging.

2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.

The proposed special use will not have a detrimental effect on the adjacent properties or land uses. The subject site is directly across the street from Nehring Electrical Work’s large warehouse and storage facilities. There will be a six (6) foot high privacy fence along the west property line to screen the proposed parking lot from the adjacent residence. In addition, staff is recommending a condition be added to the approval to prohibit the parking or staging of trucks and semis on the property.

3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of
neighboring property in accordance with the applicable zoning district regulations.

The special use will be located on a previous vacant lot and will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with manufacturing, warehousing, outside storage and maintenance facilities along E. Locust St. Residential areas are to the west and east and a park lies to the south. There will be a six (6) foot high privacy fence along the west property line to screen the proposed parking lot from the adjacent residence. The new 20-space parking lot will help reduce the high use of on-street parking along E. Locust St., which inhibits safe traffic flow.

4. **Adequate utility, drainage and other such necessary facilities have been or will be provided.**

Drainage will be provided in the parking lot. A catch basin was recently installed and was tied into the storm sewer network on N. 11th St.

5. **The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.**

The proposed special use will not be detrimental to the permitted developments and uses on the site or to the surrounding area. The proposed special use will take up a vacant lot and provide much needed parking for an adjacent manufacturing business. Approval of the special use will allow a long-standing manufacturing business in the City to remain and provide adequate parking for their employees. In addition, staff is recommending a condition with the approval that will prohibit the parking or staging of trucks or semis on the site.

**IV. FINDINGS OF FACT FOR VARIATIONS**

The request has been reviewed using the criteria regarding variances stated in Article 18, Section 18.03.03 of the UDO, titled “Findings of Fact,” as follows:

1. **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of that district.**

A strict application of the setback regulations would prevent the petitioner from improving the subject property with a parking lot that would adequately accommodate their needs. Additional width is needed for the drive aisle off E. Locust St. to allow trucks to occasionally pull in and back up into one of the Nehring docks on the north side of the
2. The extraordinary or exceptional conditions of the property, requiring the request for the variance, were not caused by the applicant.

Nehring Electrical Works has been located along E. Locust St. since 1912 and have added additional property and buildings over the years. The lot for the proposed parking is only 60 feet wide and subdivided in the 1800’s. The 60-foot width will not accommodate the required parking setbacks that meet the UDO and allow a wider drive aisle for occasional semi-truck maneuvering. The exceptional conditions, which created the need for the variance, were not caused by the applicant.

3. The proposed variance will alleviate a peculiar, exceptional, or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.

The width of the subject property does not allow the parking lot to have the 10-foot minimum required setback along N. 11th St or E. Locust St. In addition, the drive aisle will be 17 feet instead of 12.5 feet in order to accommodate the maneuvering of semi-trucks to loading docks on the north side of Locust St.

4. The denial of the proposed variance will deprive the applicant of the use of his/her property in a manner equivalent to the use permitted to be made by the owners of property in the immediate area.

There are no other parking lots that serve as the principal use in the area. All the other lots along the south side of E. Locust St. in the immediate area are also 60 feet wide. Allowing the proposed variances will allow the applicant to accommodate parking for employees that will help reduce the high use of on-street parking along E. Locust St., which inhibits safe traffic flow.

5. The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.

The parking lot will be compatible with the surrounding area. The petitioner has a large electrical wire manufacturing and warehouse facility to the north and west and there are other commercial uses along E. Locust St. In addition, there will be a six-foot high privacy fence along the west side of the parking lot providing screening to the adjacent single-family home.

6. The proposed variation will not impair an adequate supply of light and air to adjacent property; unreasonably increase the congestion in public streets, increase the danger of fire or endanger the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the public health, safety, comfort, morals, or welfare of the street.
inhabitants of the City of DeKalb.

The proposed parking lot will not impair an adequate supply of light and air to adjacent properties. There will be a six (6) foot high privacy fence along the west property line to screen the proposed parking lot from the adjacent residence. In addition, staff is recommending a condition be added to the approval of the associated special use permit to prohibit the parking or staging of trucks and semis on the property. Furthermore, approving the variances will allow an existing long-standing manufacturing business in the City to continue and make their operations more efficient.

V. PUBLIC INPUT

As of the posting of the agenda on December 31, 2020 there have been no comments submitted to the City from the public.

VI. RECOMMENDATION

Since the special use request is a recommendation and the variance is a decision by the Commission, two separate sample motions were prepared.

Special Use Permit

Based on the submitted petition, testimony presented and findings of fact, I move the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a Special Use Permit to allow a parking lot as a principal use when located within 300 feet of the use served for the subject property as shown on the attached parking lot layout plan dated 12-17-20 labeled as Exhibit A, subject to the following conditions:

1. No trucks or semi-trailers five (5) tons or larger shall be parked or staged on the subject property, except for the maneuvering of trucks or semi’s onto the site from E. Locust St. for loading/unloading associated with the principal use located at 1007 E. Locust St. Signage shall be placed on the property indicating the weight restriction per the approval of the City Engineer.

2. The parking lot shall be paved per the standards in the UDO and per Exhibit A within six (6) months after approval of the special use permit.

3. Parking blocks and a six (6) high privacy fence as shown on Exhibit A shall be permitted, installed and inspected prior to any parking on the subject site.

Variance

Based on the submitted petition, testimony presented and findings of fact, I move that the Planning and Zoning Commission approve a variance to Article 12.03(6) of the Unified Development Ordinance to reduce the minimum front yard parking setback from 10 feet
to 0 feet along E. Locust St. and N. 11th St. for the subject property as shown on the parking lot layout plan dated 12-17-20 labeled as Exhibit A.
Use Memo: Nehring Electrical Works plans to use the property located at 1030 E. Locust street as employee parking. It would not be used for truck parking or staging. This should beautify the neighborhood by reducing the high use of on street parking, which restricts traffic flow. The need for additional parking is generally the result of business growth in our operations. It may also be noted that Nehring purchased a parking lot cattycorner from the 1030 E. Locust Lot (Formerly known as the Horizon Building). We are using this former parking lot to store large steel reels that were previously stored at the corner of 7th and Locust. By storing these reels in the former Horizon parking lot, we almost eliminate transporting the reels between our facilities. A 6 foot wooden fence will be added along the west side of the 1030 E. Locust street property separating the parking lot from the adjacent residence. Additionally, the parling lot could add value to the neighborhood by providing weekend parking for the Kishwaukee Kiwanis Park which lies to the south of the lot.
TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): Nehring Electrical Works

   Petitioner's Representative: Scott Dillon

   Mailing Address:

   1005 E Locust St, DeKalb, IL, 60155

   Phone: 815-756-2741

   Email: sdillon@nehringwire.com

Property Owner: ______________________

Mailing Address: Same as Above

Phone: ______________________

Email: ______________________

1. The petitioner hereby petitions the City of DeKalb to approve a Special Use Permit for the following property:

   A. Legal Description and Parcel Number(s) – If necessary, attach the full legal description on a separate piece of paper:

      Parcel ID: 08-23-406-007

      LOT 1 IN BLOCK 26 IN GIBSON’S ADDITION TO THE VILLAGE (NOW CITY) OF DEKALB, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK “A” OF PLATS, PAGE 21, ON MARCH 18, 1856, IN DEKALB COUNTY, ILLINOIS

   B. Street Address or Common Location: 1030 E. Locust St

   C. Size of Property (square feet or acres): .2 Acres

   D. Existing Zoning: SFR2

   E. Proposed Special Use: Parking Lot as principle use when located within 300' of use served

   F. Proposed Use and Description: On a separate document, describe the proposed use’s characteristics. Also, indicate whether or not the proposed use would: a) Prevent development and use of neighboring property; b) impact adjacent existing and future land uses; c) impact adjacent property values; d) impact the general public's health, safety, and welfare; and e) be in conformance with all elements of the "UDO," Unified Development Ordinance
2. The petitioner hereby submits the following information:

☐ Vicinity map of the area proposed for the special use
☐ Petition fee ($500.00)
☐ 3 full size copies and an electronic copy on a disk of a site plan, which must show the following items (per the requirements of Article 14.03.03 of the UDO):
  ☐ Property dimensions
  ☐ Location and use of proposed structures
  ☐ Number and location of parking spaces and loading area
  ☐ Location and type of landscaping (including existing trees 6" in diameter or greater and existing tree masses
  ☐ Location, type, and height of fencing or walls
  ☐ Location and width of driveways and curb cuts; internal traffic patterns
  ☐ Floor area (square footage)
  ☐ Location of exterior lighting
  ☐ Location, type, and height of signage
  ☐ Direction of storm water flow, location of detention area

(Note to Petitioner: A site plan for a special use permit is intended to be a schematic plan only. All plans must eventually conform to other City standards prior to the issuance of any building permits or other permits.)

3. The petitioner hereby states that a pre-application conference ☑ was ☐ was not held with City staff prior to the submittal of this petition.

  *Date of pre-application conference: 11/19/2020
  Those in attendance: Dave Franzene, Dawn Harper, Dan Olsen, Zachary Gill

(Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.)

4. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission’s agenda only if it is completed in full and submitted in advance of established deadlines.

5. The petitioner has read and completed all of the above information and affirms that it is true and correct.

Petitioner Signature

[Signature]

Date

12/8/2020

I hereby affirm that I am the legal owner (or authorized agent or representative of the owner – proof attached) of the subject property and authorize the petitioner to pursue this Special Use Permit petition as described above (petitioner must sign if they are the owner).

Property Owner Signature

[Signature]

Date

12/9/2020

Updated: 9/2019
TO: Planning and Zoning Commission, City of DeKalb, Illinois

FROM: Petitioner Name(s) Nehring Electrical Works
Phone 815-756-2341
Mailing Address 1005 E Locust St
City DeKalb State IL ZIP 60115
Email sdillon@nehringwire.com

Property Owner Name(s) same as above
Phone
Mailing Address same as above
City State ZIP
Email

1. The petitioner hereby petitions the Planning and Zoning Commission to approve a Variance Request for the following property

A. Common Address of Property 1030 E. Locust St
B. Parcel Identification Number (PIN) 08-23-406-007
C. Legal Description – attach additional page(s) if necessary see attached

2. Current Zoning District SFR 2 Current Use Vacant

3. From what portion of the Unified Development Ordinance are you requesting a variance?

Article 12.03 & 12.04 Section 6 Paragraph a
4. The petitioner hereby submits the following:

☐ Variance Fee ($100.00 Residential; $250.00 Non-Residential)

☐ Plat of Survey of the property showing lot lines, location of existing buildings, structures, and other improvements, and a scale drawing of the proposed addition(s) or change(s) requiring the variance

☐ Documentation attached on additional page(s) that supplies the following:

A. Explain the nature of the variance requested and attach a scale drawing of the survey of the property showing lot lines, location of existing buildings, structures and other improvements, and showing the proposed addition or change requiring the variance.

B. Describe in detail how the strict application of the terms of the ordinance relating to the request for a variance imposes practical difficulties or particular hardship while not serving merely as a convenience to the petitioner.

C. Demonstrate the request for a variance will be in harmony with the general purpose and intent of the ordinance by clarifying the request will NOT:

1) Impair an adequate supply of light and air to adjacent property,
2) Unreasonably increase congestion upon public streets,
3) Increase the danger of fire or endanger public safety,
4) Unreasonably diminish or impair established property values within the surrounding area,
5) In any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of DeKalb.

D. Demonstrate that denial of the request for a variance will:

1) Prevent the property in question from yielding a reasonable return if only permitted to be used under the conditions allowed by ordinance,
2) Prove the exceptional conditions were not caused by the applicant,
3) Prove the proposed variance will deprive the applicant the use of the property in a manner equivalent to the use permitted to be made by owners of property in the area,
4) Result in a structure that is inappropriate to and compatible with the character and scale of structures in the area.

*The petitioner hereby states that a pre-application conference (☐ was / ☐ was not) held with City staff prior to the submittal of this petition.

Date of meeting 11/19/2020

Those in attendance Dave Franzese, Dawn Harper, Dan Olsen, Zachary G. H.

*Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.
5. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission’s agenda only if it is completed in full and submitted in advance of established deadlines.

6. The petitioner hereby agrees to abide by the requirements set forth in the Planning and Zoning Commission’s Public Hearing Procedures.

I hereby swear that all statements contained herein, and any plans and papers submitted herewith, are true to the best of my knowledge and belief.

Petitioner Signature

Date

12/9/2020

Property Owner Signature

Date

12/9/2020
LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Monday, January 4, 2021 at 6:00 p.m. in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St., DeKalb, IL, on the petition by Nehring Electrical Works Company represented by Scott Dillon requesting a special use permit for the property located at 1030 E. Locust St. (southwest corner of E. Locust St. and N. 11th St.) to allow a parking lot as a principal use when located within 300 feet of the use served. Variances are also requested for parking setbacks. The subject site has a Parcel Identification Number of 08-23-406-007 and is zoned “SFR2” Single-Family Residential District.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 by 12:00 p.m. on Monday, January 4, 2021, by e-mail to dan.olson@cityofdekalb.com or the Online Public Comment Submission Form at https://www.cityofdekalb.com/FormCenter. Further information regarding the petition is available from the Community Development Department at (815) 748-2070 or on the City of DeKalb’s web page at https://www.cityofdekalb.com/1103/Public-Hearings.

Max Maxwell, Chair

DeKalb Planning and Zoning Commission