



MINUTES

Carbondale Planning Commission
Wednesday, February 12th, 2025
Room 108, 6:00 p.m.
City Hall/Civic Center

Ms. Litecky called the meeting to order.

Members Present: Litecky, Sheffer, Love, Carrier, Schilling, Brown, Shukites (late)
Doherty (ex-officio)

Members Absent: Allee, Lilly

Staff Present: Lenzini, Gibson, Maxwell, Mueller, Mitchell

1. Approval of Minutes:

Mr. Love made a motion to approve the minutes from the January 29th, 2025 meeting, seconded by Mr. Brown. The minutes were approved by unanimous voice vote.

2. Citizen Comments or Questions

There were none.

3. Report of Officers, Committees, Communications

4. Public Hearings/Plan Review

PC 25-07: Justin Zurlinden is requesting a text amendment to Title 15 of the Carbondale Revised Code relative to the owner occupancy requirement of Vacation Rental Units in the PA, Professional Administrative Office and PAR, Professional Administrative Office Residential, districts.

Ms. Litecky declared Public Hearing PC 25-07 open and asked for Ms. Gibson to read the staff report. Ms. Gibson read Part A of the staff report.

Ms. Litecky asked if the Commissioners had questions for staff

Ms. Litecky asked why the text amendment did not make Vacation Rental Units (VRUs) require a Special Use Permit in the proposed districts.

Ms. Gibson stated that a Special Use Permit is not required in any of the districts VRUs are

currently allowed in, and the proposed Text Amendment was written to align with current VRU standards.

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

Mr. Zurlinden was present and stated that there are very few structures in the PA and PAR districts that are residential in nature and not already being used for business purposes. Mr. Zurlinden stated that the proposed Text Amendment would open very few properties to VRU purposes.

Ms. Litecky asked if there were any questions for the applicant.

There were none.

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

Ms. Jane Adams stepped forward and spoke in favor of the application. Ms. Adams gave numerous reasons for her support, including the fact that VRUs are required to be licensed and the license may be revoked for not following City code. Ms. Adams also stated that it could lead to blighted structures being improved to be converted into VRUs.

Ms. Gibson read a letter of support from Mr. David Schroeder, who is a current VRU licensee.

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

There were none.

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

There were none

Ms. Litecky asked Ms. Gibson to read Part B and Part C of PC 25-07.

Ms. Gibson read Part B and Part C of the staff report for PC 25-07, with a recommendation of approval.

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

There were none.

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

There were none.

Ms. Litecky declared PC 25-07 closed and asked for a motion on the findings of facts.

Mr. Sheffer moved that Part A and B of the staff report, that the applicant was present and spoke, and that one person spoke in favor, zero people spoke in opposition, and there was one letter of support for the applicant to be acceptable as a finding of fact, seconded by Mr. Love.

The motion was passed with a unanimous voice vote.

Ms. Litecky asked for a motion on the recommendation to City Council.

Mr. Sheffer moved to recommend City Council to approve PC 25-07, seconded by Mr. Schilling.

Roll Call Vote:

Yes – 5 (Brown, Schilling, Carrier, Love, Sheffer, Litecky)

No – 0

The vote was passed unanimously.

Mr. Lenzini stated that the case will go to City Council on February 25th.

PC 25-08: East Walnut Street Community Energy Initiative LLC is requesting a Special Use Permit to install up to a 3.6 Megawatt (MW) solar farm on parcel 15-13-300-026 off East Walnut St and west of Reed Station Rd, which is zoned LI – Light Industrial.

Ms. Litecky declared Public Hearing PC 25-08 open and asked Mr. Mueller to read the staff report. Mr. Mueller read Part A and Part B of the staff report.

Ms. Litecky asked if the Commissioners had questions for staff

There were none.

Ms. Litecky asked if the applicant was present and would like to speak.

Mr. Joe Lomuscio of ECA Solar, who is the parent company of the applicant, stepped forward and spoke.

Mr. Ben Dykema, Director of Civil Engineering with ECA Solar, stepped forward and stated he was willing to answer any questions.

Mr. Sean Hickey of Kimley-Horn and engineering consultant for the project stepped forward and stated he was willing to answer any questions.

Ms. Litecky asked if there were questions for the applicant.

Mr. Brown asked for the applicant to expand on their plans for water storage and the existing wetland on site for the proposed project.

Mr. Dykema stepped forward and stated that their current intention is to install a storm water retention pond in the area that holds water on the site. Mr. Dykema stated the final design will depend on a storm water analysis.

Mr. Brown asked if the retention pond would have an overflow or discharge point.

Mr. Dykema confirmed that there would be a two stage system.

Mr. Brown asked if there would be a receiving stream from the overflow point.

Mr. Dykema confirmed that they spoke with a neighboring resident and saw that the property had a channel cut that the water would likely flow into and then into the neighboring resident's pond.

Mr. Schilling asked if the project would be abiding by the EPA Dirt Plan.

Mr. Dykema confirmed.

Mr. Doherty asked for clarification on the applicant's statement that the placement of solar panels for 30 to 40 years would be a "temporary use".

Mr. Lomuscio confirmed that 30 to 40 years was the typical span of a solar project and agreed that temporary might be considered less than that.

Mr. Brown voiced his concern for the large amount of trees intended for removal and the impact on endangered species in the area such as bats. Mr. Brown asked if it were possible that all tree cuttings to take place during the October 1 to March 31 cut season. Mr. Brown stated that he recommends the installation of a bat box soon after tree removal to provide for habitat replacement. Mr. Brown asked if these asks were feasible.

Mr. Dykema stated that it was feasible. Mr. Dykema stated that any tree clearing would take place after the completion of a survey.

Mr. Brown asked to clarify whether a survey would be conducted to determine whether species were present.

Mr. Dykema confirmed and said he believed it was a requirement.

Mr. Sheffer asked to confirm that there is a decommissioning plan for the site and money set aside already for the future decommission of the panels and site.

Mr. Hickey confirmed that the Agricultural Impact Mitigation Agreement is a nonnegotiable agreement made with the Illinois Department of Agriculture that must include a plan for decommissioning the site.

Mr. Sheffer asked to confirm that the decommissioning plan's intention is to return the site to its current state today.

Mr. Hickey confirmed.

Mr. Doherty asked if there would be an access easement for a parcel that would become landlocked through the purchase and development of the subject property.

Mr. Lomuscio confirmed that there would.

Mr. Doherty asked what kind of improvement would be made for that access.

Mr. Dykema stated at this time they have no plans for access to the parcel.

Ms. Litecky asked if anyone would like to speak in favor.

Mr. Steven Mitchell, director of the City's Economic Development department and executive director of the Carbondale Business Development Corporation, stepped forward and spoke in favor of the application.

Mr. Mueller read a letter of support from Curtis Baird, the president of the Carbondale Business Development Corporation.

Ms. Litecky asked if anyone would like to speak in opposition.

There were none.

Ms. Litecky asked Mr. Mueller to read Part C and Part D of the staff report.

Mr. Mueller read Part C and Part D of the staff report, with a recommendation of approval.

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

Mr. Sheffer asked for clarification on the parcel number for the intended site.

Mr. Mueller confirmed the parcel number as 15-13-300-026.

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

Mr. Todd Juenger, neighboring property owner at 189 Woodhaven Rd, stepped forward and asked for clarification on the tree buffer size, as the report states the buffer will be 30 feet but conversations Mr. Juenger has had with ECA Solar indicated that 40 feet would be the buffer distance.

Mr. Lomuscio stated that the plans were submitted before the company's conversations with Mr. Juenger about the increased buffer size, and that they are committed to giving Mr. Juenger the 40 foot buffer discussed and this would be shown in the official site plan review process.

Mr. Juenger stated he was opposed to the project.

Mr. Carrier asked Mr. Juenger if a condition of approval was made to include the 40 foot buffer if he would be in support.

Mr. Juenger stated yes but that the information that he and the applicant discussed today would also need added.

Mr. Lomuscio stated that the plan was submitted before the conversations with Mr. Juenger took place.

Mr. Dykema stated that the project still has to undergo full site plan review procedures and that they would be open to the conditions of installing an appropriate storm water measure.

Mr. Sheffer asked if Mr. Juenger was still opposed.

Mr. Juenger stated that he was still opposed and that he believed they have had adequate time to include the items discussed in the proposal, as he has been in contact with the applicant for around a month and only on today's meeting date did they actually come to his property and examine the site.

Mr. Sheffer asked if he understands that the project must still undergo site plan review and that the issues Mr. Juenger has would be cleared during that process

Mr. Juenger stated that he understood but still opposes. Mr. Juenger asked if tonight's hearing was the only chance he would get to voice his concern.

Ms. Litecky stated that he would be able to give his opinion at the City Council meeting which would determine the final outcome of the case.

Mr. Juenger stated that he was still opposed as he believes that their proposal should have included the information that has been discussed behind the scenes, and stated to Mr. Brown's previous point that there are bats present in the woods located on the subject property.

Mr. Brown asked the Commission how it worked that they were reviewing and approving a plan that is ultimately different than what was submitted in the packet.

Ms. Litecky stated that the Commission is giving their recommendation to City Council on the granting of the Special Use Permit and that the site plan is preliminary.

Mr. Lenzini stated that the Commission is not approving the preliminary site plan submitted with the application, and that the project will go through with the formal site plan review procedures before they are able to continue.

Mr. Dykema stated that he does not believe that the design will vary much from what was submitted but that the full site plan submittal will include drainage plans. Mr. Dykema stated that

typically they do not take the design that far until they have their Special Use Permit approved.

Mr. Brown asked to confirm the condition that the applicant agree to only cut trees during the specified cutting period of October 1 to March 31 and conduct a study completed that any endangered species were present.

Mr. Dykema confirmed.

Mr. Brown asked if that was in writing anywhere.

Mr. Dykema stated it is a state requirement.

Mr. Jerry Hofbauer stepped forward and asked for specifics on the fence intended to enclose the site.

Mr. Hickey stated that the proposed fence is an eight foot tall fixed knot fence.

Mr. Schilling asked if the City Council has to approve the site plan.

Mr. Lenzini stated that no, because of the zoning district of the intended project, City Staff would review the site plan and make their approval, and City Council would not be involved in the site plan approval.

Mr. Schilling asked if Mr. Juenger could be involved in the site plan review process to give his concerns to Staff.

Mr. Lenzini stated that he thought it was possible and a good idea, as they wanted to make sure everyone's concerned were heard adequately.

Ms. Lana Crawford, neighboring property owner of 827 Old Hwy 13, if the public would get notice of the additional steps in the site plan review process to give input or if it would be done on a more informal basis. Ms. Crawford stated that they did not receive their certified mailing notifying them of the case but heard about it through discussion with other neighbors. Ms. Crawford asked what the process would be for notifying the neighboring homeowners of changes during the site plan review process.

Mr. Lenzini stated that there is currently no set process of notifying neighboring homeowners once the site plan is developed. Mr. Lenzini stated that they are welcome to call or email the Planning Division for updates or discussion on the site plan if they would like.

Ms. Litecky asked the applicant how many people attended the informational meeting they held with neighbors to the site and what information was discussed.

Mr. Lomuscio stated that there were five different individuals representing three different households present at the meeting and that issues discussed included sound, wetland drainage issues, buffers, local wildlife, and the floodplain area.

Ms. Litecky asked for an estimate of how many panels were intended to go on the site.

Mr. Lomuscio stated that it was around 8,000 panels.

Ms. Litecky declared PC 25-08 closed and asked for a motion on the findings of fact.

Mr. Sheffer moved that Part A and B of the staff report, that the applicant was present and spoke, and that one person spoke in favor, one person spoke in opposition, and there was one letter of support for applicant to be acceptable as a finding of fact, seconded by Mr. Love.

The motion was passed with a unanimous voice vote.

Ms. Litecky asked whether the commissioners wished to vote on the 7 criteria together as one or individually.

Mr. Sheffer moved that the Commission vote on all 7 criteria as one, seconded by Mr. Love.

Roll Call Vote:

Yes – 7 (Brown, Schilling, Shukites, Carrier, Love, Sheffer, Litecky)

No – 0

The vote was passed unanimously.

Ms. Litecky asked for a motion on whether all 7 criteria had been met.

Mr. Sheffer made a motion that the applicant met all 7 criteria, seconded by Mr. Love.

Roll Call Vote:

Yes – 7 (Brown, Schilling, Shukites, Carrier, Love, Sheffer, Litecky)

No – 0

The vote was passed unanimously.

Ms. Litecky asked for a motion on the recommendation of granting the special use permit for PC 25-08.

Mr. Sheffer moved that the Planning Commission recommend approval of special use permit for PC 25-08 with the condition that the developer submit a copy of the executed Agricultural Impact Mitigation Agreement prior to obtaining a building permit, seconded by Mr. Love.

Roll Call Vote:

Yes – 7 (Brown, Schilling, Shukites, Carrier, Love, Sheffer, Litecky)

No – 0

The vote was passed unanimously.

Mr. Lenzini stated that the case will go to City Council on February 25th.

5. Old Business

Mr. Doherty provided an update on City Council business.

6. New Business

7. Adjournment

Mr. Love moved to adjourn the meeting, seconded by Mr. Carrier. The meeting was adjourned with unanimous voice vote.