AGENDA
Planning and Zoning Commission
February 19, 2020
6:00 PM

A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES

1. February 5, 2020

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

E. NEW BUSINESS

1. Public Hearing – Petition by DeKalb Community School District #428 for a special use permit to allow a private school to locate in the former Chesebro Elementary School located at 900 E. Garden St.

2. Public Hearing – Petition by JLAR LLC, represented by Jim Mason, for a special use permit to allow a drive-through in association with a proposed coffee and ice cream shop to be located at 1406 Sycamore Rd, Suite D.

F. REPORTS

G. ADJOURNMENT
The Planning and Zoning Commission held a Meeting on February 5, 2020, at the City of DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois. Chair Max Maxwell called the meeting to order at 6:00 PM.

A. ROLL CALL

Recording Secretary Aaron Walker called the roll. Planning and Zoning Commission members present were: Chair Max Maxwell, Christina Doe, Steve Becker, Ron Klein, and Jerry Wright. Commissioners Vicki Buckley and Trixy O'Flaherty were absent. Principal Planner Dan Olson was present representing the City.

B. APPOINTMENT OF VICE CHAIR

Chair Maxwell requested recommendations for the position of Vice Chair of the Planning and Zoning Commission. Mr. Klein motioned to appoint Christina Doe to Vice Chair. Mr. Becker seconded the motion. A roll call vote was taken. Mr. Becker – Yes, Mr. Klein – Yes, Mr. Wright – Yes, Chair Maxwell – Yes. Ms. Doe – Abstain. Motion passed 4-0-2, with one abstention. Ms. Buckley and Ms. O'Flaherty were absent.

C. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the February 5, 2020, agenda as presented. Ms. Doe motioned to approve the agenda as presented. Mr. Klein seconded the motion, and the motion was approved by unanimous voice vote.

D. APPROVAL OF MINUTES

1. December 4, 2019 – Chair Maxwell requested a motion to approve the December 4, 2019 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.

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

None

F. NEW BUSINESS
1. **Public Hearing** – Petition by Verizon Wireless, represented by Dolan Realty Advisors LLC, for a special use permit to co-locate an antenna onto the existing AT&T tower located at 1500 S. 7th St. and construct associated equipment.

Doug Dolan with Dolan Realty Advisors, on behalf of Verizon Wireless, stated they are requesting approval of a special use permit in order to install cell antennas on the existing 300-foot-tall AT&T tower located at 1500 S. 7th St. He advised there will be a total of six antennas, with the ability to add three additional antennas. The antennas will be installed 125 feet up the AT&T tower, which is approximately 300 feet tall. Mr. Dolan advised the new antennas would increase cell service and data speeds in the area.

Mr. Dolan stated Verizon Wireless had past issues with the AT&T tower because it could not support the proposed Verizon equipment. He advised Verizon Wireless discovered several unused horn antennas located at the top of the tower which, when removed, would allow for the installation of the proposed antennas.

Mr. Dolan advised a new building pad and associated equipment would be installed at the base of the tower as well. The equipment will be properly screened with a 7ft chain-link fence and landscaping, which will be compliant with the City’s Unified Development Ordinance (UDO). He added the landscaping will include 6ft evergreen shrubs, which will screen the equipment area.

Principal Planner Dan Olson went through the staff report dated January 31, 2020. He advised Verizon Wireless has been looking to locate cell antennas in the area since 2014. He stated in 2014 Verizon Wireless had originally petitioned to build a 140-foot-tall cell tower on the property directly north at 1300 S. 7th St., however the petition was eventually withdrawn by the applicant due to opposition from neighboring residents. Mr. Olson added there was also direction given to Verizon to investigate the opportunity to co-locate on the adjacent AT&T tower.

Mr. Olson advised in July, 2015, Verizon Wireless submitted a special use permit application to co-locate antennas on the AT&T tower and was subsequently approved by the City Council on September 28, 2015. He noted the applicant received a permit in February, 2016 to construct the antennas and supporting equipment, however no work was conducted on the project after issuance of the permit. He continued by stating in 2017, Central States Tower II LLC, acting on behalf of Verizon Wireless, submitted a petition for approval of a special use permit to construct a 140-foot-tall cellular communications tower on the property to the north located at 1300 S. 7th St. Mr. Olson advised the petition was denied by the City Council due to opposition by neighboring residents. Mr. Olson also said Central States Tower indicated Verizon did not
go forward with the construction of the antennas on the AT&T Tower because of the costs AT&T was charging to Verizon to install the necessary equipment. Mr. Olson mentioned the current applicant has stated Verizon and AT&T have worked together to reduce the costs of the proposed co-location. He noted the existing four large horn antennas on top of the AT&T Tower will be removed as part of the work as they are no longer needed by AT&T. He stated this will also reduce the modification cost to install the needed equipment on the tower. Mr. Olson added Verizon will be installing less weighted equipment and proposing the installation of a new concrete pad instead of cutting the existing foundation and replacing asphalt, which is more expensive.

Mr. Olson advised the proposed cell antennas would comply with all the regulations of the “LI” Light Industrial District and the UDO. He stated co-locating on the existing AT&T tower will have minimal impact on the profile of the structure and would not extend past the current height of tower. Mr. Olson advised the proposed ground equipment will be approximately 275 feet from the nearest residentially zoned property.

Mr. Olson noted two citizen responses were received by email. He stated Katie and David Poole of 630 Karen Ave indicated their support of the project. He also advised Scott Cole of Cole Pallet Services located at 1600 S. 7th St. mentioned he had no objection to the special use request.

Chair Maxwell then invited attendees in the audience to speak.

Toni Moon, of 1503 S. 7th St, questioned if there were any health and noise issues related to the antennas. She stated she was worried if the tower fell over, it would hit her home. Mr. Dolan advised the proposed antennas will be in compliance with all FCC and FAA regulations and it has been proven they do not pose a health risk. Mr. Dolan stated the associated equipment (generator) will be no louder than a standard air conditioner when active.

David Lehman, of 621 Karen Ave, stated he was involved when Dolan Realty first proposed the antennas in 2014. He advised he was happy the co-location was being pursued. He noted he was concerned the ground equipment area for Verizon would be too close to the residential properties and was hoping it could be moved further to the east. Mr. Dolan advised the equipment area would be screened off by landscaping and wouldn’t be visible from the street (S. 7th St.). Mr. Olson added the proposed Verizon equipment area would be no closer to the residential area than the existing AT&T tower and AT&T’s associated equipment building. Mr. Lehman inquired on the timeline for the project. Mr. Dolan advised it is up to Verizon Wireless and several federal and local government reviews are still needed, however they are looking at completion in 2020 or 2021.

Chair Maxwell gave the Commission members the opportunity to speak.
Ms. Doe noted she was in favor of the request and Mr. Klein stated he had no questions. Mr. Wright questioned what the old horn antennas were used for. Mr. Dolan advised they were used for microwave transmissions but have been obsolete for years. Mr. Wright inquired if the co-location would provide the same wireless service as the previous plan to construct a new tower. Mr. Dolan stated it would provide the same services, however at a much cheaper price.

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

Mr. Klein moved that the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a special use permit for a cellular antennas on the AT&T Tower located at 1500 S. 7th St. per the plans dated 12-10-19 and attached as Exhibit A to the staff report and subject to any staff comments being addressed prior to issuance of a building permit. Mr. Wright seconded the motion.

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

G. REPORTS

Mr. Olson welcomed the new Chair Max Maxwell and noted the appointment of Trixy O‘Flaherty to the Commission. He said Trixy is the owner of Gordon Hardware and had previously served on the City’s Economic Development Commission. He advised the Commission of activities of the City Council including an upcoming discussion regarding changes to the sign ordinance and the approval of a one-year extension for the zoning to accommodate a solar farm to be located along the north side of Gurler Road, just east of S. 1st St.

Mr. Olson advised of the two public hearings scheduled for February 19th, including a petition for a therapeutic day school to be located at 900 E. Garden St and a petition for a drive-through coffee/ice cream shop for 1406 Sycamore Rd. Mr. Olson also noted plans were recently received for a Raising Cane’s Chicken Fingers Restaurant to be located on the Applebee’s lot along Sycamore Road with a public hearing to be scheduled in March.

H. ADJOURNMENT

Ms. Doe motioned to adjourned, Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission adjourned at 6:37PM.
TO: DeKalb Planning and Zoning Commission

FROM: Dan Olson, Principal Planner

RE: Approval of a special use permit to allow a private therapeutic day school to locate in the former Chesebro Elementary School located at 900 E. Garden St.

I. GENERAL INFORMATION

A. Purpose Establishment of a private therapeutic day school in the former Chesebro Elementary School

B. Location/Size 900 E. Garden St./4 acres

C. Petitioner DeKalb Community School District #428

D. Existing Zoning TFR - Two Family Residential District

E. Existing Land Use Vacant elementary school with some storage use

F. Proposed Land Use Private therapeutic day school with associated school district uses

G. Surrounding Zoning and Land Use
   North: SFR2; single-family residential
   South: LI; single-family residential
   East: TFR and SFR2; park and single-family residential
   West: TFR and SFR2; two-family residential, single-family residential

H. Comprehensive Plan Designation Institutional
I. BACKGROUND AND ANALYSIS

DeKalb School District #428 is requesting to locate a therapeutic day school in the former Chesebro Elementary School at 900 E. Garden St. The school district will lease the building to The Menta Group, which is a non-profit social service organization that serves students with special needs that require varying levels of therapeutic support. The organization’s therapeutic programs focus on the whole person by integrating academic, social, life skills and transition services. The Menta Group has operated in Illinois for over forty years and operates 15 other facilities in Illinois and eight facilities in Arizona. The school district reached out to The Menta Group to open a school in the DeKalb area for children with disabilities. The school district currently has 36 students in The Menta Group’s Aurora facility. The location of therapeutic day school in the former Chesebro School would allow the school district to have their students closer to home.

Chesebro School was constructed in 1974 and received a special use permit from the City in 2003 for an addition at the southeast portion of the building. The former school has been closed since 2011 and has been used for storage purposes by the district since then. The Menta Group will occupy approximately 80% of the building, with the remaining space being occupied for storage, a couple school district administrative offices and the Barb Food Mart. Renovations are planned for the building, which will include a new roof and interior improvements to get it prepared for the therapeutic programs. The cost of the work will be shared between the school district and The Menta Group. Planned exterior improvements include restriping the parking lot, resurfacing the sidewalks around the building and repairing or replacing parking lot signage.

The programs by The Menta Group will serve approximately 60-80 students in the facility in grades K-12 with a variety of disabilities including: autism, emotional disabilities, intellectual disabilities, traumatic brain injury, specific learning disabilities, and other health impairments. There will be about 25 Menta staff members in the building during operating hours. Operating hours will be Monday-Friday 8:30 am to 2:00 pm for students and 8:00 am to 3:30 pm for staff during the months of September through June. For the summer months, June-August, the hours will be 8:00 am to 12:00 pm for the students and 8:00 am to 3:30 pm for staff. There may be some occasional after-hours activities, however they should not last past 8:00 pm. The therapeutic programs by The Menta Group are anticipated to start by January 2021.

III. STANDARDS OF A SPECIAL USE

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

The proposed private therapeutic day school will comply with all the regulations of the “TFR” Two-Family Residential District and the Unified Development Ordinance. There are no expansion plans for the building and exterior improvements will include restriping the parking lot, resurfacing
the sidewalks around the building and repairing or replacing the parking lot signage all in compliance with the underlying zoning district and the Unified Development Ordinance.

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 proposed private school will operate in the existing building on the site and there will be no addition to the school with minimal exterior improvements. The proposed special use will have minimal impact on the appearance and past use of the facility.

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 not dominate the immediate area and will not prevent development on the neighboring properties. Much of the surrounding area is already developed with mostly single-family uses, some two-family dwelling units to the west and a park to the east.

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

The appropriate utilities are already provided to the school. There is adequate parking to the south of the building with a full access to E. Taylor St. Planned exterior improvements include restriping of the parking lot, resurfacing the sidewalks around the building and repairing or replacing parking lot signage.

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 in the area and can be operated in a manner that is visually compatible with the surrounding neighborhood. The proposed private therapeutic school will provide a needed service to the educational needs of the community and will promote the public health, safety and general welfare of the City.
IV. CITIZEN RESPONSE/COMMENTS

The City received a Citizens Response Form from Robert Cook of 953 E. Taylor St. indicating his support for the proposal but wanted to see more specifics. Staff contacted Mr. Cook who had questions on the number of students, type of disabilities the students will have and the hours of operation. Staff responded to his questions based upon the summary of the project the school district provided and Mr. Cook seemed satisfied. We also received a Citizens Response Form from Jose Juan Huerta of 802 Roosevelt Ct. indicating his support for the proposal. Finally, we received an e-mail from Cathy Tiberi of 525 S. 10th St. who noted her support for the request, however had a concern about the amount of trash that was in her yard when Chesebro School was open. The message was forwarded to the school district and they indicated there will be a trash dumpster near the southwest corner of the building which will be screened with a fence per the UDO standards.

Copies of the forms and e-mails are in your packet and will be made part of the record at the hearing.

V. RECOMMENDATION

Sample Special Use Permit Motion:

Based upon the submitted petition and testimony presented, I move the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a special use permit for a private therapeutic day school in the former Chesebro Elementary School located at 900 E. Garden St. as shown on the site plan received on January 29, 2020 attached as Exhibit A subject to the following conditions:

1. The school district restripe the parking lot, resurface the sidewalks around the building and repair or replace the parking lot signage all in compliance with the Unified Development Ordinance prior to an occupancy permit being issued for the private therapeutic day school.

2. The placement of a trash/recycling dumpster on the site and permanently screened per the provisions of Article 7.11 “Screening of Rubbish, Garbage and Dumpster Facilities” of the Unified Development Ordinance prior to an occupancy permit being issued for the private therapeutic day school.
TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): DeKalb CUSD 428
Petitioner's Representative: Tammy Carson
Mailing Address: 901 S. 4th Street; DeKalb, IL 60115
Phone: 815.754.2350
Email: tammy.carson@d428.org

Property Owner: DeKalb CUSD 428
Mailing Address: 901 S. 4th Street; DeKalb, IL 60115
Phone: 815.754.2350
Email: tammy.carson@d428.org

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 #08-23-385-012 - E. 1/2 S. W. 1/4 SEC. 23 T.40N. R.4E.
   Assessors Lots of Sec 23 - Lot 14 and PT Lot 16

B. Street Address or Common Location: 900 E. Garden Street; DeKalb, IL 60115
C. Size of Property (square feet or acres): 27,000 square foot building on 3.08 acres
D. Existing Zoning: TFR Two-Family Residential
E. Proposed Special Use: Public School Building Leased to Private Therapeutic Day School
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

Updated: 9/2019
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: 1/24/2020 (by email)
Those in attendance: Dan Olson, Bill Nicklas, and Tammy Carson

(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.

[Signature]
[Date: 1-29-2020]

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).

[Signature]
[Date: 1-29-2020]

Updated: 9/2019
OVERVIEW

Special Education Services (SES), an affiliate of The Menta Group, is a nonprofit social service organization. It was established in 1973 to provide therapeutic services to meet the unique needs of children with disabilities. SES has operated in Illinois for over forty years, serving the communities in which we reside. Our commitment to the communities we serve is that every client receives graduates prepared to enter society with the skills and knowledge to be contributing members of society. We believe that it is every child’s right and responsibility to be a part of a community and contribute to that community in meaningful ways. Everyone with a disability has the right to have caring adults in their lives who hold high expectations for their success and their futures as well as access to quality resources. We further believe that education is not only about academic growth but also the social and emotional growth of our clients. Our therapeutic programs focus on the whole person by integrating academic, social-emotional, life skills, and transition services. SES also believes that preparing clients for a changing world requires an unrelenting focus on developing the skills necessary for young adults to be college-ready, career-ready, and citizenship-ready, on serving clients in the least restrictive setting, and on providing the services necessary to help clients successfully transition to independent adults, thus assuring that the last day of service looks like the first day of the rest of their lives. For this reason, we strive to collaborate with the communities in which we serve and provide services to the communities in which our children live. By joining together, we are better able to broaden the quantity and quality of services provided and to increase the probability for both child and community success. (Current locations attached.)

BUILDING UTILIZATION

We were requested by the DeKalb CUSD 428 to open a school in the DeKalb area for children with significant disabilities. Some of these students from the DeKalb County area are currently being bused to schools up to 40 miles away given the lack of resources in the area. This would allow the districts to bring the children closer to home. Our long term goals are to be able to set the children up in jobs with the natural supports found in their communities with supports made available from these resources. SES plans to operate a 14-7.02 non-public therapeutic day facility for individuals with disabilities.

- The program will serve approximately 60-80 children grades K-12 with a variety of disabilities including: Autism, Emotional Disabilities, Intellectual Disabilities, Traumatic Brain Injury, Specific Learning Disabilities, Other Health Impairments and Multiple Disabilities.

- Operating hours: Sept-June Monday-Friday: Staff: 8:00 am-3:30 pm. Students 8:30-2:00. ESY hours June-Aug. Staff 8:00 am-3:30 pm. Students 8:00 am-12:00. Approximately eight times per year, activities may occur on the site after regular operating hours but typically no later than 8:00 pm.
## CURRENT LOCATIONS

### Illinois

- CORE Academy
- Fox Tech & Trade
- Menta Academy Oak Park
- Menta Sports Academy
- Menta Academy Northwest
- Menta Academy North
- Menta Academy Hillside
- Menta Academy Chicago West
- Menta Academy Chicago South
- Menta Academy Midway
- Country Club Hills Tech & Trade
- Thompson Instructional Center
- Cornerstone Academy
- Taylorville Cornerstone Academy
- Menta Academy Belleville

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### Arizona

- Southwest Academy
- Southwest Education Center
- Menta Academy Yuma
- Apache Junction School District
- Compadre H.S.
- McClintock H.S.
- Verde Valley
- HarborView Academy

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900 E. Garden St.-- Special Use Permit
Citizen Response Form

Owners Name: Robert Cook

Property Address: 953 E. Taylor St., DeKalb

Basic Input:

☐ I support the proposal.
☒ I support the proposal in general but would like to see specifics before I decide.
☐ I do not support the proposal.

Written Comments:

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Cathy,

Thanks for your e-mail. I will forward this to the school district and will make sure there is adequate garbage and recycling bins for the facility and adequately screened. A copy of your e-mail will also be forwarded to the Planning and Zoning Commission.

If you have any further questions or comments, please let me know.

Dan Olson | Principal Planner
City of DeKalb | 200 South Fourth Street | DeKalb, IL 60115
Phone: 815-748-2361
Email: dan.olson@cityofdekalb.com | Website: www.cityofdekalb.com

-----Original Message-----
From: Cathy < >
Sent: Sunday, February 09, 2020 5:08 PM
To: Olson, Dan <Dan.Olson@CITYOFDEKALB.com>
Subject: Public hearing 1103

[NOTICE: This message originated outside of the City Of DeKalb mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello
I am submitting feedback regarding the new proposal for a private school on Garden st. Both my husband and I are in favor of the rezoning for the new school. Our main concern is how much trash was in our yard from the previous school. If more trash and recycle bins could be located outside of the school, this might help curb that from starting again. Or some natural barrier, like bushes?
Thank you for taking the time to consider our concerns.
Catherine Tiberi
525 S 10th St
Sent from my iPad
900 E. Garden St.– Special Use Permit
Citizen Response Form

Owners Name: José Juan Huerta

Property Address: 802 Roosevelt CT, Dekalb, IL 60115

Basic Input:

☑️ I support the proposal.
☐ I support the proposal in general but would like to see specifics before I decide.
☐ I do not support the proposal.

Written Comments:

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COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
February 14, 2020

TO: DeKalb Planning and Zoning Commission
FROM: Dan Olson, Principal Planner
RE: Special Use Permit for a drive-through -1406 Sycamore Road (JLAR Illinois, LLC)

I. GENERAL INFORMATION

A. Purpose Approval of a special use permit for a drive-through associated with a coffee and ice cream shop

B. Location/Size 1406 Sycamore Road, Suite D/4.5 acres

C. Petitioner JLAR Illinois, LLC, represented by James Mason

D. Existing Zoning “GC” General Commercial District

E. Existing Land Use Vacant commercial tenant space

F. Proposed Land Use Coffee and ice cream shop with drive-through

G. Surrounding Zoning and Land Use
   North: GC; various commercial uses
   South: GC; various commercial uses
   East: GC; various commercial uses
   West: GC and SFR2; various commercial uses, park

H. Comprehensive Plan Designation Commercial
II. BACKGROUND AND ANALYSIS

The applicant is proposing to establish a drive-through for an ice cream and coffee shop along the east side of a four-tenant building located at 1406 Sycamore Road. The proposed ice cream and coffee shop will be located in Suite D, which is 2,170 sq. ft. and previously contained a dentist office (Dr. Kloberdanz). The subject site is zoned “GC” General Commercial District and any drive-through requires the approval of a special use permit. The other tenants in the building include Ruby’s Asian Market (Suite C), CJ’s Gaming, (Suite B) and a future restaurant (Los Panchos Eggsperience Café) in Suite A. The operator of the proposed ice cream and coffee shop, Francisco and Lesly Morales, will also be operating the new Eggsperience Café in Suite A. Francisco and Lesly also operate Los Panchos Mexican Restaurant in Sycamore.

Customers of the ice cream and coffee shop drive-through will enter from the south. The menu board for the drive-through will be located just off the southeast corner of the building and two drive-through windows will be added to the east side of the building. There are currently three parallel parking spaces and one regular parking space that will have to be removed to accommodate the new drive-through lane. Landscaping along the east side of the building will need to be removed as well as modifications to the existing steps next to the building and a portion of the walkway in front of the building.

The Unified Development Ordinance (UDO) requires five (5) stacking spaces for drive-throughs. The proposed drive-through will accommodate five (5) stacking spaces without interfering with the traffic flow or parking for the shopping center. The staff has worked with the applicant on making changes to the site plan to modify the traffic flow in order to accommodate the drive-through. The applicant is revising the site plan to show those changes and will be presented at the Commission meeting on Wednesday. A rough marked-up plan is provided in the packet showing the changes that will be made to the plan. The drive along the east side of the building where the drive-through will be located will be made a one-way (northbound from Oakwood Ave.) and the drive-through lane will be striped to better designate its location. Motorist coming from the north in the existing parking lot will be required to go the east and then south along the west side of the Secretary of State’s Office to exist the site. The drive to the west of the Secretary of State’s Office will be made one-way going south to Oakwood Ave. Angle parking already exist to the west of the Secretary of State’s Office so the re-configuration will match the current conditions. The far eastern access along Oakwood Ave. to the Secretary of State’s Offices will be made one-way going into the site. Directional signage will be added to direct motorist to the drive-through and throughout the parking lot and access drives.

With special use permits the City can adopt conditions and we typically also look for improvements that can be made to bring the property into further compliance with the UDO. It should be noted with the special use permit approved for the adjacent indoor golf facility (1500 Sycamore Road) in 2019, the applicant fully screened the existing trash dumpster to the east of the cash store and installed landscaping along the Sycamore Road frontage.
The subject site and building are mostly surrounded by commercial uses including a restaurant, a video gaming establishment, cash store, retail uses, business/medical offices and the IL Secretary of State’s and Dept. of Human Services Office. Single-family residential uses lie to the east of the site and a small multi-family development is to the northeast of the property. The nearest residential use to the proposed drive-through is approximately 300 feet away. There are a total 189 parking spaces provided in the lots in the shopping center and parking is shared between the various parcels with some reserved spaces. Cross easements for ingress and egress and easements for parking exist on the site. There are approximately 166 parking spaces required based upon the parking formulas in the UDO for the various uses.

III. STANDARDS OF A SPECIAL USE

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

The proposed drive-through will comply with all regulations of the “GC” General Commercial District and the Unified Development Ordinance (UDO). Vehicle stacking is provided for the drive-through and adequate parking is already provided on the site per the UDO requirements. Pavement markings and directional signage will be added to make sure the drive-through operates appropriately and safely for the customers of the coffee and ice cream shop and other motorists.

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 site has been zoned commercial for decades and the commercial tenant space where the proposed special use will locate has existed for several decades also. The proposed drive-through will operate in a manner that is not detrimental to the surrounding neighborhood. The subject site is in proximity to a variety of other commercial uses including a restaurant, video gaming establishment, cash store, retail uses, business/medical offices and offices for the State of Illinois. The nearest residential use to the proposed special use is approximately 300 feet away.

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 granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The surrounding area is already developed with a variety of commercial uses and some residential uses to the east of the site. The proposed drive-through will operate in a manner that is not detrimental to the surrounding neighborhood.
4. Adequate utility, drainage and other such necessary facilities have been or will be provided.

Adequate public services are already provided to the subject site. Pavement markings and directional signage will be added to make sure the drive-through operates appropriately and safely for the customers of the coffee and ice cream shop and other motorists.

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 previous tenant space previously contained a medical office. The proposed special use will take up a vacant commercial tenant space along Sycamore Road and will be an economic benefit to the corridor. Pavement markings and directional signage will be added to make sure the drive-through operates appropriately and safely for the customers of the coffee and ice cream shop and other motorists.

IV. CITIZEN RESPONSE/COMMENTS

We received a Citizen Response Form and follow up e-mail from Sean Niklas of Saren Restaurants representing JD Wesley, Inc, which own the adjacent Wendy’s Restaurant along Sycamore Road. Mr. Niklas noted they have no objections to the proposal after reviewing the plans for the drive-through.

V. RECOMMENDATION

The applicant is revising the site plan based upon the discussions with staff and will be provided to the Commission at Wednesday’s meeting. A sample motion has been prepared recommending approval.

Sample Motion:

Based upon the submitted petition and testimony presented, I move that the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a Special Use Permit for a drive-through for a coffee and ice cream shop located at 1406 Sycamore Road, Suite D per the site plan dated _______ and labeled as Exhibit A.
VIEW FROM OAKWOOD AVE. LOOKING NORTH TO PROPOSED DRIVE-THROUGH
View from south of proposed drive-through area
View of drive-through area looking south
VIEW FROM OAKWOOD AVE. LOOKING NORTH NEXT TO SECRETARY OF STATE OFFICES
SPECIAL USE PERMIT PETITION

TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): James Mason  Telephone: (815) 756-1198
Petitioner’s Representative:  Cell: (815) 901-4309
Mailing Address:  120 N Annie Glidden Rd  Email: whittingsa@masonproperties.com
DeKalb, IL 60115

Property Owner: JIAR, LLC  Telephone: (815) 756-1198
Mailing Address:  120 N Annie Glidden Rd  Cell: (815) 751-8849
DeKalb, IL 60115  Email: whittingsa@masonproperties.com

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 # 0814427020
See attached

B. Street Address or Common Location: 1406 Sycamore Rd. Suite D

C. Size (square feet or acres): 2170 square ft

D. Existing Zoning District: General Commercial

E. Proposed Special Use: Drive through window

F. Proposed Use and Description: On a separate piece of paper, describe the proposed use’s characteristics such as operating hours, number of employees, capacity of facility, etc. Also, indicate whether or not the proposed use would: a) be in conformance with City’s Comprehensive Plan and how the proposed use may; 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) in conformance with all elements of the “UDO,” Unified Development Ordinance.

Updated: March 2017
2. The petitioner hereby submits the following information:
   - Vicinity map of the area proposed for the special use
   - List of current owner and mailing addresses of all property within 250 feet (exclusive of right-of-way) of the property proposed to be rezoned
   - Petition fee ($500.00)
   - 6 full size copies and an electronic copy on a disk of a site plan, which must show the following items:
     - Property dimensions
     - Location and use of proposed structure
     - Number and location of parking spaces and loading area
     - Location and type of landscaping (including existing trees 6\(^\text{th}\) 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 \(\square\) was \(\square\) was not held with City staff prior to the submittal of this petition.

   *Date of pre-application conference: January 8, 2020 @ 2 PM*
   *Those in attendance: Dan Olson, Jim Mason, Sarah Whiting*

   *(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.
6. Petitioner/property owner(s) hereby give the City of DeKalb permission to post a public notice sign(s) on the subject property.

[Signature]

[Signature]

Date

Date

Subscribed and sworn to before me
this 27 day of January, 2020.

[Signature]

Notary Public Signature

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 s/he is the owner).

[Signature]

Date

Date

Subscribed and sworn to before me
this 27 day of January, 2020.

[Signature]

Notary Public Signature

Updated: March 2017
Proposed Use and Description

The proposed use of the property located at 1406 Sycamore Rd. in DeKalb Illinois is an Ice Cream and Coffee Shop. We are proposing a drive through window at this location in Suite D. The proposed drive through window will not impact adjacent property values or impact the general public’s health, safety, and welfare. We are also proposing some traffic flow and signage changes within the parking lot of the property to support the drive through traffic flow.
1406 Sycamore Road – Special Use Permit
Citizen Response Form

Owners Name:  JD Wesley, Inc.

Property Address:  1321 Sycamore Rd, DeKalb

Basic Input:

☐ I support the proposal.
☒ I support the proposal in general but would like to see specifics before I decide.
☐ I do not support the proposal.

Written Comments:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
Thank you, Dan, for the additional information. I have no objections.

Sincerely,

Sean Niklas
President
Saren Restaurants, Inc.

Chase perfection...capture excellence.

On Feb 3, 2020, 3:05 PM -0600, Olson, Dan <Dan.Olson@CITYOFDEKALB.com>, wrote:

Sean,

Thanks for the response. I have provided a link below to our website that shows the proposed drive-thru location and description of the use. If you have any further questions, let me know.

https://www.cityofdekalb.com/DocumentCenter/View/10717/1406-Sycamore-Road---SUP---Supporting-Docs---PH-Page-Website

Dan Olson | Principal Planner
City of DeKalb | 200 South Fourth Street | DeKalb, IL 60115
Phone: 815-748-2361
Email: dan.olson@cityofdekalb.com | Website: www.cityofdekalb.com
From: Sean Niklas
Sent: Monday, February 03, 2020 9:38 AM
To: Olson, Dan <Dan.Olson@CITYOFDEKALB.com>
Subject: 1406 Sycamore Rd. Special Use Permit

[NOTICE: This message originated outside of the City Of DeKalb mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dan,

Please see attached.

Sincerely,

Sean Niklas
President
Saren Restaurants, Inc.
a: 4221 Ed Urban Dr. Peru, IL 61354
w: www.sareninc.com e: [redacted]

Chase perfection...capture excellence.

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