AGENDA
Planning and Zoning Commission
September 4, 2019
6:00 PM

A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES
   1. August 7, 2019

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

E. NEW BUSINESS
   1. Continued Public Hearing – Petition by Mobilitie, represented by Mark O’Brien, for a special use permit for a 10-foot tall cell antenna to be located on top of the building at 100 West Lincoln Highway (Walgreens). WITHDRAWN
   2. Public Hearing – Petition by Corral Dyn, LLC, represented by Marvin Keys, requesting an amendment to the Annexation Agreement and amendment represented by Ordinances 2016-007 and 2016-039 to remove the maximum square footage allowed for "Professional Service Offices" in the ordinances and to add "armed services recruiting stations" to the list of uses allowed under Professional Service Offices for 2061, 2112, 2115 and 2121 Sycamore Road.

F. REPORTS

G. ADJOURNMENT
Dan,

We would like to formally withdraw our zoning petition for the antenna project at the Walgreens located at 100 W. Lincoln Highway, DeKalb. We will reapply when we have more clarity around design.

Thank you,

Mark O’Brien | Manager, Network Real Estate
mark.obrien@mobilitie.com

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TO: DeKalb Planning and Zoning Commission
FROM: Dan Olson, Principal Planner
RE: Amendment to Ordinances 2016-007 and 2016-039 to remove the maximum square footage allowed for “Professional Service Offices” in the Ordinances and to add “armed services recruiting stations” to the list of uses allowed under Professional Service Offices (2061, 2112, 2115 and 2121 Sycamore Road)

I. GENERAL INFORMATION
A. Purpose To allow an armed service recruiting station to locate in the building located at
B. Location/Size 2061, 2112, 2115 and 2121 Sycamore Road/ 1.37 acres
C. Petitioner Corral Dyn, LLC represented by Marvin Keys
D. Existing Zoning PD-C, Planned Development Commercial
E. Existing Land Use Medical Offices (Aspen Dental and ATI Physical Therapy)
F. Proposed Land Use Medical Offices and Armed Services Recruiting Station
G. Surrounding Zoning and Land Use North: GC; commercial, apartments
South: PD-C & GC; commercial
East: PD-C; commercial
West: SFR2 & GC; nature trail, commercial
H. Comprehensive Plan Designation Commercial
II. BACKGROUND AND ANALYSIS

The applicant, Corral Dyn, LLC represented by Marvin Keys, is requesting approval of an amendment to the annexation agreement and amendment represented by Ordinance 2016-007 and 2016-039 (Puri DeKalb Development) to remove the maximum square footage allowed for “Professional Service Offices” in the Ordinances and to add “armed services recruiting stations” to the list of uses allowed under Professional Service Offices. Ordinance 2016-007 was approved on March 14, 2016 and annexed and rezoned 1.37 acres of property along Sycamore Road to the PD-C Planned Development Commercial District. The Ordinance provided that retail uses, restaurants and professional service offices (e.g. medical, legal, financial) would be allowed. The Ordinance also had a provision that limited the square footage of professional service office uses to no more than 33% of the total square footage of both buildings. The 33% restriction was negotiated by the City to ensure the development on the property would generate sales tax income for the City in exchange for approval of some exceptions to the UDO. The two commercial buildings indicated on the plans were constructed following the approval in 2016. The northerly building is 8,015 sq. ft. and the southerly building is 3,520 sq. ft. The southerly building (2061 Sycamore Road) was fully occupied by Aspen Dental (formerly Delta Dental) upon completion. The 33% maximum square footage for professional service office uses was used up by the Aspen Dental occupancy.

On November 28, 2016 the City Council approved an amendment to Ordinance 2016-007 by adopting Ordinance 2016-039 which increased the amount of square footage that could be occupied by professional service office uses from 33% to 53%. The amendment was requested in order to accommodate ATI Physical Therapy (2121 Sycamore Road), which wanted to move in to an approximate 2,600 sq. ft. space in the northerly building. In exchange for the City’s approval, the petitioner agreed to perform site improvements to another property they owned at 1700 Sycamore Road (NE corner of Sycamore Road and E. Dresser) including installing new LED lighting, resurfacing and restriping of the parking lot and additional landscaping.

There is 5,415 sq. ft. remaining in the northerly building and the petitioner would like to have an armed services recruiting office locate in a 2,933 sq. ft. tenant space in the building (2115 Sycamore Road). The basis for petitioner’s request is that despite owning and marketing the property for retail uses since the construction of the buildings on the site three years ago, they have been unable to secure retail users. The petitioner is requesting the amendments in order to preserve the economic viability of the center and be allowed to remove the square footage restriction on professional service office uses so they can bring in tenants that desire the location.

III. RECOMMENDATION

Staff would recommend approval of the proposed amendments, which will allow additional commercial uses in the building and help bring more tenants and foot traffic to the area. The subject site does share cross access with several other commercial uses including Advance Auto Parts, Ellwood Steak and Fish House, AT&T, and American Mattress, so additional traffic in that
area would be beneficial. A sample motion is provided below.

**Sample Motion:**

Based upon the submitted petition and testimony presented, I move that the Planning and Zoning Commission recommend to the City Council approval an amendment to the Annexation Agreement and amendment represented by Ordinance 2016-007 and 2016-039 to remove the maximum square footage allowed for “Professional Service Offices” in the Ordinances and to add “armed services recruiting stations” to the list of uses allowed under Professional Service Offices for the property located at 2061, 2112 and 2115 and 2121 Sycamore Road.
TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): Corral Dyn, L.L.C.  
Petitioner's Representative: Marvin Keys  
Mailing Address: 6801 Spring Creek Rd.  
Rockford, IL 61114  

Property Owner: Same as above  
Mailing Address:  

Telephone: 815-229-3000  
Cell:  
Email: marvin@firstmidwestgroup.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: Lot 1 and Lot 2 of Puri DeKalb Subdivision, a Subdivision in Part of the Northwest Quarter of Section 13 Township 40 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois

B. Street Address or Common Location: 2115 Sycamore Rd., DeKalb, IL

C. Size (square feet or acres): 1.37 acres

D. Existing Zoning District: PD-C

E. Proposed Zoning District: SEE ATTACHED EXHIBIT

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: 7/24/2019
   
   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.
6. Petitioner/property owner(s) hereby give the City of DeKalb permission to post a public notice sign(s) on the subject property.

Signature: [Signature]
Date: 8-2-2019

Signature: [Signature]
Date: [Date]

Subscribed and sworn to before me this 2ND day of AUGUST, 2019.

Signature: [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).

Signature: [Signature]
Date: 8-2-2019

Signature: [Signature]
Date: [Date]

Subscribed and sworn to before me this 2ND day of AUGUST, 2019.

Signature: [Signature]

Updated: March 2017
E. The Petition is requesting an amendment to the Annexation Agreement and amendments represented by Ordinances 2016-007 and 2016-039 to eliminate the restriction on the total square footage of commercial space permitted to be devoted to Professional Service Offices and to add “armed services recruiting stations” to the permitted uses under Professional Service Offices.

The maximum floor area for Professional Service Offices in Ordinance 2016-039 is 6,120. This represents the total square footage of the buildings being occupied by Aspen Dental and ATI. Petitioner is requesting that the restriction on total square footage of commercial space permitted to be devoted to Professional Service Offices be eliminated.

F. The basis for Petitioner’s request is that despite owning and marketing the property for retail uses since the construction of the buildings on the site three years ago, Petitioner has been unable to secure the retail users. In order to preserve the economic viability of the center it is necessary that we increase the Professional Service Office square footage to be able to bring in tenants.

Increasing the permitted square footage of Professional Service Offices:

1. Would be in conformance with the City’s Comprehensive Plan.
2. Will not impact any of the adjacent existing of future uses.
3. Will not detrimentally impact adjacent property values.
4. Will not detrimentally impact the general public’s health, safety or welfare.