

**Agenda Item Details**

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Meeting	Oct 11, 2016 - Local Liquor Control Commission and Regular City Council Meeting October 11, 2016
Category	6. Consent Agenda of the City Council
Subject	6.4 Acceptance of Approved Meeting Minutes from Boards, Commissions, and Committees
Type	Action (Consent)
Recommended Action	Accept the attached meeting minutes from Boards, Commissions, and Committees and place them on file

Originating Department:  
City Clerk's Office

**Background:**

Attached for City Council review and acceptance are approved meeting minutes from the following City Boards, Commissions, and Committees:

Zoning Board of Appeals - May 25, 2016

Preservation Commission - May 16, June 20, and August 15, 2016

Planning Commission - March 16 and August 17, 2016

[Zoning Board of Appeals Minutes 2016-05-25.pdf \(112 KB\)](#)

[2016-05-16 Preservation Commission Minutes.pdf \(160 KB\)](#)

[2016-06-20 Preservation Commission Minutes.pdf \(160 KB\)](#)

[2016-08-15 Preservation Commission Minutes.pdf \(160 KB\)](#)

[2016-03-16 Planning Commission minutes.pdf \(118 KB\)](#)

[2016-08-17 Planning Commission minutes.pdf \(152 KB\)](#)



MINUTES  
Carbondale Zoning Board of Appeals  
Wednesday, May 25, 2016  
Room 108, 6:00 p.m.  
200 South Illinois Avenue

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MEMBERS PRESENT: LeBeau, Sheffer, Lilly, Litecky, Love

MEMBERS ABSENT: Barke, Anz, Field

STAFF PRESENT: Taylor

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**1. Call to Order and Roll Call**

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

**2. Approval of Minutes:**

Mr. Love moved, seconded by Ms. Litecky, to approve the minutes of January 13, 2016.

The motion was approved by a unanimous voice vote.

**3. Citizen Comments or Questions:**

None

**4. Hearing:**

**ZBA 17-01** – Sai Krishna, LLC, is requesting a variance from Sections 15-4.1.4.B.2, 15-2.23.10, and 15-2.23.6 of the Carbondale Revised Code. Section 15-4.1.4.B.2 establishes the location and minimum size of landscaped islands within parking lots; Section 15-2.23.10 requires a ten foot buffer yard between parking lots and adjacent arterial streets; and Section 15-2.23.6 establishes a maximum front yard setback for buildings in the BPR, Primary Business, District. This request is being made for property located at 200 West Elm Street.

Mr. LeBeau opened the Public Hearing at 6:10 p.m. and asked Mr. Taylor to read the Legal Notice.

Mr. Taylor, Senior Planner for the City of Carbondale, read the Legal Notice.

Mr. LeBeau asked Mr. Taylor to present the staff report.

Mr. Taylor was sworn in and presented the staff report for ZBA 17-01.

Mr. LeBeau asked if there were any questions for staff.

There were none

Mr. LeBeau asked if the applicant was present and would like to step forward and present their case.

Dr. Pradeep Reddy of Sai Krishna, LLC, came forward and stated that the variances requested are due to the corporate requirements for a Hilton hotel. Dr. Reddy requested that the Zoning Board of Appeals approve the variances.

Mr. LeBeau asked if there were any questions for the applicant.

There were none

Mr. LeBeau asked if there was anyone in support.

There were none

Mr. LeBeau asked Mr. Taylor to read the conclusion of the staff report.

Mr. Taylor read the conclusion of the staff report with recommendation that the Zoning Board of Appeals approve ZBA 17-01 with staff's recommended condition.

Mr. LeBeau asked if there were any questions the Board had for staff.

There were none.

Mr. LeBeau asked if anyone would like to speak in opposition.

There were none

Mr. LeBeau asked if there were any questions from anyone to anyone.

Dr. Reddy inquired if there were any certain restrictions regarding the types of trees which must be planted within the buffer yard.

Mr. Taylor stated that the trees planted within the buffer may be shade or ornamental as long as they are chosen from the lists provided in the Carbondale Revised Code and meet the minimum size requirements.

Ms. Litecky clarified that there are also trees specified within the Downtown Master Plan that are preferred for the downtown area.

Mr. Lebeau asked Dr. Reddy if he wished to give any further information with a closing statement.

Dr. Reddy indicated that no further discussion was needed.

Chris Wallace, Development Services Director, came forward to further clarify Staff's roll in working with the developer on these variances. Mr. Wallace stated that the unique elevation changes and the requirements from Hilton made the variances the best solution. Mr. Wallace continued by stating that the elevation of the lot coupled with the front yard setback requirement would require a large retaining wall on South Illinois Avenue. Furthermore, the parking lot requirements were never intended for the downtown district and therefore are making them difficult to properly adhere to in that area. Mr. Wallace said that staff and the engineers have met numerous times and went through several revisions which have resulted in this balance.

Mr. LeBeau asked if there were any further statements from anyone.

Hearing none, Mr. LeBeau declared Public Hearing 17-01 closed at 6:36 p.m.

Mr. Sheffer moved, seconded by Ms. Lilly, that the City has jurisdiction over this case.

The motion was approved by a unanimous voice vote.

Mr. Love moved, seconded by Mr. Sheffer, that the applicant has standing to bring the case to the Board.

The motion was approved by a unanimous voice vote.

Mr. Love moved, seconded by Ms. Litecky, of the finding of facts, that the applicant was present to speak in support of the application and no one spoke in opposition.

The motion was approved by a unanimous voice vote.

Mr. Love moved, seconded by Mr. Sheffer, to vote on criteria as one.

Roll Call Vote

Yes – 5 (LeBeau, Sheffer, Litecky, Lilly, Love)

No – 0

Mr. Love moved, seconded by Ms. Lilly, that the applicant has met all 5 criteria.

Roll Call Vote

Yes – 5 (LeBeau, Sheffer, Litecky, Lilly, Love)

No – 0

Ms. Litecky moved, seconded Mr. Love, to approve ZBA 17-01, with the condition that the areas between the parking lot and the sidewalks along South Illinois and South University Avenues serve as a buffer yard and maintain trees every fifteen feet (15'). The trees will be placed on private property along South Illinois Avenue and on right-of-way along South University Avenue.

Roll Call Vote:

Yes – 5 (LeBeau, Sheffer, Litecky, Lilly, Love)

No – 0

Mr. Taylor thanked Dr. Reddy, for his application and stated that he would receive written notification of the Board decision within 10 days.

**5. Old Business:**

None

**6. New Business:**

None

**7. Adjournment:**

Mr. LeBeau adjourned the meeting at 6:42 p.



**MINUTES**  
**Preservation Commission**  
**Monday, May 16, 2016**  
**City Hall/Civic Center – 7:00 p.m.**

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1. **Roll Call:** Mr. Sigler called the meeting to order at 7:00 p.m.

**Members Present:** Benedict, Clark, Comparato, Ittner, Sigler, and Van Awken

**Members Absent:** Doherty

**Staff Present:** Sergeev

**Guests:** Nefeteria Brewster, Izaiah McKissic

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2. **Approval of Minutes:** Ms. Ittner moved to, seconded by Mr. Clark, to approve the minutes of April 18, 2016.

The motion to approve the minutes passed with a unanimous voice vote.

3. **Communication and Reports:**

- a) Educational and Technical Assistance Committee

Ms. Ittner reported that she is working with Carbondale Main Street to host an event in which a Boy Scout Webelos Troop is coming from Mattoon, Illinois. The troop will take the Amtrak from Mattoon. While in Carbondale they will tour the Bucky Dome Home and the Agriculture Building's green roof on the SIU Campus.

Ms. Ittner provided handouts on the Solar Eclipse to happen August 2017.

There was discussion among Commissioners as to how to prepare and document the event. The Commissioners decided to create a file in the archives located in the Planning Services office for any memorabilia or information collected.

- b) Nomination and Hardship Committee

Nothing to review.

- c) Work Plan Committee

Nothing to report.

d) Certificate of Appropriateness Committee

Nothing to report.

e) Downtown Advisory Committee Report

Mr. Sigler reported that the Downtown Advisory Committee had finished its work and he would have no further information to report.

4. **Old Business:**

a) No Old Business

5. **New Business:**

a) Approve FY 2016's CLG Annual Report

Mr. Comparato moved to accept the FY 2016 CGL Annual Report. The motion was seconded by Mr. Van Awken.

The motion to approve the FY 2016 CLG Annual Report passed with a unanimous voice vote.

b) Create Historical Park Subcommittee

Ms. Ittner moved to create a special committee for the Historical Park. The motion was seconded by Ms. Benedict.

The motion to create a special committee for the Historical Park passed with a unanimous voice vote.

Mr. Van Awken, Mr. Comparato, and Mr. Clark volunteered to serve on the committee.

The committee will meet with the City Manager and report their findings to the Commission at the June meeting.

c) Create Founders' Day Subcommittee

Mr. Van Awken moved to create a special committee for Founders' Day. The motion was seconded by Mr. Sigler.

The motion to create a special committee for Founders' Day passed with a unanimous voice vote.

Mr. Sigler volunteered to serve on the committee and contact Carbondale Main Street and

the Chamber of Commerce to collaborate on the event. Mr. Sigler will report back to the Commission at the June meeting.

6. **Comments by the Public, Commission Members or Staff:**

Mr. Van Awken recognized Councilman Fronabarger's for his work on the Founders' Day Reception and requested staff to send a letter of appreciation on behalf of the Commission.

The Commission agreed.

Ms. Sergeev reported that she will be attending the National Main Street Conference in Milwaukee May 23-25.

The Commission discussed the possible cancelation of the optional June meeting. The Commission agreed to have the June meeting.

Ms. Sergeev reminded the Commission the Memorial Day Celebration at Woodlawn Cemetery Monday, May 30<sup>th</sup>.

7. **Adjournment:**

Mr. Sigler adjourned the meeting at 7:45 p.m.



**MINUTES**  
**Preservation Commission**  
**Monday, June 20, 2016**  
**City Hall/Civic Center – 7:00 p.m.**

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1. **Roll Call:** Mr. Sigler called the meeting to order at 7:00 p.m.

**Members Present:** Benedict, Clark, Doherty, Ittner, Sigler, and Van Awken

**Members Absent:** Comparato

**Staff Present:** Sergeev

**Guests:** None

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2. **Approval of Minutes:** Ms. Ittner moved to, seconded by Mr. Clark, to approve the minutes of May 16, 2016.

The motion to approve the minutes passed with a unanimous voice vote.

3. **Communication and Reports:**

- a) Educational and Technical Assistance Committee

Ms. Ittner reported on an event with Carbondale Main Street in which a Boy Scout Webelos Troop came from Mattoon, Illinois. The troop took the Amtrak from Mattoon. They first toured the Methodist Church and the First Presbyterian Church because of their early ties with boy scouts. While in Carbondale, the scouts also toured the Bucky Dome Home and the SIU Campus. There were twelve people total in attendance of that event.

- b) Nomination and Hardship Committee

Nothing to report.

- c) Work Plan Committee

Nothing to report.

- d) Certificate of Appropriateness Committee

Nothing to report.

e) Historical Park Subcommittee

Mr. Clark reported on a meeting that he and Mr. Van Awken had to discuss the space and how it would be utilized. They discussed how it would be an ongoing plan and the area that it covered. The Commission also discussed that they wanted to bring together the college and the city, with the placement of a statue. Leading away from a statue would be paths to a pavilion, dog park, community garden and possible space for Sunset Concerts.

Ms. Ittner inquired about the link between the park district and the Historical Park. She questioned who would be in charge of the park and the up keep.

Mr. Clark stated that the plan was to meet with everyone involved, and then convey the ideas of the group to the park district once everything is agreed upon between the City Manager, Mayor and City Council.

Mr. Van Awken spoke of the significance of the land to Carbondale and its National Importance.

Mr. Sigler inquired on what the next steps the committee should take to start the process.

Mr. Clark stated that the next step would be to have a meeting with the City Manager to discuss and get feedback from him. Then to meet with City Council and the Park District.

Mr. Clark discussed approaching SIU School of Architecture and Landscaping Architecture classes to create renderings of the park.

Mr. Van Awken emphasized the importance of Heritage Tourism and the events that could take place in the park, including musical events.

Mr. Clark brought up the possible name for the park to be Founders' Park.

f) Founder's Day Subcommittee

Mr. Sigler contacted Carbondale Main Street and Chamber of Commerce to see if they would be willing to collaborate with the Preservation Commission for future Founder's Day events.

Mr. Sigler suggested for a possible park dedication of "Founders' Park" on November 4, 2017. Plans for the events should be planned so the event can be promoted during the August 17, 2017 Solar Eclipse.

Ms. Sergeev reminded the commission that there were still funds available to spend

on an event during the 2017 fiscal year.

Mr. Sigler said he would speak with Megan at Carbondale Main Street about planning an event before April 30, 2017.

Mr. Sigler proposed the idea of fundraising for a sign to be located at the Historical Park.

Ms. Sergeev stated that fundraising wouldn't be permitted as the Preservation Commission is an entity of the City. However this is an account to accept donations for historical signage.

Mr. Sigler suggested partnering with Carbondale Main Street to do events to raise money for the sign for the Historical Park.

4. **Old Business:**

- a) No Old Business

5. **New Business:**

- a) Ms. Sergeev informed the Commissioners that there is an application for reappointments to commissions available on the City's website. If the Commissioners would like to continue to serve on the Commission please complete the application and return to the City Manager's office.

6. **Comments by the Public, Commission Members or Staff:**

No Comments

7. **Adjournment:**

Mr. Sigler adjourned the meeting at 7:59 p.m.



**MINUTES**  
**Preservation Commission**  
**Monday, August 15, 2016**  
**City Hall/Civic Center – 7:00 p.m.**

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1. **Roll Call:** Mr. Sigler called the meeting to order at 7:07 p.m.

**Members Present:** Comparato, Benedict, Doherty, Ittner, Sigler, Van Awken, and Zurlinden

**Members Absent:** Wren and Clark

**Staff Present:** Price

**Guests:** None

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2. **Approval of Minutes:** Ms. Ittner moved to, seconded by Mr. Van Awken, to approve the minutes of June 20, 2016.

The motion to approve the minutes passed with a unanimous voice vote.

3. **Communication and Reports:**

- a) Educational and Technical Assistance Committee

Ms. Ittner spoke about the oral histories that are available in Carbondale. Ms. Ittner also spoke about the history of the Varsity Theater and the memories that people have sent in from Southern Illinois and other places. Ms. Ittner also spoke about a computer program that might help transcribe things that have been and will be sent in by community members.

- b) Nomination and Hardship Committee

Nothing to report.

- c) Work Plan Committee

Nothing to report.

- d) Certificate of Appropriateness Committee

Nothing to report.

e) Historical Park Subcommittee

Mr. Sigler stated that there was a meeting with Gary Williams, Carbondale City Manager, about the Historical Park. Mr. Sigler stated that during the meeting Mr. Williams said that the Carbondale Park District had approached that City with plans for a skate park on the site. There was also talk about possibly have a stage or band site build on the site.

Mr. Van Awken introduced Maryland Geldman from the Garden Club and spoke about how a connection between the garden club and Southern Illinois. Mr. Van Awken stated how he felt a sign would be a great start to the park and tying in the garden club to help with the design would be a good collaboration. Ms. Geldman brought up the possibility of collaborating with the horticultural department at SIU and their students for the designs. It was stated that collaborations with SIU were also brought up during the meeting with Gary Williams.

Ms. Ittner brought up working with the students more with getting a sign designed as soon as possible to get something out there in the park area. Mr. Sigler stated that the park dedication wouldn't be any sooner than November 2017. Mr. Sigler also stated that he has been in contact with Carbondale Main Street for funds for the park and he also questioned the committee about what amount of funds they should try to reach.

Mr. Van Awken spoke about trying to tie everything together at the park and trying to bring out the historical aspect to everything that is supposed to be located there. Mr. Van Awken questioned Mr. Price about the next steps the commission should take and Mr. Price stated the best thing for the commission to do is to form a plan of action and then move forward with talking to the City Council about putting the plan into action.

Mr. Price suggested that the Commission get a visual plan in order to show City Council. Mr. Van Awken ask if the Commission should ask the City Council to go forward with funds to get the project up and running. Mr. Price suggested putting a board together showing different designs for what the Commission is proposing. This would show the Council what the park is going to look like based on the space that is being provided. Mr. Price suggested the Commission develop a budget and to make sure they follow the requirements that a public park must follow.

Bruce Ashby spoke about the history of the location of the park area and its connection to SIU football. Mr. Ashby also spoke about trying to tie in the football history into the overall park design.

4. **Old Business:**

- a) Commissioner's applications are being renewed and they are making sure that everyone has a new one filled out that needs to.

5. **New Business:**

- a) Snider Cemetery-Mr. Price stated Snider Cemetery is looking into during a historical marker. Ms. Ittner gave some more information from the church about what repairs the church is trying to do.
- b) Walnut Street Historical District Designation-Mr. Price stated that Jane Adams approached the Planning Department about local designation of a subdivision located off Poplar Street, Forest Street, Cherry Street and Walnut Street. This process is going to take time due to the certified letters that have to be sent out to all of the property owners in that area. Ms. Adams is also going to try to contact the National Walnut Street Historical District to get more help.

6. **Comments by the Public, Commission Members or Staff:**

Mr. Price stated that the City has saved a rod iron sign holder at the old dentist office located at the new Hilton Hotel site and that Les from the Carbondale Chamber would like to repurpose the sign holder in front of the Old Train Depot to show what services are all available inside the Depot.

7. **Adjournment:**

Mr. Sigler adjourned the meeting at 8:15 p.m.



## MINUTES

**Carbondale Planning Commission**  
**Wednesday, March 23, 2016**  
**Room 108, 6:00 p.m.**  
**City Hall/Civic Center**

Mr. Lebeau called the meeting to order at 6:00 p.m.

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**Members Present:** Anz, Field, LeBeau, Lilly, Litecky, Love, and Bradshaw (ex-officio)

**Members Absent:** Barke, Schachel, and Sheffer

**Staff Present:** Taylor

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### **1. Approval of Minutes:**

Ms. Litecky moved, seconded by Mr. Love, to approve the minutes for February 10, 2016.

The motion to approve the minutes passed with a unanimous voice vote.

### **2. Citizen Comments or Questions**

There were none

### **3. Report of Officers, Committees, Communications**

There were none

### **4. Public Hearings**

#### **Downtown Master Plan**

Mr. LeBeau declared the Public Hearing open at 6:01 p.m. and asked Mr. Nik Davis of Houseal Lavigne Associates to present the Downtown Master Plan to the Commission.

Mr. Davis gave a presentation on the process in creating and the content of the Downtown Master Plan.

Mr. LeBeau asked if there were any questions from the Commissioners for Mr. Davis.

Ms. Litecky reiterated concerns regarding Mr. George Sheffer's comments at the previous Downtown Advisory Committee meeting regarding the need to include specific businesses targeted for downtown and the need for a business incubator downtown. Ms. Litecky asked if any progress has been made regarding these topics.

Mr. Davis referenced the section in the Plan which discusses a downtown business incubator. Mr. Davis also elaborated on the types of businesses which should be targeted, with the note that until downtown improvements are made, the vision of what businesses should be targeted has yet to be realized.

Ms. Litecky also noted that she was under the impression that Houseal Lavigne would actually complete the branding for Downtown Carbondale.

Mr. Davis stated that the original plan for Houseal Lavigne was to brand the plan itself. The branding for the downtown was not a part of the scope of work. Houseal Lavigne did, however, develop a branding strategy.

Ms. Litecky stated that she was glad to see that the planting of native species was prioritized in the plan. However, the species of trees proposed do seem to be those banned by certain cities and are better suited for a different climate than Carbondale.

Mr. Davis stated that it was not the intent for all of these trees to be native to the area as some native species may not be suited for roadway settings due to the amount of salt that would be present in the soil during Winter months.

Mr. Anz expressed his concern that there are not more specifics regarding development types. Standards regarding occupancy, parking, and building sizes, etc are not in the plan. Developers will need these items explained.

Mr. Davis agreed that these standards are important. However, he did not believe the intent of the Downtown Master Plan was to set those standards. The zoning code should be the tool used to develop and enforce those regulations.

Mr. LeBeau asked if there were any further questions from Commissioners.

There were none.

Mr. LeBeau asked if there were any questions from the public.

Mr. Gail White stepped forward. Mr. White stated that he owns property on the north side of the Historic Town Square. Mr. White explained the history and improvements of this downtown area. Mr. White stated that there is some concern about the availability of parking in the area needed to maintain the viability of businesses in the area. He stated that there has been some discussion regarding the removal of some parking in the Town Square and urged that property and business owners be included in any future discussions on this topic. Mr. White also warned against the potential vandalism that may accompany open recreational areas. Before concluding, Mr.

White recognized Frank Butterfield who was in attendance representing the Landmarks Illinois organization.

Mr. Mike McNerney stepped forward stating that he also owns property in the Historic Town Square. Mr. McNerney stated that he seconds Mr. White's comments stating that careful attention needs to be paid to both historic preservation and the parking need for the downtown area.

Mr. D. Gorton stepped forward reiterating an item that Ms. Litecky had mentioned regarding the recommended trees noted in the plan. Mr. Gorton stated that the trees in the plan do not coincide with those native and recommended for this area. Many of the trees mentioned in the plan are prohibited and will not survive in this area. Mr. Gorton stated that this section should be gone over much more carefully.

Ms. Jane Adams stepped forward to discuss several items. Ms. Adams stated that, contrary to what the Plan states, the Downtown Advisory Committee did not charge themselves with this work, rather they were given a charge by the Carbondale City Council. Ms. Adams also noted that the Downtown Management Organization referenced in the Plan already exists through Carbondale Main Street. Ms. Adams asked Mr. Davis to explain the recommendation in the plan.

Mr. Davis stated that the wording regarding the charge of the Downtown Advisory Committee is misleading and will be revised. Mr. Davis also stated that the scope of the Downtown Management Organization would go beyond the current responsibilities of Carbondale Main Street. Moving forward Carbondale Main Street should, however, be a part of the process.

Ms. Adams stated that it was her understanding that a parking plan would be submitted with the Downtown Master Plan. With regards to the Town Square, it does not seem there is a specific solution for the displaced parking that would result from the removal of the parking area. Ms. Adams inquired as to the intent behind laying out some alternatives but not getting into the direct implications of the removal of parking and where exactly new parking could be placed in the Town Square.

Mr. Davis pointed out the pages and sections in the plan where additional parking was proposed for relocation. These options included new parking lots and possible additional on-street parking options around the Town Square.

Mr. Frank Butterfield, Director of the Springfield office for Landmarks Illinois, stepped forward. Mr. Butterfield expressed the importance of economic development and historic preservation in the downtown. Mr. Butterfield also noted how Carbondale Main Street furthers these priorities and how the City should consider Main Street's important role moving forward.

Ms. Bradshaw asked Mr. Davis what the next steps were in the process and how people can suggest further changes to the plan.

Mr. Davis stated that the online portal can still be accessed and feedback can be received right up to the City Council meeting scheduled for April 19, 2016.

Ms. Litecky inquired as to how the changes suggested during the Planning Commission meeting would be incorporated. Ms. Litecky stated how she would be uncomfortable voting to recommend a Plan that still requires some adjustments.

Ms. Davis replied that the changes discussed tonight will be reflected in the City Council's final version of the Plan.

Mr. Taylor then read into the record a letter from Mr. Donald Monty expressing his concerns with the Downtown Master Plan draft.

Mr. LeBeau asked if there were any further questions from anyone to anyone.

There were none.

Mr. LeBeau declared the Public Hearing closed at 7:08 p.m.

Mr. Love moved, seconded by Ms. Lilly, to recommend to City Council the adoption of the Carbondale Downtown Master Plan.

Roll Call Vote:

Yes – 3 (Field, Lebeau, Love)

No – 3 (Anz, Lilly, Litecky)

Mr. Taylor announced that the result of the motion to recommend the adoption of the Downtown Master Plan to City Council was a tie. Mr. Taylor explained that the Plan would move forward to the Carbondale City Council and is tentatively scheduled for the City Council meeting on April 19, 2016.

## **5. Old Business**

There were none

## **6. New Business**

### **A. City Council Agendas from February 23, March 8, and March 22, 2016**

Ms. Bradshaw reviewed the City Council meetings as they related to Planning.

## **7. Adjournment**

Mr. LeBeau adjourned the meeting at 7:15 p.m.



## MINUTES

**Carbondale Planning Commission  
Wednesday, August 17, 2016  
Room 108  
City Hall/Civic Center  
6:00 p.m.**

Mr. LeBeau called the meeting to order at 6:00 p.m.

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**Members Present:** LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky and Bradshaw (ex-officio)

**Members Absent:** Lilly

**Staff Present:** Taylor

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### **1. Approval of Minutes:**

Ms. Litecky moved, seconded by Mr. Sheffer, to approve the minutes for March 23, 2016.

The motion to approve the minutes passed with a unanimous voice vote.

### **2. Citizen Comments or Questions**

There were none

### **3. Report of Officers, Committees, Communications**

There were none

### **4. Public Hearings**

**PC 17-01**, 6:02 p.m. City of Carbondale, rezoning request from BPL, Planned Business, to BPR, Primary Business, for ICG railroad property located within Carbondale's downtown.

Mr. LeBeau declared Public Hearing PC 17-01 open and asked if commission would be in favor of forgoing a reading of the full staff report for the case. There were no objections. He asked Mr. Taylor to read the legal notice.

Mr. Taylor read the legal notice.

Mr. LeBeau asked Mr. Taylor to present a summary of the staff report.

Mr. Taylor read the summarized staff report.

Mr. Taylor asked if there were any questions.

Mr. Sheffer asked what the difference was between going from the BPL, Planned Business to BPR, Primary Business and the benefits it had for the City.

Mr. LeBeau asked if anyone wished to speak in favor.

There was no one.

Mr. LeBeau asked if anyone wished to speak in opposition.

There was no one.

Mr. LeBeau asked if there were any questions of staff from Commissioners.

There were none.

Mr. LeBeau asked for a motion on the Findings of Fact.

Mr. Sheffer moved, seconded by Ms. Litecky, that the Commission accepts as findings of fact parts A and B of the staff report for PC 17-01.

The motion passed on a unanimous voice vote.

Mr. LeBeau asked for a vote on the recommendation to the City Council.

Ms. Field moved, seconded by Mr. Love, that the Commission recommends approval of PC 17-01.

Roll Call Vote:

Yes - 7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

No - 0

Mr. Taylor stated that the motion passed and that this matter will be on the City Council agenda at their meeting on August 30, 2016.

**PC 17-02, 6:08 p.m.** - Dan Massie is requesting a Special Use Permit for the use of an old dental office located at 1225 East Grand Avenue as a rooming house within a PA, Professional Administrative Office, district.

Mr. LeBeau declared Public Hearing PC 17-02 open and asked Mr. Taylor to read the legal notice.

Mr. Taylor read the legal notice.

Mr. Lebeau asked Mr. Taylor to present the staff report.

Mr. Taylor, Senior Planner for the City of Carbondale, was sworn in and read parts A and B of the staff report.

Mr. LeBeau asked if there were any questions of staff.

There were none.

Mr. LeBeau asked if the applicant was present.

The applicant was present and Ms. Field stated that she had a question for the applicant. She asked why the dental office has been vacant for the last two years. The applicant responded that it was on the market during that time.

Mr. LeBeau asked if there were any other questions for the applicant.

Mr. Love then asked if there was to be anymore work done to the dwelling. The applicant responded that there was no plan for expansions but the interior was to be constructed into a four bedroom home.

Mr. Hamilton then asked the applicant if it was to be converted into duplexes but it was stated by Mr. Taylor that was a mistake in the staff report wording and should have been rooming house.

Mr. LeBeau asked if anyone wished to speak in favor.

Bryan Brown, Executive Director at Brehm Preparatory School came forward. He wanted to question the additional analysis of the 2012 special use permit for Haresh Thakkar and of the vote that took place at that time. Mr. Brown stated that it was his understanding that a vote never took place for the special use permit. *(Note: PC 12-14, a special use permit request for dwelling units in a PA district by Mr. Thakkar, was recommended for approval by the Planning Commission and subsequently approved by City Council on May 15, 2012, by resolution no. 2012-R-28)*

Mr. LeBeau asked if anyone wished to speak in opposition.

There was no one.

Mr. LeBeau asked if there were any questions of staff from Commissioners.

Ms. Litecky asked for Mr. Taylor to explain the nature of special use permits so everyone has an understanding of how they work. Mr. Taylor explained that by default special use permits run with the land and will continue until the use is discontinued. In the event that the land were to be sold, it is possible the permit will be valid for the new owners as long as the use continues within six months of being discontinued by the previous owner.

Mr. LeBeau asked for questions for staff.

There were none.

Mr. LeBeau asked if there were questions from anyone to anyone.

There were none.

Mr. LeBeau asked Mr. Taylor to read the analysis.

Mr. Taylor read parts C and D of the staff report with a recommendation to approve PC 17-02.

Mr. LeBeau asked if there were questions from anyone to anyone regarding matters of fact.

Mr. Brown stepped forward again to question the case of Haresh Thakkar and if the City had granted approval of that case.

Mr. LeBeau asked for a motion on the Findings of Fact.

Mr. Sheffer moved, seconded by Ms. Litecky, that the Commission accept as findings of fact Parts A and B of the staff report for PC 17-02, that the applicant was present, and no one spoke in opposition.

The motion passed on a unanimous voice vote.

Mr. LeBeau asked for a motion whether the 7 criteria should be taken as one or individually.

Mr. Sheffer moved to vote on the seven criteria as one, seconded by Mr. Love.

Roll Call Vote:

Yes - 7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

No - 0

Mr. LeBeau asked for a motion to vote on if criteria have been met.

Mr. Love moved that the seven criteria had been met for PC 17-02, seconded by Mr. Burnside.

Roll Call Vote:

Yes - 7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

No - 0

Mr. LeBeau asked for a vote on the recommendation to the City Council.

Mr. Love moved to approve PC 17-02, seconded by Mr. Burnside.

Roll Call Vote:

Yes - 7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

No – 0

Mr. Taylor stated that the motion passed and that this matter will be on the City Council agenda at their meeting on August 30, 2016.

**PC 17-03, 6:28 pm-** Menachem Scheiman is requesting a Special Use Permit for the use of a religious institution at 1306 West Chautauqua within an R-1-12, Low Density Residential, district.

Mr. LeBeau declared Public Hearing PC 17-03 open and asked Mr. Taylor to read the legal notice.

Mr. Taylor read the legal notice and two letters in opposition.

Mr. Lebeau asked Mr. Taylor to present the staff report.

Mr. Taylor, Senior Planner for the City of Carbondale, was sworn in and read parts A and B of the staff report.

Mr. LeBeau asked if there were any questions of staff.

There were none.

Mr. LeBeau asked if the applicant was present.

The applicant, Menachem Scheiman, came forward to explain what the organization does and why they are wanting to expand. Mr. Scheiman explained the website and the future growth of the group. Mr. Scheiman asked if the Commission had any questions for him. Mr. Sheffer stated that it seems like any church or religious organization would want to grow or expand their congregation. Mr. Scheiman stated that as of now the group is not expanding although he would like to see that happen in their future, if possible, but if it were to expand they would work toward a new special use permit.

Ms. Field asked what it meant to install a Mikveh and what type of plumbing requirements would be involved in that. Mr. Scheiman stated that the plans were unclear at this time but it would involve digging into the ground to create the ritual tub.

Ms. Field asked if it would be located inside or outside. Mr. Scheiman stated it would be located inside of their detached garage. Mr. Taylor stated that the City had already approved the installation of the Mikveh but it could only be used by those who reside at the residence and this special use permit would be required for it to be used by anyone

else.

Mr. Hamilton asked if the basement of the home is to be where the modifications are to take place for the worship space. Mr. Scheiman stated that at this time there are to be no modifications to the home but this basement is where they are currently meeting for services. Mr. Scheiman also explained that in the future they may decide to modify the detached garage for the use of a Synagogue.

Mr. Hamilton asked Mr. Taylor if there is an occupancy limit for something like this. Mr. Taylor stated that the City is limiting the occupancy to how many parking spaces are available for use.

Mr. Sheffer asked exactly what the Commission was being asked to ok that is not already being done on the property now and what they would they be voting on. Mr. Taylor explained that the neighbors have expressed concern about traffic and excessive occupancy and the special use permit would be a way for the City to monitor the amount of people. Mr. Sheffer asked for more clarification. Mr. Taylor stated that if the special use permit were to be granted, the residence would then be considered a religious institution, be able to put up signage and actively advertise that there is now a synagogue there.

Ms. Field asked Mr. Taylor about the website and wanted him to share about what he found. Mr. Taylor stated that there were examples of what was stated in the staff report and there was also information about fundraising to make modifications to the home.

Mr. Burnside asked Mr. Taylor about possible issues with fire codes within the residence. Mr. Taylor stated that there certainly is an issue, and the City's Building Inspector would need to verify the home complies with all codes.

Mr. LeBeau asked Mr. Scheiman about the property taxes and how they might be affected if the special use permit is granted. Ms. Leitcky then stated that if they passed the special use permit that the property could potentially be tax exempt because it would be a religious institution. Mr. Sheffer then showed concern with the freedom that would be given to the institution if the permit is granted.

Mr. Burnside brought up the use of signage and the amount of exits that lead out of the basement where services are currently being held. Mr. Scheiman stated that there are two exits from the basement and no signage is being planned at this time.

Mr. LeBeau asked if anyone wished to speak in favor.

D. Gorton came forward to speak in favor of Mr. Scheiman and the institution that he is running. He spoke about how the institution was a positive for nearby residences at his previous location.

Jane Adams came forward to speak in favor of the granting of the special use permit and that they would be fine with the permit being granted.

Mr. LeBeau asked if anyone wished to speak in opposition.

Flossie Langin, neighborhood watch captain of the neighborhood, spoke in opposition because of the institution coming into the neighborhood and what it would do to their community.

Angela Kaakeviais spoke in opposition due to the traffic that would be brought into the neighborhood and the noise that it might cause. Ms. Kaakeviais also stated that by allowing this special use permit, it could cause a decrease in value to the homes located around the institution.

Russell Hinckley came forward with concerns of the permit being used by future owners or if it switched to the institution and the transfer of the special use permit. Mr. Hinckley also had concerns with the parking situation on the property and the effects it has on those around the home. He also had concerns that if the permit is allowed, what would stop Mr. Scheiman from using more of the parking spaces than just those for the fifteen people allowed.

Erin Anthony spoke of concerns with the congestion in the neighborhood for traffic as it is and by granting the special permit it would cause more issues with traffic and possibly accidents.

Mr. Burnside then asked Mr. Scheiman if he bought the home with the intent to turn it into a synagogue. Mr. Scheiman stated that when he and his family bought the home there was intent to live there and also possibly have the synagogue there one day.

Virginia Tilley came forward with concern about what is listed on the website for the synagogue and the want to grow in a residential area. Ms. Tilley was concerned about a student lounge that was listed on the website and the number of events that are listed on the website calendar. Ms. Tilley was also concerned about the fundraising that was being done for the Mikveh and if it is for the family use, why was fundraising necessary.

Mr. Sheffer then questioned Mr. Scheiman about his statements that he made to the Planning department and what the Commission is seeing on the website. Mr. Scheiman clarified that the different events attract a different amount of people and the bigger events are held at a different location.

Mary Beth Goff spoke about concerns that the institution could tear apart the neighborhood and that the special use permit might be abused if it were to be granted. Ms. Goff felt that many limits would need to be set within the permit.

Olga Widener spoke in opposition because of the zoning of property and the property taxes that the property could be exempt from if the special use permit is allowed.

Diane Nadaf spoke with concerns of the activities that are being planned according to the website and changing the zoning which is residential. Mr. Sheffer clarified that the passing of the special use permit would not change the zoning of the property.

David Anthony stated that he was confused about the garage on the property, its use and the amount of renovations that would need to be done. Mr. Scheiman came forward to state that the one that is in question is the detached garage for the Mikveh.

Craig Leech came forward in opposition and stated based on his past experiences as a building inspector there were many things wrong with allowing the special use permit to be granted.

Mr. LeBeau asked Mr. Taylor to read the analysis.

Mr. Taylor read Part C of the staff report with a recommendation to approve PC 17-03.

Mr. LeBeau asked for questions for staff.

Mr. Sheffer questioned if one of the criteria does not make it through, will that keep it from passing. Mr. Taylor stated that if one criteria is not met, the Planning Commission can still recommend approval of the special use permit.

Chester Lang came forward to state that the recommendation of the Planning department was based on old facts and not the website that was now showing what is really wanting to be done on the property.

Mr. LeBeau questioned Mr. Taylor on how the maximum occupancy of fifteen people was going to be monitored if the permit were to be granted. Mr. Taylor stated that Building and Neighborhood Services would monitor the occupancy. And through complaints the City receives from neighbors about traffic and parking.

Mr. LeBeau asked for questions from anyone to anyone.

Ms. Tilley came forward to question the real estate tax matter if the permit is granted and if someone would look into the matter. Mr. LeBeau stated that it would be looked into.

Mr. LeBeau declared PC 17-03 closed and asked for a motion on the findings of fact.

Ms. Field moved, seconded by Mr. Sheffer, that the Commission accept as findings of fact Parts A and B of the staff report for PC 17-03, that two people spoke in favor and ten people who spoke in opposition.

The motion passed on a unanimous voice vote.

Mr. LeBeau asked for a motion to vote on the seven criteria separately or together.

Mr. Love motioned to vote on the criteria individually, Mr. Sheffer seconded.

The motion passed on a unanimous voice vote.

Mr. Taylor explained the process of the voting on the criteria to the Commission.

Mr. LeBeau asked for a motion on criteria one; the proposed special use will permit and encourage an environment of sustained desirability and stability, and that it will be in harmony with the character of the surrounding neighborhood.

Mr. Love motioned, Mr. Burnside seconded, to vote that criteria one had been met.

Roll Call Vote:

Yes - 0

No -7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

Mr. LeBeau asked for a motion on criteria two; the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

Mr. Love motioned, Mr. Burnside seconded, to vote that criteria two had been met.

Roll Call Vote:

Yes - 0

No -7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

Mr. LeBeau asked for a motion on criteria three; the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property value within the neighborhood.

Mr. Love motioned, Mr. Burnside seconded, to vote that criteria three had been met.

Roll Call Vote:

Yes - 2(Sheffer, Love)

No - 4 (LeBeau, Hamilton, Field, Litecky)

Abstain-1 (Burnside)

Mr. LeBeau asked for a motion on criteria four; the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Mr. Love motioned, Mr. Sheffer seconded, to vote that criteria four had been met.

Roll Call Vote:

Yes - 3(Sheffer, Field, Love)

No - 3(LeBeau, Hamilton, Litecky)

Abstain-1 (Burnside)

Mr. LeBeau asked for a motion on criteria five; adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Mr. Sheffer motioned, Mr. Burnside seconded, to vote that criteria five had been met.

Roll Call Vote:

Yes - 7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

No - 0

Mr. LeBeau asked for a motion on criteria six; adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Mr. Love motioned, Mr. Burnside seconded, to vote that criteria six had been met.

Roll Call Vote:

Yes - 2 (Sheffer, Love)

No - 5 (LeBeau, Hamilton, Field, Burnside, Litecky)

Mr. LeBeau asked for a motion on criteria seven; the special use will be located in a district where such use may be permitted, and shall conform to all requirements of this Chapter.

Mr. Love motioned, Mr. Burnside seconded, to vote that criteria seven had been met.

Roll Call Vote:

Yes - 6 (Sheffer, Hamilton, Field, Burnside, Love, Litecky)

No - 1 (LeBeau)

Mr. Taylor stated that the applicant had passed two of the seven criteria.

Mr. LeBeau asked for a vote on the recommendation to the City Council.

Mr. Sheffer moved to approve PC 17-03, seconded by Mr. Burnside, as proposed by City Staff.

Ms. Litecky made a motion to amend Mr. Sheffer's original motion to include additional conditions to the special use permit. A short discussion followed. After which, Ms. Litecky withdrew her motion.

Roll Call Vote:

Yes - 0

No - 7 (LeBeau, Sheffer, Hamilton, Field, Burnside, Love, Litecky)

Mr. Taylor stated that the motion to approve failed and that this matter will be on the City Council agenda at their meeting on August 30, 2016.

**PC 17-04, 8:19 p.m.** - RD Management LLC is requesting a rezoning from AG, General Agriculture, to PUD, Planned Unit Development, for 169 Old Route 13.

Mr. LeBeau declared Public Hearing PC 17-04 open and asked Mr. Taylor to read the legal notice.

Mr. Taylor read the legal notice.

Mr. Lebeau asked Mr. Taylor to present the staff report.

Mr. Taylor, Senior Planner for the City of Carbondale, was sworn in and read parts A and B of the staff report.

Mr. LeBeau asked if there were any questions of staff.

There were none.

Mr. LeBeau asked if the applicant was present.

The applicant, David Blumenstock with RD Management, came forward to ask if the commission had any questions for him about the brief that he had provided. Ms. Litecky asked Mr. Blumenstock who would be the user of the property once it was done. Mr. Blumenstock stated that RD Management would keep control of the property. Mr. Sheffer asked about the management of the facility and the procedures that happen within the program. Mr. Blumenstock directed the commission to Teri Hogan, from NeuroRestorative to answer questions about the facility and the leasing from RD Management. Mr. Burnside asked if this facility would be like those that NeuroRestorative already operates. Ms. Hogan stated that it would run just like all of their other facilities that they operate. Mr. Hamilton asked what would be the facilitative need for the unit. Ms. Hogan said that the program would like to be able to facilitate thirty-two adolescents in all for the programs. Ms. Litecky questioned the nature of the youth's brain injuries that would be living in the facilities. Ms. Hogan stated that all of the youths in the program have some type of severe brain injury and that all of the members in the program are from within the state of Illinois and surrounding states. Ms. Field questioned if the children in the program are being rehabilitated to go back out into the communities. Ms. Hogan said the program process is based on the individual patients and their needs.

Scott Shaw, from NeuroRestorative, came forward to also speak in favor of the program and the services, jobs and benefits that the company provides the Carbondale community.

Mr. LeBeau asked if anyone wished to speak in favor.

There was no one.

Mr. LeBeau asked if anyone wished to speak in opposition.

Sue McMeen came forward to speak on behalf of the neighborhood that surrounds where the facility would be built. Ms. McMeen brought forth a petition that was signed by members of the community. Ms. McMeen stated that the facility does not fit within the current residential community and that the property would cause utility and traffic concerns for the surrounding homes. Ms. McMeen asked for denial of PC 17-04. Mr. Taylor asked Ms. McMeen to state how many individuals signed the petition. Ms. McMeen stated there were fourteen signatures in opposition of the case.

Mr. LeBeau asked if there was anyone else in opposition.

Larry Young came forward to speak against the case due to the fact that the property is currently zoned as agricultural. He also voiced concern on the traffic accidents that take place at this location.

Joe Whitecotton came forward to discuss what the units will look like structurally and what the quality of help that NeuroRestorative hires. Mr. Whitecotton asked if the case was passed, would the facility be able to build right next to his property.

There was then a discussion between Mr. Sheffer and Mr. Whitecotton about the other NeuroRestorative facilities in Carbondale.

Ms. Hogan came up to answer Mr. Whitecotton's questions and concerns. Ms. Hogan also gave all of the requirements for any of the employees of the facilities.

Anna Whitecotton came forward to speak in opposition and questioned how many future units would be built and expressed her concerns with the traffic in that location already.

Bob Atamien questioned if the patients would be contained because of their safety issues. Mr. Atamien also questioned emergency response procedures if something were to happen and also the development of more units.

Ms. Hogan came forward to answer the concerns. Ms. Hogan stated that the children would be allowed to play in the yard and as far as emergency response; NeuroRestorative has their own response system.

Ms. Litecky spoke to say that if the property is annexed they would be within the City and Carbondale Police would be able to respond to emergencies.

Steve Miller, Facilities Operator for NeuroRestorative, spoke in favor and also answered many of the questions of those opposed. Mr. Miller stated that the choice of a residential area for the facility is very important to help with the rehabilitation of the patients. Mr. Miller then spoke on the issue of traffic and parking. Mr. Miller also stated that in the history of the company there has never been an issue with decrease in home values of surrounding neighborhoods.

Mr. Burnside questioned Mr. Miller on how many residents of the program are actually

from Carbondale. Mr. Miller referred to Ms. Hogan for the answer, Ms. Hogan stated that most of the patients from Carbondale live at home and do “day” treatments.

Jacque Young spoke in opposition because of the safety of the child patients that would live at the facility, due to the traffic on the road next to the proposed land. Ms. Young is also concerned about the water flow problems that might occur on her land.

Richard Simons spoke in opposition due to the water flow that might possibly flood his home.

Mr. Taylor noted that the developer must provide the City with plans to address the drainage issues on the property. Mr. Simons was also concerned about the number of parking spaces for the facility. Mr. Taylor stated that due to the type of facility, the City requires a certain number of parking spaces and the developer originally proposed fewer parking spaces.

Phyllis Simons came forward to question where the driveway to the facility would be located; due to the traffic on the curve and the danger it could potentially cause.

Mr. LeBeau asked for questions from the Commissioners.

There were none.

Mr. LeBeau asked Mr. Taylor to read the analysis.

Mr. Taylor read Part C of the staff report with a recommendation to approve PC 17-04.

Mr. LeBeau asked for questions for staff.

Mr. Simons came forward to question how far the set back off the highway would be for the buildings. Mr. Taylor stated that the minimum setbacks for the units would be twenty feet.

Mr. Burnside questioned Mr. Taylor about the requirements for annexation of the surrounding properties. Mr. Taylor stated that the other properties would not be required to be annexed, only those properties being rezoned.

Mr. LeBeau declared PC 17-04 closed and asked for a motion on the findings of fact.

Ms. Field moved, seconded by Mr. Sheffer, that the Commission accept as findings of fact Parts A and B of the staff report for PC 17-04, that people spoke in favor and eight people spoke in opposition.

The motion passed on a unanimous voice vote.

Mr. LeBeau asked for a vote on the recommendation to the City Council.

Mr. Love moved to approve PC 17-04, seconded by Ms. Litecky.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Love, Litecky)

No – 1 (LeBeau)

Abstain-1 (Burnside)

Mr. Taylor stated that the motion passed and that this matter will be on the City Council agenda at their meeting on August 30, 2016.

## **5. Old Business**

There were none

## **6. New Business**

### **A. Annual Report for FY2016**

Mr. Taylor explained the annual report and stated that there would need to be a motion to approve the report.

Ms. Litecky motioned to approve the annual report, Mr. Love seconded.

The motion passed on a unanimous voice vote.

### **B. Review Rules and Procedures**

Mr. Taylor explained that there was a breakdown of the rules and procedures in the included packets.

### **C. City Council Agenda from April 5, April 19, May 24, May 25, June 6, June 14, July 19, August 9**

Ms. Bradshaw reviewed the City Council meetings as they related to Planning.

## **7. Adjournment**

Mr. LeBeau adjourned the meeting at 9:31 p.m.