MINUTES

Carbondale Planning Commission
Wednesday, December 7, 2016
Room 108, 6:00 p.m.
City Hall/Civic Center

Ms. Litecky called the meeting to order at 6:15 p.m.

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

Members Absent: LeBeau, Love, and Lilly

Staff Present: Taylor and Lawrence

1. **Approval of Minutes:**

   Mr. Sheffer moved, seconded by Ms. Field, to approve the minutes for October 12, 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 17-08, 6:17pm-The City of Carbondale is proposing a text amendment to Title 15 of the Carbondale Revised Code in order to revise the current approved tree list.

   Ms. Litecky declared Public Hearing PC 17-08 open and asked Travis Taylor, Senior Planner for the City of Carbondale, to read the legal notice.

   Mr. Taylor read the legal notice.

   Ms. Litecky asked Sarah Lawrence to present the staff report.

   Ms. Lawrence was sworn in and read part A of the staff report.

Ms. Litecky asked if there were any questions of staff.

There were none.

Ms. Litecky asked if there were any other questions from the Commissioners.

There were none.

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

There was no one.

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

There was no one.

Ms. Litecky asked Ms. Lawrence to read the analysis.

Ms. Lawrence read Parts B and C of the staff report with a recommendation to approve PC 17-08.

Ms. Litecky asked for questions for staff.

There were none.

Ms. Litecky asked if there were questions from anyone to anyone.

There were none.

Ms. Litecky declared PC 17-08 closed and asked for a motion on the findings of fact.

Mr. Sheffer moved that the Commission accept as findings of fact Part A of the staff report for PC 17-08, seconded by Ms. Field.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, Litecky)
No – 0

Ms. Litecky ask for a motion to approve PC 17-08 and send it to City Council for review.

Mr. Sheffer moved to approve PC 17-08 and send it to City Council for review, seconded by Dr. Burnside.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, 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 December 20, 2016.

PC 17-09, 6:22pm-The Carbondale Elks Lodge #1243 is requesting to rezone the property located at 419 S. Giant City Road from the R-1-15, Low Density Residential and AG General Agriculture, zoning district to the PA, Professional Administrative Office, zoning district in order to use the facility on site for their lodge.

Ms. Litecky declared Public Hearing PC 17-09 open and asked Mr. Taylor to read the legal notice.

Mr. Taylor read the legal notice.

Mr. Taylor also stated that he had received two letters from citizens expressing opposition to the request, which he then read and presented to the Commissioners.

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

Ms. Lawrence, Planner for the City of Carbondale, was sworn in and read parts A and B of the staff report.

Ms. Litecky asked if there were any questions of staff.

There were none.

Ms. Litecky asked if the applicant was present and if they wished to speak.

Mike Rand, the Elks Lodge President, came forward to speak in favor of PC 17-09. Mr. Rand spoke about the Elks' current building and with the age of the building and the structure, it causes many problems and is expensive for the upkeep. Mr. Rand stated that if the lodge is able to move they will be able to focus on the community more and not on the constant upkeep of the building.

Ms. Litecky asked if there were any questions from the Commissioners to the applicant.

Dr. Hamilton asked Mr. Rand what types of donations the Elks have given back to the Carbondale community.

Mr. Rand stated that just recently donations have been given to the Women's Center, the Shop with a Cop program, the Good Samaritan Food Pantry, the Anna Veterans Home, and the Special Olympics program. Also, soon they will be donating to the Disabled Veterans program.

Ms. Litecky asked if there were any other questions from the Commissioners to the applicant.

There were none.

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

Jeff Woodruff of 601 E. Campus, came forward to speak in favor. Mr. Woodruff stated that he felt these types of organizations help to hold the community together and they provide a sense of community. Mr. Woodruff also stated that he is unaware of any violations of any of the members dealing with alcohol consumption and the actual Elks Lodge. Mr. Woodruff stated that the Elks meetings really only take place on Friday evenings and should not interfere with the high school or college kids on Giant City Road.

Josi Young, the Secretary for the Elks Lodge, came forward to speak in favor. Ms. Young spoke about the fact that even though the Elks have a bar onsite, it is for members or guests of members only and the bar does not open until four o'clock in the evening so it shouldn't affect the high school traffic.

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

Aaron Heller of 213 S. Giant City Road, came forward to speak in opposition. Mr. Heller expressed concern about traffic congestion issues that might be caused and accidents that might occur. Mr. Heller felt that the Elks Lodge should not be located in a highly residential area.

Lee Hartman of 1442 E. Gary Drive, came forward to express his concerns about the increased traffic that might occur due to the Elks being located on Giant City Road. Mr. Hartman also had concerns about the safety of people riding their bicycles on Giant City Road and the traffic issues. Mr. Hartman felt that with all of the current traffic issues on Giant City Road, those problems should be worked out first before adding more businesses on that road.

Bruce Payne of 809 S. Drury Lane, spoke about a few accidents that his family and friends have been involved in on Giant City Road, due to distracted young drivers. Mr. Payne went on to speak about the dangers of Giant City Road that already exist and that putting more businesses on that road which may hold a liquor license could cause even more issues.

Donald Monty of 418 S. Giant City Road, came forward to present his letter of opposition. Mr. Monty's letter is also attached to these minutes as Exhibit A.

Anne Gaylord of 418 S. Giant City Road, came forward to restate the concerns of traffic that might occur with the Elks at that location.

Kate Baba of 1448 E. Grand Ave, came forward to express safety concerns for children and families that live along Giant City Road resulting from traffic issues along that stretch of road.

Don Priddy of 1440 E. Walnut, came forward to state that he does not feel that this is the right location for the Elks Lodge since it is located in a residential area.

James Baba of 1448 E. Grand Ave, also did not feel that a residential location was a good place for the Elks Lodge that serves alcohol and has a bar onsite. Mr. Baba felt like rezoning a neighborhood area was a bad idea for the community.

Ms. Litecky asked Ms. Lawrence to read the analysis.

Ms. Lawrence read Parts C and D of the staff report with a recommendation to deny PC 17-09.

Ms. Litecky asked if the Commissioners had questions for staff.

Mr. Sheffer questioned if a PA District can be limited in anyway. Mr. Taylor stated that once the property is rezoned to PA no limitations can be place on the PA districts, unlike special use permits. It was then discussed between Mr. Sheffer and Mr. Taylor to what extent the PA District must conform to neighboring residential districts.

Mr. Sheffer also questioned why a special use permit was not requested for this location instead of the rezoning request. Mr. Taylor stated that was not an option for this type of establishment in that area, but they could request a text amendment instead and then, after approval of a text amendment, request a special use permit for fraternal organizations.

Ms. Litecky went on to explain and discuss some of the setback and building height regulations in R-1, AG, and PA Zoning Districts and what this means to the PC 17-09 rezoning. Ms. Lawrence clarified some of the differences and what this meant for this particular location.

Ms. Litecky asked if there were questions from anyone to anyone.

Mike Ashner, member of the Elks, came forward to ask if the Elks could agree to a PA Zoning with limits set by the Planning Commission. Mr. Ashner stated that if the Lodge needed to request a text amendment with restrictions they would be more than willing to do so going forward in the process. Mr. Sheffer stated that if the Commission approves the PA then the restrictions needed could not be put in place, but if the Elks were to come back to the Planning Commission and request a text amendment then the regulations can be placed with a special use permit and possibly approved.

Laura Germann of 1547 E. Grand Ave, questioned if the Elks were to come back to the Commission and request a text amendment to Title 15, would that then affect all of Carbondale going forward. Mr. Taylor stated that if they were to go forward in requesting a text amendment and if it were approved for fraternal organizations to be able to be located in R-1 districts, this would in fact make all R-1 districts available for fraternal organizations to request special use permits.

Aaron Heller came forward to ask the Elks president if any of the members in attendance were actually from the Carbondale community. By show of hands many were in fact from Carbondale. Mr. Rand came forward to explain why he did not currently reside in Carbondale but was still an active member of the Elks. Mr. Heller also questioned what the Elks would do for the neighborhood if they were to relocate onto Giant City Road. Mr. Rand stated that the Elks have made many donations and are involved in the youth organizations at the Carbondale School District. Mr. Rand also stated that he understood the concerns of the community and would be more than willing to sit down and discuss and work out resolutions for these problems and concerns.

Mr. Woodruff came forward to state that the Elks would really like to work with Planning staff and the Commission to comply with regulations and quell neighbors concerns. Mr. Taylor elaborated on options presented to the applicant and those which are available going forward.

Mr. Sheffer then stated that even though he understands the concerns of the neighbors on Giant City Road and the issues they had voiced, he knows what the Elks do for the community and knows that they will not misuse the property if it were to become rezoned into a PA district. Mr. Sheffer's concerns are for any business that might move into that location after the Elks and what that could mean for the local neighborhood.

Mr. Hamilton then questioned Mr. Taylor if there were other facilities that were discussed when the Elks came to the Planning Department about the PA rezoning on Giant City Road. Mr. Taylor stated that only this property was discussed and at that time the Planning Department was unaware of any other facilities that might be available. Mr. Rand came forward and stated that the Elks had looked at other properties but this was the most fitting to their needs.

Mr. Monty came forward to ask the applicant what kinds of modifications would they have to do to the facility and if they would have to do any sort of expansion. Mr. Rand stated that currently there are no plans to change the building except for the entryway that would have to be redone.

Ms. Litecky questioned Mr. Rand about the rental of the facility. Mr. Rand stated that they currently do rent the facility, but if they move to a new location all of their policies would have to be revisited since they would be moving to a residential neighborhood.

Mr. Monty also questioned the food service that the Elks provide to the community and the advertising they do on signage. Mr. Rand stated that is for members and invited guests only.

Andrew Zieba of 601 E. Walnut and member of the planning building committee for the Elks, came forward to state that the Elks Lodge has no intention of splitting up the property and that the Elks is a very family friendly organization.

Mr. Payne questioned the Commission regarding what would happen to the property and to the neighborhood if the Elks were to close in the future and a new business were to move into the R-1 district with a special use permit. Mr. Taylor explained what would take place if a special use permit were granted and what would happen if the Elks were to leave that location and that the permit would be null after six months of them leaving. Mr. Payne also questioned if a liquor license was allowed in an R-1 district. Mr. Taylor stated that limits could be placed with a special use permit.

Deanna Gilbert of 1450 Neal Lane, questioned Mr. Taylor to explain the exemption under the code 2.24.1. Ms. Lawrence explained that it states within the City liquor code that with class E licenses, fraternal organizations are exempted from the fact that they must be more than one hundred feet from a school. Ms. Gilbert also asked if the Elks would be required to give up their state liquor license if they were to move into the facility on Giant City Road. Mr. Rand stated that it is his understanding that if the liquor license is approved by the City of Carbondale, then the state of Illinois will also approve it.

Ms. Litecky asked Mr. Rand if the Elks had a gaming license and how many machines they currently had. Mr. Rand stated that they did have a license and had four machines.

Mr. Heller questioned Mr. Rand about the amount of special events that take place at the Elks on Friday evenings. Mr. Rand stated that the Elks maybe only hold three special events each year on Friday evenings. There was then a discussion between Mr. Heller and Mr. Sheffer about the traffic issues on Giant City Road and if they would really be affected by the Elks moving into that location.

Luanne Brown of 1440 E. Walnut, came forward to ask Mr. Rand why the Elks would buy the building and all of the land with it without plans to expand. Mr. Rand stated that first they want to focus on moving to the location and then possibly in the future make changes to the facility, but not any time soon. Mr. Rand stated that it was going to be a step by step process and the first step is the move and getting approvals needed to make the move. Ms. Brown then questioned Mr. Sheffer about if it was even a good idea to develop Giant City Road anymore because of the traffic issues that already exist. Mr. Sheffer stated that if we focused on traffic, then the community would never develop and grow. Mr. Sheffer stated that it is a goal of the community and to business and jobs in the community to drive traffic into our City to help us grow.

Ms. Litecky declared PC 17-09 closed and asked for a motion on the findings of fact.

Mr. Sheffer moved that the Commission accept as findings of fact Parts A and B of the staff report for PC 17-09, seconded by Dr. Hamilton.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, Litecky)
No – 0

Ms. Litecky ask for a motion on a recommendation to the City Council for PC 17-09.

Ms. Field moved to deny PC 17-09 and send it to City Council for review, seconded by Dr. Burnside.

There was then discussion between Dr. Burnside and Mr. Sheffer about previous cases brought before the Commission that were similar to PC 17-09.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, Litecky)
No – 0

Mr. Taylor stated that the motion to recommend denial passed and that this matter will be on the City Council agenda at their meeting on December 20, 2016.

PC 17-10, 8:20pm-JGC Wash Investments is requesting a Special Use Permit to allow for a Car Wash and Mini-Warehouses in an SB, Secondary Business, District for the property located at 101 S. Giant City Road.

Ms. Litecky declared Public Hearing PC 17-10 open and asked Mr. Taylor to read the legal notice.

Mr. Taylor read the legal notice.

Ms. Litecky 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.

Ms. Litecky asked if there were any questions of staff.

Ms. Litecky questioned if the property was already zoned as SB, why the applicant was in need of a special use permit. Mr. Taylor stated that with it being an SB district, carwashes and mini storage are not permitted by right in the SB category and require the special use permit.

Dr. Burnside questioned what types of businesses would be classified under an SB district. Mr. Taylor stated that retail, school uses, medical clinics and doctors' offices would all be permitted under SB.

Ms. Litecky asked if the applicant was present and if they wished to speak.

Greg Cook came forward to speak of the operations of the lot in question and give history of his business and what they do for the community. Mr. Cook explained what will take place on the lot as far as both uses are concerned. Mr. Cook spoke about the carwash that would be located on the lot and the goals that he would have for the carwash at that location. Mr. Cook stated that he would address any concerns of the neighborhood located next to the lot.

Mr. Sheffer questioned the use of the pods and if they will be accessible to the renters all the time. Mr. Cook stated that renters could access the pods but they were discussing making it limited to when staff is present on site.

Ms. Litecky questioned the staffing of the facility. Mr. Cook stated that there is staff onsite in an office located on the end of the carwash area. Mr. Cook stated that there would also be a car detailing shop located on the end of the carwash, as well. Ms. Litecky also questioned if the pods would be in a fenced-in area. Mr. Cook stated that it would be a secure fenced-in area.

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

There were none.

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

Aaron Heller of 213 S. Giant City Road, came forward to speak in opposition. Mr. Heller stated that he was concerned because of the location in relation to his home and backyard. Mr. Heller was also concerned about it decreasing the value of his home and he was concerned about safety with the chemicals that might be used at the carwash.

Donald Monty of 418 S. Giant City Road, came forward to speak about the history of the lot on Giant City. Mr. Monty stated that he felt that there are many other uses for that lot that would be more beneficial to that area. Mr. Monty also spoke on the seven criteria that the Commission would vote on to pass PC 17-10 and the problems that are caused to the residential areas around the lot if the carwash and mini storage were to be built. Mr. Monty's letter breaking down the seven criteria is also attached to these minutes as Exhibit B. Mr. Monty stated that two main concerns are the sidewalk that is needed on Giant City Road and the lighting that might cause issues to nearby residents.

Luanne Brown of 1440 E. Walnut, came forward to speak about the site plan that is being provided in relation to her home and her neighbor's homes and the impact that this business would have on their lives. Ms. Brown stated that she feels that the buffer zones for this type of business need to be looked at to make it friendly for the neighborhood. Ms. Brown also reiterated Mr. Monty's sidewalk issues and lighting concerns.

Donald Priddy of 1440 E. Walnut, came forward to speak about his issues with the water lines that are in that area and having a carwash in that area using lots of water. Mr. Priddy expressed that he would be fine with Mr. Cook's business but he just wants certain things looked at such as noise of the carwashes and the lighting in the mini-storage.

Anne Gaylord of 418 S. Giant City Road, stated that she was concerned about accidents if people are trying to make left hand turns into the carwash. Ms. Gaylord was also concerned about the hours of operation of the carwash and what that means as far as noise for surrounding residents.

Lee Hartman of 1442 E. Gary Drive, stated that he is in agreement that sidewalks are a great concern and are greatly needed at this location.

Sarah Heyer of 1442 E. Gary Drive, voiced concerns about the traffic on Giant City Road and how it is projected to get worse in the near future. Ms. Heyer also feels that the City needs to take care of some safety issues in that area such as sidewalks and bike paths before adding more businesses into that area.

Ms. Litecky asked Mr. Taylor to read the analysis.

Mr. Taylor read Parts C and D of the staff report with a recommendation to approve PC 17-10.

Ms. Litecky asked for questions for staff.

Ms. Field asked Mr. Taylor about the water retention issues and if a more detailed site plan will be provided by the applicant to show run off drainage. Mr. Taylor stated that a full detailed drainage/run off plan must be submitted in a site plan to show how they plan to handle any of the storm water runoff issues. City Engineering will help with the development of suggestions for those issues.

Mr. Sheffer then asked about the lighting and making sure that the applicant tries to keep the lighting out of the neighborhood residents' homes and yards. Mr. Taylor stated those concerns will be addressed in the site plan process with the applicant by making sure that they take to steps needed to keep lighting issues to a minimum for the neighboring homes.

Ms. Field also asked if it was possible to add in a condition that the applicant put a sidewalk into the site plan. Mr. Taylor stated that a sidewalk could be added to the conditions of this special use permit.

Ms. Litecky questioned the requirement for vegetation in the area that the pod systems would be located. Mr. Taylor stated that the amount of vegetation is based on the amount of parking area onsite and with the mini storage being a part of this development, the vegetation would defiantly be something that is discussed in the final site plan process. Ms. Litecky also questioned the buffers that are to be located off of Walnut Street. Mr. Taylor stated that on the side with the carwash it would only be required to have a seven foot buffer yard which is what parking area buffers are required to be. Ms. Litecky also questioned if the egress and ingress could be moved to Walnut Street to prevent people entering and exiting on to Giant City Road. Mr. Taylor stated that many limits could be placed on this special use permit, but he was hesitant to change the setup of the site plan and possibly cause traffic congestion issue going in and out of the carwash area. This subject will be left for City Engineers to decide.

Mr. Sheffer stated that the location of the entrance and exits and the amount of vegetation should be left to the developers and planners with the site plan. Mr. Sheffer felt that the Commission should focus on putting in conditions for a sidewalk and the lighting.

Dr. Hamilton and Dr. Burnside both agreed that the site plan should be left to the City to address and the sidewalk and the lighting needs to be looked at because of the concerns of the residents surrounding the lot.

Ms. Litecky asked if there were questions from anyone to anyone.

Mr. Priddy came forward to ask Mr. Cook about what type of signage would be used on the site. Mr. Cook stated that he was unsure of the specifics for the signage but they would follow the City's requirements and restrictions with standard signage.

Mr. Heller questioned Mr. Taylor's report about the property value of his home not being affected and that the enjoyment of his yard will not be affect with the mini storage units being located right next to his backyard area. Mr. Taylor stated that property value is always a hard question to answer, but with the type of business that is going in it should not affect the value as much as if a different type of business that might go in at that location. Mr. Taylor also stated that the enjoyment of the property should continue with the restrictions that the Planning Commission can add into the special use permit conditions.

There was then discussion between Mr. Heller and Mr. Sheffer about the type of business being built and that a normal SB district business would not have to ask for these special conditions that Mr. Cook must adhere to. Mr. Heller also questioned Mr. Cook about the time table of getting the business built and up and running. Mr. Cook stated that with all of the different things that they will be going through to get the property going it would possibly be close to late summer before it opens.

Mr. Heller also questioned the amount of sound that is allowed to come from a business and there was then discussion between Mr. Heller, Mr. Priddy, and Mr. Sheffer about acceptable noise levels within the City ordinance. Mr. Cook stated that the mini storage units should help Mr. Heller as a buffer for the sound coming from the carwash. Mr. Heller also questioned Mr. Cook about the pickup and drop off of the storage pods and what hours that is going to take place. Mr. Cook stated that it would be a daytime operation and that the trucks should not be running in the evening and night hours.

Mr. Monty questioned Mr. Taylor about the access points for entry ways on Walnut Street and placing them far away from the intersection. Mr. Taylor stated that would be something that the City engineers would look at when going over the site plans. Mr. Monty also suggested ways to stop left hand turns off of Giant City Road. Mr. Taylor stated that would also something that the engineering department would be involved in and that Mr. Monty's suggestions would be passed on.

Ms. Brown questioned the access point on Giant City Road being moved closer to the mini storage pods and she also questioned the apartments that are located next to the lot.

Ms. Gaylord questioned the ingress and the egress of the high school and the safety on Giant City Road with another entrance near the high school. Mr. Taylor stated that would definitely be something that would be talked about in the site plan approval process.

Mr. Heller also questioned the possibility of break in and security at the mini storage units. Mr. Cook state that it would be fenced and secured with proper lighting.

Ms. Litecky declared PC 17-10 closed and asked for a motion on the findings of fact.

Mr. Sheffer moved that the Commission accept as findings of fact Parts A and B of the staff report for PC 17-10, seconded by Dr. Hamilton.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, Litecky)
No – 0

Mr. Sheffer made a motion to vote on the seven criteria as one, Ms. Field seconded.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, Litecky)
No – 0

Mr. Sheffer made a motion that all seven criteria had been met, Dr. Hamilton seconded.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, Litecky)
No – 0

Mr. Sheffer made a motion on a recommendation to approve PC 17-10 as per staff's recommendation with two additional conditions: first, that sidewalks be installed by the applicant along their property lines along E. Walnut Street and S. Giant City Road; and second, the lighting will be installed to the best of the applicant's ability to prevent light spillage onto neighboring properties. Dr. Hamilton seconded the motion.

Roll Call Vote:

Yes - 5 (Sheffer, Hamilton, Field, Burnside, Litecky)
No – 0

Mr. Taylor stated that the motion with conditions passed and that this matter will be on the City Council agenda at their meeting on December 20, 2016.

5. Old Business

There were none

6. New Business

A. Adoption of the new 2017 Calendar

Mr. Sheffer made the motion to accept the 2017 Calendar, Dr. Hamilton seconded.

Motion was passed with a unanimous voice vote.

B. Discuss the Election of 2017 Commission Officers

Mr. Taylor stated that the election of 2017 Commission Officers would need to take place at a furture commission meeting, those to include Chair, 1st Vice and 2nd Vice. Mr. Taylor stated that a committee would need to be formed at the next meeting with voting taking place in January.

7. Adjournment

Ms. Litecky adjourned the meeting at 9:56 p.m.