

**CITY OF MASCOUTAH  
PLANNING COMMISSION  
#3 WEST MAIN STREET  
MASCOUTAH, IL 62258-2030**

**JANUARY 29, 2014**

The minutes of the Regular Meeting of the Planning Commission of the City of Mascoutah.

**PUBLIC HEARING – 7:00PM**

**REVIEW OF CONDITIONAL USE PERMIT APPLICATION FOR A COMMUNITY-  
INTEGRATED LIVING ARRANGEMENT IN A RS-10, SINGLE-FAMILY  
RESIDENTIAL DISTRICT AT 476 FALLING LEAF WAY.**

Chairman opened the hearing and gave the floor to staff for their report.

Assistant City Manager Lisa Koerkenmeier stated that the CUP process requires a public hearing before the Planning Commission. The legal notice was published and notices were sent to 24 property owners within 250' of the subject property. As of January 22<sup>nd</sup>, three phone calls were received from residents receiving notices, and general questions were asked about the CUP application. None stated their opposition or support for the CUP request.

Koerkenmeier explained that the applicant; Southern Illinois Living Centers, Inc. has submitted a Conditional Use Permit (CUP) application to operate a community-integrated living arrangement at 476 Falling Leaf Way. The applicant is licensed by the State of Illinois Department of Human Services to operate community-integrated living arrangements for adults with intellectual and developmental disabilities. She reviewed the definition of a community-integrated living arrangement and explained that persons with disabilities are a protected class under the Federal and Illinois Fair Housing Acts. Koerkenmeier stated that in accordance with Federal and State Fair Housing Acts, consideration of the application should be on the grounds of its compliance with existing zoning and occupancy rules at they would be applied generally. Photos of the subject property and of the three existing facilities operated by the applicant in Mascoutah were shared with the Commission.

The applicant, represented by Jim Lopresto, Executive Director of Southern Illinois Community Support Services, Inc., explained how their company assists adult individuals with intellectual and developmental disabilities to find homes to live in within the surrounding communities. He also stated that they currently operate three other such facilities in Mascoutah, including one on Larkspur Drive, one on Autumn Lakes Drive and one on Nathan Avenue. Four residents currently live in each home. The closet distance between existing residences is approximately 800 feet. Responding to several questions from the Commissioners, Lopresto explained how the staffing works at the homes, that the residents have day-time jobs, and approximately six trips a day from the residence is anticipated. He responded that no changes are proposed for the exterior of the residence. He also provided a general description of the three individuals who desire to live at this residence. Lopresto addressed Commissioners questions regarding and reporting of violence in the homes, maintenance of the homes, and clarification of 24/7 care.

City Manager Cody Hawkins informed the committee that the Police Chief has not had any significant complaints from neighbors or calls reported from any of the existing residences operated by the applicant.

There were questions and concerns from neighbors about number of bedrooms, occupancy guidelines, and property values. These items were addressed by staff and the applicant.

Seven (7) residents spoke at the public hearing of which several stated that the CUP request is for a commercial business and that the indentures of the Timberbrook Subdivision include a restriction that no commercial activities are to be conducted in the subdivision. This topic was discussed in great detail, and staff stated that the City codes would consider the proposed use of the property for a community-integrated living arrangement as a residential use and would not be considered a business.

There was no further discussion.

## **PUBLIC HEARING ADJOURNED**

### **CALL TO ORDER**

Chairman Ken Zacharski called the meeting to order.

### **PRESENT**

Commission members Charles Lee, Jack Klopmeier, Glenn Shelley, Rich Thompson, Bruce Jung and Chairman Ken Zacharski were present.

### **ABSENT**

Commission members absent – Darren Goodlin

### **ALSO PRESENT**

Assistant City Manager Lisa Koerkenmeier, Executive Assistant Melissa Schanz, City Manager Cody Hawkins, Applicants and Residents of Timberbrook Subdivision.

### **ESTABLISHMENT OF A QUORUM**

A quorum of Planning Commission members was present.

### **AMEND AGENDA**

There was no need to amend Agenda

### **MINUTES**

Lee moved, seconded by Klopmeier to approve the minutes of the May 15, 2013 Planning Commission Meeting.

### **PROPOSED CONDITIONAL USE PERMIT PERMITTING A COMMUNITY-INTEGRATED LIVING ARRANGEMENT FOR THE DEVELOPMENTALLY DISABLED AT 476 FALLING LEAF WAY.**

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

**MOTION**

Jung moved, seconded by Lee that the Planning Commission approve the Conditional Use Permit for a community-integrated living arrangement for the developmentally disabled at 476 Falling Leaf Way, subject to the Findings and Conditions of Approval.

- 1) That the conditional use permit be granted to Southern Illinois Living Centers, Inc. for 476 Falling Leaf Way.

**THE MOTION BY ROLL CALL**

Charles Lee aye, Jack Klopmeier nay, Glenn Shelley aye, Rich Thompson nay, Bruce Jung aye and Chairman Ken Zacharski aye

**MISCELLANEOUS**

Commission Member Charles Lee made staff aware of a new surcharge on land lines through Frontier. He has asked staff to look at these charges.

**ADJOURNMENT**

Shelley moved, seconded by Klopmeier to adjourn at 8:16 p.m.

All in favor – 6

Opposed - 0