



CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

AGENDA PLANNING COMMISSION August 13, 2019 7:00 P.M. City Council Chambers

1. CALL TO ORDER AND ROLL CALL
2. CITIZENS COMMENTS- *This is an opportunity for the public to address the Plan Commission on non-agenda related items. Comments made during this section of the agenda that require a response will be referred to the appropriate City staff member or official for follow-up at a later date.*
3. MINUTES OF JUNE 11, 2019
4. PC CASES - None
5. OLD BUSINESS – None
6. NEW BUSINESS
 - a. State Statute Change, Recreational Cannabis: Zoning Impact and Options – *For discussion only*
7. ANNOUNCEMENTS
 - a. Chair/Plan Commission Member Comments
 - b. Director's Report
8. ADJOURNMENT

*The next regularly scheduled meeting is September 10, 2019.
The meeting may be canceled if there is no business to conduct. Please contact Department of Land Use and Development staff at (618) 489-2060 for an update.*

**PLANNING COMMISSION
MINUTES
June 11, 2019**

1. CALL TO ORDER

The meeting was called to order at approximately 7:00 p.m. by Chairman Jim Bramstedt with (7 members) in attendance: Don Barkley, Patrick McCarthy, Larry Mensing, Pat Herrington, Greg Moats, Kelly Smith, Pat Wesemann, and Gregory Coleman(arrived 7:15 PM). Also, in attendance were Andrea Riganti (Director of Land Use), Andrew Hoerner(Attorney), and Kendra Tucker (Secretary).

2. CITIZENS COMMENTS

None

3. APPROVAL OF MINUTES

The minutes of May 14, 2019 approved as written.

4. PUBLIC HEARING

7:00 PM- PC06-19, Special Use Permit, 1 Pleasant Lane

Riganti presented the staff advisory to the commission.

The applicant is present.

Tamala Malone of 768 Cedar Mill Drive, Shiloh, IL was sworn in.

The applicant presented her request to operate a daycare facility and explained that she has met all of DCFS's requirements to open at this location.

Herrington inquired if the parking lot would be updated and Malone stated that the entire property would be renovated.

There was 1 person present to speak on the application.

Linda M. Eversman-McNeal of 9 Pleasant Lane, Fairview Heights, IL was sworn in.

Ms. Eversman-McNeal stated their concern with traffic, amount of children, and the potential trash in the parking area of the daycare.

The applicant was then brought back before the commission to address the resident's concerns. The applicant responded to the resident's concerns and stated that she would respect the residents and is open to making changes and taking steps to relieve these concerns.

The commission suggested a right turn only sign be posted at the egress of the parking lot and the applicant agreed.

The applicant explains the requirements of the DCFS on the daycare to the commission.

The commission then discussed the proposed height of the fences on the property.

Commissioner Moats made a motion to approve the application.

Planning Commissioner Moats introduced the following resolution and moved for its adoption:

RESOLUTION PC 5-19

A RESOLUTION ADOPTING FINDINGS OF FACT PC 6-19 RELATING TO A REQUEST FROM TAMALA MALONE TO APPROVE A SPECIAL USE PERMIT WITHIN “B-3” COMMERCIAL BUSINESS DISTRICT FOR A DAYCARE ESTABLISHMENT LOCATED AT 1 PLEASANT LANE

WHEREAS, Tamala Malone, hereinafter referred to as the “Applicant,” has properly applied for a Special Use permit for a daycare establishment within the “B-3” Commercial Business District located at 1 Pleasant Lane.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject property, 1 Pleasant Lane, is zoned B-3 Commercial Business District. The building is approximately 4,800 square feet.
3. That this permit will require any changes to traffic circulation and ingress/egress. A sign indicating right turn only onto Pleasant Lane when exiting the parking lot shall be installed.
4. That this permit will require any changes to lighting, landscaping, or the existing site usage.
5. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
6. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
7. That the proposed use will not be hazardous or disturbing to existing neighboring uses.

8. That the proposed use will be served adequately by public facilities and services such as highways and streets.
9. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
10. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
11. The proposed use will be consistent with the Comprehensive Plan.
12. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
13. That the Director of Land Use, and his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
14. That the Permittee shall meet the performance standards identified in Section 14-3-20 of the Development Code, and ensure in particular that traffic and noise impacts deemed to be excessive to surrounding residential areas are reasonably mitigated. Mitigation strategies will be reviewed by the Director of Land Use prior to implementation.

The motion for the adoption of the foregoing resolution was duly seconded by: Coleman

and the following voted for the same: Moats, Coleman, Mensing, Herrington, Wesemann, Smith, McCarthy, Bramstedt

and the following against the same: Barkley

and the following abstained:

and the following were absent: Hoppe, Carthan

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 11th day of June 2019.

7:00 PM- PC07-19, Special Use Permit, 9612 Fairmont Drive

Riganti presented the staff advisory to the commission.

The commission requested clarification regarding what constitutes a Conservation District and also how the approval of this application would impact future uses of this property if it were to change hands.

Riganti explained to the commission the uses allowed in a Conservation District and stated that if the property were sold the new owner would have to receive a Special Use Permit to operate a similar business.

The applicant was present,
Christine Rae Bishop of 9612 Fairmont Road, Fairview Heights, IL was sworn in.

Ms. Bishop explained her request to the commission to operate a craft retreat for women to come and work on craft projects. Ms. Bishop stated that there would be no meals provided and the guests would likely dine out in groups. Also, stated was that neighbors to the property were informed and in favor of the business operating out of the property.

There was 1 person present to speak in favor of the application.

Shawn Devensman of 9606 Fairmont Road, Fairview Heights, IL was sworn in. Ms. Devensman stated that the applicant is a wonderful neighbor and that she was in favor of the application.

Commissioner made a motion to approve the application.

Planning Commissioner Wesemann introduced the following resolution and moved for its adoption:

RESOLUTION PC 6-19

A RESOLUTION ADOPTING FINDINGS OF FACT PC 7-19 RELATING TO A REQUEST FROM CHRISTINE RAE BISHOP TO APPROVE A SPECIAL USE PERMIT WITHIN “C” CONSERVATION DISTRICT FOR A LODGE (HOME OCCUPANCY) LOCATED AT 9612 FAIRMONT ROAD

WHEREAS, Christine Rae Bishop, hereinafter referred to as the “Applicant,” has properly applied for a Special Use permit for a lodge establishment within the “C” Conservation District located at 9612 Fairmont Road.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

15. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
16. The subject property, 9612 Fairmont Road, is zoned C Conservation District and is approximately 4 acres.
17. That this permit will not require any changes to traffic circulation and ingress/egress.
18. That this permit will not require any changes to lighting, landscaping, or the existing site usage.

19. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
20. That the proposed use will/will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
21. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
22. That the proposed use will be served adequately by public facilities and services such as highways and streets.
23. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
24. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
25. The proposed use will be consistent with the Comprehensive Plan.
26. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
27. That the Director of Land Use, and his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
28. That the Permittee shall meet the performance standards identified in Section 14-3-20 of the Development Code, and ensure in particular that traffic and noise impacts deemed to be excessive to surrounding residential areas are reasonably mitigated. Mitigation strategies will be reviewed by the Director of Land Use prior to implementation.

The motion for the adoption of the foregoing resolution was duly seconded by; Barkley

and the following voted for the same: Herrington, Moats, Mensing, Wesemann, Barkley, Coleman, Smith, McCarthy, & Bramstedt

and the following against the same: None

and the following abstained: None

and the following were absent: Carthen & Hoppe

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 11th day of June 2019.

7:00 PM- PC08-19, Map Amendment & Development Plan, 6405 Old Collinsville Road

Riganti explained to the commission that this application will have two parts to be voted upon. Riganti presented the staff advisory to the commission.

The commission discusses if approval of this request would commit the future of Old Collinsville Road to become a commercial use.

The Applicant was present.

Nick Smock of 1030 Blackberry Lane, Troy, IL was sworn in.

Mr. Smock explained the application request to the commission.

The commission discussed the size of the property and how the applicant is proposing to resituate the gas pumps and building on the property to allow for better traffic flow.

There were 4 people present to speak on the application.

Mark Medder of 10 Schaperkoetter Drive, Fairview Heights, IL was sworn in, Mr. Medder spoke in the interest of his mother who lives at the neighboring residence to the applicant's property. Mr. Medder stated his concerns with the lighting and noise that this development would create.

Teresa Hodel of 10 Crossroads Drive, Fairview Heights, IL was sworn in. Ms. Hodel stated concerns regarding the drainage and storm water drainage.

Barbara Outten of 6421 Old Collinsville Road, Fairview Heights, IL was sworn in. Ms. Outten stated she was concerned about the noise this project will create. Ms. Outten stated she wants to reside in a residential neighborhood and is concerned that the allowance of this application will cause future commercial use along Old Collinsville Road.

Zach Bran of 6409 Old Collinsville Road, Fairview Heights, IL was sworn in. Mr. Bran was concerned about the fence that would be facing his property.

Mr. Smock responded to the resident's concerns regarding this application. The commission discussed the issues that were stated by the residents and discussed them with the applicant regarding what could be done to address these concerns.

The commission felt that this proposed development would be an improvement to the current property.

Commissioner McCarthy made a motion to approve.

Planning Commissioner McCarthy introduced the following resolution and moved for its adoption:

RESOLUTION PC7-19 (A)

A RESOLUTION ADOPTING FINDINGS OF FACT FOR PC8-19(A) RECOMMENDING APPROVAL OF A REQUEST FOR A ZONING MAP AMENDMENT FOR PROPERTY CURRENTLY ZONED R-4 SINGLE FAMILY DWELLING TO PB PLANNED BUSINESS DISTRICT AND ADDRESSED AS 6405 OLD COLLINSVILLE ROAD.

WHEREAS, Nick Smock representing Martin and Bayley, Inc., hereinafter referred to as the “Applicant,” has properly applied for a Zoning Map Amendment from R-4 Single Family Dwelling District to PB Planned Business District for real property located at PIN # 03-27.0-225-020.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019 and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject property is zoned R-4 Single Family Residential and proposed to be zoned PB Planned Business District.
3. That this permit will require any changes to traffic circulation and ingress/egress.
4. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
5. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
6. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
7. That the proposed use will be served adequately by public facilities and services such as highways and streets.
8. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
9. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
10. The proposed use will be consistent with the Comprehensive Plan.

The motion for the adoption of the foregoing resolution was duly seconded by; Barkley

upon vote being taken thereon, the following voted in favor thereof: Moats, Mensing, Wesemann, Barkley, Coleman, Smith, McCarthy, & Bramstedt

and the following voted against the same: Herrington

and the following abstained:

and the following were absent: Hoppe, Carthan

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 11th day of June, 2019.

Planning Commissioner McCarthy introduced the following resolution and moved for its adoption:

RESOLUTION PC 007 -19 (B)

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF REQUEST TO DEVELOP A HUCK'S CONVENIENCE STORE WITHIN THE "PB" PLANNED BUSINESS DISTRICT.

WHEREAS, Martin and Bayley, Inc. hereinafter referred to as the "Applicant," has properly applied for a Development Plan approval for a Huck's Convenience Store within the "PB" Planned Business District located at the northwest corner of the intersection of Lincoln Highway and Old Collinsville Road., addressed as 1029 Lincoln Highway., PIN(s) 03-27.0-225-028, -025 and -020.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the findings of fact relating to the request are determined to be as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019 and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject properties are zoned "PB" Planned Business District.
3. That this permit will require changes to traffic circulation and ingress/egress.
4. That this permit will require changes to lighting, landscaping and the existing site usage.
5. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
6. That the proposed use will not substantially adversely impair the use, enjoyment, or

market value of any surrounding property.

7. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
8. That the proposed use will be served adequately by public facilities and services such as highways and streets.
9. That the proposed use will/will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
10. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.
11. The proposed use will be consistent with the Comprehensive Plan.
12. That this Development Plan approval will allow the applicant's development of a Huck's Convenience Store as it is proposed per the Development Plan by the Applicant; with the exception that a 10' vinyl fence be installed at the northern property line adjacent to residential areas.
13. That the Development Plan approval shall be contingent upon the Department of Public Works approval of the drainage and grading plan, the storm water management plan, the erosion control plan and other relevant planning design documents.
14. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
15. That the Director of Land Use, and his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
16. That this Development Plan Approval shall automatically expire if the use is not initiated within one year of City Council approval.
17. That this Development Plan approval allows for the site plan as presented, with the addition of the 10' vinyl fence. Any significant changes to materials on the building, landscaping or signage on this site not provided for in the site plans on the Subject Property will require additional review and approval by the City Council.

The motion for the adoption of the foregoing resolution was duly seconded by; upon vote being taken thereon, the following voted in favor thereof: Moats, Mensing, Wesemann, Barkley, Coleman, Smith, McCarthy, Herrington & Bramstedt

and the following voted against the same: none.

and the following abstained: none.

and the following were absent: Hoppe & Carthan

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 11th day of June 2019

5. NEW BUSINESS BUSINESS

None.

6. ANNOUNCEMENTS

Riganti announced there would be a subcommittee meeting Wednesday, June 12th at 9:30AM.

ADJOURNMENT – Meeting adjourned at approximately 9:10 p.m.
The next regularly scheduled meeting of the Fairview Heights Planning Commission will be July 9, 2019 at 7:00 p.m. in the Council Chambers of the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.

Respectfully,

Andrea Riganti
Director of Land Use and Development
AR/kt

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