



**DEKALB CITY COUNCIL AGENDA
REGULAR MEETING
MARCH 11, 2024
6:00 P.M.**

DeKalb Public Library
Yusunas Meeting Room
309 Oak Street
DeKalb, Illinois 60115

Pursuant to Chapter 2 “City Council”, Section 2.04 “Council Meetings”, persons wishing to address the City Council during this meeting are required to register with the Recording Secretary by filling out and submitting a Speaker Request form, copies of which are located on the table just outside the meeting room, along with copies of the agenda. Comments will be limited to three (3) minutes. Further information for addressing the City Council can be found on the Speaker Request form.

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PRESENTATIONS

1. [Proclamation: Honoring Voluntary Action Center \(VAC\) on its 50th Anniversary.](#)
2. [Proclamation: Transit Driver Appreciation Day – March 18, 2024.](#)

E. PUBLIC PARTICIPATION

F. APPOINTMENTS

None.

G. CONSENT AGENDA

1. [Minutes of the Regular City Council Meeting of February 26, 2024.](#)
2. [Accounts Payable and Payroll through March 11, 2024, in the Amount of \\$1,271,518.75.](#)
3. [Investment and Bank Balance Summary through January 2024.](#)
4. [Year-to-Date Revenues and Expenditures through January 2024.](#)
5. [Crime Free Housing Bureau Report – February 2024.](#)

H. PUBLIC HEARINGS

1. **Public Hearing: Substantial Amendment to the 2020-2024 CDBG Consolidated Action Plan and 2024 CDBG Annual Action Plan.** [\(click here for Public Notice\)](#)

City Manager’s Summary: On November 27, 2023, the Council unanimously approved Resolution 2023-111 allocating \$125,000 from the FY2024 Community Development Block Grant (CDBG) budget in support of Opportunity DeKalb’s “Project Launchpad.” The project

will enable Opportunity DeKalb to staff a storefront or other location in the AGN neighborhood, and also provide modest means to implement a “community business academy” following the Rising Tide Capital model, that includes a 12-week course teaching aspiring entrepreneurs essential fundamentals such as budgeting, marketing, bookkeeping, and finance.

The Council’s action required concurrence from the federal Department of Housing and Urban Development (HUD) which administers the federal CDBG program. Before HUD will concur in the City Council’s award, the City must submit amendments to its annual CDBG Action Plan and the five-year, 2020-2024 CDBG Consolidated Plan. As part of the HUD approval process, the City must also hold a public hearing and appropriately distribute the plan amendments according to its Citizen Participation Plan. More information concerning this process is available in the background prepared by Community Services Coordinator Jennifer Yochem, who has been working with HUD on this project since early December.

The specific changes that require public notice and a 30-day comment period involve a combined re-allocation of more than \$100,000 and are described below:

- A re-allocation of CDBG-CV funds from the CV Public Facilities/Infrastructure Street Improvements (Program Years/Action Plans 2020-2024) for \$125,000 to Economic Development for Opportunity DeKalb’s Project Launchpad and its mission to create a network of spaces where urban and rural meet to lift lives and communities through entrepreneurship and employment. The project being proposed will provide residents of northwest DeKalb’s Annie Glidden North neighborhood, the City of DeKalb, DeKalb County, and beyond with training in the principles and practice of entrepreneurship. Specifically, this training will prepare individuals, including minorities, women, individuals with a disability, dislocated workers, veterans, and youth entrepreneurs to pursue self-employment or a business enterprise opportunity.
- A re-allocation of CDBG-CV funds from the CV Public Facilities/Infrastructure Street Improvements (Program Years/Action Plans 2020-2024) for \$63,730 to Public Facilities for the street improvements needed in the southeastern quadrant of the City of DeKalb. This neighborhood is primarily made up of low to moderate-income families.

I. CONSIDERATIONS

None.

J. RESOLUTIONS

- 1. Resolution 2024-027 Authorizing a Fund 400 Architectural Improvement Program (AIP) Economic Incentive for the Property at 818 W. Lincoln Highway (Next Generation Development, LLC/Junction Shopping Center).**

City Manager’s Summary: The City Council has supported Next Generation Development LLC since April 21, 2020, when the firm – then doing business as NuMed Partners – was issued a special use permit to create an adult use and medical dispensary in the Junction Shopping Center. At that time, the special use permit required the applicant to obtain a state-issued cannabis license within one year. Due to a court stay on the issuance of new state licenses, an amendment extending the time limit for a state license for a second year was granted by the Council on April 12, 2021. On May 27, 2022, the Cook County Circuit Court lifted the stay, allowing the state to begin licensing new cannabis businesses, but it was by no means certain when state officials could establish lotteries to give all of the 185 claimants a fair chance to acquire a “corrective” license.

On June 13, 2022, the Council approved another amendment extending the time limit for a state license until July 1, 2023, in view of the lack of a state decision concerning NuMed's license application. A conditional state license was issued to a partnership between NuMed and a social equity applicant doing business as KAP JG LLC on July 22, 2022. In September 2023, NuMed and KAP JG LLC agreed to work together on the DeKalb site. At that time, the company began work with an architect and eventually solicited bids to begin the extensive remodeling to be completed in their rental space at 818 W. Lincoln Highway.

The future dispensary will occupy a 6,660 square foot space where medical cannabis will be sold, along with some logo apparel and other merchandise. The completion of the build-out to meet all state-required conditions and security requirements will ultimately exceed \$1,087,000 according to the Fund 400 AIP application (see attached). The firm has applied for an AIP grant based just on the electrical, plumbing, mechanical and structural upgrades required in the space, which will exceed \$365,000.

The Fund 400 program was initially funded in the 2023 City Budget and was continued in the FY2024 City Budget. It is designed to incentivize private redevelopment in non-TIF commercial areas. Eligible projects may receive up to \$25,000 in matching funding based on the project impact and qualified improvements. Elements of the project are placed within a three-tier system that provides matching funds on a percentage basis. A 50% reimbursement (up to a maximum of \$25,000) is assigned to enduring capital expenses such as electrical, plumbing, HVAC, structural, ADA, tuckpointing, fire protection and other essential improvements. The other City cannabis facility was granted a \$25,000 TIF AIP grant in 2023.

This remodeling project will bring a long-vacant retail space into full commercial use. **City Council approval of the maximum matching grant in the amount of \$25,000 is recommended.** ([click here for additional information](#))

2. Resolution 2024-028 Authorizing a Fund 400 Architectural Improvement Program (AIP) Economic Incentive for the Property at 1204 S. Fourth Street (American Legion Post #66).

City Manager's Summary: American Legion Post #66 is interested in replacing its outdated wooden sign at 1204 S. Fourth Street with an electronic sign to allow the Post to more regularly inform the public about its annual array of events and meetings, as well as those of other veterans organizations. The digital display will also provide welcoming messages to visitors traveling the Fourth Street corridor.

The Post has received estimates and the lowest responsible bid was for \$32,478.14. The City's Fund 400 AIP program assigns sign repairs or replacement to the "minor capital improvement" category, which qualifies for up to a 25% reimbursement. In this case, the maximum reimbursement is \$8,119.54.

City Council approval is recommended, subject to a sign and electrical permit from the City. If approved, the two Fund 400 AIP grants on this Agenda would total \$33,119.54 of the \$70,000 budgeted in Fund 400 in the FY2024 Budget. ([click here for additional information](#))

3. Resolution 2024-029 Approving a Package Liquor License for 4th Street Market, LLC Doing Business as 4th Street Market, Located at 802 S. Fourth Street.

City Manager's Summary: Yusri Kattoum, owner of 4th Street Market LLC, has applied for a package liquor license for the property located at 802 S. Fourth Street (the former 7-Eleven). If approved, the license will be considered "conditional" until the requirements laid out in the resolution are met, which includes receipt of their State of Illinois liquor license, receipt of a

City of DeKalb Fire Life Safety license, and approval of the required background investigation for the owner by the DeKalb Police Department. The City will receive an initial issuance fee of \$11,319 upon approval. Non-refundable fees for the liquor license application, background investigation, and the Fire Life Safety application in the amount of \$716 have been paid. The licensing term for a package liquor license begins on January 1 and ends on December 31, with an annual renewal fee of \$2,830.

Mr. Kattoum sees the potential package liquor sales as incidental to his main interest in creating a convenience store with a small deli to make sandwiches for customers on a daily basis. According to Sections 38.07 and 38.10 of the DeKalb liquor ordinance, if there is no substantial separation between the package liquor sales area and the remainder of the store where food and snacks are sold, then the entire tenant space must be restricted to customers who are 21 years of age or older, unless accompanied by a parent or legal guardian. Nevertheless, the licensed package liquor facility can still engage in the sale of items other than alcoholic liquors.

The storefront at 802 S. Fourth Street has been owned by the same private family since 2004. At the time of their acquisition, the space was leased by White Hen Pantry. Shortly afterwards, 7-Eleven entered a 20-year lease which expires in July 2024. Mr. Kattoum, the prospective buyer, has commercial property in DeKalb and Sycamore and his vision for the property would bring new life to a building that has been vacant since 2020.

City Council approval is recommended. [\(click here for additional information\)](#)

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2024-017 Publishing the Official Zoning Map of the City of DeKalb.

City Manager's Summary: According to Illinois statute (65 ILCS 5/11-13-19), no later than March 31 of each year the corporate authorities are required to publish the official zoning map. A summary of the zoning changes approved during the past twelve months is presented in the following table:

Case Name	Ordinance	Action
Pappas Glasgow Development LLC 2239 Sycamore Road	2023-017	Rezoning from SFR1 to PD-C to allow a tent rental showroom, offices, and warehouse.
EO5 Hotels 902 Peace Road	2023-019	Rezoning from HI to PD-I to accommodate a 4-story 121 room Marriott branded hotel.
Nehring Electrical Works Company Parcels along E. Lincoln Highway, N. Seventh Street, N. Eighth Street, and N. 10 th Street	2023-029	Rezoning from SFR-1, SFR-2, LC, LI, and HI to PD-I to allow the future development of the company's operations.
Steven Goldin Northeast corner of Peace Road and E. Gurler Road	2023-038	Rezoning from SFR1 to PD-I to accommodate manufacturing, packaging, distribution, and warehouse uses.
DeKalb County Community Gardens Eight-Acre property on the east side of N. Annie Glidden Road, south side of Twombly Road north of Ridge Drive	2023-040	Rezoning from LC to PD-C for a community health education and food center, community building, greenhouses, and accessory uses.

Robert Wessels 2023 Sycamore Road	2023-049	Rezoning from SFR1 to PD-C to permit a farmer's market and the sale of agricultural products in an unmanufactured state, a specialty store, and accessory uses.
Bobby Perez and Jeff Richardson 650 Peace Road	2023-055	Amendment to Ordinance 2017-015 to allow a retail tobacco store.
Kishwaukee Water Reclamation District - Various parcels	2023-058	Rezoning from SRF-2, PD-R, SFR-1, and HI to GS to accommodate the District's continued uses of sanitary waste collection, transmission, and treatment.
Neville Gallon 122 Cotton Avenue	2024-002	Rezoning from SFR2 to TFR to permit a two-unit dwelling.
Habitat for Humanity of DeKalb County 1209 Pleasant Street	2024-003	Rezoning from LC to RC-1 to allow a two-family dwelling unit (duplex) to be constructed on the lot.
Maercker Properties LLC 11921 Illinois Route 38	2024-005	Rezoning from the BC District (Unincorporated DeKalb County) to PD-I to accommodate light industrial uses including a plumbing company in a 6-lot subdivision.
City of DeKalb 1130 S. Malta Road	2024-008	Amendment to Ordinance 06-59 to allow an additional full access onto S. Malta Road to allow an 8,000 sq. ft. fire station.
DeKalb Community Unit School District No. 428 530 Charter St.	2024-016	Rezoning from MFR1 to SFR2 to permit a Community Residence – Large in the existing building.

City Council approval is recommended. [\(click here for additional information\)](#)

2. Ordinance 2024-018 Approving an Amendment to Ordinances 1997-036 and 1997-037 to Allow a 55 Plus Residential Community for The Villas at Bridges of Rivermist (Rivermist by Grainger LLC).

City Manager's Summary: As Planning Director Dan Olson writes in his detailed background report, Rivermist by Grainger LLC, represented by Brian Grainger, has submitted a zoning petition to amend the preliminary plan approved in Ordinances 97-36 and 97-37 to allow a 55+ residential community in the southern 35 acres of The Bridges of Rivermist development. The applicant is proposing to construct 22 single-family detached homes, (19) 6-unit townhomes, (22) 4-unit townhomes, a clubhouse, and accessory uses along the north side of Bethany Road between Sangamon Road and Tygert Lane. The subject site is presently zoned "PD-R" Planned Development Residential District and is part of property that was rezoned to the "PD-R" District in 1997 for The Bridges of Rivermist development.

The property is currently owned by the Bridges of Rivermist Homeowner's Association (HOA) and is under contract with the applicant. A letter has been submitted by the president of the HOA noting on May 8, 2023, the HOA voted 184-53 to amend their covenants to approve the project and ultimately the sale of the property to Mr. Grainger (see attachment). The applicant has developed 55+ communities in Sycamore and Genoa and has constructed about 630 dwelling units in the area.

The Preliminary Plan approved in 1997 showed mostly single-family homes on the east side of the subject area and multi-family units on the west side. The annexation agreement for The Bridges of Rivermist, which expired in 2016, allowed for a variety of units in the subject area and allowed a maximum overall density of eight (8) dwelling units per acre. A Final Plan and Final Plat for Phase 5 of The Bridges of Rivermist showing 85 single-family residential lots

over the subject site were approved by the City Council on November 10, 2008; however, the Final Plat was never recorded.

The proposed preliminary plan shows a total of 224 dwelling units, which equates to a density of 6.3 dwelling units per acre. The proposed density is consistent with the density in the applicant's Sycamore and Genoa developments. A total of 22 single-family detached homes are planned along the south side of Larking Avenue and the east side of Comstock Avenue with lot dimensions of 60' x 120' or 7,200 sq. ft. The lot sizes of the existing homes along the north side of Larking Avenue range from 10,400 sq. ft. to 13,481 sq. ft. The lot sizes along the west side of Comstock Avenue across from the subject site range from 14,255 sq. ft to 17,857 sq. ft. The applicant believes the smaller lot sizes for the single-family homes will act as a suitable transition from the large single-family homes on the north side of Larking Avenue to the smaller dwelling units (condominiums) in the proposed development.



The size of the condo units will range from 1,100 – 2,000 sq. ft. with 1 to 3-car garages. The applicant plans to offer pre-construction pricing for the homes at just under \$300,000 or \$272 per sq. ft. Final sale prices with options are estimated to range from \$350,000 to \$615,000. In the applicant's other communities, the average base price has ranged from \$324,900 to \$434,900. Amenities will include a clubhouse, dog park, indoor and outdoor pickle-ball courts, a botanical garden, and other amenities.

The proposed preliminary plan indicates all-private streets with two access points into the development. A full access with a security gate is proposed along Larking Avenue. An "emergency only" access is proposed at the junction of Comstock Avenue and Cutler Drive. The City staff recommend two full access points with no emergency gates so emergency services can quickly make access from the west or the east sides of the proposed development. According to the supporting documents provided by the applicant the traffic

generated by the development would be about 10% less than single-family detached homes previously approved in Phase 5.

The projected timeline for the development anticipates approval of the zoning and Final Plan/Final Plat approvals in 2024 with the construction of the infrastructure starting in 2025. The first dwelling units and clubhouse would be completed in 2026. According to the applicant, 10-20 dwelling units would be constructed per year and the development might take 10-20 years to complete. The construction of new single-family homes in The Bridges of Rivermist and the City has been very slow since 2008-2009. An average of three (3) homes are built per year in The Bridges of Rivermist and there are about 25 vacant lots remaining in the subdivision. The lot owners in the new development will belong to two HOA's. All owners will pay into the existing Bridges of Rivermist HOA and also pay into the new HOA covering the proposed project. Dues from the association will cover maintenance of the grounds, snow removal, the clubhouse and exterior maintenance of the dwelling units.

Utilities are readily available including sanitary sewer and water. The subject site is already annexed to the Kishwaukee Water Reclamation District. An existing wet bottom detention pond is to the east of the site and a proposed dry bottom detention pond is planned for the southern end of the project. A new bike path and walking trail will extend the existing trail westward along Bethany Road. DeKalb Township owns a small, one-acre parcel at the south end of the development. The applicant is working with the Township regarding the purchase of this parcel, which also needs to be annexed into the City.

The subject property is already in the City's corporate limits and tied to an existing residential development. In addition, since it's an age-restricted residential project, there will be no impact on the services of the school district. The proposed development also meets the 2022 Comprehensive Plan recommendations for residential projects including:

- Promotion of the construction of smaller, detached single family houses on lots nearer the regulatory minimum of 6,000 square feet to approximate more affordable housing.
- Provision of housing for all stages of life so residents do not have to leave the community as their needs change.
- Compatibility with the 2022 Comp Plan's recommendation to build out existing subdivisions and limit the sprawl of new residential developments.
- Linkage of residential areas with a pedestrian/bicycle pathway system as new development occurs. Provision of sidewalks along through-streets in developed areas where they may not already exist.
- Satisfaction of many of the Urban Design Guidelines for residential projects including high quality construction, compatibility with the surrounding neighborhood, and a variety of housing types.

The Planning and Zoning Commission considered the proposed amendments at its last regular meeting on Monday, March 4. Among the concerns raised by some residents who attended were the following:

- The locked gate at the juncture of Comstock Avenue and Cutler Drive (on the west end). The City staff—particularly the City Engineer and Fire Chief – concur with this concern and recommend that the junction be re-designed for free and full egress and ingress.

- The frontages of the proposed single-family detached homes facing the existing homes on Larking Avenue are 60 feet in width; the frontages of the existing homes on the opposing side of Larking are over 80 feet in width on average. The smaller frontages may tend to force more uniformity in design and appearance. Fewer lots with wider frontages might be preferable to the current homeowners on Larking Avenue.

By a vote of 4 to 0 (McMahon, Wright and Flaherty were absent), the Commission voted to recommend City Council approval, with the provision that the locked gates be removed from the conceptual design of the intersection of Comstock Avenue and Cutler Drive.

The City Manager recommends Council consideration on first reading only to allow for further Council and community discussion before the Council's final action on the amendments to Ordinance No. 1997-036 and Ordinance No. 1997-037 at a forthcoming Council meeting. [\(click here for additional information\)](#)

M. REPORTS AND COMMUNICATIONS

- 1. Council Member Reports.**
- 2. City Manager Report.**

N. EXECUTIVE SESSION

None.

O. ADJOURNMENT

[REGULAR AGENDA PACKET](#)
[MARCH 11, 2024](#)