



## MINUTES

**Carbondale Planning Commission  
Wednesday, February 7, 2018  
Room 108, 6:00 p.m.  
City Hall/Civic Center**

Ms. Litecky called the meeting to order at 6:03 p.m.

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**Members Present:** Miller, LeBeau, Sheffer, Hamilton, Lilly, Litecky and Bradshaw (ex-officio)

**Members Absent:** Henson, Burnside and Love

**Staff Present:** Taylor and Brightharp

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

Ms. Litecky stated that the wrong date had been printed on the agenda for the minutes so the minutes for the January 10, 2018, will be approved at the next Planning Commission meeting.

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

There were none

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

There were none

### **4. Public Hearings**

**PC 18-11, 6:04 pm-** Help at Home, LLC, is requesting a Special Use Permit for a Group Home I in an R-1-8, Low Density Residential, Zoning District at 615 South Terrace Drive.

Ms. Litecky declared Public Hearing PC 18-11 open and asked Mr. Taylor to read the legal notice.

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

Ms. Litecky asked Mr. Taylor to present the staff report.

Mr. Taylor 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 wished to speak.

Kim Evans, the Regional Vice President of Help at Home, came forward to give information about the business and what they do for the Southern Illinois region. Ms. Evans spoke about the types of clients they assist at their facilities and what they are wanting from this special use permit. Ms. Evans stated that they checked with the state before purchasing this property and they were told the property would be fine for this type of facility.

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

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.

Mr. Taylor read a letter from Helen Gilken that was received in opposition of the special use permit. Ms. Gilken stated that she the owner of 618 South Terrace Drive and was against this facility in her neighborhood because of the increase in traffic to the area.

Mr. Taylor also read a letter from Liz Gersbacher stating that even though they were not against this type of facility for people with disabilities, they are concerned about having it in a single family neighborhood. She mentioned a facility that is located near their address currently and the issues that the facility causes to the neighborhood, such as traffic, noise and safety issues for surrounding homes. She also mentioned issues with staffing at these types of facilities and the adverse impact this might have on the community that already has one type of group home located close by.

Ms. Litecky stated that she had received a petition with thirty-one signatures of surrounding neighbors to the address.

Diane Muzio of 605 South Terrace, came forward and stated that she works with individuals with disabilities and is not against these types of facilities or these types of neighbors but is concerned about granting a special use permit allowing two of these facilities to be located so close together. Ms. Muzio stated that these types of facilities have a negative effect on the neighbors not because of the residents but the staff and she shared her personal stories about living next door to the facility. Ms. Muzio shared stories about issues with the staff that work at the facility, noise that comes from the building, traffic

issues and safety issues. Ms. Muzio stated that she should not have to keep records of incidents, approach staff so often about issues or deal with these problems from a business in her neighborhood.

Cherie Watson of 610 South Terrace, came forward to speak about the issues that she has dealt with having these types of group homes in her neighborhood. Ms. Watson also expressed concerns with the staff that work at the facility and the constant traffic issues. Ms. Watson also expressed concern with the fall of property values of the neighboring homes by adding another facility in their neighborhood. Ms. Watson shared stories about dealing with the facility and the residents/staff of the facility, she was very concerned about her family's personal safety.

Laura Hughes of 605 South Terrace, stated that her issue is incompatible zoning by allowing businesses in residential neighborhoods, especially businesses that run 24 hours at a time. Ms. Hughes stated that the staff has no accountability and respect for the neighbors of the business in this residential neighborhood. Ms. Hughes also stated that the actual residents of the facility are hardly ever seen or heard from so is it actually beneficial for them to be in a residential area. Ms. Hughes went on to share more information about having two facilities located so close together in a residential area and how this should not be allowed or even considered. Ms. Hughes also stated that other issues as said before were traffic issues, crime issues and property values of the other homes in the neighborhood.

Navreet Kang of 613 South Terrace, stated that he shares the concerns of all that had been shared but his big concern is that lack of privacy in his back yard since the new facility will be located right next door. Mr. Kang also expressed concerned for the safety of the children in the neighborhood, due to increase in traffic and other safety issues.

Richard Cannon of 610 Wedgewood, stated that he has been a Carbondale resident and longtime employee of the University. Mr. Cannon spoke about the neighborhoods and businesses that he has seen over the years that he has been in Carbondale. Mr. Cannon stated that his property is located on the backside of the property requesting the special use permit and he is very concerned that the time, money and energy that he has put into the property will not matter and the property value will decrease because of the business located next door.

Jerre Pfaff of 610 South Terrace, expressed the same concern about having another business in his neighborhood and not wanting it in a quiet, peaceful neighborhood.

Ron Stadt of 609 South Terrace, stated that he has lived in this neighborhood for over fifty years and asked to not have another business in this residential community. Mr. Stadt also shared stories about the traffic concerns and the damage to his property due to more traffic coming and going. Mr. Stadt also shared a story about a resident sitting in the street without concern of the staff members.

Chuck Battisti of 606 South Wedgewood, stated that he feels that the code should stand and not allow these types of homes to be located so near each other.

Rosanna Halterman of 604 South Terrace, stated that she has had many incidents with the staff at the facility located next door and some have involved police being called to the home. Ms. Halterman stated that she does not feel that that another facility should be allowed in the neighborhood because of the safety issues and staff concerns.

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

Mr. Taylor read Parts C and D of the staff report for PC 18-11, with a recommendation of denial.

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

Dr. LeBeau asked when the first group home was allowed in the neighborhood. A neighbor stated that it was in 2002. Kim Evans stated that when she contacted the state a group home was not listed near this address, so the current home located in that neighborhood looks to not be registered with the State of Illinois. Mr. Taylor then explained the differences between the group homes and how the existing home is for juveniles while the proposed home is for adults. Ms. Evans then spoke about the staff that will be working at the new location and that it would not be like the current type of group home in the neighborhood. Ms. Evans also stated that she herself will be located at the new facility and it would be ran more professionally.

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

Ms. Muzio came forward to ask for clarification of staff members versus Commissioners. Mr. Taylor explained the difference. Ms. Muzio also wanted to know where Mr. Taylor collected his information for his staff report that was presented and how some of the information was determined. Mr. Taylor then explained that City staff collects its information based off of City code and previous cases. Mr. Sheffer also explained that City staff makes the recommendations based off of collected information, but the Commission has the say in whether to recommend approval or denial the case. Ms. Muzio went on to express more concerns about the staff report that was presented and having the facility in the neighborhood.

Ms. Evans came forward to explain the difference between Help in Home and the other facility located in this neighborhood, she also stated that it is a different age group of residents and it would be a professional staff working at the location. Mr. Sheffer asked Ms. Evans why they didn't ask the City about the code before the purchase of the home and why they did not make sure that the community/neighbors were going to be accepting of the facility before purchasing the home. Ms. Evans stated that she thought they thought had done their due diligence by contacting the State of Illinois but there might have been

an oversight by the brokerage company who did not relay the information received from the City.

Mr. Cannon came forward to ask about the staff report and to ask about the voting process. Mr. Taylor and Mr. Sheffer explained the process and stated that a vote over the request for the special use permit would be taking place that evening and the staff recommendation is not an indication to how the Commission will decide to vote on any case that is presented. It was also stated that it would be passed on to the City Council and they would have the final decision to deny or approve the case once it moves forward. There was also discussion about the property, why it was for sale and how long it had been for sale.

Ms. Litecky declared PC 18-11 closed and asked for a motion on the findings of fact.

Mr. Sheffer moved that the Commission accept as findings of fact Part A and B of the staff report for PC 18-11, the applicant was present, two letters and a signed petition were presented in opposition, no one spoke in favor and nine spoke in opposition, seconded by Ms. Lilly.

The motion was passed with a unanimous voice vote.

Mr. Sheffer moved to vote on the seven criteria individually, seconded by Dr. Hamilton. There was discussion about why the seven criteria would be voted on individually or all together.

Roll Call Vote:

Yes – 6 (Miller, LeBeau, Sheffer, Hamilton, Lilly, Litecky)

No – 0

Mr. Sheffer 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 Dr. LeBeau.

Roll Call Vote:

Yes – 0

No – 6 (Miller, LeBeau, Sheffer, Hamilton, Lilly, Litecky)

Mr. Sheffer 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 Dr. Miller.

Roll Call Vote:

Yes – 1 (Sheffer)

No – 5 (Miller, LeBeau, Hamilton, Lilly, Litecky)

Mr. Sheffer 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 – 0

No – 6 (Miller, LeBeau, Sheffer, Hamilton, Lilly, Litecky)

Mr. Sheffer 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 Dr. LeBeau.

Roll Call Vote:

Yes – 1 (Sheffer)

No – 5 (Miller, LeBeau, Hamilton, Lilly, Litecky)

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

Roll Call Vote:

Yes – 5 (Miller, Sheffer, Hamilton, Lilly, Litecky)

No – 1 (LeBeau)

Mr. Sheffer 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 Dr. LeBeau.

Roll Call Vote:

Yes – 0

No – 6 (Miller, LeBeau, Sheffer, Hamilton, Lilly, Litecky)

Mr. Sheffer 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 Dr. LeBeau.

Roll Call Vote:

Yes – 3 (Sheffer, Hamilton, Litecky)

No – 3 (Miller, LeBeau, Lilly)

Mr. Sheffer moved that the Commission recommend approval of the special use permit and send PC 18-11 to City Council, seconded by Dr. Hamilton.

Roll Call Vote:

Yes – 0

No – 6 (Miller, LeBeau, Sheffer, Hamilton, Lilly, Litecky)

Mr. Taylor stated that the item would move forward with recommendation for denial of PC 18-11 and that the item would be on the City Council agenda for discussion at their meeting on February 13, 2018.

## **5. Old Business**

There was none.

## **6. New Business**

### **A. Neighborhood Outreach Committee Discussion**

Mr. Taylor stated that he would like to set a meeting date for the Committee, but since members were not present he would like to email the Committee to set up a time and date. Mr. Taylor explained the Neighborhood Outreach Committee and what the goals of the Committee will be.

### **B. City Council Agenda from January 23, 2018.**

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

## **7. Adjournment**

Ms. Litecky adjourned the meeting at 7:41 p.m.