AGENDA
Planning and Zoning Commission
May 8, 2019
6:00 PM

A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES
   1. March 20, 2019

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

E. NEW BUSINESS
   1. Public Hearing – Petition by the DeKalb Park District represented by Mat Emken for approval of an amendment to Ordinance No. 98-75 to accommodate a new landscape plan along South 4th Street for the DeKalb Park District Sports and Recreation Center located at 1765 South 4th Street.

   2. Public Hearing – Petition by MT Nest, LLC represented by Thomas Schmidt, Owner, for a special use permit in the “CBD” Central Business District for an outdoor patio/deck for the property located at 241 and 249 East Lincoln Highway (Hometown Sports Bar and Grill).

   3. Public Hearing – Petition by Kevin and Melissa Lovell 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 Planned Development Preliminary and Final Plan for a .53 acre site located at 424 East Lincoln Highway (Lovell’s Discount Tire) in order to expand the existing tire service to include full vehicle repair services. Consideration is also requested to approve waivers to the Unified Development Ordinance.

F. REPORTS

G. ADJOURNMENT
The Planning and Zoning Commission held a Meeting on March 20, 2019 at the City of DeKalb Municipal Building, 200 S. Fourth St., DeKalb, Illinois. Chair Christina Doe called the meeting order at 6:00 PM.

A. ROLL CALL

Recording Secretary, Christine Wang, called the roll. Planning and Zoning Commission members present were Chair Christina Doe, Vicki Buckley, David Castro, Ron Klein, Max Maxwell, and Jerry Wright. Commissioner Barbe was absent.

City staff present were Principal Planner, Dan Olson and Recording Secretary, Christine Wang.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Christina Doe requested a motion to approve the March 20, 2019 agenda as presented. Mr. Maxwell motioned to approve the agenda as presented. Mr. Klein seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

January 23, 2019 – Ms. Buckley motioned to approve the minutes, Mr. Maxwell seconded the motion, and the motion was approved by unanimous voice vote.

February 6, 2019 – Mr. Klein motioned to approve the minutes, Mr. Maxwell 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 – Petition by JLAR Illinois, LLC, represented by James Mason, requesting approval of a special use permit for an “Amusement Establishment (Indoor Sport Simulation Facility)” for a 2.4 acre site zone “GC” General Commercial District located at 1500, 1502, and 1504 Sycamore Road.
Jim Mason of 5N214 Wilton Croft Rd, St. Charles, IL, stated he purchased the shopping center about 10-15 years ago. He noted the proposed tenant space for the use is about 13,500 sq. ft and he has not been able to rent it out since the last tenant left about 4-5 years ago. Mr. Mason said he would like to turn it into a family fun center with food, video gaming, golf simulator machines, and bocce ball. He added there would be a bar and food available. Mr. Mason stated there will not be a kitchen, and that food would be brought in. Mr. Mason said the golf simulations machines will feature about 30-40 golf courses in the software, using Trackman Golf. He said golf equipment/accessories will also be offered for sale at the location.

Principal Planner Dan Olson went over the staff report dated March 15, 2019, and stated the applicant is proposing a special use to establish an Indoor Sport Simulation Facility at 1500-1504 Sycamore Road known as the Parkview Business Center. He added it’s a small shopping center under single-ownership and the proposed tenant space was formerly used for a furniture store and professional offices. Mr. Olson stated the floor plan includes a warming kitchen and take-out pizza area, a full bar with five video-gaming machines, and a sport simulation area with seven bays for sports simulators. He noted seating is provided for about 54 persons inside the facility and the sports simulation area will take up about 8,530 sq. ft of the space and the restaurant/bar/video gaming area will encompass about 3,360 sq. ft. Mr. Olson added that on February 25, 2019, the City Council approved an amendment to the liquor code to create a new category of regulated liquor licenses to be called “Indoor Sports Simulator Facilities.” He noted there are a total 189 parking spaces provided on-site and approximately 166 parking spaces are required according to the Unified Development Ordinance.

Mr. Olson mentioned within the sports simulation area, participants will be able to register and purchase merchandise as well as use the pickup window for food. He also said the bar area will be utilized by those 21 and older while the pizza take-out and sports simulation area can be used by all ages. The permitted hours of sale for bar and hospitality sales are 6:00 am to 1:00 am Monday through Thursday, 6:00 am to 2:00 am, Friday and Saturday and 10:00 am to 1:00 am on Sundays. Mr. Mason added the sport simulation area will be open 24 hours a day as well as the pizza pick-up area. He noted approval of the special use would not constitute approval of a liquor license as they would have to get approval by the City Council and would have to meet all the requirements of the City liquor code.

Mr. Olson stated the proposal meets the standards for a special use and the proposed use complies with all provisions of the applicable zoning district regulations. He added the special use will not be unreasonably detrimental to the value of other property in the neighborhood, and that it meets the other standards for a special use. He stated First Rockford Group, who owns the shopping center at the northeast corner of Sycamore Road and E. Dresser
Road (Fitzworks) submitted a letter to the City mentioning their support for the proposal. He also said that Gregory Clark of 1407 N. 14th St. submitted a Citizen Response Form indicating his support of the proposal but wanted to see more specifics regarding alley access, parking, and noise. Mr. Olson stated that after the Commission agenda and packet was posted last Friday (March 15th) a Citizen Response Form was submitted by David Baker who owns a duplex along Oakwood Ave. He stated Mr. Baker had noted his support for the proposal on the Form.

Chris Hooker of 520 Woodley Road stated he was here with Gregory Clark who own the property at 1407 N. 14th St., behind the proposed special use. He said there are residential properties that run adjacent to the property in question and was concerned about the noise. He also asked if vegetation is proposed next to Sycamore Road, should there be noise abatement next to the residential. He asked if the current building was going to be demolished in any way. Mr. Olson responded there will just be renovations to the building and no demolition of buildings. Mr. Hooker also asked about parking and noted alcohol will be served until 2 am. Mr. Olson stated employees and guests can park both in the front and back of the property and there will be no increased noise. Mr. Maxwell asked if there were current issues with noise since there have been similar commercials uses located in the shopping center.

Geralyn Clark of 1407 N. Fourth St. stated she owns a duplex near the proposed special use and has renters living in the duplex. She said she has not been able to fence the property and people cut through the property or park in their parking lot. Ms. Clark stated she wanted the petitioner of the proposed special use to make sure it is a secure area. She noted the alley behind the Secretary of State’s office have trucks going through it during the day. She added she is worried about traffic in the fire lane and people walking through their property. She wants to know what Mr. Mason will do to abate these issues. She asked if there will be an excessive use of electricity or water. Mr. Olson stated there is an adequate water and electrical supply.

Greg Clark stated he does not oppose the indoor sports simulation use but wants to know what Mr. Mason will do about the potential traffic and noise issues. He said their duplex is fully rented and they are worried about the tenants. Mr. Mason stated the Clark’s backyards does not back up to where the special use is proposed, and customer’s will be coming from Sycamore Road. Additionally, he stated the facility can only accommodate about 50-60 people at a time, and anyone who is rowdy will be asked to leave or will be arrested. He stated there will be about 20 cars at a time in the parking lot associated with the use and there will not be a water issue.

Mr. Castro stated he heard the residents’ concerns and encouraged the owner and neighbors to sit down and talk about what they can do to mitigate
the issues. Ms. Buckley asked about the 6 am liquor sales. Mr. Mason noted that it would be on an as needed basis, and stated he doubted people will be drinking at 6 am. Mr. Maxwell said he believes it is a well-thought-out plan. He asked about the distance requirements between video gaming establishments that are in the UDO. Mr. Olson stated since the proposed video gaming will be accessory to the special use (indoor sport simulation facility), and not the primary use, they will not have to meet the separation requirements for Video Gaming Establishments in the UDO.

Mr. Klein asked if parts of this facility be open 24 hours a day. Mr. Mason stated it likely would be for the golf simulation area and there will not be alcohol served after 1 am or 2 am depending on the day. Mr. Klein asked about restrictions on underage people coming into the establishment where alcohol is served. Mr. Olson stated it will be like a bowling alley, and Mr. Mason added they would card customers and would have to comply with all the liquor regulations of the City. Mr. Klein asked about gambling and its location on the floor plan. Mr. Olson noted the location of the five video gaming machines and stated they will be separate from the indoor golf area. Mr. Mason also added the video gaming machines will close when the bar closes. He said there will be no restriction on minors coming in, but the video gaming machines and the bar will be secured after hours.

Mr. Wright asked what type of deliveries Mr. Mason expected. Mr. Mason stated everything will come off Sycamore Road and through the front door of the building. He noted some deliveries will come in the back, but less than the previous furniture store. Mr. Maxwell asked about signage. Mr. Mason stated there will be a wall sign advertising Mason Indoor Golf, DeKalb, USA and it will be classy and subtle. Chair Doe asked about the landscaping discussed for the rear of the property. Mr. Olson responded there needs to be at least five feet of setback at the rear of the property to have enough room for landscaping. He noted there is less than a five-foot setback along most of the rear yard and it slopes down, however they could look at it further.

Chair Doe gave the public one more opportunity to speak.

Ms. Clark stated she was in favor of the project and she just had her doubts. She said she does not want all that foot traffic through her property and wants Mr. Mason to make a commitment to help the Clark’s with this issue.

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

Chair Doe closed the public hearing.

Chair Doe asked if the Commissioners had any more questions or comments.
Mr. Maxwell made a motion to recommend to the City Council approval of a Special Use Permit for a “Amusement Establishment (Indoor Sport Simulation Facility)” on the subject site located at 1500-1504 Sycamore Road in the subject tenant space shown on Exhibit A in the staff report and per the conditions as indicated on Exhibit B in the staff report, which are listed below. Ms. Buckley seconded the motion.

Exhibit B:
1. The trash dumpster on the northern portion of the site shall be fully enclosed within 60 days after approval of the special use permit by the City Council.
2. Landscaping shall be added to the frontage along Sycamore Road to include seven shade trees (min. 2 ½” caliper) and 56 shrubs and to be installed within 60 days after approval of the special use permit by the City Council.
3. The number of required and provided parking spaces be documented on the survey/site plan and submitted with any building permits required for the special use permit.

A roll call vote was taken. Ms. Buckley – yes, Mr. Castro – yes, Mr. Klein – no, Mr. Maxwell – yes, Mr. Wright – yes, Chair Doe – yes. Motion passes 5-1-1. Ms. Barbe was absent.

2. Public Hearing – Petition by Commonwealth Edison Company (ComEd) represented by Scott Saef of Sidley Austin, LLP for approval of a Zoning Map Amendment, upon annexation, from the “SFR1” Single-Family Residential District to the “PD-I” Planned Development – Industrial District and approval of a Zoning Map Amendment from the “HI” Heavy Industrial District to the “PD-I” Planned Development – Industrial District to allow ComEd to expand their existing substation at 1827 Pleasant St. to improve the substation’s reliability and to increase safety and security. Also requested is approval of a Planned Development Preliminary and Final Plan and waivers to the Unified Development Ordinance.

Scott Saef of Sidley Austin LLP, representing ComEd, stated the substation will have the same use as before, but will have increased functionality and efficiency. He said it will have a straight “bus” system and the proposed annexation will be 5.62 acres of unincorporated property. He said no structure will exceed 14 feet in height, and it will be an unmanned site except when there is maintenance or an emergency. He said there are four main transformers and one will be move to the west. Mr. Saef noted the private drive will be paved and will be approximately 15-20 feet wide. He said lightning masts improves reliability and the new transmissions structure will be 60 feet tall, five will be removed while one will remain, and three will be added to allow for the new system. He said the fence will be upgraded with a seven-foot-tall chain link fence with storm water detention to the north.
Saef said the project is consistent with the comprehensive plan and hopes to start it in Spring 2019 with a planned completion by the end of 2020.

Principal Planner Dan Olson went through the staff report dated March 19, 2019. He stated the expansion will primarily be occurring to the south and the area already in the City will be rezoned to PD-I. He added the request is to allow ComEd to expand their existing electrical substation at 1827 Pleasant St. to improve the substation’s reliability and the increases safety and security. Mr. Olson said the expansion has the primary purpose of converting the substation’s current “straight” electrical bus layout to a more current and resilient “ring” bus system. He continued by stating the ring bus system will include several new transformers and equipment and the rearrangement for the substation’s electrical engineering will add reliability to the system and smooth out the electrical flows through the substation for the four 138 kV transmission lines. Mr. Olson noted that accompanying the 138 kV improvements will be upgrades and adjustments to the 12 kV and 34 kV electrical feeders, which provide distribution level service to the DeKalb Airport and the surrounding area.

Mr. Olson noted the new structures will include a 13-foot tall substation control building of 3,450 sq. ft. and will be located in the eastern portion of the substation. He continued by stating the existing 768 sq. ft. building will be expanded to 1,056 sq. ft. and buildings 2 and 3 will have no changes with Building 2 possibly being demolished in a future phase. He noted there will be nine lightning masts, each of which will be about 86 feet in height and there are six existing transmission structures, with the tallest being about 119 feet tall. Mr. Olson mentioned there will be one new transmission structure at a height of about 68 feet and ComEd is also proposing to update the security at the site by replacing the existing chain link fence with a seven foot tall chain link fence with 12” of barbed wire at the top that angles both toward the interior and exterior of the property. He indicated a stormwater detention area will be installed at the north end of the site and the exiting private drive is mostly gravel and is proposed to be paved from Pleasant St to the southerly property line of the site. Mr. Olson continued by stating ComEd has an access easement over the drive from the owner to the south and the existing gravel drive within the site must remain gravel for safety reasons and worker protection. He concluded by mentioning there will be no public access allowed to the site.

Chair Doe opened to public comment. There was none.

Mr. Castro asked if there was a physical barrier preventing people from walking to the substation. Mr. Saef said a secured barbed wire fence and a gate will prohibit anyone from entering. Ms. Buckley stated she is for the project. Mr. Wright asked if there were any dangers that could possibly arise for the public if they come into contact with the substation facilities. Mr. Saef
said there were not, as the facility is setback far from any public roadway and is secured with a fence. Mr. Wright asked about the overall benefit of the project. Mr. Saef stated the upgrades will allow the substation to stay on-line during outages, without having to take the whole substation offline. He noted this is a proactive upgrade ComEd is doing and will prevent fewer outages in the future.

Ms. Buckley asked how many customers are served with this facility. Chip Carter, project manager stated the proposed improvements could affect over 11,000 customers and the substation does feed the DeKalb Municipal Airport. He said the project will improve operational flexibility, improve resiliency, and reduce last contingency measures. Mr. Maxwell asked who the legal owner of the property was. Mr. Olson said it was ComEd, including the portion that is proposed to be annexed. Chair Doe asked why there were no fire hydrants in the vicinity of the substation. Mr. Carter stated they monitor the site remotely for fire protection and they usually would not fight an electrical fire with water.

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

Chair Doe closed the public hearing.

Chair Doe asked if the Commissioners had any more questions or comments.

Mr. Maxwell made a motion to recommend to the City Council approval of a Zoning Map Amendment, upon annexation, from the “SFR1” Single-Family Residential District to the “PD-I” Planned Development – Industrial District for the property described in Legal A and approval of a Zoning Map Amendment from the “HI” Heavy Industrial District to the “PD-I” Planned Development – Industrial District for the property described in Legal B and approval of the Planned Development Preliminary and Final Plans, Development Standards and Waivers to the UDO as listed in Exhibit A in the staff report with the plan date changes as listed below. Mr. Wright seconded the motion.

Exhibit A:
- Preliminary and Final Development Plan dated 3-20-19 prepared for ComEd
- Grading and Utility Plan – Proposed Grading and Storm Sewer Layout for Substation dated 2-20-19 prepared by Christopher Buke Engineering, LTD.
- Fence detail – TSS 82 dated 2-26-19.

A roll call vote was taken. Ms. Buckley – yes, Mr. Castro – yes, Mr. Klein – yes, Mr. Maxwell – yes, Mr. Wright – yes, Chair Doe – yes. Motion passes 6-0-1. Ms. Barbe was absent.
F. REPORTS

Mr. Olson mentioned the next Planning and Zoning Commission meeting will be Wednesday, April 3rd, and there is one public hearing scheduled. He also noted the miscellaneous text amendments to the UDO were approved by City Council on February 25th as well as approval of the annual update to the zoning map on March 11th.

G. ADJOURNMENT

Ms. Buckley motioned to adjourn, Mr. Maxwell seconded the motion, and the motion was approved by unanimous voice vote. The meeting adjourned at 7:22 pm.

Respectfully Submitted,

Christine Wang, Recording Secretary

Minutes were approved by the Planning and Zoning Commission on May 8, 2019.
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
May 3, 2019

TO: DeKalb Planning and Zoning Commission

FROM: Dan Olson, Principal Planner

RE: Approval of an amendment to Ordinance No. 98-75 to accommodate a new landscape plan along S. 4th Street for the DeKalb Park District Sports and Recreation Center located at 1765 S. 4th Street.

I. GENERAL INFORMATION

A. Purpose

Allow for removal and installation of a new berm and landscaping along S. 4th Street for the DeKalb Park District Sports and Recreation Center

B. Location/Size

1765 S. 4th St. /5.6 acres

C. Petitioner

Mat Emken representing the DeKalb Park District

D. Existing Zoning

“SFR2” Single Family Residential District

E. Existing Land Use

Sports and Recreation Center

F. Proposed Land Use

Sports and Recreation Center

G. Surrounding Zoning and Land Use

North: SFR2; middle school
South: SFR2; park
East: SFR2; single-family residential
West: SFR2; sports and recreation center

H. Comprehensive Plan Designation

Parks and Recreation
II. BACKGROUND AND ANALYSIS

The DeKalb Park District is proposing to amend Ordinance No. 98-75 to allow for a new landscape berm and plantings along S. 4th Street in front of the District’s Sports and Recreation Center located at 1765 S. 4th Street. On June 22, 1998, the City Council approved a special use permit for a 67,200 square foot indoor recreational facility on the subject site. The Ordinance approving the special use permit required that a 50-foot-wide buffer yard be established along S. 4th St. and that a six (6) foot high earthen berm be established in the buffer yard. The Ordinance also required that for every 50 feet of lineal frontage along S. 4th St., the District was required to plant one (1) deciduous tree (min. 2 ½” caliper), one (1) evergreen tree (min. 6 foot high) and four (4) shrubs, not less than two (2) feet high at the time of planting in the buffer yard.

During the public meetings in 1998 when the special use was being considered for the site there was considerable discussion and input from adjacent residents regarding the site layout, height of the building, materials of the building and buffer yards. The six (6) high berm and landscaping requirements were included in the special use permit to ensure the facility was well-screened from the single-family homes across S. 4th St. Since the construction of the berm and installation of the required plantings, the Park District has had maintenance issues with the berm due to its extreme slope (see attached letter dated 4-23-19 from the District). The letter also notes the District has received multiple complaints over the years from residents that the berm is an “eyesore” and causes a visibility issue for motorists leaving the facility. In addition, the vegetation has grown to a point that it will soon be interfering with the overhead power lines along S. 4th St. and regularly blocks a portion of the sidewalk.

Updating the entry berm and landscaping to the Sports and Recreation Center was listed as a high priority in the District’s recently completed Strategic Plan. An updated landscape plan was developed for the site by Upland Design for the Park District as a portion of their Master Plan for DeKalb Kiwanis Park. The Plan included a note to reduce the existing berm height along S. 4th St. and enhance the landscaping. The updated landscape plan by Upland Design was approved by the Park District’s Board of Commissioners at their March 21, 2019 meeting (see attached). The new plan removes the current six (6) foot high berm and replaces it with one that is 18” in height and moves it back five feet from the sidewalk along S. 4th St. The new landscaping plan will consist of 202 individual plants, including 32 ornamental trees, 30 evergreen shrubs, and 140 deciduous shrubs along the S. 4th St. frontage. The number of plantings proposed is twice as much as the number required in the UDO for yards abutting a street. The proposed landscaping will provide year-round interest, with different species blooming throughout the year and includes plantings that will not interfere with traffic sight lines and powerlines. In addition, a high percentage of the proposed plant material is native, which will make for easier maintenance, and the density of the vegetation will still provide a visual barrier to the homeowners on the east side of S. 4th Street.

IV. CITIZEN RESPONSE/COMMENTS

The City has not received any written comments from the public at this time.
V. RECOMMENDATION

Sample Motion

Based upon the submitted petition and testimony presented, I move that the Planning and Zoning Commission recommend to the City Council approval of an amendment to Ordinance No. 98-75 to approve a new landscape plan along S. 4th Street for the DeKalb Park District Sports and Recreation Center located at 1765 S. 4th Street per the Landscape Plan (Sheet L1.0) dated 4-19-19 prepared by Upland Design, LTD and labeled as Exhibit A.
April 23, 2019

The DeKalb Park District wishes to amend Ordinance 98-75 to accommodate a new landscape berm plan along the South 4th Street entrance to the Sports and Recreation Center. The plan was developed by Upland Design as a portion of the Master Plan for DeKalb Kiwanis Park. The berm plan was approved by the Board of Commissioners at the March 21, 2019 Board meeting.

The original berm plan which was spelled out in Ordinance 98-75 called for a minimum height of six feet with (1) 2.5” deciduous tree, (1) 6’ evergreen tree, and (4) 2’ shrubs for every fifty lineal feet. As constructed, the berm is almost impossible to safely maintain due to the extreme slope. The District receives multiple complaints from residents each year whom regularly refer to it as “horrible” and “an eyesore”. The vegetation has grown to a point where it blocks the view of vehicles exiting the Sports and Recreation Center, is soon to be interfering with the overhead power lines, and also regularly blocks a portion of the sidewalk. Trimming the vegetation back has made it visually, very unappealing.

Updating the entry berms to the Sports and Recreation Center was listed as a high priority in the District’s recently completed Strategic Plan. The new plan would remove the current berm and replace it with one that is 18” in height and push it back five feet from the sidewalk. The new landscaping plan will include 202 individual plant: 32 ornamental trees, 30 evergreen shrubs, and 140 deciduous shrubs. This pallet will provide year-round interest, with different species blooming throughout the year. Care has been taken to avoid plants that will interfere with traffic sight lines and powerlines. A high percentage of the plant material is native, which will make for easier maintenance. The density of the vegetation will still provide a visual barrier to the home owners on the east side of South 4th Street.
Future Trail Connection
- 10' Wide Trail to North Ball Fields

Woodland Exploration
- Woodland Restoration and Selective Removal of Invasive Species
- 10' Wide Limestone Woodland Trail
- Outdoor Classroom
- Art Installation Exhibits Along Trail

Challenge Course
- Ninja Themed Timed Course
- Poured-In-Place Safety Surfacing

Nature Playground
- Nature Themed Play Equipment
- Poured-In-Place Safety and Engineered Wood Fiber Surfacing

Amenity Core
- Building with Four Accessible Restrooms
- Storage / Utility Room
- Kiwanis Shelter with Picnic Tables
- Wayfinding Map and Kiosk

Splash Pad
- Above Ground and Ground Level Water Play Elements

Sport Courts
- One Full Basketball Court
- Two Pickleball Courts
- Spectator and Player Bench Seating
- Dashed Line - Future Court Needs

Parking Lot
- Asphalt Parking Lot 387 Parking Spaces
- Additional 8 Accessible Spaces
- Designed Dropoff
- Detention Bio-Swale at Center Island
- Stop Signs at Patriot Drive and Fairview Intersection

Loop Trail
- 12' Wide Asphalt Trail Loop
- 1.0 Mile Outer Loop
- 0.65 Mile Inner Loop Around Natural Lawn Fields

Flexible Lawn Fields
- Accessible Spectator Concrete Pad Viewing
- Irrigation at Fields
- Flexible Lawn Field with Multiple Field Layouts:
  - 1 Lacrosse or 1 Rugby or 1 Full Soccer

Flexible Lawn Soccer Fields
- Accessible Spectator Concrete Pad Viewing
  at Various Locations
- Irrigation at Fields
- Flexible Turf Field with Multiple Field Layouts:
  - 2 Large Soccer 360' x 210'
  - 4 Medium Soccer 260' x 155'
  - 4 Small Soccer 180' x 120'
  - 1 Lacrosse or 1 Rugby
  - 1 Full Soccer

Artificial Turf Field
- Flexible Artificial Turf Field with Multiple Field Layouts:
  - 2 Full Soccer 500' x 210'
  - 2 Lacrosse 380' x 185'
  - 1 Rugby 472' x 230'
- Fenced Area with 6' Sidewalk Around Perimeter of Turf
- Sports Lighting
- Accessible Spectator Seating with Shade Structures

Fitness Stations
- Five Exercise Groups along the Loop Path
- Engineered Wood Fiber Safety Surfacing

Detention
- Expand Existing Detention Area
- Bio-Swale Native Landscape

4th Street Landscape
- Reduce existing berms to 3' height and enhance landscape

4TH STREET

FAIRVIEW DRIVE

FAIRVIEW PARK CEMETERY

HUNTLEY MIDDLE SCHOOL
DEKALB COMMUNITY UNIT SCHOOL DISTRICT 428

DEKALB KIWANIS PARK

FAIRVIEW PARK

SPORTS & RECREATION CENTER
DEKALB PARK DISTRICT

S 4TH STREET

SCALE: 1" = 80'-0"
4th Street Landscape

DeKalb Park District
Kiwanis Park
Existing

DeKalb Park District
Kiwanis Park
Proposed

DeKalb Park District
Kiwanis Park
Plant Palette

Prairifire Crabapple
*Malus 'Prairifire'*

Autumn Brilliance Serviceberry
*Amelanchier grandiflora 'Autumn Brilliance'*

DeKalb Park District
Kiwanis Park
Plant Palette

Miss Kim Lilac
*Syringa pubescens subsp. patula 'Miss Kim'*

Koreanspice Viburnum
*Viburnum carlesii*

Yew
*Taxus × media 'Hicksii'*

DeKalb Park District
Kiwaniis Park
View from Parking Lot to S. 4th St.
View from Parking Lot to S. 4th St.
View Looking North along S. 4th St.
View from S. 4th St. to North Berm
View from S. 4th St. of South Berm
SPECIAL USE PERMIT PETITION

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

FROM: Petitioner Name(s): Mat Emken
Petitioner's Representative: 
Mailing Address: 1403 Sycamore Road
DeKalb, IL 60115

Property Owner: DeKalb Park District
Mailing Address: 1403 Sycamore Road
DeKalb, IL 60115

Telephone: 779-777-7276
Cell: 815-751-4339
Email: memken@dekalbparkdistrict.com
Telephone: 815-758-6663

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 # 08-27-476-003: see attached legal description

B. Street Address or Common Location: 1765 South 4th Street, DeKalb, IL 60115

C. Size (square feet or acres): 4 acres

D. Existing Zoning District: 

E. Proposed Special Use: Amend Ordinance 98-75 to accommodate a new landscape berm plan along S. 4th St. as provided with the petition

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" 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: 3-22-19
   Those in attendance: Mat Emken, Dan Olson

   *(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.

Petitioner Signature

3-28-19

Date

Date

Subscribed and sworn to before me
this 28th day of March, 2019.

Notary Public Signature

OFFICIAL SEAL
HEATHER COLLINS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 10/16/21

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 she is the owner).

Property Owner Signature

3-28-19

Date

Date

Subscribed and sworn to before me
this 28th day of March, 2019.

Notary Public Signature

OFFICIAL SEAL
HEATHER COLLINS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 10/16/21

Updated: March 2017
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 Wednesday, May 8, 2019 at 6:00 p.m. in the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois, on the petition by the DeKalb Park District represented by Mat Emken for approval of an amendment to Ordinance No. 98-75 to accommodate a new landscape berm plan along S. 4th Street for the DeKalb Park District Sports and Recreation Center located at 1765 S. 4th Street., and which has a PIN # of 08-27-476-003.

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 these proposals to the City of DeKalb, Community Development Department, 200 South Fourth Street, DeKalb, Illinois, 60115 or by e-mail to dan.olson@cityofdekalb.com by 5:00 p.m. on Wednesday, May 1, 2019. Further information regarding the petition is available from the Community Development Department at (815) 748-2361 or on the City of DeKalb’s web page at https://www.cityofdekalb.com/1103/Public-Hearings.

Christina Doe, Chair
DeKalb Planning and Zoning Commission
ORDINANCE 98-75       Passed: June 22, 1998

APPROVING A SPECIAL USE PERMIT FOR
A 67,200 SQUARE FOOT INDOOR
RECREATIONAL FACILITY AT KIWANIS
PARK ON SOUTH FOURTH STREET,
SOUTH OF DEKALB HIGH SCHOOL (PARK
DISTRICT).

WHEREAS, the DeKalb Park District has filed a petition with the City Clerk of the City of DeKalb, Illinois, for a special use permit allowing an indoor recreational facility on property zoned “SFR-2” Single Family Residential; and,

WHEREAS, the DeKalb Plan Commission held a public hearing and reviewed the request on May 13, 1998, and recommended approval with the conditions outlined below, by a vote of 3-2; now,

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, Illinois as follows:

Section 1. That a special use permit for a 67,200 square foot recreational facility at Kiwanis Park, South Fourth Street, is approved, subject to the following conditions:

1. That the Park District purchase additional land to the west side of the Indoor Sports Facility (ISF) property having a width of not less than fifty (50) feet;

2. That the proposed ISF site plan be revised by moving the building fifty (50) feet further to the west, to a point where the west wall of the facility is co-terminus with the revised western property line;

3. That the ISF site plan be revised by creating a buffer yard of not less than fifty (50) feet along the entire frontage of the parking lot adjacent to South Fourth Street;

4. That within the buffer yard, the Park District shall construct an earthen berm of not less than six (6) feet in height. The Park District shall plant one each of the following for every fifty (50) lineal feet of frontage along South Fourth Street: one (1) deciduous tree, with a minimum caliber of 2½ inches at the time of planting; one (1) evergreen tree, not less than six (6) feet in height at the time of planting; and, four (4) shrubs, not less than two (2) feet in height at the time of planting;

5. That not less than 227 parking spaces be provided on-site, that adequate access be provided through the North side of the property for the West portion of the DeKalb High School property, that this approval is contingent upon an approved agreement between the DeKalb Park District and the
DeKalb School District for the shared use of the facility, and receipt of a letter from the Illinois State Board of Education allowing the DeKalb School District to use the facility even though it will not be sprinkled.

6. That all other landscaping and facade treatment aspects of the ISF building and site plan shall remain intact, as have already been submitted and proposed as of April 1, 1998;

7. That the Park District cause to be prepared a final, engineered site plan in accordance with the provisions of Article 17 of the Unified Development Ordinance, which shall also include and incorporate the conditions outlined above, and said plan shall be submitted for review and approval by the Plan Commission and City Council prior to any construction occurring on the site.

Section 2. That this Ordinance shall take effect upon its passage according to Law.


ATTEST:

DONNA S. JOHNSON, City Clerk

BESSIE CHRONOPOULOS, Mayor
TO: DeKalb Planning and Zoning Commission
FROM: Dan Olson, Principal Planner
RE: Special Use Permit for an Outdoor Patio/Deck at 241 and 249 E. Lincoln Highway (Hometown Sports Bar and Grill)

I. GENERAL INFORMATION

A. Purpose Approval of a Special Use Permit for an Outdoor/Patio Deck

B. Location/Size 241 and 249 E. Lincoln Highway / .15 acres

C. Petitioner MT Nest, LLC represented by Thomas Schmidt

D. Existing Zoning “CBD” Central Business District

E. Existing Land Use Restaurant/Bar

F. Proposed Land Use Restaurant/Bar with outdoor patio/deck

G. Surrounding Zoning and Land Use
   North: ”CBD”; various commercial uses
   South: “CBD”; various commercial uses.
   East: “CBD”; apartments, various commercial uses.
   West: “CBD”; various commercial uses

H. Comprehensive Plan Designation Commercial
II. BACKGROUND AND ANALYSIS

The applicant is requesting approval of a special use permit for an outdoor patio/deck at the rear of the Hometown Sport Bar and Grill located 241 and 249 E. Lincoln Highway (former My Favorite Things Shop). Hometown Sports Bar and Grill was established at 241 E. Lincoln Highway in 2011. On December 18, 2018, the City Council approved a preliminary development incentive agreement with Hometown Sports Bar and Grill relating to the proposed redevelopment of their property. On March 25, 2019, the Council approved a final tax increment financing incentive agreement with Hometown to allow for the expansion of the restaurant/bar into the building at 249 E. Lincoln Highway, which would also include an outdoor patio/deck at the back of the building. Both the preliminary and final agreement acknowledged that a special use permit for an outdoor patio/deck would be required.

The current Hometown Sports Bar and Grill is approximately 2,800 square feet and the expansion into 249 E. Lincoln Highway is approximately 2,068 square feet resulting in a combined space of 4,868 square feet. The proposed patio/deck will be elevated and will be approximately 500 square feet and is proposed at the back of the building at 249 E. Lincoln Highway. The patio/deck will include tables and chairs and areas to stand for patrons and will accommodate approximately 25 people. There will be a one door leading from the restaurant/bar to the patio/deck. The outdoor patio/deck will stay open to match the hours allowed for bar per the City’s liquor regulations, which will be from 6:00 a.m. to 1:00 a.m. Monday through Wednesday, 6:00 a.m. to 2:00 a.m. Thursday through Saturday, and 10:00 a.m. to 1:00 a.m. on Sundays.

The proposed patio/deck will look out over Palmer Ct. and will face the south wall of the adjacent Debutantes School building (old DeKalb Theater), the wall of the Hometown Sports Bar to the west and the wall of Thai Pavilion to the east. There are no windows that will face the outdoor patio/deck and there are no apartment units that will be directly adjacent to the patio/deck. There are two apartment units above the space at 249 E. Lincoln Highway, however they are located at the front of the building adjacent to E. Lincoln Highway and not adjacent to the outdoor patio/deck.

Chapter 38 “Intoxicating Liquors” of the Municipal Code requires that outdoor seating areas serving alcohol must be fully enclosed by walls or fences constraining the movement of patrons with entrances monitored by the business owner. The plans submitted by the applicant show stairs leading down from the elevated patio/deck to Palmer Ct. A one-way gate with an “Exit Only” sign will be required at the top of the stairs so that patrons will go to the front of the restaurant along E. Lincoln Highway in order to enter the premises.

III. STANDARDS OF A SPECIAL USE

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

The proposed outdoor/patio deck will comply with all regulations of the “CBD” Central Business
District and the UDO.

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 outdoor/patio deck will be located at the rear of the building at 249 E. Lincoln Highway. The proposed patio/deck will look out over Palmer Ct. and will face the south wall of the Debutantes School building (old DeKalb Theater), the existing Hometown Sports Bar to the west and the wall of Thai Pavilion to the east. There are no windows that will face the outdoor patio/deck and there are no apartment units that will be directly adjacent to the patio/deck. The proposed special use will be in proximity to a variety of other commercial uses including restaurants and bars.

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, including several restaurants and outdoor seating areas at the sidewalk level. The City did not receive any objections regarding the proposed special use from adjacent property owners.

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.

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 surrounding area. The proposed special use will be part of an expansion to an existing restaurant/bar and take up a vacant commercial building, which will be an economic benefit to the downtown.
IV. CITIZEN RESPONSE/COMMENTS

We receive one Citizen Response Form which was from Lauren Woods of Cracker Jax at 118 N. 3rd St. indicating her support for the proposal.

V. CONCLUSIONS AND RECOMMENDATIONS

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 an Outdoor/Patio Deck on the subject site located at 241 and 249 E. Lincoln Highway as shown on the floor plan (Sheet A2) dated 2-20-19 prepared by LaPage Architects, LTD and as indicated on Exhibit A.
LOT 61 IN COUNTY CLERK'S SUBDIVISION, A SUBDIVISION OF BLOCK 12 OF THE ORIGINAL TOWN (NOW CITY) OF DEKALB, ACCORDING TO THE Plat THEREOF RECORDED IN BOOK "C" OF PLATS, PAGE 43, ON SEPTEMBER 15, 1903, IN DEKALB COUNTY, ILLINOIS; EXCEPTING THEREFROM THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 61; THENCE SOUTH 70°40'21" EAST, ALONG THE NORTHEASTERLY LINE OF SAID LOT, 24.06 FEET TO THE NORTHEAST Corner OF SAID LOT; THENCE SOUTH 19°35'51" WEST, ALONG THE SOUTHEASTERLY Line OF SAID LOT, 27.13 FEET; THENCE NORTH 70°43'24" WEST, 22.33 FEET; THENCE NORTH 19°34'53" EAST, 11.13 FEET; THENCE NORTH 70°40'22" WEST, 1.86 FEET TO THE NORTHWESTERLY Line OF SAID LOT; THENCE NORTH 19°35'51" EAST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 16.00 FEET TO THE POINT OF BEGINNING; ALSO EXCEPTING THEREFROM THE SOUTH 12 FEET OF SAID LOT, SITUATED IN THE CITY OF DEKALB, COUNTY OF DEKALB, STATE OF ILLINOIS.

SEE BOOK 69 OF MORTGAGES, PAGE 271, FOR PARTY WALL AGREEMENT.

SEE DOC. 60-00747 FOR VAULT ABANDONMENT AGREEMENT.

SEE DOC. 60-00746 FOR PUBLIC FACILITIES EASEMENT.

SITUATION: 1"=20'

Job Number 2019 - 038

"M" indicates Measured Distance.

"R" indicates Record Distance.

2 STORY BRICK BUILDING

2 STORY BRICK BUILDING

CUT CROSS AT CORNER

CUT CROSS AT CORNER

CONCRETE SIDEWALK

PRESENT 78' R.O.W. LINE

ORIGINAL 66' R.O.W. LINE

LINCOLN HIGHWAY

(aka RTE. 38 & MAIN STREET)

Edward A. Dienhart, Land Surveyor

2320 Sycamore, Road, #134, DeKalb, IL 60115
Phone (815) 508-9766 Web: edihomesurveyor.com

License renewable November, 2020

Notes:

This survey conforms to the State of Illinois Minimum Standards for Boundary Surveys, as adopted November, 2000.

Dimensions obtained by scaling on the plat should be considered approximate.

Refer to title policy and local ordinance for other important information regarding setbacks, possible easements, covenants and/or restrictions.
VIEW ACROSS PALMER CT, FROM AREA OF PROPOSED PATIO/DECK
SPECIAL USE PERMIT PETITION

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

FROM: Petitioner Name(s): M.A. NESS, LLC  Telephone: ______________________
        Petitioner's Representative: Thomas Schmiel  Cell: 630 973 9182
        Mailing Address: 653 Linwood Dr  Email: HometownSportsBar@Gmail.com
        Batavia, IL 60510

        Property Owner: Thomas Schmiel  Telephone: ______________________
        Mailing Address: 653 Linwood Dr  Cell: 630 973 9182
        Email: HometownSportsBarComplain
        Batavia, IL 60510

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: 0823159048 and 0823159037

B. Street Address or Common Location: 241 & 249 E Lincoln Hwy

C. Size (square feet or acres):

D. Existing Zoning District: "CBD"

E. Proposed Special Use: Outdoor Patio/Deck

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" 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: 8/28/2019
   Those in attendance:

   *(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.

Updated: March 2017
6. Petitioner/property owner(s) hereby give the City of DeKalb permission to post a public notice sign(s) on the subject property.

[Signature]

4-1-19

Date

[Signature]

Date

Subscribed and sworn to before me this __th day of ___________ , 20___.

[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]

4-1-19

Date

[Signature]

Date

Subscribed and sworn to before me this __th day of ___________ , 20___.

[Signature]

Notary Public Signature

Updated: March 2017
Hometown expansion area approximately 2100 square feet which is located at 249 E. Lincoln Hwy. will be an extension of Hometown Bar & Grill with a greater emphasis on live entrainment, which is the purpose for calling the area “Stage Left” presented by Hometown. The expansion area will consist of new ADA Men’s and Women’s bath rooms. A small bar area with an open air feel because of the coil door at the front of the building. This area will be a multi-use for entertainment on weekends or as needed and sitting area for dinner or cocktails when entertainment is not booked. At the rear of the building directly out the back door will be a Deck/Patio approximately 480 square feet in size which will add to the open air concept and seat roughly 16 to 20 people comfortably. The deck will be nestled between two buildings (Hometown and the Thai Pavilion to the east) and is resist in away from a very lite traffic area of Palmer court and debutantes beauty school. There are two existing apartments above 249. There are no apartments directly over the planned deck area and the one apartment near the back of 249 is resist in approximately another 25 feet from the back edge of the building and proposed deck area. Hours of operation will be the same as Hometown with the exception of the physical bar on the Stage Left side offering service later on certain nights to accommodate business. The expansion however will be open for patrons to utilize the space.

Any Question please feel free to contact me.

Sincerely, Tom Schmidt

Hometown Sports Bar & Grill
241 and 249 E. Lincoln Highway - Special Use Permit
Citizen Response Form

Owners Name: Lauren Woods

Property Address: 118 N. 3rd

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:

Sogood for yours!

Lauren Woods

815.758.8178
laurenwoods@live.com

Lauren Woods
Visionary

Cracker Jax

find us on facebook
crackerjaxdekalb on Instagram

118 north third street
dekalb, il. 60115

Page 3 of 4
TO: Planning and Zoning Commission

FROM: Dan Olson, Principal Planner

RE: Zoning Map Amendment from the “CBD” Central Business District to the “PD-C” Planned Development – Commercial District; Approval of Planned Development Preliminary and Final Plan; Waivers to the UDO – 424 E. Lincoln Highway (Lovell’s Discount Tire)

I. GENERAL INFORMATION

A. Purpose To allow for the expansion of an existing tire service to include additional vehicle repair services.

B. Owner/Applicant Kevin and Melissa Lovell

C. Location and Size 424 E. Lincoln Hwy.; .54 acres

D. Existing Zoning and Land Use “CBD” Central Business District; Tire service business

E. Proposed Zoning and Land Use “PD-C” Planned Development Commercial; Expand existing tire service to include additional vehicle repair services

F. Surrounding Zoning and Land Use North – CBD; RR, Park  
   South – CBD; Automotive repair  
   East – CBD; Various commercial uses  
   West – CBD; RR, Various commercial uses

G. Comprehensive Plan Designation Commercial
II. BACKGROUND AND ANALYSIS

The applicant is requesting a Zoning Map Amendment from the “CBD” Central Business District to the “PD-C” Planned Development – Commercial District and approval of a Planned Development Preliminary and Final Plan for a .54 acre site located at 424 E. Lincoln Highway in order to expand the existing legal non-conforming tire service (Lovell's Discount Tire) to include additional vehicle repair services. Consideration is also requested to approve waivers to the Unified Development Ordinance for parking setbacks, landscaping requirements, maximum site coverage and a Planned Development less than two acres.

Lovell’s Discount Tire started in 1987 on the site and the current building was constructed in 1998. The petitioner is requesting a rezoning in order to allow for the existing tire service business to include additional vehicle repair services currently not allowed under the “CBD” regulations. The “CBD” District prohibits “Vehicle Repair and/or Service Facilities”. Per the UDO, vehicle repair facilities involve both minor and major repairs of vehicles including mechanical overhauling, paint and body work, while vehicle service facilities involve minor repairs and services such as oil changes. The applicant desires to just add the services allowed under the definition for “Vehicle Service Facility”, which will include the existing tire service, oil changes, and minor repairs such as brake, muffler, exhaust and shocks services. The applicant is also proposing to have an occasional indoor car wash operation located in the building. Given that the existing business pre-dates the current UDO (adopted in 1993), Lovell’s is considered a legal non-conforming use, and subject to restrictions. The applicant is also requesting that the uses currently permitted in the “CBD” District be allowed on the site. There is an existing body art establishment (Proton Tattoo) at the west end of the building that is currently a permitted use in the “CBD” District and will be remaining. Restrictions will be placed on the site regarding where vehicle repair work can occur, limitations on inoperable vehicles and that no outside storage or display of materials is allowed.

In 2013, the applicant applied for a similar request and was recommended for approval by the Planning and Zoning Commission, however, the petition was withdrawn by the applicant prior to City Council consideration. Since that time, the owner has acquired and demolished a small building that used to be on the corner in front of the main building and has continued to investigate costs for finalizing site improvements. On July 23, 2018, the City Council authorized a tax increment financing incentive agreement for planned improvements for Lovell’s. The planned improvements included the complete resurfacing of the parking lot, IDOT required improvements in the right-of-way of E. Lincoln Highway and S. 4th St. and the continuation of the streetscape along the frontage of the project (i.e. paver blocks). The agreement provided that the incentive was contingent upon the applicant applying for and receiving PD-C zoning designation within six months of approval of the agreement. A six-month extension was granted by the City in January to July 23, 2019.

The applicant intends to resurface the entire parking lot and redesign it by adding
additional parking spaces, landscaping, streetscape improvements and adding a new ground sign. Streetscape improvements include paver bricks in the sidewalk along E. Lincoln Highway to match areas to the east and west and removing the access at the corner with a barrier curb and gutter. These changes are at the direction of IDOT and the City and will improve the appearance of the intersection. The existing access to E. Lincoln Highway at the far east end of the site will remain as will the full access to S. 4th St. Access to the alley at the southeast portion of the site will also be maintained. The parking lot will be resurfaced and striped per the construction and design standards of the UDO. There are about 19 parking spaces on-site now and with the proposed improvements there will be a total of 23 parking spaces provided. The number of required parking spaces per the UDO requirements is 19.

A landscape plan is provided which shows the planting of deciduous shrubs, ornamental grasses, shrubs and perennials and three new shade trees along the E. Lincoln Highway/S. 4th St, frontage, which will almost double the amount of plantings that currently exist. The existing parking spaces along the E. Lincoln Highway frontage are four (4) feet from the property line, which encroaches within the 10-foot setback requirement, however a waiver is requested. All the new parking spaces along E. Lincoln Highway/S. 4th St., except the handicap space, will meet the 10-foot setback requirement. The existing parking spaces along the east property line are at the property line and will remain. A photometric plan was also submitted and meets the illumination standards in the UDO. There will be no change to the building facade beyond some new wall signage. A new ground sign is proposed along E. Lincoln Highway and the trash dumpster will be relocated to the southeast portion of the site and screened per the UDO standards.

The applicant is requesting waivers to the UDO regarding parking setbacks, landscaping requirements, maximum site coverage and a Planned Development less than two acres. The UDO requires parking spaces and access drives be a minimum of 10 feet from the property line (right-of-way) adjoining a public street. The existing parking spaces along E. Lincoln Highway and the east property line are within the setbacks, however all new parking spaces will meet the minimum setback, except the one handicap space. The landscaping required in the setback areas along E. Lincoln Highway and the east property line are requested to be waived since there is not enough room to plant the required vegetation. For “PD-C” Planned Development – Commercial zoned sites, the maximum site coverage allowed is 70%, and the site coverage is about 95%. A waiver is needed since the building and most of the parking lot is existing and currently exceeds the maximum site coverage allowed. The area where the new parking is located has landscaping and meets the 10-foot setback to the roadway. Finally, the UDO requires Planned Developments be over 2 acres. The subject site is .54 acres. The proposed development needs relief from this standard of the UDO due the site size, location, and to make it economically feasible. The City has waived this requirement in other recent projects including Cornerstone, Plaza DeKalb, 1114 Blackhawk Road (Sigma NU Fraternity) and Pizza Hut.
Planned Development Plans and Final Plat

The applicant is requesting the plans submitted be approved on a preliminary and final level. The plans have been reviewed by staff and comments will be finalized early next week and will be presented to the Commission at Wednesday’s meeting. The City staff has worked with the applicant and their engineer on the plan for some time and it is anticipated the remaining comments will be minor in nature and once addressed, will not affect the layout of the site. A final plat of resubdivision was also submitted creating one lot over the entire property.

III. STANDARDS OF REZONING

1. The proposed rezoning conforms to the Comprehensive Plan, or conditions have changed to warrant the need for different types of land uses in that area. The proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding areas trend in development.

The 2005 Comprehensive Plan recommends the subject site for commercial uses. The property has had a tire repair service on the site since 1987 and the current building was constructed in 1998. The re-development of the property with the proposed additional vehicle repair services meets the intent of the Comprehensive Plan.

2. The proposed rezoning conforms to the intent and purpose of the Unified Development Ordinance.

Re-zoning of the subject site to the PD-C District will allow the project to comply with the regulations of the UDO except for waivers for parking setbacks, landscaping requirements maximum site coverage and for a Planned Development less than two acres. The exceptions to the UDO are justified based upon the size of the site, location, and the desire to maintain a legal non-conforming use on the site. The rezoning of the subject property provides the opportunity to allow for uses that are currently prohibited in the CBD District and will allow the business to operate in a manner that is benefit to the community and the downtown area.

3. The proposed rezoning will not have a significantly detrimental effect on the long-range development of adjacent properties or adjacent land uses.

The surrounding area is already fully developed, and the proposed zoning and land use is consistent and compatible with the neighborhood. The proposed rezoning should not have a detrimental effect on the adjacent properties or land uses. Restrictions will be placed on the site regarding where vehicle repair work can occur, limitations on inoperable vehicles and that no outside storage or display of materials is allowed.

4. The proposed rezoning constitutes an expansion of an existing zoning district that, due to the lack of undeveloped land, can no longer meet the demand
for the intended land uses.

The subject property is proposed for “PD-C” Planned Development - Commercial zoning. The “PD-C” District designation will allow uses on the site that will be compatible with the surrounding neighborhood, enhance the area with higher standards of design than other adjacent properties and provide consistency with the Comprehensive Plan recommendations.

5. Adequate public facilities and services exist or can be provided.

Existing utilities already serve the site.

IV. STANDARDS FOR PLANNED DEVELOPMENT

General Standards: The approval of the Development Plan may provide for such exceptions from the regulations associated with traditional zoning districts as may be necessary or desirable to achieve the objectives of the proposed planned development. However, such exceptions shall consistent with the City’s Comprehensive Plan and the standards contained in this Section and have been specifically requested in the application for a planned development; and further, that no planned development shall be allowed which would result in:

1. Inadequate or unsafe access to the planned development;

The existing eastern full access from E. Lincoln Highway and the S. 4th. St. access will be maintained and have functioned in a safe manner over the years. The access at the corner of E. Lincoln Highway and S. 4th St. will be removed and replaced with a barrier curb and gutter.

2. Traffic volumes exceeding the anticipated capacity of the proposed major street network in the vicinity;

The project is the redevelopment of a site that has contained a tire repair service for several decades. The site is located at the intersection of E. Lincoln Highway and S. 4th St. which is signalized and has the capacity to handle the traffic from the site.

3. An undue burden on public parks, recreation areas, schools, fire and police protection and other public facilities which serve or are proposed to serve the planned development;

The project will not have any undue impact on public parks, recreation areas, schools, fire and police protection or other public facilities.

4. A development which will be incompatible with the intent and purposes of this Ordinance;
The applicant is requesting Planned Development Zoning, which allows the City to approve regulations that will control the zoning, development and maintenance, operations and other property improvement related issues. Waivers to the Unified Development Ordinance for parking setbacks, landscaping requirements, maximum site coverage and a Planned Development less than two acres and are justified based upon the size of the site, location, and the desire to maintain a legal non-conforming use on the site.

5. Detrimental impact on surrounding area including, but not limited to, visual pollution;

The surrounding area is already fully developed, and the proposed zoning and land use is consistent and compatible with the neighborhood and Comprehensive Plan. The proposed rezoning should not have a detrimental effect on the adjacent properties or land uses. Restrictions will be placed on the site regarding where vehicle repair work can occur, limitations on inoperable vehicles and that no outside storage or display of materials is allowed.

V. Citizen Comments

As of May 3, 2019, we have not received any public comment regarding the proposal.

VI. RECOMMENDATION

Full staff comments regarding the plans have not been fully developed yet, however we will provide those at Wednesday's meeting. The City staff has worked with the applicant and their engineer on the plan for some time and it is anticipated the remaining comments will be minor in nature and once addressed, will not affect the layout of the site. A sample motion has been prepared and staff is recommending approval of the petition and plans.

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 Zoning Map Amendment from the “CBD” Central Business District to the “PD-C” Planned Development Commercial District and approval of a Planned Development Preliminary and Final Plan for the subject site located at 424 E. Lincoln Highway in order to expand the existing legal non-conforming tire service to include uses allowed under “Vehicle Service Facility” as defined in the UDO, an indoor car wash operation and all permitted uses in the “CBD” Central Business District per the Planned Development Preliminary and Final Plans and Development Standards listed in Exhibit A and subject to all staff comments being addressed prior to final City Council action as listed in Exhibit B.
Exhibit A

Planned Development Plans:

• Trash Dumpster Enclosure and Signage Details received on 2/5/18 prepared by Architectural Resources
• Site Plan (Sheet 1) dated 4/3/19 prepared by Rempe-Sharpe Consulting Engineers
• Landscape Plan (sheet L1) dated 4/11/19 prepared by Rempe-Sharpe Consulting Engineers
• Photometric Plan dated 4/11/19 prepared by Rempe-Sharpe Consulting Engineers
• Engineering Plans dated 4/11/19 prepared by Rempe-Sharpe Consulting Engineers
• Final Plat of Lovells Resubdivision dated 2-28-17 prepared by W.E. Hanna Surveyors

Development Standards:

1. The outside storage or display of parts, tools, supplies and/or other equipment or materials is prohibited.

2. Parking or storage of inoperable or unlicensed vehicles shall be prohibited.

3. No damaged vehicles requiring body work or vehicles with flat tires shall be parked outside overnight.

4. No inoperable vehicles associated with the special use shall be parked off-site.

5. All vehicle repair work must be conducted indoors.

6. The storage of any vehicles on the subject site not associated with the business is prohibited.

Development of the subject site shall be per the “CBD” Central Business District standards in the UDO except for the waivers as provided:

1. Article 12.03(6)(a) to reduce the parking setback along E. Lincoln Highway and the east property line from 10 feet to 5 feet and 0 feet as shown on the Site Plan (Sheet 1) dated 4/3/19 prepared by Rempe-Sharpe Consulting Engineers.
2. Article 12.04(3) and 12.04(4) to reduce the required landscaping quantities along
the front yard adjacent to a street and the side yard as shown on the Landscape
Plan (sheet L1) dated 4/11/19 prepared by Rempe-Sharpe Consulting Engineers.

3. Article 5.13.07 (4) to allow an increase in “Site Coverage” from 70% to 95% for a
Planned Development as shown on the Site Plan (Sheet 1) dated 4/3/19 prepared
by Rempe-Sharpe Consulting Engineers.

4. Article 5.13.06 to allow a Planned Development on a site less than two acres.
**Planting Notes**

1. Install a minimum of 4" compacted depth of mulch around all planting areas as continuous bands.
2. Mulch perennial and groundcover planting beds with 2" shredded bark mulch. Shredded bark mulching:
   - 4200 SF (Shop)
   - 7400 SF
   - 3600 SF
   - 4200 SF
   - 1250 SF
   - 4200 SF

3. Mulch street trees with a 20 gallon gator bag.

**Planting Procedures:**

1. Install a minimum of 4" compacted depth of mulch around all planting areas as continuous bands.
2. Mulch perennial and groundcover planting beds with 2" shredded bark mulch.
3. Mulch street trees with a 20 gallon gator bag.
4. Mulch will be applied on an as needed basis based on the site conditions.
5. Watering schedule: To be done on an as needed basis during establishment and during periods of drought to ensure plant material lives.
6. Mowing: To occur in all areas at a minimum interval of 2 weeks during the growing season.
7. Protection of the root zones from equipment, construction and vehicle use areas as required. All shrubs shall be kept from growing into pathways.
8. Pest Control:
   - Safety pruning should occur in all areas of the site.
   - All ornamental and shade trees shall be pruned up and away from pedestrian areas that the plans show mulching.
   - All shrubs shall be kept from growing up and away from pedestrian and vehicle use areas as required.

**Plant Material Listing**

<table>
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<tr>
<th>Sheet Title</th>
<th>LINCOLN HIGHWAY (IL RTE 38)</th>
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<td>PLANTING PROCEDURES:</td>
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<td><strong>DECIDUOUS SHRUBS AND ORNAMENTAL GRASSES</strong></td>
<td></td>
</tr>
<tr>
<td><strong>PERENNIALS</strong></td>
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</table>

**Landscape Maintenance**

1. Fertilization and pH: To be applied on an as needed basis based on the site conditions.
2. Mulching: To be completed on an annual basis in all developed areas that the plans show mulching.
3. Protection of the root zones from equipment, construction and vehicle use areas as required.
4. All shrubs shall be kept from growing into pathways.
5. All ornamental and shade trees shall be pruned up and away from pedestrian and vehicle use areas as required.

**PLANTING PROCEDURES:**

1. A 3" layer of mulch shall be placed around all plantings and shall be set into place with a 2" layer of water. The ring should be 3" high and the same diameter as the hole. Mulch shall be kept away from pedes
2. Planting shall occur in an area of least soil disturbance. Manuals shall be set upright and plumb. Set shrub material 2" above the adjacent soil surface. The ring should be 3" high and the same diameter as the hole. Mulch shall be kept away from pedestrian and vehicle use areas as required.
3. All shrubs shall be kept from growing into pathways.
4. All ornamental and shade trees shall be pruned up and away from pedestrian and vehicle use areas as required.
5. Watering shall be done on an as needed basis based on the site conditions.
6. Protection of the root zones from equipment, construction and vehicle use areas as required.
7. All shrubs shall be kept from growing into pathways.
8. All ornamental and shade trees shall be pruned up and away from pedestrian and vehicle use areas as required.

**PLANTING PROCEDURES (cont.):**

1. Watering shall be done on an as needed basis based on the site conditions.
2. Protection of the root zones from equipment, construction and vehicle use areas as required.
3. All shrubs shall be kept from growing into pathways.
4. All ornamental and shade trees shall be pruned up and away from pedestrian and vehicle use areas as required.
5. Watering shall be done on an as needed basis based on the site conditions.
6. Protection of the root zones from equipment, construction and vehicle use areas as required.
7. All shrubs shall be kept from growing into pathways.
8. All ornamental and shade trees shall be pruned up and away from pedestrian and vehicle use areas as required.
ENGINEERING PLANS FOR:

LOVELL’S DISCOUNT TIRE PARKING LOT IMPROVEMENTS
424 EAST LINCOLN HIGHWAY
DEKALB, ILLINOIS

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OWNER/DEVELOPER:

Lovell’s Discount Tire, Inc.
424 East Lincoln Highway
DeKalb, IL 60115
P: 815.756.5656
Kevin Lovell

LICENSED ENGINEER

BRUCE J. ADERMAN
PROFESSIONAL ENGINEER
ILLINOIS LICENSED PROFESSIONAL ENGINEER
BRUCE J. ADERMAN
NO. 062-046478
PROFESSIONAL ENGINEER
EXPIRES 11-30-2019

REFERENCE BENCHMARK:
NORTHEAST TAG BOLT ON FIRE HYDRANT LOCATED AT THE INTERSECTION OF LINCOLN HIGHWAY (IL ROUTE 38) AND FIFTH STREET:
ELEV = 882.60

SITE BENCHMARK:
CHISELED SQUARE CUT OUT BY OTHERS IN THE WESTERLY FACADE OF CONCRETE BASE TO A TRAFFIC SIGNAL LOCATED ON THE SOUTHSIDE OF EAST LINCOLN HIGHWAY (IL ROUTE 31):
ELEV = 882.90

LOCATION MAP

NOT FOR CONSTRUCTION

This drawing cannot be used nor reproduced either wholly or in part except when authorized by the engineer - Rempe-Sharpe
1. All underground utilities shall be relocated to existing watermain locations. Polyethylene piping shall be used for all affected and therefore must be completely accounted for. In order to ensure proper drainage, all necessary watermain relocates or additions shall be reviewed and approved by the appropriate City Engineer prior to construction.

2. Utility contractors shall make it a priority to relocate utilities in accordance with the standard specifications for water and sewer and shall coordinate with the engineering firm and the City Engineer to ensure proper relocation. Time shall be given to properly relocate utilities prior to construction of the mainline.

3. The construction manager shall verify all permits prior to construction.

4. After initial field staking, the construction manager shall coordinate a joint field staking effort with the engineering firm, the City Engineer, and the City. This effort shall take place during the construction of the mainline and shall be coordinated with the engineering firm and the City Engineer.

5. Valve vaults and corporations shall be added as necessary to allow for the proper functioning of the utilities.

6. Except as noted, all rubber 0-ring gasketed joints shall be replaced to its original condition upon completion of utility construction.

7. Construction manager shall verify all points of conflict with the proposed building to permit building construction.

8. All storm sewer shall be reinforced and approved by the City prior to construction.

9. All storm sewer shall be of the City design with rubber gasketed joints and should be of 0-ring gasketed type.

10. All storm sewer shall be backfilled prior to removal and trimmed and compacted after construction of the mainline.

11. Storm structures shall be designed and located to minimize impact on the construction of the road.

12. Watermain shall be relocated or added as necessary to accommodate the proposed building.

13. Watermain shall be relocated or added as necessary to accommodate the proposed building.

14. Fiber optic cables, steam/condensate, and appurtenances for these utilities shall be relocated or added as necessary to accommodate the proposed building.

15. Rubber 0-ring gasketed joints shall be replaced to its original condition upon completion of utility construction.

16. Watermain shall be relocated or added as necessary to accommodate the proposed building.
PLANTING PROCEDURES:

1. Soil preparation: The area around the planting hole shall be cleared of all grass, weeds, and other vegetation. The soil shall be loosened to a depth of 12" and mixed with organic matter to improve water retention and aeration.

2. Mulch perennial and groundcover planting beds with 2" shredded bark mulch. Water mulched areas thoroughly after placing mulch. Shredded Bark Mulching:

   - ARMSTRONG FREEMAN MAPLE
     - Acer freemanii 'Armstrong'
   - SOMBRERO 'SALSA RED' CONEFLOWER
     - Echinacea 'Salsa Red'
   - ORNAMENTAL ONION
     - Allium Millenium
   - CHEYENNE SKY RED SWITCH GRASS
     - Panicum virgatum 'Cheyenne Sky'
   - Gro-Low SUMAC
     - Rhus aromatica 'Gro-Low'

3. Pruning: Safety pruning should occur in all areas of the site. All branches and prunings shall be removed and confined away from the vegetation, including but not limited to:
   - tree limbs
   - shrub branches
   - groundcover plantings

4. Mulching: To be completed on an annual basis in all developed areas that the plans show mulching.

5. Mowing: To occur in all areas at a minimum interval of 2 weeks during the growing season.

6. Protection of the root zones from equipment, construction and maintenance equipment.

7. Planting: To be done by hand as needed during establishment and during periods of growth as necessary.

PLANTING NOTES:

1. Fertilization and pH: To be applied on an as needed basis based on the soil sample.

2. Pruning: Safety pruning should occur in all areas of the site. All branches and prunings shall be removed and confined away from pedestrian pathways.

3. Pest Control:

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5. Mowing: To occur in all areas at a minimum interval of 2 weeks during the growing season.

6. Protection of the root zones from equipment, construction and maintenance equipment.

7. Planting: To be done by hand as needed during establishment and during periods of growth as necessary.
PLANTING NOTES

1. All plants and beds to be flagged in the field and approved by owner prior to installation. Adjustments to plant location may be made by owner.

2. Protection of the root zones from equipment, construction and vehicle use areas as required. All shrubs shall be kept from growing into sidewalks.

3. All plant areas shall be planted, mulched or grass. There shall be no bare areas.

4. Mulching: To be completed on an annual basis in all developed areas that the plans show mulching.

5. Mowing: To occur in all areas at a minimum interval of 2 weeks during the growing season.

6. Pest Control: To be done by hand as needed during establishment and during periods of growth to ensure plant material lives.

7. Watering schedule: To be done on an as needed basis based on the net evapotranspiration.

8. Landscaping Maintenance: To be done by hand as needed during establishment and during periods of growth to ensure plant material lives.

9. Protection of the root zones from equipment, construction and vehicle use areas as required. All shrubs shall be kept from growing into sidewalks.

10. Pruning: Safety pruning should occur in all areas of the site. All Ornamental and Shade trees shall be pruned to remove lower branches and branches that are growing toward pedestrian and vehicular areas as required. All shrubs shall be kept from growing into sidewalks.

11. Trees shall be pruned to avoid pruning wounds and to remove lower branches and branches that are growing toward pedestrian and vehicular areas as required.

12. Trees shall not be pruned to remove lower branches and branches that are growing toward pedestrian and vehicular areas as required.
SECTION
SCALE: 1/2" = 1'-0"

PRECAST CONC. CAP

BLOCK TO MATCH EXSTG
w/ LADDER TYPE REINFORCING
1ST AND 2ND COARSE & EVERY
OTHER COARSE THEREAFTER

4" CONC. SLAB (TURN DOWN 1 8" TYP)
ON 4" MIN. GRAVEL BASE (TYP.)

SUBURBAN TIRE
State Route 38
St. Charles, Illinois

ARCHITECTURAL RESOURCES
W. Alex Teipel --- Architect
427 West State Street
Geneva, Illinois 60134
(630) 232-1774

Date 07/20/05
Scale AS NOTED
Drawn R.M.A.
Job 03-1446
April 5, 2019

Planning and Zoning Commission
City of DeKalb
200 S. 4th Street
DeKalb, IL 60115

Re: Lovell’s Discount Tire Project
404-424 E. Lincoln Highway & 120 S. 4th Street

Dear Ladies/Gentlemen;

Kevin B. Lovell and Melissa G. Lovell, as Co-Trustees of the Kevin B. Lovell and Melissa G. Lovell Declaration of Trust dated April 3, 1998, and as the owners of the above-described property are seeking your approval of a rezoning of the above-described property from its current Central Business District (CBD) zoning to Plan Development Commercial (PD-C).

The Lovells have demolished the small vacant structure formerly located in the southeast corner of the intersection of 4th Street and Lincoln Highway, and intend to redesign the parking lot of the remaining Lovell’s Discount Tire structure by adding additional parking stalls, landscaping, streetscape improvements (paver bricks), and signage to improve the appearance of the corner and allow the remaining building to accommodate additional vehicle services which would require additional equipment. These modifications will soften the hardscape of the corner. This rezoning request for a planned development which currently exists as a legal non-conforming use on the subject property would not necessarily introduce any new uses or detrimental uses to the CBD.

The owners propose to confine the uses of the subject property to those permitted land uses and developments in the CBD as are enumerated in paragraph 5.09.02 of the Zoning District Regulations; in addition, they propose to use the property as a vehicle repair and/or service facility and occasional indoor car wash incident to the primary focus of their business which is tire sales and repair, and sales of related automotive accessories. At present, they intend to seek waivers of the following provisions of the UDO:

- Planned Development under 2 acres - Article 5.13.06
- Landscaping requirements adjacent to streets – Article 12.04(3)
- Parking setbacks for front, side and rear yards – Article 12.03(6)(a)
- Maximum Site Coverage for PD-C zoned site – Article 5.13.07(4)
Planning and Zoning Commission
April 5, 2019
Page Two

The owners are prepared to agree to any reasonable conditions relating to the use of the subject property recommended by the City Planning staff.

Please feel free to contact the undersigned or Mr. Lovell at (815) 751-1608 with any further questions. Thank you in advance for your consideration of this matter.

Sincerely,

Richard D. Larson

RDL/tad

cc: Kevin B. & Melissa G. Lovell (via email)
TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): Kevin and Melissa Lovell
Petitioner's Representative: Michael Carpenter
Mailing Address: 1731 DeKalb Ave., Sycamore, IL, 60178

Property Owner: Kevin and Melissa Lovell
Mailing Address: 1335 Florence Dr., Sycamore, IL, 60178

Telephone: 815-754-4000
Cell: 815-540-5101
Email: mcarpenter@rvgcommercial.com

1. The petitioner hereby petitions the City of DeKalb to rezone the following property:

A. Legal Description and Parcel Number(s) – If necessary, attach the full legal description on a separate piece of paper:
   DeKalb (Original Town) Resub - Lots E & F Block 23 & W-LY 1/2 VAC Alley E & ADJ
   Parcel: 0823302026 - Building size = 7,300 Square Feet

B. Street Address or Common Location: 424 E. Lincoln Hwy., DeKalb, IL 60115-3706

C. Size (square feet or acres): 23,087 sq. ft.

D. Existing Zoning District: "CBD" – Central Business District

E. Proposed Zoning District: "PD-C" – Planned Development Commercial

F. Reason for request: On a separate piece of paper, describe the reasons for the rezoning request and the intended types of land uses, if any, for the property. Also, indicate whether or not the proposed rezoning would:
   a) be in conformance with the City's Comprehensive Plan and how the proposed rezoning may;
   b) impact adjacent existing and future land uses;
   c) impact adjacent property values; and
   d) impact the general public’s health, safety and welfare.
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

☐ All files (e.g. site plans, building elevations, legal description, reasons for request) shall be provided on a CD, DVD or flash device that will become part of the application file

☐ Petition fee ($500.00)

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: February 5, 2018

Those in attendance: Dan Olson, Jason Michnick, JoEllen Carlton, Kevin Lovell, Jim Elliot, & Mike Carpenter

*(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.

Petitioner Signature

Date

Petitioner Signature

Date

Subscribed and sworn to before me this [day of] [month], 20[____].

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 Rezoning petition as described above (petitioner must sign if s/he is the owner).

Property Owner Signature

Date

Property Owner Signature

Date

Subscribed and sworn to before me this [day of] [month], 20[____].

Notary Public Signature

Updated: March 2017
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 Wednesday, May 8, 2019, at 6:00 p.m. in the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois, on the petition by Kevin and Melissa Lovell 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 Planned Development Preliminary and Final Plan for a .53 acre site located at 424 E. Lincoln Highway in order to expand the existing tire service to include full vehicle repair services. Consideration is also requested to approve waivers to the Unified Development Ordinance for parking setbacks, landscaping requirements, maximum site coverage and a Planned Development less than two acres and other approvals as required for the subject property to allow for the construction as proposed.

The property is commonly described as Lovell’s Discount Tire located at 424 E. Lincoln Highway DeKalb, IL and has a Parcel Identification Number (PIN) of 08-23-302-026.

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, 200 South Fourth Street, DeKalb, Illinois, 60115 by 5:00 p.m. on Wednesday, May 1, 2019. Additional information regarding the public hearing can be found on the City of DeKalb’s web page at https://www.cityofdekalb.com/1103/Public-Hearings or by calling the Community Development Department by calling (815) 748-2361.

Christina Doe, Chair
DeKalb Planning and Zoning Commission