A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES
   1. July 19, 2021

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

E. NEW BUSINESS
   1. Final Plat of Subdivision – Approval of a Final Plat of Subdivision and Plat of Easement of the ChicagoWest Business Center – Phase 2 - Gurler Road (Project Barb) (TC Pursuit Services, Inc. and DeKalb 343, LLC).

   2. Public Hearing – A petition by Blue Ridge LLC -1221 requesting approval of the rezoning of 1221 W. Lincoln Highway from the “GC” General Commercial District and the “MFR2” Multi-Family Residential District to the “PD-C” Planned Development Commercial District and approval of a preliminary development plan to allow for the construction of an approximate 6,090 sq. ft. building to contain a package liquor store with a drive-through, video gaming establishment, three 2-bedroom apartments, and a shop/storage area.

F. REPORTS

G. ADJOURNMENT
The Planning and Zoning Commission held a meeting on July 19, 2021, at the DeKalb Public Library in the Yusunas Meeting Room located at 309 Oak Street, DeKalb, Illinois. Chair Maxwell called the meeting to order at 6:00 PM.

A. ROLL CALL

Recording Secretary Aaron Walker called the roll. Planning and Zoning Commission members present were: Trixy O’Flaherty, Maria Pena-Graham, Steve Becker, Jerry Wright, Shannon Stoker, Vice Chair Bill McMahon, and Chair Max Maxwell. Principal Planner Dan Olson, City Engineer Zac Gill, and City Manager Bill Nicklas were present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the July 19, 2021, agenda as presented. Mr. Becker motioned to approve the agenda as presented. Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. July 6, 2021 – Chair Maxwell requested a motion to approve the July 6, 2021, minutes as presented. Ms. O’Flaherty motioned to approve the minutes as presented. Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote.

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

None

E. NEW BUSINESS

1. Public Hearing – A petition by TC Pursuit Services Inc. and DeKalb 343 LLC, Owner, for approval of an amendment to Ordinances 2006-109 and 2006-107 to accommodate an approximately 700,000 sq. ft. warehouse and distribution center (Project Barb) located on approximately 58 acres in the Chicago West Business Center, located east of State Route 23, north of Gurler Road, west of Crego Road, and south of I-88.
Morgan Baer Blaska, representing Trammell Crow Company and DeKalb 343 LLC, advised Trammell Crow Company is one of the most active developers in the USA, specializing in industrial properties. She advised they were heavily involved with the Ferrara Candy Company development project that came to DeKalb last year.

Ms. Baer Blaska advised her client is proposing a 700,000 sq. ft. distribution and warehouse facility on approximately 58 acres on Lot 5 in the Chicago West Business Center. She noted the warehouse will be accompanied by 535 parking stalls, 490 trailer parking stalls, and 123 overhead doors and loading docks. She stated they anticipate having three access points off Gurler Rd. and one access off Crego Rd. She said the majority of truck traffic to the site will be coming from Peace Rd and will access the development through the Crego Rd. entrance. She added improvements to Crego Rd. will be made by the developer, to include the addition of a turn lane along Gurler Rd.

Principal Planner Dan Olson went through the staff report dated July 15, 2021. He reiterated the subject site is located on 58 acres, between the Ferrara Candy Co. development and Crego Rd and is being referred to as Project Barb. He mentioned the property was previous annexed and zoned with an approved concept plan and preliminary plat in 2006. He advised the original plans have a different layout than what was proposed and shown on the plans from 2006, which triggered the requirement for a public hearing.

Mr. Olson said there are three access points off Gurler Rd, two of which are employee and visitor entrances and the third being a truck exit point. He added the truck entrance will be located off Crego Rd. at the northeast portion of the site. He advised improvements will be made to Crego Rd. to accommodate the increased truck traffic and there are existing improvement plans for Gurler Rd and Route 23, which will be completed in 2021.

Mr. Olson stated the petitioner will have to submit a final plan which will include a landscaping plan, lighting plan and final plat. He added the plat will be reviewed by the Commission at a later date, however the rest of the final plan will be reviewed by staff. He advised the current agreement for the Chicago West Business Center allows for site work, including mass grading, to commence with the appropriate permit, which they plan to start in early August.
Mr. Olson said the original development agreement had several restrictions regarding access, which the petitioner is requesting an amendment to accommodate the four proposed access points.

Mr. Olson stated the City received a citizen response form from Paul and Patricia Knigge of 3255 S 4th St. He mentioned they had questions regarding traffic, a berm along Rt. 23 and water service. He informed them the majority of truck traffic will come from Peace Rd. and not Route 23 and the intersection of Rt. 23 and Gurler Road will be improved and will include a signal. He advised an updated traffic study was completed for the proposed project, as was done with the other ChicagoWest Business Center developments and Facebook. Mr. Olson also mentioned a berm along Rt. 23 will be constructed when the site between the Ferrara Distribution Center and Rt. 23 is developed.

Mr. Olson stated the Project Barb proposal is a major asset to the I-88 corridor and an economic boost for the community. He added City staff strongly recommends approval.

Chair Maxwell gave the public an opportunity to speak.

Kathy Kivisto of 3275 S 4th St advised her main concern was with traffic, as her property is the last driveway before hitting Gurler Rd. She stated there has been a significant increase in truck traffic along Route 23 with several truck drivers honking their horns in the early morning hours to signal they are turning onto Gurler Rd. She hopes the proposed traffic signal will resolve the noise issue but is worried Project Barb will bring even more truck traffic to her neighborhood.

City Engineer Zac Gill responded that proposals have been submitted to the Illinois Department of Transportation regarding the improvements to Route 23 and Gurler Road. He explained a left turn lane will be installed for the southbound traffic and a left turn and right turn for northbound traffic. He added there will be some minor widening on Gurler Rd. He noted a left turn, right turn, and through lane will be added to the eastern portion of Gurler Rd. in front of the subject site.

Mr. Becker questioned what the timeline was for the improvements to be made at Gurler Road and Rt. 23. Mr. Gill noted the final comments were just received from IDOT last week, and a final resubmittal will be sent back for review by the end of the month.
Chair Maxwell questioned if any traffic lights will be added to the access points to the proposed project. Mr. Olson responded that no traffic lights have been proposed at this time.

Ingrid Inboden of 2975 S 4th St. spoke and stated she had concerns regarding traffic down Route 23. She compared the speed of traffic to a racetrack. She advised the speed limit is 50mph southbound towards Gurler Rd. and requested the speed limit be decreased with increased police presence.

Zac Gill explained the City is in support of a decreased speed limit and would strongly suggest a study be conducted with the State to change it. He said a speed limit of 35mph or 40mph would be more appropriate.

Mr. Becker questioned how many employee shifts will be planned for the development and how it will affect traffic. Ms. Baer Blaska advised there will be approximately 1000 full-time and part-time employees over three shifts throughout the day.

Paul Borek, Executive Director of the DeKalb County Economic Development Corporation, read a letter dated 7-19-21 and noted the DCEDC strongly supports the proposed project. He advised the Chicago West Business Center projects have brought much needed improvements to utilities and roadways in the area, as well as economic growth. He added the proposed project is within the DeKalb County Enterprise Zone, which provides for state and local incentives for industrial developments.

Chair Maxwell gave Commission members an opportunity to speak.

Ms. O'Flaherty requested the City pursue a decrease in the speed limit on Route 23. She mentioned, however, it should not be a determining factor for the proposed development. She stated the City should take separate action to accommodate the residents.

Mr. Becker questioned what the anticipated completion date was for the proposed development. Ms. Baer Blaska advised mass grading is projected to start in August, with an anticipated final completion to occur in the third quarter of 2022.

Mr. Wright questioned if a traffic study was completed indicating where the majority of employee traffic will come from. Mr. Gill responded there is no way to determine where every employee will be traveling from, but it can be estimated based on population density. He added the traffic study projects approximately 2000 trips to the property on a daily basis.
Ms. O’Flaherty moved that the Planning and Zoning Commission recommend approval of an amendment to the annexation agreement and an amendment represented by Ordinance 2006-107 and Ordinance 2006-109 to allow for an approximate 700,000 square foot warehouse and distribution center on approximately 58 acres located between Route 23, Gurler Road, Crego Road and I-88 and subject to the plans, standards and conditions listed in Exhibit A of the staff report.

Mr. Wright seconded the motion.

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

2. **Public Hearing** – A petition by B33 Northland Plaza LLC for approval of amendments to Ordinances 2002-045 and 2019-004 to amend the sign regulations to increase the allowable wall sign area for the building at the rear of the property generally located at the northeast quadrant of Sycamore Rd and Barber Greene Rd (2478-2560 Sycamore Rd), zoned “PD-C” Planned Development Commercial District, commonly known as the Northland Plaza Shopping Center.

Frank Lambert of South Water Signs advised he is currently working with TJ Maxx to install signs for their new location in the Northland Plaza Shopping Center. He mentioned his client is currently requesting larger signs than are currently allowed per the Northland Plaza development ordinance. He stated the new TJ Maxx will be set back over 600 ft. from Sycamore Road, which will make it difficult for potential customers to see their signage. He noted they are requesting wall signs equal to 2 times the lineal foot of frontage.

Principal Planner Dan Olson went through the staff report dated July 15, 2021. He advised TJ Maxx is relocating to a new 27,000 sq. ft. space in the Northland Plaza Shopping Center just north of ALDI and would like to install a wall sign larger than what is allowed per the Planned Development Ordinance covering Northland Plaza. He noted the Planned Development Ordinance approved in 2002 for Northland Plaza allowed wall signs for the easterly building at the rear of the site to be up to 1.5 sq. ft. per lineal foot of building tenant frontage. He added there was also a three-foot-high maximum for any individual lettering in a wall sign.

Mr. Olson explained the proposed sign for TJ Maxx will be about 183 sq. ft. or 1.7 times the frontage of their proposed tenant space, which is 106 feet. He stated the petitioner is requesting that wall signs be allowed up to 2 sq. ft. per lineal foot of tenant frontage for the easterly building only. He mentioned TJ
Maxx originally submitted a wall sign at about 2.3 times the tenant frontage but was advised City Staff would not support the proposal. He added staff recommend the three-foot maximum height of letter be removed, as other tenants in the easterly building have some lettering already exceeding that limit.

Mr. Olson stated the proposed sign will give TJ Maxx better visibility from Sycamore Rd. and will look more architecturally correct on the proposed new facade versus looking undersized. He added a 2.5 sq. ft. under canopy sign and two column signs will be added to the overall wall sign area as well. He noted the total square footage of all four signs are included in the final calculation shown on the sign details.

Vice Chair McMahon moved that the Planning and Zoning Commission recommend approval an amendment to Section 5.3(d) of Ordinance 02-45 and Sections 4 and 5 of Ordinance 2019-004 for the subject property to allow wall signage on the easterly building (2478-2560 Sycamore Road) be allowed up to 2 square feet per lineal foot of building facade, due to its distance from Sycamore Road and to eliminate the 3-foot-high maximum for individual sign lettering. Under canopy (projecting) signs and column signs may be included in the overall wall sign size.

Mr. Becker seconded the motion.

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

F. REPORTS

Mr. Olson advised there are no scheduled hearings for the August 2, 2021 Commission meeting and will most likely be cancelled. He added a petition was received by Jeff Dobie, owner of Fatty’s Pub and Grill, to develop the lot at 1221 W. Lincoln Highway. He noted the lot is currently used for overflow parking from Fatty’s. He stated Mr. Dobie is proposing the development of a 6,200 sq. ft. mixed use building to contain a liquor store, video gaming establishment, and second floor apartments.

G. ADJOURNMENT

Mr. Wright motioned to adjourn, Ms. Stoker seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:45 PM.
STAFF REPORT  
August 12, 2021

TO:  Planning and Zoning Commission

FROM:  Dan Olson, Principal Planner

RE:  Final Plat of Subdivision and Plat of Easement – ChicagoWest Business Center – Phase 2 - Gurler Road (TC Pursuit Services, Inc. and DeKalb 343 LLC) (Project Barb)

I. GENERAL INFORMATION

A. Purpose  Creation of a one-lot Plat of Subdivision and Plat of Easement for Project Barb to allow for the construction of an approximate 700,000 sq. warehouse and distribution center

B. Owner/Applicant  TC Pursuit Services, Inc. and DeKalb 343 LLC

C. Location and Size  Northwest corner of Gurler Road and Crego Road/58 acres

II. BACKGROUND AND ANALYSIS

The applicants, TC Pursuit Services, Inc. and DeKalb 343 LLC, are requesting approval of a one-lot subdivision plat and plat of easement for the Project Barb site in the Chicago West Business Center along Gurler Road. The plat will allow for the construction of an approximate 700,000 sq. warehouse and distribution center. On July 26, 2021 the City Council approved the second amendment to the ChicagoWest Business Center annexation agreement to allow for the development and approved a preliminary development plan.

The approved preliminary plan indicated three access points along Gurler Road, with two for employees/visitors and one for semi-truck exiting (with guard house). Trucks entering the site will use Crego Road and will enter at the far northeast portion of the property to a guard house. Road improvements to Crego Road will be needed along with a turn lane added to Gurler Road.
The final plat includes the dedication of 50 feet of right-of-way along the north side of Gurler Road and the west side of Crego Road to accommodate the proposed road improvements. The plat of easement shows an access easement at the far northeast corner of the property to accommodate a turnaround that will be constructed on the subject site along the west side of Crego Road. Access from Crego Road to the Oasis employee parking area will be maintained as well to an electrical substation.

The final plat also shows a 20-foot public utility easement along the north side of Gurler Road and the west side of Crego Road. In addition, a 30-foot sanitary sewer easement lies to the north of the 20-foot utility easement along Gurler Road. Finally, a 55-foot-wide stormwater management easement runs along the east side of the lot that will overlay a proposed stormwater conveyance swale.

The City staff has reviewed the plats and approve.

III. RECOMMENDATION

Sample Motion:

I move that the Planning and Zoning Commission recommend approval of the Final Plat of Subdivision for ChicagoWest Business Center – Phase 2 (4 sheets) dated 7-30-21 prepared by Jacob and Hefner Associates as shown on Exhibit A and approval of the Plat of Easement dated 7-28-21 (2 sheets) prepared by Jacob and Hefner Associates as shown on Exhibit B.
SUBDIVISION – FINAL PLAT

A. **APPLICANT**

1. Petitioner / Petitioner Representative
   
   Name: TC Pursuit Services, Inc. (Vice President: Grady Hamilton)
   Phone: 630-990-1583
   Email: ghamilton@trammellcrow.com
   Mailing Address: 700 Commerce Drive, Suite 455
   City, State, ZIP: Oak Brook, IL 60523

2. Property Owner (if different from Petitioner)
   
   Name: DeKalb 343, LLC (Manager: Jerry Krusinski)
   Phone: 630-573-7700
   Email: jerryk@krusinski.com
   Mailing Address: 2107 Swift Road
   City, State, ZIP: Oak Brook, IL 60523

3. Engineer / Architect
   
   Name: Jacob & Hefner Associates, Inc. (Contact: Matt Kramer)
   Phone: 630-652-4639
   Email: mkramer@jacobandhefner.com
   Mailing Address: 1333 Butterfield Road, Suite 300
   City, State, ZIP: Downers Grove, IL 60515

4. Surveyor (if applicable)
   
   Name: Jacob & Hefner Associates, Inc. (Contact: Tim Wolfe)
   Phone: 630-652-4664
   Email: twolfe@jacobandhefner.com
   Mailing Address: 1333 Butterfield Road, Suite 300
   City, State, ZIP: Downers Grove, IL 60515

B. **PROPERTY**

1. Subdivision Name: CHICAGOWEST BUSINESS CENTER - PHASE 2
2. Common Address or Location: Northwest Corner of Crego Road and Gurler Road
3. Parcel #: 08-35-400-008
4. Legal Description (if necessary, briefly describe here and reference the full legal description on the Plat)
   — See Plat
5. Size of the total area being subdivided (sq. ft. or acres): Lot 1 = 58,648; Gurler/Crego Dedication = 4.134 AC
6. Proposed Number of Lots: 1
7. Existing Zoning District: PD-I

Updated: 9/2019
C. CHECKLIST

Below are the minimum criteria necessary to properly process your application. Each item must be checked by the applicant to signify it is provided on this form or on other attached pages. **Failure to submit all required information will result in delays in the City's consideration of this application, per UDO 15.07.1.**

<table>
<thead>
<tr>
<th>Item</th>
<th>If not applicable, indicate N/A and explain</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ 1. Filing Fee: $300</td>
<td></td>
</tr>
<tr>
<td>☑ 2. Three (3) copies of Final Plat document</td>
<td></td>
</tr>
<tr>
<td>☑ 3. One (1) copy of any private restrictions, covenants, etc. if such is not provided on the plat document</td>
<td>N/A - ORD 2019-070</td>
</tr>
<tr>
<td>☑ 4. One (1) copy of statement on maintenance, operation, restriction, etc. of any common land, open space, etc. if such is not provided for on the plat document</td>
<td>N/A - ORD 2019-070</td>
</tr>
<tr>
<td>☐ 5. Six (6) copies of engineering plans for all public improvements, detention areas, etc.</td>
<td>Plans previously submitted</td>
</tr>
<tr>
<td>☑ 6. Six (6) copies of drainage overlay (Chapter 109, Ill. Rev. Statutes), if not provided within engineering plans</td>
<td>Drainage Study previously submitted</td>
</tr>
</tbody>
</table>

7. General Information
   - ☑ a. Name of subdivision on plat
   - ☑ b. Legal description
   - ☑ c. Map key
   - ☑ d. Compass, scale, date
   - ☑ e. Acreage of tract to be subdivided (to 0.01 acre)
   - ☑ f. Surveyor's certification
   - ☑ g. Utility easement grant and reservation statement
   - ☑ h. Name and address of owner(s) of land to be subdivided
   - ☑ i. School district information

8. Signature Blocks on Plat Document
   - ☑ a. Owner(s)
   - ☑ b. Planning and Zoning Commission Chair
   - ☑ c. Mayor
   - ☑ d. City Clerk
   - ☑ e. DeKalb County Clerk
   - ☑ f. DeKalb County Recorder

   - ☑ 9. Reference to and distance from the nearest known permanent monument
   - ☑ 10. Identification system for all lots and blocks along with all street names
   - ☑ 11. Dimensions, bearings, angles, radii, etc. of all lot lines, boundary lines, and rights-of-way expressed in feet and decimals of a foot
   - ☑ 12. Dimensions and widths of all building setback lines, easements, utility easements, and rights-of-way
   - ☐ 13. Description of the material and location at all survey monuments, bench marks, reference corners, etc.
   - ☑ 14. Notation of the size of each lot, in square feet or to 0.01 acres

Updated: 9/2019
15. Public utility concurrence statements

☐ a. Kishwaukee Water Reclamation District

☐ b. Electric utility provider

☐ c. Natural gas utility provider

☐ d. Telephone utility provider

☐ e. Cable television provider

N/A: Not ded. to provider.  
N/A: Not ded. to provider.  
N/A: Not ded. to provider.  
N/A: Not ded. to provider.

16. Public agency concurrence statements

☐ a. Illinois Department of Transportation

☐ b. DeKalb County Highway Department

☐ c. Applicable drainage district

☐ d. DeKalb Community Unit School District 428

☐ e. DeKalb Park District

☐ f. DeKalb County Health Department

N/A: Not adjacent to IDOT  
N/A: Not adj. to DeKalb Co.  
N/A: Drainage rev. by City  
N/A: Already Annexed  
N/A: Already Annexed  
N/A: Already Annexed

E. The petitioner hereby agrees this application and plat will be placed on a Planning and Zoning Commission agenda only after it is completed in full.

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

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

Petitioner Signature  
8/11/2021  
Date

I hereby affirm 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 request as described above (petitioner must sign if s/he is the owner).

Property Owner Signature  
9/4/2021  
Date
TO: Planning and Zoning Commission

FROM: Dan Olson, Principal Planner

RE: 1221 W. Lincoln Highway – Rezoning from the “GC”, General Commercial District and the “MFR2”, Multi-Family Residential District to the “PD-C”, Planned Development Commercial District; Planned Development Preliminary Plan (Blue Ridge, LLC - 1221)

I. GENERAL INFORMATION

A. Purpose  Construction of an approximate 6,090 sq. ft. building to contain a package liquor store with drive-through, video gaming establishment, (3) two-bedroom apartments and a shop/storage area.

B. Owner/Applicant  Blue Ridge LLC - 1221/Jeff Dobie

C. Location and Size  1221 W. Lincoln Highway, north side of W. Lincoln Hwy. about 1,100 feet west of Annie Glidden Rd. .79 acres

D. Existing Zoning and Land Use  “GC” and “MFR2”; vacant, overflow parking lot

E. Surrounding Zoning and Land Use  North: MFR1; Multi-Family Residential
South: LC; Restaurant, Motel
East: GC; Restaurants
West: GC and MFR2; Multi-Family Residential

F. Comprehensive Plan Designation  Commercial
II. BACKGROUND AND ANALYSIS

Request/Background

Blue Ridge LLC - 1221 represented by Jeff Dobie has submitted a petition to rezone 1221 W. Lincoln Highway from the “GC”, General Commercial District and “MFR2”, Multi-Family Residential District to the “PD-C”, Planned Development Commercial District. The parking area at the northwest portion of the site is zoned “MFR2” with the remainder zoned “GC”. The subject site is .79 acres, located on the north side of W. Lincoln Highway, approximately 1,100 feet west of Annie Glidden Road. On October 12, 2020 the City Council approved Resolutions 2020-111 and 2020-112, which authorized a package liquor license with a supplemental drive-thru licensure for the site as well as a bar liquor license with supplemental licensure for video gaming. The Resolutions had a 1-year time frame (from 10-12-20) to obtain the necessary zoning authorizations.

The subject site is vacant and the structure previously on the property was demolished in about 2006-2007. The applicant is also requesting approval of a preliminary development plan to allow for the construction of an approximate 6,090 sq. ft. building to contain a package liquor store with drive-through, video gaming establishment, three 2-bedroom apartments and a shop/storage area. The apartment units will be on the second level of the building over the liquor store/video gaming area. The storage area will be for Fatty’s Pub & Grill catering business, which is owned by the petitioner. The petitioner’s supporting documents indicate they believe the area is underserved for a drive-through liquor store and video gaming establishment. In addition, they note the combination of the apartments and commercial space will allow them the financial diversity to make the project work.

The petitioner is also requesting approval of waivers to the Unified Development Ordinance for a Planned Development less than two acres, reduction of the parking setback along the interior lot lines and a reduction of the 50-foot perimeter buffer requirement between a PD-C district and a residential district.

The site plan shows 38 parking spaces with a single access onto W. Lincoln Highway. Based on the square footage of the commercial uses and the number of apartment units, there are 32 required parking spaces, leaving six (6) extra parking spaces. Overflow parking from Fatty’s Pub & Grill does occur on the subject site, particularly at peak times. Fatty’s has 91 parking spaces with 90 spaces required per a site plan and permit issued in 2015 for an expansion project. A few items to note regarding the required parking for the subject site. The square footages of the uses are a gross number and the UDO uses a net “floor area” for parking that excludes restrooms, mechanical rooms and areas primarily devoted to storage. This means the actual number of required parking spaces is less than 32. In addition, the drive-through will ease some of the demand for parking spaces for the package liquor store. Lighting will be provided in the parking lot, which will improve the safety of the area for the patrons of the proposed businesses and Fatty’s.
On September 10, 2018 the City Council amended Chapter 38 “Intoxicating Liquors” of the Municipal Code to remove the ban on drive-through liquor stores. There are other restrictions regarding drive-through liquor stores that will be reviewed when a liquor licenses is submitted. Five stacking spaces are provided for the drive-through which is the standard required for a restaurant with drive through per the UDO. Vehicles waiting in the drive-through lane will not block any parking spaces or access drives. Most drive-throughs have a by-pass lane, however there is not adequate room to accommodate one on the subject site. Signage will be required to clearly designate the lane is only for drive-through traffic.

A final plan will be required to be submitted for review and approval by the Commission and City Council. The final plan will consist of an engineering plan, architectural elevations, landscape plan and lighting plan for the parking lot. In addition, a final plat will be required to be submitted for review and approval.

**Waivers to the UDO**

Planned Development less than two acres – The subject site is .79 acres. With the other waivers regarding setbacks needed, the Planned Development zoning was the most appropriate. Granting variances was not feasible and the Planned Development offers the best option. A waiver to this requirement has been approved several times before including Cornerstone DeKalb, Plaza DeKalb and Pizza Hut.

Reduction of the perimeter buffer requirements next to a residential district

The UDO states that when a PD-C District abuts a residential district, there shall be a 50-foot landscape buffer required. MFR2 zoning exists to the north, however the lot is not large enough to accommodate this 50-foot setback and a waiver is justified.

Reduction of the parking setback along the interior lot lines The UDO requires a 5-foot setback for parking/paving along the interior lot lines. A new 5-foot parking setback will be established along the east side of the site, however the setbacks will be reduced under 5 feet at the northwest portion of the lot. There is not enough width to accommodate the 5-foot setbacks and the required dimensions for the parking spaces and drive aisles. In addition, the setbacks match the existing pavement that was established in that area with the previous use.

**III. STANDARDS FOR ZONING MAP AMENDMENT**

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. “GC”
General Commercial zoning exists to the east and “LC” Light Commercial zoning lies along the south side of W. Lincoln Highway. The proposed rezoning request will allow the development of a site that has been vacant for several years. The surrounding area contains a mix of multi-family residential and commercial and uses and the proposed rezoning to the PD-C District will be compatible with the surrounding neighborhood.

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

The rezoning of the subject property to PD-C provides the opportunity to allow flexibility and to more directly shape the development, use and appearance of the property in accordance with the City’s ordinances. The proposed rezoning request and development are in compliance with the Unified Development Ordinance, except for the waivers granted in the development standards. The proposal also meets the General Standard requirements for a Planned Development as described in Article 5.13.07 of the UDO.

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

The proposed rezoning will not have a detrimental effect on the adjacent properties or land uses as it entitles the subject property to uses of the property that are complementary and compatible with the adjacent area. The Planned Development allows the property owner and the City the flexibility to agree to a development plan and standards.

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 currently zoned “GC” General Commercial District and “MFR2”, Multi-Family Residential. Rezoning the property to “PD-C” will allow for flexibility by the applicant to redevelop the property in a manner that will be compatible with the surrounding neighborhood and at the same time meet the needs of the petitioner.

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

Adequate public services and utilities are already provided to the subject property. There will be 38 parking spaces provided on the site to accommodate the parking generated from the uses and provides extra spaces for overflow parking from Fatty’s Pub & Grill across W. Lincoln Highway. A total of 32 parking spaces are required for the proposed uses. Adequate walkways and streets surround the site and will accommodate the impacts of the proposed development.

IV. PUBLIC INPUT

As of the posting of the agenda on August 12, the City has not received any public comments.
V. CONCLUSIONS AND RECOMMENDATION

The proposed rezoning request will allow for the development of a property that has been vacant for over 10 years and will be a benefit to the neighborhood and add to the tax base.

The staff’s recommendation is to approve, and a sample motion has been prepared.

Sample Motion:

Based upon the submitted petition and testimony presented, I move the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of the rezoning of subject site at 1221 W. Lincoln Highway from the “GC”, General Commercial District and “MFR2”, Multi-Family Residential District to the “PD-C”, Planned Development Commercial District and approval of a preliminary development plan dated 8-9-21, labeled as Exhibit A, and subject to the Planned Development Standards in Exhibit B and the conditions in Exhibit C.
Exhibit B

Planned Development Standards

Permitted and Special Uses:

Permitted Uses: Package liquor store with a drive-through, video gaming establishment, shop/storage area and dwelling units on the upper level of the building not exceeding three, two-bedroom apartment units. Any other permitted uses listed in the “GC”, General Commercial District of the Unified Development Ordinance.

Special Uses: Those special uses listed in the “GC”, General Commercial District of the Unified Development Ordinance.

Bulk Regulations/Landscaping/Lighting/Parking:

Setbacks, building lines, site coverage, building dimension limitations, height restrictions, landscaping, parking, lighting, signage and other similar restrictions and regulations shall meet those standards as set forth in the “PD-C” District of the UDO except as listed below:

1. Article 5.13.06 - A Planned Development under 2 acres.

2. Article 5.13.07.6 – Removal of the 50-foot buffer area between a PD-C zoned property and an adjacent residential district.

3. Article 12.03(6) - Reduce the parking setbacks along the interior lot lines as shown on the preliminary development plan labeled as Exhibit A.
Exhibit C

Conditions

Prior to a building permit being issued for the site, the following items shall be addressed:

1. Final Development Plan including architectural elevations, engineering plan, lighting (photometric) plan, landscape plan, and Final Plat shall be submitted in a form that is in conformance with the UDO and in substantial compliance with the Preliminary Development Plan and shall be reviewed by the Planning and Zoning Commission and City Council.

2. A vehicle turn-around area shall be established in the northwest portion of the property per the approval of the City Manager or designee.

3. Signage must be installed to clearly designate the drive-through lane.

4. The drive-through for the package liquor store must meet the applicable requirements of Chapter 38 “Intoxicating Liquors” of the Municipal Code.
PARKING REQUIRED
SHOP = 0 STALLS
VIDEO POKER = 5 (1 PER 250 SF)
PACKAGE LIQUOR = 19 (1 PER 150 SF)
APARTMENTS = 7.5 (1 PER BEDROOM, 0.5 PER UNIT)
AUXILIARY PARKING FOR 1312 W LINCOLN HWY = 1 STALL
TOTAL STALLS = 32.5

PARKING PROVIDED
HANDICAP STALLS = 2
STANDARD STALLS = 36
TOTAL STALLS = 38
1221 W. Lincoln Highway Rezoning - Summary

We are seeking a zoning change at the property of 1221 West Lincoln Highway in DeKalb Illinois. One of the primary businesses owned and managed by us would be a Package Liquor Store with a drive-thru. We believe the neighborhood is underserved and a drive-thru would be a convenience in the area. Next we will have a Video Gaming Establishment, again we think the area is underserved on West Lincoln Highway. The third business on the first floor would be the back north end area which would be a Storage Area for Fatty’s Catering Business. Fatty’s Catering Business has grown substantially over the years. We require more space to store equipment and product.

In addition to three commercial units on the first floor, we are adding three apartments on the second floor (approximately 60% area of the footprint). All three apartments will have two bedrooms and will be of high quality and design. The combination of the apartments above and the retail space below will allow us the financial diversity in order to meet our banking and property tax responsibilities.

We feel this project will substantially increase the value of the west end of Lincoln Highway. This project takes another blighted lot off of the main street through our town. This project would also serve as overflow parking for Fatty’s Bar & Restaurant. There will be more than enough parking spaces to serve this new project and Fatty’s Bar & Restaurant. Another advantage of this project is the safety of having a new parking lot with appropriate lighting, which it currently has none.
TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): Blue Ridge LLC -1221Jeff Dobie
Petitioner's Representative:
Mailing Address:
1312 W. Lincoln HWY. Dekalb IL 60115

Property Owner: Blue Ridge LLC -1221Jeff Dobie
Mailing Address:
1312 W. Lincoln HWY. Dekalb IL 60115

Phone: 815-766-0840
Email: jeff.fattys@gmail.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:

   See ALTA/ACSM Land Title Survey PIN# 0821276021

   B. Street Address or Common Location: 1221 W. Lincoln HWY. Dekalb IL 60115

   C. Size of Property (square feet or acres): 34,676

   D. Existing Zoning: GC, general commercial and MFR2, multi family residential

   E. Proposed Zoning: PD-C, planned development commercial

   F. Reason for request: On a separate document, 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.

Updated: 9/2019
2. The petitioner hereby submits the following information:

   Vicinity map of the area proposed for the rezoning
   
   All files (e.g. site plans, building elevations, legal description, reasons for request) shall be provided electronically 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: __________________________________________
   
   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 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 information and affirms that it is true and correct.

   [Signature]
   
   Petitioner Signature

   [Date]

   [6-29-21]

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 Rezoning petition as described above (petitioner must sign if they are the owner).

   [Signature]
   
   Property Owner Signature

   [Date]

   [6-29-21]

Updated: 9/2019
LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Monday, August 16, 2021, at 6:00 p.m. in the 2nd Floor Training Room at the DeKalb Police Department, 700 W. Lincoln Highway, DeKalb, Illinois 60115 on the petition by Blue Ridge LLC -1221 represented by Jeff Dobie requesting approval of the rezoning of 1221 W. Lincoln Highway from the “GC”, General Commercial District and the “MFR2”, Multi-Family Residential District to the “PD-C”, Planned Development Commercial District and approval of a preliminary development plan to allow for the construction of an approximate 6,180 sq. ft. building to contain a package liquor store with drive-through, video gaming establishment, three 2-bedroom apartments and a shop/storage area. Also requested is to approve waivers to the Unified Development Ordinance for a Planned Development less than two acres, reduction of the parking setback along the interior lot lines, reduction of the 50 foot perimeter buffer requirement between a PD-C district and a residential district, and other approvals as required for the subject property to allow for the development as shown on the preliminary development plan. The subject site is .79 acres, located on the north side of W. Lincoln Highway, approximately 1,100 feet west of Annie Glidden Road, has Parcel Identification Number of 08-21-276-021 and is legally described below.

THAT PART OF LOT 6 AND 7 OF WILLARD ORCHARD SUBDIVISION, OF PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF CALIENDO SUBDIVISION, AS RECORDED IN BOOK “R” OF PLATS, PAGE 17; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID SUBDIVISION, 233.35 FEET (MEASURED 233.38 FEET) TO A SOUTH LINE OF LINCOLNSHIRE WEST SUBDIVISION, AS RECORDED IN BOOK “N” OF PLATS, PAGE 60; THENCE WESTERLY, ALONG SAID SOUTH LINE, 91.05 FEET TO A WEST LINE OF SAID LINCOLNSHIRE WEST SUBDIVISION; THENCE NORTHERLY, ALONG SAID WEST LINE, 66.65 FEET TO A SOUTH LINE OF SAID LINCOLNSHIRE WEST SUBDIVISION; THENCE WESTERLY, ALONG SAID SOUTH LINE 103.0 FEET TO AN EAST LINE OF SAID LINCOLNSHIRE WESTSUBDIVISION; THENCE SOUTHERLY, ALONG SAID EAST LINE, 72.15 FEET TO A SOUTH LINE OF SAID LINCOLNSHIRE WEST SUBDIVISION; THENCE EASTERLY, ALONG THE EASTERLY EXTENSION OF SAID SOUTH LINE, 49.15 FEET TO A LINE 216.09 FEET EASTERLY OF, AS MEASURED ALONG THE SOUTH LINE OF SAID LOT 7, THE WEST LINE OF SAIDLINCOLNSHIRE WEST SUBDIVISION; THENCE SOUTHERLY, PARALLEL WITH THE EST LINE OF SAID LINCOLNSHIRE WEST SUBDIVISION, 233.35 FEET (MEASURED 233.4 FEET) TO THE SOUTH LINE OF SAID WILLARD ORCHARD SUBDIVISON; THENCE EASTERLY, ALONG SAID SOUTH LINE, 145.0 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS. (EXCEPTING THEREFROM ANY PART WHICH MAY FALL IN ILLINOIS ROUTE 38)

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on the proposal to the City of DeKalb, Community Development Department, 164 E. Lincoln Highway, DeKalb, Illinois, 60115 by 12:00 p.m. on Monday, August 16, 2021, or by e-mail to dan.olson@cityofdekalb.com.
Further information regarding the petition is available from the Community Development Department at (815) 748-2070 or on the City of DeKalb’s web page at https://www.cityofdekalb.com/1103/Public-Hearings.

Max Maxwell, Chair

DeKalb Planning and Zoning Commission