

PLANNING COMMISSION

City of LaSalle – City Council Chambers

May 31, 2022

Chairman Pro-Tem Spayer called the meeting to order at 5:00pm.

ROLL CALL

Present: Tom Pigati, Nikki Baer, Charlie Faletti, John Fletcher, Larry Happ, Tyler Ketter, Jack Sadowski, Luke Tomsha.

Absent: Bart Hartauer, Spayer, Supan

Others Present: City Attorney Jim McPhedran, City Clerk Amy Quinn, Deputy City Clerk Brent Bader, Economic Development Director Leah Inman.

A quorum was present.

1. Consideration of a request of Carus Corporation. Located at 1500 8th Street, LaSalle, Illinois, for rezoning of certain premises being commonly described as the northeastern portion of the aforementioned address, being a portion of PIN Number 18-14-104-022 from R-3, Two Family Residence to M-2, Heavy Industrial for the purpose amongst other things of establish consistent zoning for the property, as well as the potential future construction and related uses. The premises are more particularly described as:

The western 225' feet, more or less, of Block 28 of the Original Town of the City of La Salle, La Salle County, Illinois

Deputy Clerk Brent Bader said City Engineer Brian Brown was not present today but the request under consideration has his endorsement. Bader said it was explained to him by Brown that this was correcting an inconsistency with the parcel and the area is being used for that zoning currently. It's something Brown noted through discussions with Carus and wanted to get corrected as soon as it was identified. Chairman Pigati asked if everything was behind the fence currently and any rezoning would not change the parcel's current use. Deputy Clerk Bader confirmed both and said the entire parcel will now have the same zoning. Bader noted that Carus Chemical representatives were in attendance. Carus Chemical Representative Nick Kelsey said the information described was correct and the zoning was identified when applying for a building permit. Mr. Kelsey said the land has been used that way since 1958.

La Salle Resident Cynthia Carus had questions about how traffic flow would be changed as she expects them to use Sterling Street. She said she moved her 55 years ago and over 50 years they tore down all the homes to get the area prepared. She said it's very important in the design that parking is taken care of and not on the roadway.

Carus Chemical Attorney Dan Harper said they are not asking at this time for any changes in the property. Harper noted that Edward and Dorothy Carus deeded the property to Carus Chemical in the 1950s. There was some error along the way in zoning as the plant has operated there since 1970. They do not plan to change any of that through rezoning. City Attorney Jim McPhedran said the City is looking to just correct the zoning. He said if there are current traffic issues they would need to be addressed separately.

Mr. Harper further detailed that the request is for rezoning came from requesting a building permit for changes inside the building and that there should be no changes to the outside. He specified after comments from Commissioner Larry Happ that this location is not the Apollo Warehouse. Mr. Kelsey said another property across Sterling Street to the west was under construction but that property is also not the location they are requesting a zoning change for. Cynthia Carus asked if there were any changes planned with Ameren or their substation and Mr. Kelsey said that the substation would not be affected by this request.

No further comments were received by the public.

City Attorney McPhedran asked if the petition and the application included as Exhibit #1. The petitioners in attendance and Planning Commission were in favor of that.

Moved by Happ and seconded by Falletti to approve the recommendation to the City Council Carus Chemical's request for rezoning from R-3 Two Family Residence to M-2 Heavy Industrial be granted based on the findings of that is in the public good and general public interest and it may be granted without substantial detriment to the public good without substantially impairing the public purpose of the Zoning Ordinance of the City and will not be detrimental to the overall comprehensive plan of the City of La Salle.

ROLL CALL

AYE: Baer, Falletti, Fletcher, Happ, Ketter, Sadowski, Tomsha

NAY: NONE

MOTION CARRIED: 7-0

Commissioner Happ said that it is only a recommendation, and the City Council will make the final decision after reviewing the recommendation. City Attorney McPhedran said it would be on tonight's City Council agenda.

2. Consideration of the request by the LaSalle City Council in regard to updating and clarifying provisions of the La Salle Zoning Ordinance related to special uses, including potential amendments to the LaSalle Zoning Ordinance, which Ordinance was originally enacted as LaSalle Ordinance Number 590, as the same has been from time to time amended, LaSalle City Code Title XV, Chapter 153 Zoning, including, but not limited to, Sections 153.075 et seq and 153.27 therof, consideration of clarification and/or amendments, including, but not limited to, the provisions therein the types of uses that should be considered special uses, consideration of changes regarding the standards for consideration of special use permits, the zoning districts within which special use permits and types of special use permits may be considered to be granted, criteria to be used in addressing all matters in reference to special use permits, and all matters related to special use permits.

City Attorney Jim McPhedran said this is something that has come up in discussion with the aldermen, Mayor, and Director of Economic Development. McPhedran went over prior times the City has had to make updates regarding special uses. This request would more specifically deal with wind farms and/or wind turbine farms, large-scale hog farming and large-scale poultry farming and uses related thereto and went over the definitions of such. McPhedran said it is believed these already require special use permits but this allows the City to be more specific. He is not aware of any pending application for any of

the discussed items. Economic Development Director Leah Inman said there had been prior interest, mostly wind and solar panels, but nothing specific at this time.

Commissioner Larry Happ said he has no problem with the consideration but asked why the Council doesn't have special sub committees for Special Use Permits as he doesn't know why certain items come to this Commission. Attorney McPhedran said his understanding is by statute Special Use Permits must go to the Planning Commission first but the City staff review all requests and are able to exclude those not appropriate to bring to the full commission. He said that work may not be seen by the Commission. Additionally, he noted the Zoning Ordinance has been changed from time to time such as excluding solar panels if they are roof mounted from Commission review but requiring Commission review for commercial or industrial panels. Which is why the Commission has seen less of those in recent years. Director Inman said City staff does as much work as possible prior to bringing it to the Commission for review.

Commissioner John Fletcher asked where someone would feasibly be able to raise 99 chickens in the City's limits. Attorney McPhedran said that the City's limits stretch further than many realize and there are AG-1 zoning areas to the City's east towards Route 178 as well as north of Interstate 80. This would also include newly annexed properties which entered the City as AG-1. Chairman Pigati clarified that the City is not prohibiting them, but they would need to apply for a Special Use Permit. Fletcher further asked why cattle farms were not included and Attorney McPhedran said it was discussed but there have been no interested parties considering cattle farms as there had been for the items under consideration today.

Moved to Happ and seconded by Falletti to approve the recommendation to the city council clarifying the ordinance consistent with the draft ordinance and consistent with the comprehensive plan with the Zoning ordinance.

ROLL CALL

AYE: Baer, Falletti, Fletcher, Happ, Ketter, Sadowski, Tomsha

NAY: NONE

MOTION CARRIED: 7-0

Chairman Pigati asked if staff knew of future items for consideration. Neither Deputy Clerk Bader nor Attorney McPhedran were aware of one at this time. Attorney McPhedran thanked the Commission for their time.

Moved by Baer and seconded by Fletcher to adjourn the meeting.

All ayes

Chairman Pigati adjourned the meeting at 5:30 p.m.



City of LaSalle

La Salle County, Illinois

City Offices - 745 Second Street - La Salle, Illinois 61301-2599
Fax: 815-223-0508 www.lasalle-il.gov

#1 ZONING CHANGE REQUEST

FOR OFFICE USE ONLY

Planning/Zoning Case No.: _____

Date of Filing: 4/14

1. APPLICANT. Name and address of applicant, and interest in property.

Carus LLC

APPLICANT NAME(S)

PO Box 599, Peru, IL 61354

ADDRESS

nick.kelsey@carusllc.com

EMAIL ADDRESS

815-224-6869

DAYTIME PHONE NUMBER

CELL PHONE NUMBER

Owner Contract Purchase

Other: _____

APPLICANT(S)' INTEREST IN PROPERTY

I am the lead engineer and project manager for Carus on this project

NAME OF OWNER OF RECORD, IF DIFFERENT FROM THE APPLICANT

ADDRESS OF OWNER OF RECORD

EMAIL ADDRESS

DAYTIME PHONE NUMBER

CELL PHONE NUMBER

2. PROPERTY. Attach a copy of the legal description, common address, *current* Zoning Classification of the property, and the *new* Zoning Classification being requested by applicant (*Note*: The City of La Salle CANNOT fill in the legal description for you. You can find the legal description on your mortgage or title search or your Property Tax Bill. The legal description is required before the application can be processed).

1500 8th St. LaSalle, IL. Parcel ID = 18-14-104-022. Legal Description is included on the attached plat drawing.

COMMON ADDRESS

R-3

CURRENT ZONING CLASSIFICATION

M-2

REQUESTED ZONING CLASSIFICATION

Briefly state below the reason(s) for requesting the zoning change, and describe any construction that you anticipate if the change is granted. Use additional sheets of paper if necessary.

See Attached

3. PLAT. Attach to this application a plat plan – approximately to scale – of the property showing the lot lines, dimensions, and where the zoning change is sought (Scale 1"=50'). If the plat is prepared by the Applicant, it should be on paper no larger than 11x17". If the plat is prepared for the Applicant by a professional architect or engineer, then the plat plan may be on any size paper. At least fifteen (15) copies of such plat plan shall be submitted with this application.

4. ADJACENT PROPERTY OWNERS. List the names and addresses of all adjacent property owners ("adjacent" means the owners of property that physically touch your property. Exclude property owners across streets and alleys). List this information on a separate sheet of paper.

5. FILING FEE & COST OF PUBLICATION. Attach a \$100 filing fee in the form of a check made payable to the City of La Salle. The costs of publishing any notice(s) of the public hearing to be held in connection with this application must also be paid by the Applicant(s) in the form of a check made payable to the City of La Salle, upon being billed by the City for such costs.

6. SIGNATURES & NOTARIZATION.

APPLICANT SIGNATURE

APPLICANT SIGNATURE

Notary Public:

Subscribed and sworn before me this 14th day of April 2022

NOTARY SIGNATURE

Notary Seal:



Carus M-2 Zoning Change Request

1. Reason for Zoning Change

- 1.1.** This area of the Carus property zoned as R-3 is in fact utilized as heavy industrial / M-2 zoning but has been missed in the past during previous construction projects dating back to at least 1972. Since then, other structures have been built on this portion of the property with the most recent being the construction of Building 65 (aka Cell Builing) around 2000. Carus is needing to expand upon this building to the east (for construction of silos and cooling tower) and to the west (for construction of a tank truck filling bay).

2. List of Adjacent Property Owners

2.1. Hegeler Carus Foundation (Carus Mansion, south of R-3 zoned property)

- 2.1.1.** 1307 7th St, La Salle, IL 61301

2.2. Fred and Cynthia Carus (North of R-3 zoned property)

- 2.2.1.** Address Unknown