

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
August 16, 2021

The Planning and Zoning Commission held a meeting on August 16, 2021, at the DeKalb Police Department in the 2<sup>nd</sup> Floor Training Room located at 700 W. Lincoln Highway, 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, Shannon Stoker, Vice Chair Bill McMahon, and Chair Max Maxwell. Mr. Becker, Mr. Wright, and Ms. Pena Graham were absent. Principal Planner Dan Olson was present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the August 16, 2021, agenda as presented. Vice Chair McMahon motioned to approve the agenda as presented. Ms. O'Flaherty seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. July 19, 2021 – Chair Maxwell requested a motion to approve the July 19, 2021, minutes as presented. Vice Chair McMahon motioned to approve the minutes as presented. Ms. Stoker 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. **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)

Jerry Krusinski, representing DeKalb 343 LLC, advised the Final Plat of Subdivision is for a single lot in the ChicagoWest Business Center that will be the development site for Project Barb. He noted the subject site is approximately 58 acres and is located just to the east of the Ferrara Candy

Company development. He said the Project Barb development site will include an approximately 700,000 sq. ft. warehouse and distribution center.

Mr. Krusinski mentioned they are hoping to finalize and incorporate the necessary easements and right-of-way dedications for the parcel. He added this will include the necessary improvements to the water, sanitary, roadway, and water detention facilities.

Principal Planner Dan Olson went through the staff report dated August 12, 2021. He advised on July 26, 2021, the City Council approved the second amendment to the ChicagoWest Business Center Annexation Agreement to allow for the Project Barb development, as well as approval of a Preliminary Development Plan. He stated tonight's presentation is a follow-up to the Annexation Agreement approval, which required the submission of a Final Plat of Subdivision and Plat of Easement.

Mr. Olson said the Final Plat includes the dedication of 50 feet of right-of-way along the northside of Gurler Rd and the west side of Crego Road to accommodate the proposed road improvements. He also advised there is a 20-foot public utility easement along Gurler Road. Mr. Olson added the Plat of Easement shows an access easement at the far northeast corner of the property to accommodate a turnaround along the west side of Crego Road. He stated a 55-foot-wide stormwater management easement runs along the east side of the lot that will overlay a proposed stormwater conveyance swale.

Mr. Olson stated City staff have reviewed the Final Plat of Subdivision and Plat of Easement and recommend approval.

Chair Maxwell gave Commission members an opportunity to speak.

Vice Chair McMahon moved that the Planning and Zoning Commission recommend approval of the Final Plat of Subdivision for the 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.

Ms. Stoker seconded the motion.

A roll call vote was taken. Ms. O'Flaherty – Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes, Chair Maxwell - Yes. Mr. Wright, Mr. Becker, and Ms. Pena Graham were absent. Motion Passed 4-0-3.

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 6,000 sq. ft. building to contain a package liquor store with a drive-thru, video gaming establishment, three 2-bedroom apartments, and a shop/storage area.

Jeff Richardson, representing Blue Ridge LLC – 1221, advised the petition includes the development of a 6,000 sq. ft. building which will contain a liquor store with a drive-thru, a video gaming establishment, three 2-bedroom apartments and a shop/storage area. He advised the subject site originally had a restaurant, which was demolished in the early 2000's. Mr. Richardson noted the owner had originally bought the property for overflow parking from his restaurant across the street, Fatty's Pub & Grill.

Mr. Richardson advised even though they use the entire subject site for overflow parking for Fatty's Pub & Grill, the business already has 91 parking spaces with the UDO requiring 90. He added the proposed site plan has 38 parking spaces for the proposed development with the UDO requiring 32 spaces.

Principal Planner Dan Olson went through the staff report dated August 12, 2021. He advised the petition is requesting the subject site be rezoned from the “GC” General Commercial District and the “MFR2” Multi-Family Residential District to the “PD-C” Planned Development Commercial District. He mentioned on October 12, 2020, the City Council approved Resolutions 2020-111 and 020-112 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. He noted the Resolutions had a 1-year time frame, starting on October 12, 2020, for the petitioner to obtain all the necessary zoning authorizations.

Mr. Olson advised 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 a drive-thru, a video gaming establishment, three 2-bedroom apartments and a shop/storage area. He added the apartment units will be on the second level of the building over the liquor store and video gaming area. He noted the storage area will be for Fatty's Pub & Grill catering business, which is also owned by the petitioner.

Mr. Olson stated the petitioner is requesting approval of waivers to the UDO 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.

Mr. Olson mentioned the proposed site plan shows a total of 38 parking spaces with a single access on W. Lincoln Highway. He added, based on the square footage of commercial uses and the number of apartment units, the UDO requires a total of 32 parking spaces. He pointed out the addition of a drive-through will also ease any parking demands.

Mr. Olson stated drive-throughs are required to have space for 5 stacked vehicles, which the proposed development will accommodate. He added, however, there is not adequate room to accommodate a by-pass lane and signage will be required to clearly designate the lane is only for drive-through traffic.

Mr. Olson stated a final development plan will be required to be submitted for review and approval by the Commission and City Council. He added the final plan will consist of an engineering plan, architectural elevations, a landscape plan, and a lighting plan for the parking lot.

Mr. Olson said the UDO requires a 5 ft. setback for parking along the interior lot lines. He noted a new 5 ft. setback will be added along the east side of the subject site, expanding the greenspace on the property, however, the setback will be reduced under 5 ft. at the northwest portion of the lot. He noted there is not enough width to accommodate the 5 ft. setback and the required dimensions for the parking spaces and drive aisles.

Mr. Olson stated the proposal meets all the findings of fact and standards required by the UDO, excluding the mentioned waivers. He stated the proposed rezoning will allow for the development of a property that has been vacant for over 10 years and will benefit the neighborhood and add to the tax base. He mentioned there were no public comments received regarding the proposal.

Vice Chair McMahon questioned how many jobs will be added with the new development. Mr. Dobie advised he is expecting the addition of 5-12 employees. Vice Chair McMahon questioned if the footprint of the proposed building is the same as the restaurant that was on site previously. Mr. Dobie advised it takes up approximately the same footprint, possibly slightly more.

Chair Maxwell questioned how many video gaming machines would be allowed on site. Mr. Olson advised per State law and City Code, up to six (6) video gaming machines would be allowed. He added the City Code allows a total of

10 video gaming establishments throughout the City, which the petitioner is one of them.

Ms. O’Flaherty moved that the Planning and Zoning Commission recommend 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.

Vice Chair McMahon seconded the motion.

A roll call vote was taken. Ms. O’Flaherty – Yes, Ms. Stoker – Yes, Vice Chair McMahon – Yes, Chair Maxwell - Yes. Mr. Wright, Mr. Becker, and Ms. Pena Graham were absent. Motion Passed 4-0-3.

#### F. REPORTS

Mr. Olson advised the next Commission meeting will be on Tuesday, September 7<sup>th</sup> at the DeKalb Public Library due to the Labor Day Holiday. He stated there will be a public hearing for Adventure Works proposing an expansion to their outdoor activity area.

Mr. Olson stated on July 26, the City Council approved the Project Barb proposal and the TJ Maxx sign amendments for Northland Plaza.

#### G. ADJOURNMENT

Ms. Stoker motioned to adjourn, Vice Chair McMahon seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:25 PM.