



MINUTES
Carbondale Zoning Board of Appeals
Wednesday, February 15, 2023
Room 108, 6:00 p.m.
200 South Illinois Avenue

MEMBERS PRESENT: Litecky, Allee, Sheffer, Hamilton, Love, Carrier, Doherty (ex officio)

MEMBERS ABSENT: Burnside

STAFF PRESENT: Becker, Lenzini

1. Call to Order and Roll Call

Roll call was completed and the determination of a quorum was made.

2. Approval of Minutes:

None

3. Citizen Comments or Questions:

None

4. Hearing:

ZBA 23-05: Director Brigitta Mac-Rizzo, on behalf of the Jackson County Housing Authority, is requesting a Variance from Sections 15.2.15.13, 15.4.8.7, 15.4.1, and 15.4.5.2 of the City of Carbondale Revised Code in parking and site circulation improvements surrounding their High Rise located at 1425 Old West Main St, Carbondale IL 62901. This location is zoned Planned Unit Development District (PUD).

Ms. Litecky opened the Public Hearing at 6:02 p.m. and asked Ms. Becker to read the Legal Notice.

Ms. Becker, Planner and Sustainability Coordinator for the City of Carbondale, read the Legal Notice.

Ms. Litecky asked Ms. Becker to present the staff report.

Ms. Becker read part A of the staff report for ZBA 23-05.

Ms. Litecky asked if the applicant was present.

Brigitta Mac-Rizzo, Executive Director of Jackson County Housing Authority, came forward to speak. Ms. Mac-Rizzo stated she was available to answer any questions, and that getting additional parking spaces at this property was a priority of hers.

Ms. Litecky asked if the Board had any questions of the applicant.

There were none.

Ms. Litecky asked if anyone wished to speak in favor.

Mary Campbell, Jackson County Housing Authority (JCHA) Board Chair, and a resident of “the cottages” at the Jackson County Housing Development at 1425 Old West Main Street, came forward to speak. She stated that parking was an issue, especially for those that live in the high rise. The only option for them when their parking lot is full is to park on Tripoli Street. She stated that it was in the best interest of the residents that they would be able to park close to their residences and that ADA-accessible parking spots were especially needed.

Ms. Litecky asked if the Board had any questions for Ms. Campbell.

Mr. Carrier asked if she thought the proposed plan would provide enough parking.

Ms. Campbell said, no, but anything they can get will be a help.

Ms. Litecky asked Ms. Mac-Rizzo to come back to the podium to answer a question from the Board.

Mr. Carrier asked Ms. Mac-Rizzo if she also thought the proposed plan would not create enough parking.

Ms. Mac-Rizzo stated that the plan will create 81 spaces, but the site has 101 units.

Mr. Carrier asked if all units were filled currently.

Ms. Mac-Rizzo stated they are 71% full, and have been for the past few years. They are planning to rehab units to increase occupancy, but cannot do so without parking.

Ms. Litecky asked what percentage of tenants have vehicles.

Ms. Mac-Rizzo stated she did not know.

Ms. Litecky asked if anyone wished to speak in opposition.

Jim Prideaux, who lives directly across from the subject property, stepped forward. He stated he is really not for or against the request, but that he and his neighbors were not able to see the site plan until the meeting, so they could not formulate an opinion.

Ms. Litecky asked if any Board members had a question for Mr. Prideaux.

There were none.

Ms. Campbell stepped forward, and stated that it was not fair to ask residents and neighbors for input without showing them the site plan.

Mary Rohrer, who lives next to the property on Eddings Street with her husband, stated it would be nice to have a clearer idea of where the proposed parking would be located.

Ms. Litecky asked if any Board members had any questions.

There were none.

Mr. Lenzini asked Ms. Becker to display the site plan and for Mark Dillon, President of Eggemeyer and Associates Architects, to explain the proposal.

Mr. Dillon stepped forward and explained where additional parking is proposed on the plan.

Ms. Litecky asked if anyone had any questions for Mr. Dillon.

Ms. Rohrer stated that her fear was that grassy area would be replaced with parking.

Mr. Dillon stated all new parking would be inside the existing drive.

Mr. Lenzini stated that a fence would be installed and site circulation improvements had been made.

Walter Bruce Rohrer of 1502 Eddings Street stepped forward. He asked if there were plans to add a paved path between the cottages where a foot bridge now exists.

Ms. Litecky stated the question would be answered later in the meeting.

Ms. Litecky asked if any Board members had any questions.

There were none.

Ms. Litecky asked Ms. Becker to read the analysis and recommendation.

Ms. Becker read parts B and C of the staff report.

Ms. Litecky asked if the Board had any questions for staff.

Dr. Hamilton asked if he could see where the refuse was on the map, and for clarification on criterion #4.

Ms. Becker pointed where the refuse would be located. She then explained that when a variance is granted, it does confer a special privilege on that applicant, but that anyone else in the district is also subject to the variance process.

Mr. Carrier asked if it was the case that neighbors did not receive the site plan.

Ms. Becker stated that staff wants to provide as much information as possible, but must be aware of intellectual property and private subject matter of site plans.

Mr. Carrier stated that this did not answer his question. He asked how the public can be expected to have a comment on a variance if they don't know what the plan is.

Ms. Becker stated that a change to the notification process would be required to allow for more documents to be shared with the certified mailings.

Mr. Carrier asked what specifically about the site plan is sensitive information.

Mr. Lenzini stated that the City's policy is that site plans and building plans are intellectual property so we do not disperse them. Citizens that have questions can contact the Development Services Division and can view site plans in the office.

Ms. Becker clarified that staff did not have a version of the site plan approved to be shared when community members did visit the office.

Mr. Carrier stated the staff report does not make sense without the site plan.

Mr. Lenzini stated that none of the meeting documents are shared with the neighbors prior to the meeting. The certified letters only let them know that the meeting is going on.

Ms. Becker explained that a location map is shared with all cases. She stated that the site plan is not being voted on, it is the variances from the code that are being voted on. She explained the site plan review process within the City's Development Assistance Committee, and that this site plan was not the final plan. The developers would need to know the outcome of the variance request before continuing on with their plans.

Mr. Sheffer stated that if people had further questions for the case at hand, they should ask them. He stated that the conversation regarding the site plans is a policy issue that should be discussed with the City at a later time.

Dr. Hamilton asked why the meeting documents came in two separate emails.

Ms. Becker stated that another staff member had sent out the meeting documents, but that there was a site plan included in the staff report document itself.

Mr. Carrier asked why the site plan is shared at all, if it is not relevant to the case.

Ms. Becker stated she could not answer that question.

Ms. Litecky explained that the matter of site plans being made public would need a legal opinion, and that the meeting documents were being made public for the first time during the hearing, as a matter of procedure. This is the time that members of the public can ask questions of clarification and make comments.

Ms. Becker explained that it would be difficult to send documents like site plans out in the certified mailings due to their size and amount of certified letters required.

Ms. Allee suggested it could be possible for an architect to make a plan that could be shared with the public, that could be available for viewing at City Hall.

Ms. Litecky asked if anyone had questions for staff.

Mr. Prideaux asked if there were plans to cut down trees along the property line, east of the high rise.

Mr. Dillon said no, the trees would remain.

Mr. Prideaux asked if there were plans to mitigate the water run-off.

Mr. Dillon stated that Asaturian, Eaton, & Assoc. [engineers of the project] have designed water retention so no additional run-off would be caused.

Mr. Lenzini stated that a fence would be installed to replace the trees that had been removed, and that JCHA had been working with neighbors to identify what the neighbors wanted. This was in response to a statement of opposition initially made by neighbor Mr. Shields.

Ms. Litecky asked if anyone had questions for anyone.

Mr. Rohrer asked Ms. Becker to clarify 'sharing' of the site plan. He stated that his wife visited City Hall and was told there was no plan available to see, and it would be available at the meeting.

Mr. Lenzini stated that she should have been shown the plan.

Ms. Becker clarified that the sharable version of the site plan was not in staffs' possession at the time of Mrs. Rohrer's visit. She stated that the Planning Commission / Zoning Board of Appeals could direct staff to obtain a sharable version of a site plan earlier in the process for future cases.

Mr. Rohrer asked if the area where the footbridge was at the end of Travelstead Lane was City property. He had built the original footbridge and it gets heavy traffic.

Mr. Lenzini said they could discuss the possibilities for a paved path at that location at another time.

Rebecca Prideaux, of Tripoli Street, stepped forward. She asked for clarification on a previous variance obtained by JCHA in 2003.

Ms. Becker explained that the previous variance was granted for the cottages, and at the time Ms. Prideaux is referring to, Development Services Director Tom Redmond had waived a contingency related to age of residents, because the variance did not have language providing for what would happen if the majority would drop below a certain age.

Mr. Carrier asked for clarification on the variance request. If the proposed plan still does not provide adequate parking, and the JCHA intends to increase capacity of the site, will there not still be an issue of too little parking?

Mr. Dillon explained that the proposed parking was the most they were able to fit in given the restrictions of the lot. He said that the improvements to the buildings would not increase residency and may slightly reduce it.

Councilperson Jeff Doherty asked the residents, if the lack of parking at the site caused spillover into the neighborhood.

Ms. Prideaux stated that little room for emergency vehicles to pass through when cars are parked on both sides of Tripoli Street.

Mr. Doherty asked how many additional parking spaces were being added on-site.

Mr. Dillon stated that currently, there are 50 spots. The proposed plan would provide 81 total.

Ms. Litecky asked if that went for the cottages and the high-rise.

Mr. Dillon said yes, all of them. The project will improve the on-street parking situation.

Mr. Doherty commented that it would be helpful for the Jackson County Housing Authority to meet with the neighborhood before the meeting to explain their plans. Communication would have been helpful in this situation.

Mr. Rohrer stated that residents of the site park on Eddings Street when there is available parking on the site. He has been told that often family of the residents do not have parking passes to park at the site, so they park on the street.

Ms. Litecky asked if the applicant would like to make a closing statement.

Ms. Mac-Rizzo stated that she would be willing to talk to the public, and that she makes herself available whenever possible.

Sheryl Walker, of Eddings Street, stepped forward. She stated that the site is already overdeveloped and it seems like the proposal will cause more density in a place that is too small.

Ms. Litecky asked if anyone would like to respond to this statement.

Justin Ford, employee of Jackson County Housing Authority with housing and development, stepped forward. He stated that the number of people that the building handles will not change.

Mr. Sheffer stated that he understands the improvements JCHA wants to make, and that the project does seek to create more parking. But, he did not understand if they went from 71% occupancy to 90% occupancy, how this would be a decrease in residency. He stated that the site had been grandfathered in as City codes changed.

Ms. Mac-Rizzo stated that the project started with 125 units, 100 in the building. The 71% occupancy is due to limited parking, it's not attractive, and people do not want efficiency units. They are working on combining efficiency units into more marketable units with bedrooms.

Ms. Becker clarified that units are decreasing, but residency is increasing.

Ms. Allee stated that an increase in bike racks could be considered.

Ms. Becker stated that the proposed bike parking meets code requirements. She stated that there is a plan for an accessible paved path to the bus stop.

Sue Plama, a resident of the site, stepped forward. She stated that most residents have mobility issues, and that more accessible parking spots are needed. The plan reflects that need.

Mr. Lenzini stated that the City required the applicant to increase site accessibility with a wheelchair ramp and sidewalks. He stated that regarding the variance for recreation space, the site is across the street from a large municipal park. The proposed project would increase access to the park.

Ms. Litecky asked if there were any other questions.

There were none.

Ms. Litecky closed the meeting.

Mr. Sheffer made a motion that the ZBA has jurisdiction over the matter being requested, seconded by Mr. Love.

The motion was approved by a unanimous voice vote.

Mr. Sheffer moved that applicant has the standing to make this application second by Dr. Love.

The motion was approved by a unanimous voice vote.

Mr. Sheffer moved that Part A and B and the applicant and one person spoke in favor, three people spoke in opposition, and zero letters in favor or opposition were submitted all be accepted as the findings of fact, second by Mr. Love.

The motion was approved by a unanimous voice vote.

Mr. Sheffer moved to make a motion to consider all five criteria as one, and that they have all been met, and that all four variances be considered as one, seconded by Mr. Love.

Roll Call Vote

Yes –6 (Carrier, Sheffer, Hamilton, Allee, Love and Litecky)

No – 0

Mr. Sheffer moved that the applicant has met all five criteria, seconded by Dr. Love.

Roll Call Vote

Yes – 6 (Carrier, Sheffer, Hamilton, Allee, Love and Litecky)

No – 0

Mr. Sheffer moved to grant the variance of ZBA 23-05 with the conditions that staff as recommended, seconded by Dr. Love.

Roll Call Vote

Yes – 6 (Carrier, Sheffer, Hamilton, Allee, Love and Litecky)

No – 0

Mr. Lenzini stated that the variance has been approved.

5. Old Business:

None

6. New Business:

City Council update by Mr. Doherty.

7. Adjournment:

Ms. Litecky adjourned the meeting at 7:49 p.m.