

Request for City Council Action

Date: December 22, 2015

Agenda Section: Consent No. 5	Originating Department: Planning Services/Legal
Item: An Ordinance approving Sorensen Enterprise's Request to Rezone the Property located at the Intersection of Iowa Road and Charles Road from R-1-12, Low Density Residential, to PUD, Planned Unit Development with a maximum FAR of .25 No. 5.7	Approved:

Background and Summary:

Sorensen Enterprise is requesting to rezone a 4.8 acre tract located at the intersection of Iowa Road and Charles Road from the R-1-12, Low Density Residential zoning district to the PUD, Planned Unit Development, zoning district. There are currently three duplexes located at 2000, 2010, and 2020 Iowa Road and a single family residence located at 300 West Charles Road.

The applicant has submitted a preliminary PUD plan for the construction of sixteen duplexes and the demolition of the single family residence. The plan includes, the extension of Iowa Road, nineteen duplexes with a total of 38 dwelling units, and over 9,500 square feet of recreational space. The preliminary plan has a Floor Area Ratio of approximately .25.

Attached for City Council review are the following:

1. An Ordinance approving and a Resolution denying the rezoning request.
2. A copy of the Preliminary PUD Plan
3. A copy of the unapproved minutes of the Planning Commission for public hearing PC 16-05.
4. A copy of the staff report to the Planning Commission. (PC 16-05)

Engineering Approval Obtained	Finance Approval Obtained	Legal Approval Obtained	Approval Obtained	Manager's Approval Obtained
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Council Action: Motion by _____ 2nd by _____ to _____

Additional Information:

1. *Constituent/Advisory Body Impact:* The Planning Commission conducted a public hearing on December 9, 2015, and voted (7-yes, 0-no) on a motion to recommend approval of the rezoning request. A notice of public hearing was published in the *Southern Illinoisan* newspaper on October 18, 2015, and sixteen (16) property owners within 250 feet of the subject property were notified of the hearing by certified mail. The applicant was present and no one spoke in favor of, or opposition to, the request.
2. *Financial Impact:* The community will realize an expanded tax base as a result of the development.
3. *Staff Impact:* Staff will be responsible for issuing all applicable zoning and building permits.

Recommended Action:

It is recommended that the City Council “move to adopt the Ordinance approving the request to rezone property located at the intersection of Iowa Road and West Charles Road from R-1-12, Low Density Residential, to PUD, Planned Unit Development with a maximum Floor Area Ratio of .25.”

If the Council wishes to deny the rezoning request, it should “move to adopt the Resolution denying the request to rezone property located at the intersection of Iowa Road and West Charles Road from R-1-12, Low Density Residential, to PUD, Planned Unit Development with maximum Floor Area Ratio of .25.”

RESOLUTION NO. 2015-R-___

A RESOLUTION TO DENY AN APPLICATION TO REZONE CERTAIN TERRITORY
WITHIN THE ZONING JURISDICTION OF THE CITY OF CARBONDALE, ILLINOIS
(Property located at the intersection Iowa Road and West Charles Road)

WHEREAS, a Petition has been filed by Sorensen Enterprises, requesting that certain property within the zoning jurisdiction of the City of Carbondale be rezoned from the R-1-12, Low Density Residential, district to the PUD, Planned Unit Development, district with a maximum Floor Area Ratio of .25; and,

WHEREAS, Section 15-2.15.16.B of the Carbondale Revised Code establishes that the final approved PUD Plans shall be binding for the applicants and their successors; and,

WHEREAS, a notice of the hearing stating its purpose was published in the *Southern Illinoisan* on the 18th day of October, 2015, being at least fifteen (15) days prior to said hearing; and,

WHEREAS, the administrative official caused to be posted a notice on said property and served notice on all the property owners within 250 feet of said property according to Section 15-6.7.1.C of the Revised Code of the City of Carbondale; and,

WHEREAS, a hearing of the Planning Commission of the City of Carbondale was called at 6:00 p.m. on the 9th day of December, 2015, at the City Council Chambers in said City to consider the zoning classification of said property; and,

WHEREAS, said Planning Commission conducted said hearing pursuant to the notice given and to the laws of the State of Illinois; and,

WHEREAS, said Planning Commission thereafter filed with the City Council a report of its hearing disclosing its findings of fact and its recommendations, said recommendation being as follows: to approve PC 16-05, Sorensen Enterprises, R-1-12, Low Density Residential, to PUD, Planned Unit Development, with a maximum Floor Area Ratio of .25; and,

WHEREAS, the City Council of the City of Carbondale has considered the findings of fact filed by the Planning Commission with the City Council, the record of the Commission's public hearing, and the provisions of the zoning ordinance, and based thereon, finds that said property should not be rezoned.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARBONDALE, ILLINOIS AS FOLLOWS:

Section 1. That the real property subject to this resolution is described as follows:

General Description

Two Parcels located northwest and northeast of the intersection of Iowa Road and West Charles Road

Legal Description

Lot 17 in Edgewood EXCEPT the North 500 feet thereof; and Lot 16 in Edgewood, EXCEPT the North 500 feet thereof, being a subdivision of the South Half of the Northwest Quarter of Section 9, Township 9 South, Range 1 West of the 3rd P.M., lying West of State Aid Highway as shown by the recorded Plat thereof in Book 6 of Plats on Page 39 in the Recorder's Office of Jackson County, Illinois. (Parcel Numbers 15-09-151-008; 15-09-176-002)

Section 2. That said petition as represented by PC 16-05 and on file in the Planning Services Office is hereby denied and that the property described herein above as shown in “Exhibit A” shall remain zoned R-1-12, Low Density Residential.

Section 3. That the City Council of the City of Carbondale makes the following findings as their basis for denial of said petition:

- a. That the present zoning classification is consistent with the zoning classifications and uses of nearby properties;
- b. That the present zoning classification does not adversely affect the health, safety, morals and welfare of the citizens of Carbondale, Illinois;
- c. That the property is suitable for the present zoning classification; and,
- d. That the need for the proposed zoning classification has not been demonstrated to be sufficient to outweigh the harm that would be done to nearby properties if the proposed zoning classification were approved.

Section 4. That this Resolution be spread at length upon the minute records of the City Council of the City of Carbondale, Illinois.

This Resolution adopted at a regular meeting of the City Council of the City of Carbondale, Illinois on the 22nd day of December, 2015.

APPROVED: _____
John M. Henry, Mayor

ATTEST: _____
Jennifer Sorrell, City Clerk

APPROVED AS TO LEGALITY AND FORM:

P. Michael Kimmel, City Attorney

LEGAL DESCRIPTION REVIEWED BY:

Travis Taylor, Planner

Exhibit A

AG

LI

SB

GI

R-1-12

AG

RMH

SB

Case Description

Sorensen Enterprises' request to rezone from R-1-12, Low Density Residential to PUD, Planned Unit Development, with an FAR of .25 for property located at 300 West Charles Road and 2010 North Iowa Road

Zoning Classifications

- AG General Agriculture
- BWA Wholesale and Automotive
- GI General Industrial
- LI Light Industrial
- R-1-12 Low Density Residential
- RMH Planned Mobile Home
- SB Secondary Business

Legend

 Subject Property

 Parcels

0 200 400 Feet

 NORTH

Iowa Rd

N Illinois Ave/US Hwy 51

W. Charles Rd

R-1-12

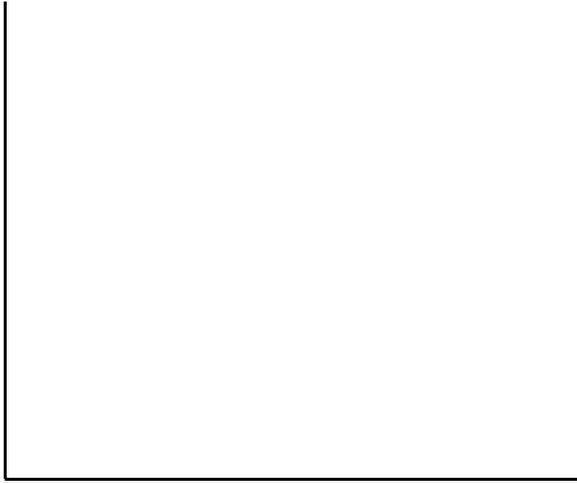
SB

AG

SB

BWA





CITY OF CARBONDALE, ILLINOIS

ORDINANCE NO. 2015-___

AN ORDINANCE TO CLASSIFY AND ZONE CERTAIN TERRITORY WITHIN THE
ZONING JURISDICTION OF THE CITY OF CARBONDALE, ILLINOIS
(Property located at the intersection of Iowa Road and West Charles Road)

ADOPTED BY THE CITY COUNCIL

OF THE CITY OF CARBONDALE, ILLINOIS

THE 22nd DAY OF DECEMBER, 2015

Published in pamphlet form by authority of the City Council of the City of Carbondale, Jackson County, Illinois, this 23rd day of December, 2015.

CERTIFICATE OF PUBLICATION

I, Jennifer Sorrell, the duly qualified City Clerk of the City of Carbondale, Illinois, and the official custodian of the records of said City, do hereby certify that this Ordinance was published in pamphlet form by authority of the City Council on the 22nd day of December, 2015.

Jennifer Sorrell, City Clerk
City of Carbondale, Illinois

ORDINANCE NO. 2015-____

AN ORDINANCE TO CLASSIFY AND ZONE CERTAIN TERRITORY WITHIN THE ZONING JURISDICTION OF THE CITY OF CARBONDALE, ILLINOIS
(Property located at the intersection of Iowa Road and West Charles Road)

WHEREAS, the City of Carbondale, Illinois is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, pursuant to Article VII, Section 6(a), of the Illinois Constitution, 1970, the City of Carbondale may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, Section 15-2.15.16.B of the Carbondale Revised Code establishes that the final approved PUD Plans shall be binding for the applicants and their successors; and,

WHEREAS, a Petition has been filed by Sorensen Enterprises, with the City of Carbondale, requesting that certain property within the zoning jurisdiction of the City of Carbondale be rezoned from R-1-12, Low Density Residential, to PUD, Planned Unit Development, with a maximum Floor Area Ratio of .25; and,

WHEREAS, a notice of the hearing stating its purpose was published in the *Southern Illinoisan* on the 18th day of October, 2015, being at least (15) days prior to said hearing; and,

WHEREAS, the administrative official posted a notice on said properties and served notice on all the property owners within 250 feet of said property according to Section 15-6.7.1.C of the Revised Code of the City of Carbondale; and,

WHEREAS, a hearing of the Planning Commission of the City of Carbondale was called at 6:00 p.m. on the 9th day of December, 2015, at City Council Chambers in said City to consider the zoning classification for said property; and,

WHEREAS, the Planning Commission conducted said hearing pursuant to the notice given, and to the laws of the State of Illinois; and,

WHEREAS, said Planning Commission thereafter filed with the City Council a report of its hearing disclosing its findings of fact and its recommendation, said recommendation being as follows: to approve PC 16-05, Sorensen Enterprises, R-1-12, Low Density Residential, to PUD, Planned Unit Development, with a maximum Floor Area Ratio of .25; and,

WHEREAS, the City Council of the City of Carbondale has considered the findings of fact filed by the Planning Commission, the record of the Commission's public hearing, and the provisions of the zoning ordinance, and based thereon, finds that said property should be rezoned.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARBONDALE, ILLINOIS, AS FOLLOWS:

Section 1. That the real property subject to this ordinance is described as follows:

General Description

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Section 2. That the real property described herein above and as shown in "Exhibit A" is hereby zoned PUD, Planned Unit Development District with a maximum Floor Area Ratio of .25.

Section 3. That “Exhibit A,” which is attached hereto and hereby incorporated herein is a map of the real property described herein and upon adoption of this Ordinance, said map shall be part of the official zoning map of the City of Carbondale, Illinois.

Section 4. That per Section 15-2.15.14.A.5 of the Revised Code of the City of Carbondale the preliminary plan required in order to establish the Planned Unit Development and the Floor Area Ratio number is attached hereto and hereby incorporated herein as “Exhibit B.”

Section 4. That Ordinance No. 2007-49 establishing the zoning map of the City of Carbondale is hereby amended as is set forth on “Exhibit A” incorporated herein.

Section 5. That all ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

Section 6. The repeal of any ordinance by this Ordinance shall not affect any rights accrued or liability incurred under said repealed ordinance to the effective date hereof. The provisions of this Ordinance, insofar as they are the same or substantially the same as those of any prior ordinance, shall be construed as a continuation of said prior ordinance.

Section 7. That it is the intention of the City Council of the City of Carbondale that this Ordinance and every provision thereof shall be considered separable and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section 8. That the City Council of the City of Carbondale finds that the subject matter of this Ordinance pertains to the government and affairs of the City of Carbondale and is passed pursuant to the provisions of Article VII, Section 6(a) of the 1970 Illinois Constitution.

Section 9. That this Ordinance shall take effect upon its passage, approval, recording, and publication in pamphlet form in accordance with law.

APPROVED: _____
John M. Henry, Mayor

ATTEST: _____
Jennifer Sorrell, City Clerk

APPROVED AS TO LEGALITY AND FORM:

P. Michael Kimmel, City Attorney

LEGAL DESCRIPTION REVIEWED BY:

Travis Taylor, Planner

Exhibit A

AG

LI

SB

GI

R-1-12

AG

RMH

PUD

SB

Case Description

Sorensen Enterprises' request to rezone from R-1-12, Low Density Residential to PUD, Planned Unit Development, with an FAR of .25 for property located at 300 West Charles Road and 2010 North Iowa Road

Zoning Classifications

- AG General Agriculture
- BWA Wholesale and Automotive
- GI General Industrial
- LI Light Industrial
- PUD Planned Unit Development
- R-1-12 Low Density Residential
- RMH Planned Mobile Home
- SB Secondary Business

Legend

 Subject Property

 Parcels

0 200 400 Feet



Iowa Rd

N Illinois Ave/US Hwy 51

W. Charles Rd

R-1-12

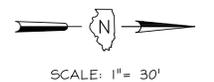
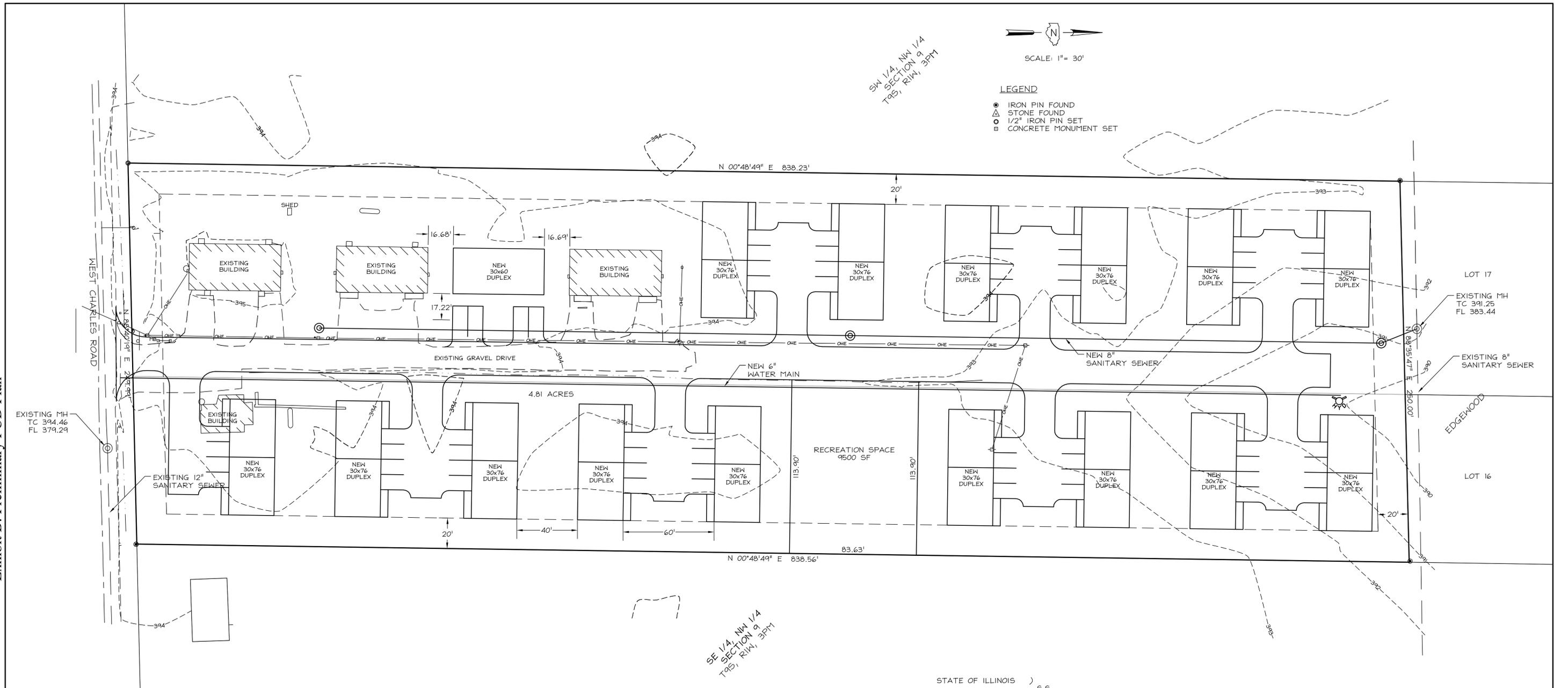
SB

AG

SB

BWA





- LEGEND**
- IRON PIN FOUND
 - ▲ STONE FOUND
 - 1/2" IRON PIN SET
 - CONCRETE MONUMENT SET

SW 1/4, NW 1/4
SECTION 9
T9S, R1W, 3PT1

SE 1/4, NW 1/4
SECTION 9
T9S, R1W, 3PT1

STATE OF ILLINOIS)
) S.S.
COUNTY OF WILLIAMSON)

I, JOHN H. CRAWFORD, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2061, DO HEREBY CERTIFY THAT AT THE REQUEST OF LASSE SORENSEN, I CAUSED THE TRACT DESCRIBED AND PLATTED HEREON TO BE SURVEYED.

I FURTHER CERTIFY THAT THIS IS A TRUE AND CORRECT SURVEY AS PLATTED HEREON. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THIS 16TH DAY OF SEPTEMBER, 2015.

JOHN H. CRAWFORD
I.P.L.S. NO. 2061
CARTERVILLE, ILLINOIS

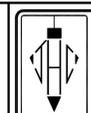
LEGAL DESCRIPTION (TRACT 1)

LOT 17 IN EDGEWOOD, EXCEPT THE NORTH 500 FEET THEREOF

ALSO LOT 16 IN EDGEWOOD, EXCEPT THE NORTH 500 FEET THEREOF, ALL BEING IN A SUBDIVISION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 9 SOUTH, RANGE 1 WEST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF STATE AID HIGHWAY AS SHOWN ON THE RECORDED PLAT THEREOF IN BOOK 6 OF PLATS ON PAGE 39 IN THE RECORDERS OFFICE OF JACKSON COUNTY, ILLINOIS.

NO.	DESCRIPTION	BY	DATE	NO.	DESCRIPTION	BY	DATE
					DESIGNED		
					DRAWN	WDS	9/15/15
					CHECKED	JHC	9/15/15

SORENSEN ENTERPRISES
JACKSON COUNTY ILLINOIS
PROPOSED LAYOUT



JOHN H. CRAWFORD & ASSOCIATES, P.C.
CIVIL ENGINEERS, LAND SURVEYORS
201 SOUTH DIVISION STREET, CARTERVILLE, ILLINOIS 62918
PHONE: (618) 985-6370 FAX: (618) 985-4692
PROFESSIONAL DESIGN FIRM # 184-002885

SHEET NO.	
1	
ISSUE	DATE
A	9/15/15



MINUTE EXCERPTS
PC 16-05
Carbondale Planning Commission
Wednesday, December 9, 2015
Room 108, 6:00 p.m.
City Hall/Civic Center

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

Members Present: LeBeau, Sheffer, Anz, Field, Love, Lilly and Litecky

Members Absent: Barke, Schachel and Bradshaw (ex-officio)

Staff Present: Taylor and Sergeev

1. Public Hearing

PC 16-05 - Sorensen Enterprises is requesting a rezoning from R-1-12, Low Density Residential, to PUD, Planned Unit Development, for properties located at 300 West Charles Road and 2000, 2010, and 2020 North Iowa Road.

Mr. Anz declared Public Hearing PC 16-05 open at 6:40 p.m. and asked Mr. Taylor to read the legal notice.

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

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

Mr. Taylor was sworn in and read parts A and B of the staff report.

Mr. Anz asked if there were any questions from Commission to staff.

Ms. Litecky had a few questions relative to Parking, lighting and storm water detention requirements.

Mr. Taylor stated that the applicant would be required to submit a full site plan which conforms to City Code.

Mr. Anz asked if the applicant was present and would like to speak.

The applicant, Lasse Sorensen, was present but did not come forward to speak.

Mr. Anz asked if any members of the Commission had any questions for the applicant.

Mr. Love asked Mr. Sorensen how long he has owned the property.

Mr. Sorensen answered that he has owned the property for about 5 years.

Mr. Anz asked if anyone would like to speak in favor of the application.

There were none.

Mr. Anz asked if anyone would like to speak in opposition of the application.

There were none.

Mr. Anz asked Mr. Taylor to complete the staff report.

Mr. Taylor read part C of the staff report, with a recommendation to approve PC 16-05.

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

There were none.

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

There were none.

Mr. Anz declared Public Hearing PC 16-05 closed at 6:54 p.m.

Mr. LeBeau moved, seconded by Ms. Litecky, that the Commission accept as findings of fact parts A and B of the staff report for PC 16-05, the applicant was present and no one spoke in favor or in opposition of the application.

The motion passed on a unanimous voice vote.

Mr. Sheffer moved, seconded by Mr. Love, that the Planning Commission recommend to City Council, approval of PC 16-05.

Roll Call Vote:

Yes – 7 (LeBeau, Sheffer, Anz, Field, Love, Lilly, Litecky)

No – 0

Mr. Taylor announced that the motion to approve PC 16-05 passed and will be on the City Council Agenda for December 22, 2015.

Ms. Litecky stated that she is opposed to the approval due to parking and that in her history of dealing with the Greek community it has not been positive. Ms. Litecky also made note that there are big homes closer to campus that are zoned appropriately for Fraternities and Sororities.

Mr. Anz stated that his concern is that granting this Text Amendment opens up the opportunity for all the PA districts to be affected now and in the future.

Mr. LeBeau stated that as a criminologist that granting this Text Amendment would help with the safety of the neighborhood, due having to more eyes in the area. Mr. LeBeau believes this Text Amendment would have a minor negative impact on the surrounding area.

Ms. Lilly stated that the only impact she sees is the lack of parking.

Ms. Field stated that she is not opposed to this text amendment.

Mr. Anz mentioned that there are Fraternities and Sororities that are incredible stewards to the community and that they should not all be judged by the few bad apples in the Greek community and that they should be judged by their individual histories.

Mr. Love moved, seconded by Ms. Lilly, that the Planning Commission recommend to City Council, approval of PC 16-04.

Roll Call Vote:

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

No – 2 (Anz, Litecky)

Mr. Taylor announced that the motion to approve PC 16-04 passed and will be on the City Council Agenda for December 22, 2015

M-E-M-O-R-A-N-D-U-M

TO: City of Carbondale Planning Commission

FROM: Travis Taylor, Planner

RE: PC 16-05, Sorensen Enterprises is requesting a rezoning from R-1-12, Low Density Residential, to PUD, Planned Unit Development, for property located at the intersection of Iowa Road and West Charles Road

DATE: October 28, 2015

(Planning Commission Public Hearing on December 9, 2015 at 6:00 p.m.)

PART A. GENERAL INFORMATION

1. Applicant:
Sorensen Enterprises
PO Box 442
Desoto, IL 62924

2. Requested Action and Background: The applicant is requesting to rezone 4.8 acres of property located at the intersection of Iowa Road and West Charles Road from R-1-12, Low Density Residential, to PUD, Planned Unit Development. (Please refer to Exhibit A – Applicant’s Brief). There are currently three duplexes located at 2000, 2010, and 2020 Iowa Road, with a single family residence located at 300 West Charles Road. (Please refer to Exhibit B – Photographs of the Subject Property). All structures have access off of Iowa Road. The three duplexes existed prior to the adoption of the 1974 zoning ordinance and are therefore considered legally nonconforming, as duplexes are not permitted in the R-1 district.

The applicant is requesting the rezoning with the plan of removing the single family residence, extending Iowa Road, and constructing sixteen (16) additional duplexes on the property. This would bring the total number of duplexes on Iowa Road to nineteen (19).

3. Number of Notices Sent to Owners within 250 feet: Notices were sent to sixteen (16) property owners within 250 feet of the subject property.

4. Existing Zoning: The subject property is currently zoned R-1-12, Low Density

Residential, as is land to the north, south and East. Property to the west is zoned RMH, Planned Mobile Home District. (Please refer to Exhibit C – Existing Zoning).

5. Existing Land Use: The subject property currently maintains three legally nonconforming duplexes on the western parcel and one single family residence on the eastern parcel. All structures are served via access from the privately owned, Iowa Road. There are also duplexes located on the property to the north with access off of North Illinois Avenue. Properties to the immediate south and east are single family homes, while a mobile home park is located west of the subject property. (Please refer to Exhibit D – Existing Land Use).
6. Comprehensive Plan: The 2010 Comprehensive Plan Future Land Use Plan designates the subject property and properties to the immediate north, west, and east, as Agriculture. South across Charles Road and further east, land is designated as Commercial. (Please refer to Exhibit E –Future Land Use).
7. Zoning History: The subject property has been zoned R-1-12, Low Density Residential, since the adoption of the current zoning ordinance in 1974. The property was then annexed into City Limits in 1997.
8. Applicable Regulations:

Statement of Intent of Relevant Zoning Districts:

Section 15-11.1: R-1-12, Low Density Residential

Statement of Intent: This district is established to provide areas for single-unit residential purposes, and to provide maximum protection from the encroachment of other types of uses which are not appropriate to low density residential areas. Other reasons for the establishment of these districts are: to maintain a quiet atmosphere within the districts; to discourage incompatible uses within the district. Care has been taken and shall be taken in the delineation and expansion of these districts to assure that adequate public water is available and that individual sewage disposal systems will not be required. Four such districts are established with varying lot sizes and densities (R-1-15, R-1-12, R-1-8, R-1-5).

Section 15-2.11.1: PUD, Planned Unit Development

Statement of Intent: This District is established to permit such flexibility and provide performance criteria which can result in planned residential developments which produce:

1. A greater choice in the type of environment and living units available to the public;
2. Open space and recreation areas;
3. A pattern of development which preserves trees, outstanding natural topography and geological features and prevents soil erosion;
4. A creative approach to the use of land and related physical development;
5. An efficient use of land resulting in more efficient use of utilities and streets;
6. An environment of stable character in harmony with surrounding development;
7. A more desirable environment than would be possible through the strict application of other sections of this ordinance.

The planned unit development section is designed to provide for small and large scale developments incorporating a single type or a variety of residential and related uses which are planned and developed as a unit. Such development may consist of individual lots or it may group buildings on combinations of lots or tracts of land. Open space for common use must be a major element of the plan.

PART B. SPECIAL INFORMATION

1. Public Utilities:

Water: The subject property has access to a twelve (12) inch City of Carbondale water line along West Charles Road.

Sanitary Sewer: The subject property is served by a twelve (12) inch City of Carbondale sanitary sewer line along West Charles Road.

Storm Sewer: The subject property has no storm sewer. Runoff follows natural ditches and drainage ways.

2. Public Services: The subject property is located within Carbondale City limits and is served by the City of Carbondale’s Police and Fire Department.

3. Traffic Counts: The Illinois Department of Transportation Traffic Map provides the following average daily traffic counts in the immediate area:

	<u>Average Daily Traffic</u>
West Charles Road	600 ADT

4. Correspondence Received: As of the date of this report, Staff has no correspondence regarding this rezoning request.

PART C. ANALYSIS

Sorensen Enterprises is requesting to rezone property at the intersection of Iowa Road and West Charles Road from R-1-12, Low Density Residential, to PUD, Planned Unit Development. The subject property’s current zoning designation, R-1-12, allows no more than one principal residential structure per lot or parcel. As they were existing prior to adoption of the 1974 zoning ordinance, the three duplexes currently on the property are considered legally nonconforming. As the Carbondale Revised Code does not allow the expansion of a nonconformity, additional residential structures cannot be constructed on the property. The PUD district, however, does allow for more than one residential unit on a lot, therefore the applicant is seeking a rezoning to PUD so more duplexes may be constructed along Iowa Road. Approval of the rezoning to PUD would change the use of the property from legally nonconforming to a permitted use, and so would allow Sorensen Enterprises to add additional dwelling units as code allows.

The proposed PUD zoning designation would allow for a higher residential density than is allowed in the surrounding residential property to the north, east and south. However, as opposed

to high and medium density residential districts, the PUD zoning district does allow for the Planning Commission and City Council to have greater control over the design and function of the property. As is required, the applicant has submitted a preliminary PUD plan which shows the proposed development of the entire property and includes the extension of Iowa Road, which would remain private. Should the rezoning be approved, a final PUD plan must be submitted for full approval by both City staff and the City Council.

While typically a higher density than low density residential districts, the Carbondale Revised Code does limit the maximum density of a Planned Unit Development to 25 dwelling units per acre with a maximum Floor Area Ratio of 0.600 (15-2.15.13.B). The preliminary plans submitted by the applicant meet both requirements, having almost eight (8) units per acre and a Floor Area Ratio of .198. The Carbondale Revised Code also requires deed-restricted recreational space of 200 square feet for each of the first 50 dwellings in the development (15-2.15.13.C.1). With 19 duplexes proposed and a total of 38 dwelling units, the site will require at least 7,600 square feet of recreational area. The preliminary plan identifies over 9,500 square feet of recreation space, thus meeting this requirement (Please refer to Exhibit F – Preliminary PUD Plan).

While zoned low density residential, staff notes that there is precedence in the neighborhood for higher density developments. In addition to the RMH, Planned Mobile Home, zoning district immediately to the west, property immediately north contains multiple multifamily structures. Furthermore, east of the subject property was once zoned for a higher density development. In 1995, the Carbondale City Council approved the rezoning of property adjacent to the subject property, 230 and 250 West Charles Road, from R-1-12 to PUD. This property, however, reverted back to R-1-12 after the property changed ownership and the new owner did not wish to pursue the proposed development.

Staff's review of the 2010 Comprehensive plan finds one focus area that should be considered with regards to this request. Focus Area 4.2, Strategy 1 calls for the protection of the integrity of single family neighborhoods in regards to housing and site conditions. While staff finds that single family homes are prevalent in the surrounding area, there are multifamily and commercial developments. With this in mind, it is important to note that strict guidelines would be required for the PUD, including a full site plan review and the required rental inspections as is required for the City's Mandatory Rental Inspection Program. Furthermore, the future land use plan designates nearby property for commercial and agricultural use. The intensity of the proposed development would not be more than that of commercial and agricultural uses. The rezoning to PUD aligns with the policies and goals of the 2010 Comprehensive Plan as the restrictions and guidelines for the PUD would protect the residential character of the area.

It is staff's opinion that the rezoning will allow the City of Carbondale to exercise greater regulation of the developed site. Along with the required site plan, the site will be required make any adjustments the City Council deems necessary and maintain all aspects included on the plan, including required landscaped area, trees, and storm water detention. The rezoning to PUD will require the improvement and maintenance of the site and therefore be a desirable development for the area.

PART C. RECOMMENDATION

Based on the above analysis, as well as the criteria for determining the appropriateness of PUD zoning under Section 15-2.15.14.3 of the Carbondale Revised Code, staff recommends approval of PC 16-05.

Exhibit A - Applicant's Brief

October 27, 2015

To Travis Taylor
Fax, 618-457-3289

Sorensen Enterprises of So. Il, Inc.

To whom it may concern at the city of Carbondale:

Sorensen Enterprises purchased 6 acres on Iowa and Charles road to develop a neighborhood of duplexes. The property all ready had six units for rent that are multi purpose family units at the time of purchase. The seven units are in the process of being upgraded, two are finished and the next two are in the process of updates. My request for rezoning is to establish more multi family housing. Thank you very much in advance for your help in this matter.

Very truly yours,

Lasse Sorensen, President of Sorensen Enterprises

Exhibit B – Photographs of Subject Site



Facing 2000, 2010, and 2020 on Iowa Road



300 West Charles Road



2000 Iowa Road



2010 Iowa Road



2020 Iowa Road



Facing South across West Charles Road



Facing West along West Charles Road



Facing East along West Charles Road

Exhibit C- Existing Zoning
 Planning Commission Case PC 16-05

AG

LI

SB

GI

R-1-12

AG

RMH

SB

Iowa Rd

N Illinois Ave / US Hwy 51

W. Charles Rd

R-1-12

SB

AG

SB

BWA

Public Hearing Date & Time

December 9, 2015
 6:00 p.m.

Case Description

Sorensen Enterprises is requesting a rezoning from R-1-12, Low Density Residential to PUD, Planned Unit Development, for property located at 300 West Charles Road and 2010 North Iowa Road

Zoning Classifications

- AG General Agriculture
- BWA Wholesale and Automotive
- GI General Industrial
- LI Light Industrial
- RMH Planned Mobile Home
- R-1-12 Low Density Residential
- SB Secondary Business

Legend

 Subject Property

 Parcels

0 200 400 Feet



Exhibit D- Existing Land Use
 Planning Commission Case PC 16-05

Public Hearing Date & Time

December 9, 2015
 6:00 p.m.

Case Description

Sorensen Enterprises is requesting a rezoning from R-1-12, Low Density Residential to PUD, Planned Unit Development, for property located at 300 West Charles Road and 2010 North Iowa Road

Zoning Classifications

- AG Agriculture
- C Commercial
- F Forest
- I Industrial
- M Multi-Family Residential
- MHP Mobile Home Park
- S Single Family Residential
- SIU University (Head Start)
- V Vacant

Legend

-  Subject Property
-  Parcels

0 200 400 Feet

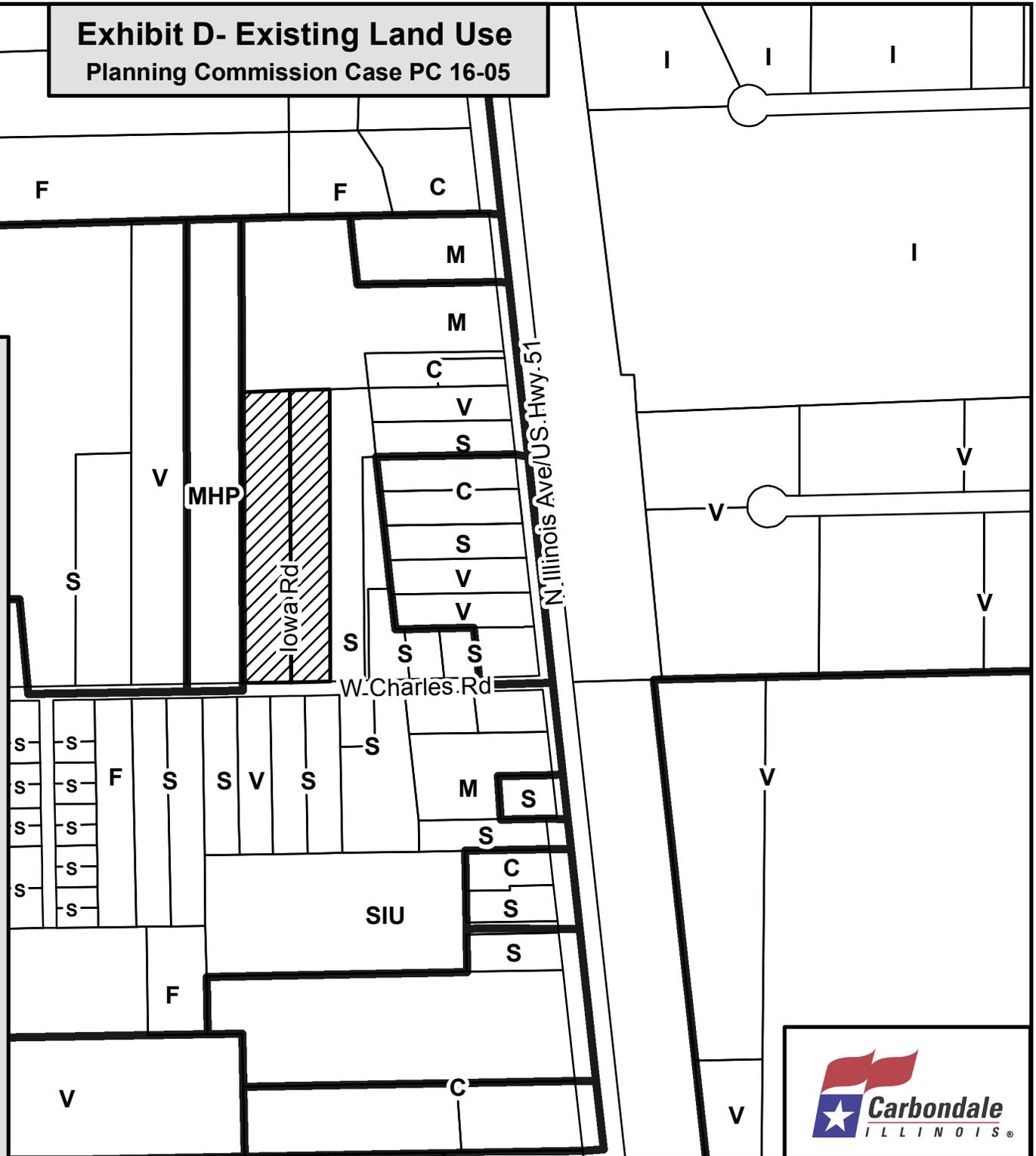


Exhibit E - Future Land Use
Planning Commission Case PC 16-05

Agriculture

Business Park

Public Hearing Date & Time

December 9, 2015
6:00 p.m.

Case Description

Sorensen Enterprises is requesting a rezoning from R-1-12, Low Density Residential to PUD, Planned Unit Development, for property located at 300 West Charles Road and 2010 North Iowa Road

Legend

-  Subject Property
-  Parcels

0 200 400 Feet




Commercial

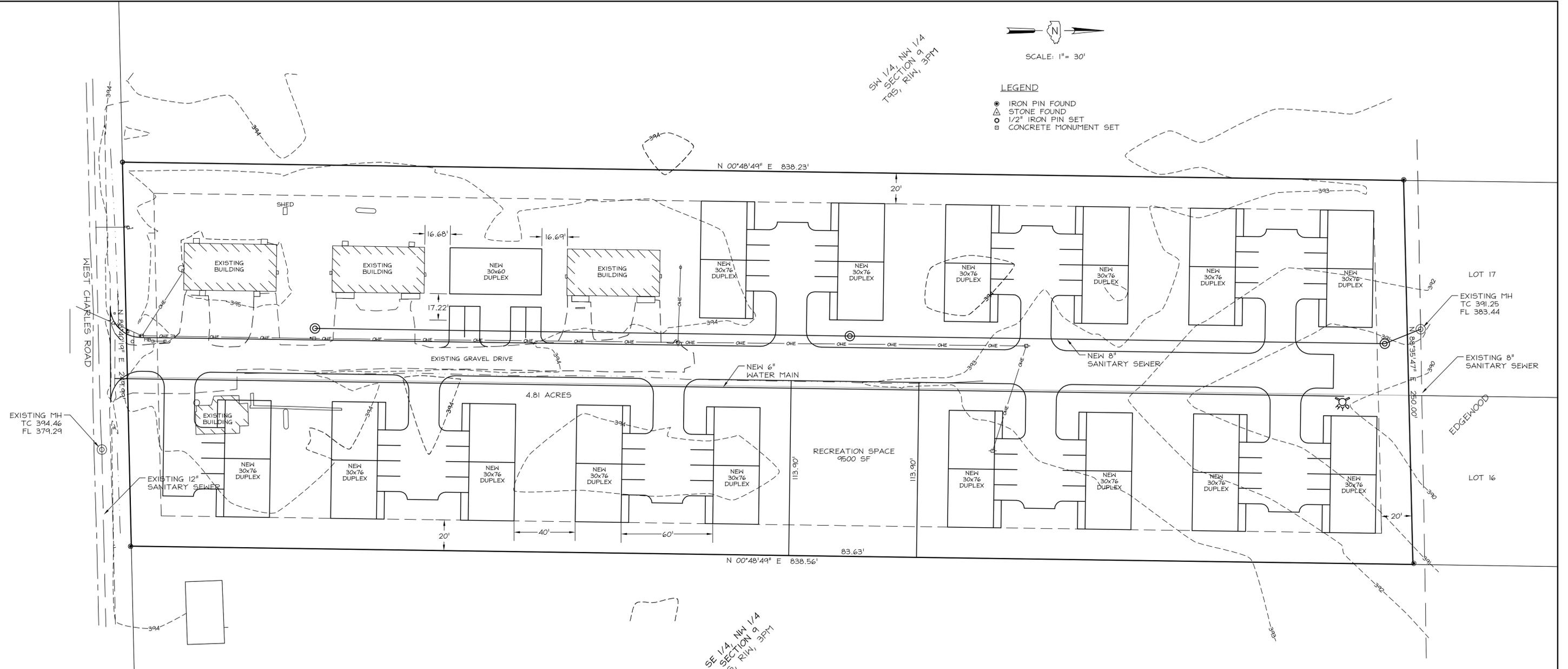
Agriculture



Iowa Rd

W Charles Rd

N Illinois Ave/US Hwy 51



SCALE: 1" = 30'

- LEGEND**
- IRON PIN FOUND
 - ▲ STONE FOUND
 - 1/2" IRON PIN SET
 - CONCRETE MONUMENT SET

SW 1/4, NW 1/4
SECTION 9
T9S, R1W, 3PT1

SE 1/4, NW 1/4
SECTION 9
T9S, R1W, 3PT1

STATE OF ILLINOIS)
) S.S.
COUNTY OF WILLIAMSON)

I, JOHN H. CRAWFORD, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2061, DO HEREBY CERTIFY THAT AT THE REQUEST OF LASSE SORENSEN, I CAUSED THE TRACT DESCRIBED AND PLATTED HEREON TO BE SURVEYED.

I FURTHER CERTIFY THAT THIS IS A TRUE AND CORRECT SURVEY AS PLATTED HEREON. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THIS 16TH DAY OF SEPTEMBER, 2015.

JOHN H. CRAWFORD
I.P.L.S. NO. 2061
CARTERVILLE, ILLINOIS

LEGAL DESCRIPTION (TRACT 1)
LOT 17 IN EDGEWOOD, EXCEPT THE NORTH 500 FEET THEREOF

ALSO LOT 16 IN EDGEWOOD, EXCEPT THE NORTH 500 FEET THEREOF, ALL BEING IN A SUBDIVISION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 9 SOUTH, RANGE 1 WEST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF STATE AID HIGHWAY AS SHOWN ON THE RECORDED PLAT THEREOF IN BOOK 6 OF PLATS ON PAGE 39 IN THE RECORDERS OFFICE OF JACKSON COUNTY, ILLINOIS.

NO.	DESCRIPTION	BY	DATE	NO.	DESCRIPTION	BY	DATE
	DESIGNED						
	DRAWN	WDS	9/15/15				
	CHECKED	JHC	9/15/15				

SORENSEN ENTERPRISES
JACKSON COUNTY ILLINOIS
PROPOSED LAYOUT

JOHN H. CRAWFORD & ASSOCIATES, P.C.
CIVIL ENGINEERS, LAND SURVEYORS
201 SOUTH DIVISION STREET, CARTERVILLE, ILLINOIS 62918
PHONE: (618) 985-6370 FAX: (618) 985-4692
PROFESSIONAL DESIGN FIRM # 184-002885

SHEET NO.	
1	
ISSUE	DATE
A	9/15/15

X:\Land Projects\SRV\CSO\Sorenson_carbonade_2013\dwg\ssorenson sub 2013.dwg, 9/17/2015 11:25:00 AM