

PLANNING COMMISSION
City of LaSalle
December 11, 2023

Chairman Pigati called the meeting to order at 4:30 p.m.

ROLL CALL

Present: Tom Pigati, Nikki Baer, Charlie Faletti, John Fletcher, Larry Happ, Don Spayer, Nicole Girton, Luke Tomsha, Mike Neslowski

Absent: Bart Hartauer, Tyler Ketter

Others Present: City Attorney Jim McPhederan, Deputy City Clerk Brent Bader

A quorum was present.

Chairman Pigati read the letter that was sent to the Planning Commission in regards to the petition that was filed:

“Dear Mayor and City Council of the City of LaSalle, the Petitioner Pohar Family Development, LLC, respectfully requests the petition for planned unit development for the property attached, there to and made part of, thereof, Exhibit A, to be withdrawn without prejudice”.

Attorney James McPhedran stated that the original petition will be made as part of the record as well as the motion that will be to accept the withdrawal.

Motion by Larry Happ and seconded by Don Spayer to accept and file Exhibit A from Pohar Family Development, LLC.

ROLL CALL

AYE: Tom Pigati, Nikki Baer, Charlie Faletti, John Fletcher, Larry Happ, Don Spayer, Nicole Girton, Luke Tomsha, Mike Neslowski

NAY: NONE

Abstain: NONE

MOTION CARRIED: 9-0

Moved by Larry Happy and seconded Nikki Baer to accept and allow without prejudice the withdrawal of the petition in regards to the application and request of Pohar Family Development, LLC. for the planned unit development for the property commonly known as the approximate thirty-four (34) acre parcel located to the southeast of the former Catholic War Veterans building.

ROLL CALL

AYE: Tom Pigati, Nikki Baer, Charlie Faletti, John Fletcher, Larry Happ, Don Spayer, Nicole Girton, Luke Tomsha, Mike Neslowski

NAY: NONE

Abstain: NONE

MOTION CARRIED: 9-0

Larry Happ mentioned that even though this has been withdrawn and it will not go to the city

council tonight, the petitioner does have the right to refile in the future and go through the public notice again. Attorney McPhedran did mention that if this does happen again the public would be given a whole new set of notices.

Attorney McPhedran mentioned that the city did not have anything further for discussion here tonight.

One resident asked if there was a timeline for the public to be notified of any future upcoming hearings. Attorney McPhedran stated that the law requires a notice to be placed in the newspaper 15 days before a hearing. McPhedran also stated, but not required, that the city council will refer the petition to the planning commission before it even goes into the paper. McPhedran mentioned that it is the city's present policy to post anything of this nature onto the city's website. Brent Bader was also directed by the mayor to reach out to the residents that were notified of this hearing, if there were to ever be another filing of this petition in the future. He emailed the residents via email in regards to this past petition and asked if any residents that did not receive that email to contact him and he will take contact information in case of any additional filings.

Attorney McPhedran stated that the mayor and the administration want to be totally transparent and provide as much notice to the public and to the planning commission.

Another resident asked Chairman Pigati a question in regards to when that property was annexed to the city in 2013. He mentioned that the property was called North Terrace Development and was classified as single-family, residential in an ordinance and was approved by the city council. This resident how this petition would even be allowed when the property only allowed single-family residency. Pigati mentioned that any type of property could be changed and voted on at any point. Pigati mentioned that if someone wanted to put a business in a space that is zoned residential, they would just have to come before the planning commission and ask for a recommendation on rezoning a property, with the council still having the final vote.

Greg Stein, Oglesby Resident, has followed Rotary Park from its conception. He mentioned how the commission members mentioned 34 acres during this petition discussion tonight, which he mentioned to be parcel one. Stein also mentioned that parcel two has 14 or 15 acres, northeast quarter of the southeast quarter. He asked if the second parcel was going to be voted on in the future. Attorney McPhedran mentioned that everything that was filed has been withdrawn without prejudice. Stein mentioned that he had no other problems at this time with this petition. He just wanted to continue to keep an eye on residents' backlots and the entrances and exits to Rotary Park.

Chairman Pigati did read a part of the petition back to the residents that asked about the property being zoned a certain classification, "Petitioners desired development of the Tract does not fit within any single zoning district classification or special use of the Zoning Code of the

city.” The resident agreed with what Pigati had read and mentioned that is the reason he brought up his question because of that language mentioned in the original petition. Attorney McPhedran mentioned that it would be a scope if there was a hearing on the petition and petitioner will have a chance to refile if they so choose.

Chairman Pigati asked the Planning Commission how many of the members have a copy of the Code of Ordinance Book. Deputy Clerk Brent Bader mentioned that the city does have the Code of Ordinances online under the city’s website. Bader mentioned that he can make packets available at the next meeting if they would like. Attorney McPhedran thought that rather than just having the ones adopted from 1958, but having the sections that are in the LaSalle City Code. McPhedran did agree that a paper copy would be beneficial for most rather than looking at them online under the city’s website. Pigati felt like there is quite a bit of information under these ordinances, with classifications and many examples of them. Larry Happ did state to be cautious when reading some because there have been many amendments to them.

Jack Brady asked if he would be able to file a petition that was signed by the residents of Country Aire and Vermillionvue that were opposing this development. Chairman Pigati mentioned that it was not necessary since they were not acting on it and it was withdrawn. Pigati recommended hanging on to his petition in case the petition was to get refilled and they discussed this again. He would be able to use this exhibit in such a hearing. Pigati also reminded the public that the planning commission would only be making a recommendation for the council and that the city council ultimately has the final say.

Chairman Pigati Adjourned the meeting at 5:19pm.