MINUTES

Carbondale Planning Commission
Wednesday, November 29, 2017
Room 108, 6:00 p.m.
City Hall/Civic Center

Dr. LeBeau called the meeting to order at 6:30 p.m.

Members Present: LeBeau, Henson, Burnside, Love, Lilly, and Bradshaw (ex-officio)

Members Absent: Miller, Sheffer, Hamilton, and Litecky

Staff Present: Taylor and Lawrence

1. **Approval of Minutes:**

   Mr. Love moved, seconded by Ms. Lilly, to approve the minutes for November 8, 2017.

   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 18-09, 6:32 pm- John Deas and Alison Smith are requesting a rezoning from an R-1-8, Low Density Residential, to an NB, Neighborhood Business, District as well as a Special Use Permit for a tasting room, classified as a drinking place with alcoholic beverages, at 300 South Oakland Avenue.

   Dr. LeBeau declared Public Hearing PC 18-09 open and asked Mr. Taylor to read the legal notice.

   Travis Taylor, Senior Planner for the City of Carbondale, read the legal notice.

   Dr. LeBeau asked Sarah Lawrence, Planner for the City of Carbondale, to present the staff report.

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

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

There were none.

Dr. LeBeau asked if the applicant was present and wished to speak.

John Deas, of 104 Meadowood Lane, came forward as the applicant to speak about the vision that he has for the property at 300 South Oakland. Mr. Deas spoke about the need for art in this region and how it might attract those in the artistic community to Carbondale. Mr. Deas spoke about making this building into a landmark for Carbondale and working with the residents near the property to make it a great place for the city. They are hoping to make studio space for working artist who need the space, especially in woodworking and photography. They would also like to incorporate a tasting room for craft beers at the location for community members to socialize and enjoy. Mr. Deas stated that he is very supportive of community and wants to work with everyone surrounding the property to make it a place for the community to enjoy and plans to take the neighbors' concerns into account to make sure that it works for everyone.

Dr. LeBeau asked if there were any questions of the applicant.

There were none.

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

Mr. Taylor stated that the City staff had received a letter about the request and he proceeded to read the letter into the record. The letter from Jack and Terry Meyer, listed some concerns regarding the proposal including: noise, traffic issues, lack of parking, odor from the facility, and no room for expansion if the business does well and wishes to grow.

Jane Adams of 606 West Elm, came forward to speak in favor of the applicant. Ms. Adams stated that, in her opinion, this property must be rezoned for business because of the building type and location. Ms. Adams asked for a stipulation be added for landscaping on the property because it is the beginning of a residential historical district in Carbondale. Ms. Adams felt that this property could really make a statement for the rest of the surrounding community and serve as a beautiful gateway to the rest of the community. There was then a brief discussion between Ms. Adams and Mr. Henson about her views.

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

Gwen Nickel Reinhart of 2380 South Illinois Avenue, came forward to speak in opposition. Ms. Reinhart stated that she is the owner of the property immediately adjacent to the applicant's property and she explained that she had many of the same concerns as the letter that Mr. Taylor read. Ms. Reinhart stated that she is concerned that she will not be able to find tenants for her property if the request is granted.

Jack McKillip of 400 South Oakland, stated that he had ideas for the property as well but was not told that the City was accepting proposals. Mr. McKillip was also upset that Mr. Deas did not contact or speak to the surrounding neighbors of the property before presenting his concept to the City. Mr. McKillip stated that he was fine with the property being used for arts but was concerned about putting a bar at that location with the high traffic that is common in the area and the problems that this could cause for the neighborhood.

Margaret Polovich of 304 South Oakland, stated that she was concerned for the neighbors right next to the property and explained the need to install privacy fences for the surrounding homes. Ms. Polovich also spoke about issues with the water runoff on the property and the need for the property to be regraded. She indicated that this property has had a long running issue with run off and blockages in the drain. Ms. Polovich also spoke about her concerns with the trees and landscaping that need to be taken care of because they are causing issues with telephone/electrical lines. Ms. Polovich stated that noise is not an issue for her because there had been noise when the facility operated as a fire station. She was also concerned about the traffic as well as the lighting and the light poles next to that location.

Dr. LeBeau asked Ms. Lawrence to read the analysis.

Ms. Lawrence read Parts C and D of the staff report for PC 18-09, with a recommendation of approval.

Dr. LeBeau asked if the Commissioners had questions for staff.

There were none.

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

Ms. Polovich asked for clarification on the rezoning for certain adjacent properties in regard to future land use. Ms. Lawrence stated that the properties located south of the subject property will remain R-1-8 as this is the existing zoning, and that the Future Land Use Plan designates them as neighborhood conservation areas. Mr. Taylor went on to further explain what that designation meant for that area.

Mr. Deas came forward to make sure that all of the concerns that were brought forward from the community were answered. Mr. Deas stated that the landscaping is a big concern for them and they plan to take care of it as soon as they can. Mr. Deas also stated that he spoke with the tenants at Ms. Reinhart's property and, if they decided to move after the property is changed, he would love to help Ms. Reinhart find a new tenant for her property. Mr. Deas also explained that they would not treat this location as a bar, but as a tasting room, and that they would make sure to keep the drinking by the patrons to a minimum and the hours of operation would facilitate this with the business closing at ten o'clock. Mr. Deas also expressed his concern with the water issues on the property and expressed a desire to make sure that it is taken care of.

Dr. LeBeau declared PC 18-09 closed and asked for a motion on the findings of fact.

Mr. Love moved that the Commission accept as findings of fact Part A and B of the staff report for PC 18-09, the applicant was present, one letter was presented, one spoke in favor or three spoke in opposition, seconded by Ms. Lilly.

The motion was passed with a unanimous voice vote.

Mr. Love moved that the Commission recommend approval of the rezoning and send PC 18-09 to City Council, seconded by Ms. Lilly.

Roll Call Vote:

Yes – 4 (Henson, Burnside, Love, Lilly)
No – 1 (LeBeau)

Mr. Taylor stated that the item would move forward with recommendation for approval of rezoning and that the item would be on the City Council agenda for discussion at their meeting on December 19, 2017.

Mr. Love moved that the Commission accept as findings of fact Part A and B of the staff report for PC 18-09, the applicant was present, one letter was presented, one spoke in favor or three spoke in opposition, seconded by Ms. Lilly.

The motion was passed with a unanimous voice vote.

Mr. Love moved to vote on the seven criteria separately, seconded by Mr. Henson.

The motion was passed with a unanimous voice vote.

Dr. Burnside moved that 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, seconded by Mr. Henson.

Roll Call Vote:

Yes – 3 (Henson, Burnside, Lilly)
No – 2 (LeBeau and Love)

Dr. Burnside moved that the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare, seconded by Mr. Henson.

Roll Call Vote:

Yes – 5 (Le Beau, Henson, Burnside, Love, Lilly)
No – 0

Mr. Love moved that 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, seconded by Ms. Lilly.

Roll Call Vote:

Yes – 3 (Henson, Burnside, Lilly)
No – 2 (LeBeau and Love)

Mr. Love moved that 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, seconded by Mr. Henson.

Roll Call Vote:

Yes – 4 (Henson, Burnside, Love, Lilly)
No – 1 (LeBeau)

Mr. Love moved that adequate utilities, access roads, drainage and other necessary facilities have been or are being provided, seconded by Mr. Henson

Roll Call Vote:

Yes – 4 (LeBeau, Henson, Love, Lilly)
No – 1 (Burnside)

Mr. Love moved that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets, seconded by Ms. Lilly.

Roll Call Vote:

Yes – 3 (Henson, Love, Lilly)
No – 2 (LeBeau and Burnside)

Mr. Love moved that the special use will be located in a district where such use may be permitted, and shall conform to all requirements of this Chapter, seconded by Mr. Henson.

Roll Call Vote:

Yes – 4 (Henson, Burnside, Love, Lilly)
No – 1 (LeBeau)

Mr. Love moved that the seven criteria had been met, the Commission recommend approval of the special use permit, with the two conditions that the City staff brought forward, the recommendation that the drainage issues be taken care of by the City and send PC 18-09 to City Council, seconded by Ms. Lilly.

Roll Call Vote:

Yes – 4 (Henson, Burnside, Love, Lilly)
No – 1 (LeBeau)

Mr. Taylor stated that the item would move forward with recommendation for approval of the special use permit and that the item would be on the City Council agenda for discussion at their meeting on December 19, 2017.

5. Old Business

There was none.

6. New Business

A. Mr. Taylor stated that the Commission needed to approve the 2018 Planning Commission meeting schedule.

Mr. Henson moved to approve the 2018 Planning Commission meeting schedule, seconded by Mr. Love.

The motion was passed with a unanimous voice vote.

B. Mr. Taylor brought forward the discussion of 2018 Election of Officers and asked for volunteers for a nomination committee. Dr. Burnside and Mr. Love volunteered to be the nomination committee. Dr. LeBeau volunteer to serve as chair for the Planning Commission and Mr. Taylor stated that nominations would be brought at a future Planning Commission meeting.

C. City Council Agenda from November 28, 2017

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

7. Adjournment

Ms. Litecky adjourned the meeting at 7:46 p.m.