

**AGENDA**  
**PLANNING COMMISSION**  
**April 12, 2016**  
**7:00 P.M.**  
**City Council Chambers**

1. Call to Order and Roll Call
2. Citizens Comments
3. Approval of Minutes of March 8, 2016
4. PC Cases / Public Hearing  
**PC07-16, 7:00 PM**, Development Plan-E. William Reichert, 5 Ludwig Drive  
**PC08-16, 7:15 PM**, Development Plan-Tsou Chin Wang-Sengsaurichunh,  
5900 N. Illinois  
**PC09-16, 7:30 PM**, Zoning Text Amendment- City of Fairview Heights
5. New Business
6. Announcements
7. Adjournment

**PLANNING COMMISSION  
MINUTES  
March 8, 2016**

**CALL TO ORDER**

The meeting was called to order at approximately 7:00 p.m. by Chairman Jim Bramstedt with (8 members) in attendance: Pat Wesemann, Pat Herrington, Larry Mensing, Nick Correale, Don Barkley, Kelly Smith, Linda Hoppe, and Corey Sudja. Also in attendance were Tim Tolliver(Director of Land Use), Jim Gehrs(Attorney), Robin Stranimeier(Keefer Reporting) and Kendra Tucker(Secretary).

**CITIZENS COMMENTS**

None

**APPROVAL OF MINUTES**

Commissioner Wesemann made a motion to approve the minutes from the February 9th 2016 Planning Commission meeting and Commissioner Barkley seconded the motion. The minutes were approved with a unanimous vote.

**PUBLIC HEARING**

**PC03-16, Development Plan- Steve Campo, 10518 Lincoln Trail (03-28.0-301-054 & 02-28.0-301-008)**

Director Tolliver presented the staff advisory for PC03-16 to the commission.

The applicant was present.

Steve Campo of 10518 Lincoln Trail, Fairview Heights, IL was sworn in.

Mr. Campo explained his application to the commission. The commission discussed whether or not the property was one parcel or two. The commission stated that this would have to be made into one parcel for the applicant to be able to proceed with his requested plan.

There were 1 proponents present to speak in favor of this application.

Norman Miller of 9205 St. Clair Avenue, Fairview Heights was sworn in.

Mr. Miller stated that the applicant could go to St. Clair County and have the parcels combined.

There were 0 opponents present to speak against this application.

Commissioner Herrington asked the applicant if he intended to resurface the lot and the applicant verified that he would. The applicant then explained to the commission the nature of the business, as indicated on the site plan, would mainly be servicing cars from dealerships.

Commissioner Herrington made a motion to approve this application.

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

**RESOLUTION PC 003 -16**

**A RESOLUTION ADOPTING FINDINGS OF FACT FOR PC03-16 RECOMMENDING APPROVAL OF THE REQUEST FROM STEVE CAMPO TO MODIFY THE AUTO SPA CAR WASH DEVELOPEMNT PLAN BY ALLOWING AN EXPANSION FOR DETAILING SPACE WITHIN THE PLANNED BUSINESS DISTRICT .**

WHEREAS, Steve Campo, hereinafter referred to as the “Applicant,” has properly applied for approval to allow the construction of an approximate 3,300 square foot detail shop on the east side of the car wash building. Property is located within the “PB” Planned Business District at 10518 Lincoln Trail, PIN # 03-28.0-301-054 and 03-28.0-301-008.

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:

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 February 8, 2016, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

The subject property is zoned “PB” Planned Business District. The subject property is situated on two parcels, PIN # 03-28.0-301-054 and 03-28.0-301-008.

That the Subject Property contains approximately 1.22 acres.

That this permit will not require any changes to traffic circulation and ingress/egress.

That this permit will not require any changes to lighting, landscaping, or the existing site usage.

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.

That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.

That the proposed use will not be hazardous or disturbing to existing neighboring uses.

That the proposed use will be served adequately by public facilities and services such as highways and streets.

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.

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.

The proposed use will be consistent with the Comprehensive Plan.

That this Resolution will allow for the applicant's development of approximate 3,300 square foot detail shop on the east side of the car wash building at the property as it is proposed per the Development Plan by the Applicant.

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.

That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.

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.

That this Special Use Permit Approval shall automatically expire if the use is not initiated within one year of City Council approval. a

That this Development Plan approval allows for the site plan as presented. Any significant changes to traffic circulation, 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.

That the two parcels shall be consolidated into one parcel by St, Clair County.

The motion for the adoption of the foregoing resolution was duly seconded by; Wesemann upon vote being taken thereon, the following voted in favor thereof:

Herrington, Mensing, Wesemann, Correale, Barkley, Sudja, Smith, Hoppe and Bramstedt

and the following voted against the same: None

and the following abstained: None

and the following were absent: Funk and McCarthy

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of March, 2016.

**PC04-16, Development Plan-Wendy Fuchs, 5601 Old Collinsville Road, (03-34.0-208-011)**

Director Tolliver presented the staff advisory for PC04-16 to the commission.

Commissioner Herrington asked the Tolliver if this is a new enterprise or if it is affiliated with another organization. Tolliver stated that he believed it was a new enterprise and it is not affiliated with another organization.

The applicant was present.

Wendy Fuchs of 601 Walnut Road, St. Jacob, IL was sworn in.

Fuchs explained her application request to the commission. She stated that this is a new enterprise and she feels that this school is a niche that is currently not being addressed. She stated she plans to start small with 20 students the first year with ages ranging from 5 to 6 year olds with the intention to eventually grow to as many as 40 to 60 students.

The commission discussed what the options would be for Ms. Fuchs if the school grew in number of students and whether or not the bathrooms would be sufficient to accommodate the growth. Tolliver indicated the Illinois Plumbing Code would be the determining factor regarding plumbing facilities.

There were 0 proponents present to speak in favor of this application.

There were 0 opponents present to speak against this application.

Commissioner Wesemann makes a motion to approve the application.

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

**RESOLUTION PC 004-16**

**A RESOLUTION ADOPTING FINDINGS OF FACT FOR PC04-16 RELATING TO A REQUEST FROM WENDY FUCHS TO APPROVE A DEVELOPMENT PLAN WITHIN PLANNED BUSINESS AND NEIGHBORHOOD ZONED PROPERTY FOR A PRIVATE SCHOOL AT 5601 OLD COLLIONSVILLE ROAD.**

WHEREAS, Wendy Fuchs, hereinafter referred to as the “Applicant,” has properly applied for a Development Plan within the Planned Business and Neighborhood Business District located at 5601 Old Collinsville Road, PIN # 03-34.0-208-011, Fairview Heights, IL.

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:

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 March 8, 2016, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

The subject property is developed with the 4,000 square foot building and is zoned “PB” Planned Business and B-1 Neighborhood Business Districts. The subject property is situated on one parcel, PIN# 03-34.0-208-001 and is identified by the address, 5601 Old Collinsville Road, Fairview Heights, IL.

That the Subject Property contains approximately 1.23 acres.

That this permit will not require any changes to traffic circulation and ingress/egress.

That this permit will not require any changes to lighting, landscaping, or the existing site usage.

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.

That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.

That the proposed use will not be hazardous or disturbing to existing neighboring uses.

That the proposed use will be served adequately by public facilities and services such as highways and streets.

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.

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.

The proposed use will be consistent with the Comprehensive Plan.

That this Development Plan approval will allow for the applicant's use of a one-story 4,000 squarer foot structure for a private school at the property as it is proposed per the Development Plan by the Applicant.

The proposed school will facilitate up to 60 students, 5 to 10 years of age on Monday through Friday between the hours of 7:00 a.m. to 6:00 p.m.

Except as otherwise expressed and provided in the site plan or any other conditions set forth herein, all previously existing conditions as to the improvements on and use of the subject premises shall remain in full force and effect.

That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.

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.

That this Development Plan Approval shall automatically expire if the use is not initiated within one year of City Council approval.

The motion for the adoption of the foregoing resolution was duly seconded by; Linda Hoppe upon vote being taken thereon, the following voted in favor thereof: Herrington, Mensing, Wesemann, Correale, Barkley, Sudja, Smith, Hoppe and Bramstedt

and the following voted against the same: None

and the following abstained: None

and the following were absent: Funk and McCarthy

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of March, 2016.

**PC05-16, Zoning Map Amendment-Gene Quayle, 9109 St. Clair Ave. & 1407 Second Street, (02-25.0-105-031 & 02-25.0-105-030)**

Director Tolliver presented the staff advisory for PC05-16 to the commission.

The applicant was present.

Gene Quayle of 9826 Old Lincoln Trail, Fairview Heights, IL was sworn in.

Mr. Quayle explained his request to the commission stating that he would like to have the zoning corrected for his property. With the property rezoned he would have more room to house the impounded cars that he receives from the Fairview Heights Police Department.

Chairman Bramstedt suggested that the commission consider both PC05-16 and PC06-16 together. Director Tolliver stated that this could be done but there would have to be separate votes on the applications.

The commission discussed the use of the property for the impound vehicles from the police department and what the agreement was with the applicant. The applicant explained the arrangement and explained there were other sites in the city where some of the cars were taken.

There were 1 proponents present to speak in favor of this application.

Norman Miller of 9205 St. Clair Avenue, Fairview Heights was sworn in. Mr. Miller stated that the applicant's property was zoned before Fairview Heights was a city. He also stated that he hoped an agreement could be made to make both the applicant and the neighboring residents happy. Mr. Miller suggested that the applicant look into applying for TIF money to install a vinyl fence around the property.

There were 2 opponents present to speak against this application.

Douglas Kress of 1421 Second Avenue, Fairview Heights was sworn in. Mr. Kress stated that he was unhappy that the applicant had been stacking cars and that he had heard that people were walking over from the Metrolink and sleeping in the cars at night.

Linda Kress of 1421 Second Avenue, Fairview Heights was sworn in. Ms. Kress also stated she was unhappy with the applicant stacking cars and felt that it looks terrible and would reduce the value of the properties she owns nearby.

The commission discussed a possible compromise that would be suitable for the applicant and would answer the neighboring residence's concerns.

The applicant and the residence were able to agree on the terms that the applicant would no longer stack cars and he will erect an eight foot white vinyl fence around the property to both screen the cars being stored and also keep vagrants out.

Commissioner Herrington made a motion to approve the application.

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

#### **RESOLUTION PC 005 -16**

**A RESOLUTION ADOPTING FINDINGS OF FACT FOR PC05-16 RELATING TO A REQUEST FROM GENE QUAYLE TO ALLOW ZONING MAP AMENDMENT FOR**

**PROPERTY CURRENTLY ZONED R5 SINGLE FAMILY RESIDENTIAL TO PB PLANNED BUSINESS DISTRICT.**

WHEREAS, Gene Quayle, hereinafter referred to as the “Applicant,” has properly applied for a Zoning Map Amendment approval for property currently Zoned R5 Single Family Residential to “PB” Planned Business District located at the rear of 9109 St. Clair Ave, PIN 02-25.0-105-031 and 1407 Second Ave., PIN 02-25.0-105-030.

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:

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 March 8, 2016 and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

The subject’s southernmost parcel (PIN 02-25.0-105-031) is part of the Quayle Automotive service station which contains the underground gasoline storage tanks, trash dumpster, and parking area having been utilized for those purposes since 1970. The northern parcel (PIN 02-25.0-301-030) identified as 1407 Second Street contains an enclosed automobile storage yard and building on the westerly 80 feet of the parcel

That the Subject Property contains approximately 13,300 square feet.

That this permit will not require any changes to traffic circulation and ingress/egress.

That this permit will not require any changes to lighting, landscaping, or the existing site usage.

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.

That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.

That the proposed use will not be hazardous or disturbing to existing neighboring uses.

That the proposed use will be served adequately by public facilities and services such as highways and streets.

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.

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.

The proposed use will be consistent with the Comprehensive Plan.

That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.

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.

The motion for the adoption of the foregoing resolution was duly seconded by; Wesemann upon vote being taken thereon, the following voted in favor thereof: Herrington, Mensing, Wesemann, Correale, Sudja, Smith, Hoppe and Bramstedt

and the following voted against the same: Barkley

and the following abstained: None

and the following were absent: Funk and McCarthy

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of March, 2016.

**PC06-16, Development Plan- Gene Quayle, 9109 St. Clair Ave. & 1407 Second Street, (02-25.0-105-031 & 02-25.0-105-030)**

Director Tolliver presented the staff advisory for PC06-16 to the commission.

Commissioner Smith made a motion to approve PC06-16.

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

#### **RESOLUTION PC 006 -16**

**A RESOLUTION ADOPTING FINDINGS OF FACT FOR PC06-16 RELATING TO A REQUEST FROM GENE QUAYLE TO ALLOW THE DEVELOPEMNT OF AN IMPOUND STORAGE YARD CONTIGENT ON ZONING MAP AMENDMENT TO PB PLANNED BUSINESS DISTRICT**

WHEREAS, Gene Quayle, hereinafter referred to as the “Applicant,” has properly applied for a Development Plan approval for property currently Zoned R5 Single Family Residential and proposed to be rezoned “PB” Planned Business District located at the rear of 9109 St. Clair Ave, PIN 02-25.0-105-031 and 1407 Second Ave., PIN 02-25.0-105-030.

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:

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 March 8, 2016 and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

The subject’s southernmost parcel (PIN 02-25.0-105-031) is part of the Quayle Automotive service station which contains the underground gasoline storage tanks, trash dumpster, and parking area having been utilized for those purposes since 1970. The northern parcel (PIN 02-25.0-301-030) identified as 1407 Second Street contains an enclosed automobile storage yard and building on the westerly 80 feet of the parcel

That the Subject Property contains approximately 13,300 square feet.

That this permit will not require any changes to traffic circulation and ingress/egress.

That this permit will/will not require any changes to lighting, landscaping, or the existing site usage.

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.

That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.

That the proposed use will not be hazardous or disturbing to existing neighboring uses.

That the proposed use will be served adequately by public facilities and services such as highways and streets.

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.

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.

The proposed use will be consistent with the Comprehensive Plan.

That the new enclosing fence shall be eight (8) feet high vinyl with shrubbery as indicated on site plan.

That the stacking of vehicles shall be prohibited.

That all vehicles shall be within the enclosure.

That this Development Plan approval will allow for the applicant's use of business zoned property for an impound storage yard at the property as it is proposed per the Development Plan by the Applicant.

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.

That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.

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 anytime, upon reasonable request.

That this Development Plan Approval shall automatically expire if the use is not initiated within twelve months of approval by City Council.

The motion for the adoption of the foregoing resolution was duly seconded by; Linda Hoppe upon vote being taken thereon, the following voted in favor thereof: Herrington, Mensing, Wesemann, Correale, Sudja, Smith, Hoppe and Bramstedt

and the following voted against the same: Barkley

and the following abstained: None

and the following were absent: Funk and McCarthy

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of March, 2016.

NEW BUSINESS

None

ANNOUNCEMENTS

None

ADJOURNMENT – Meeting adjourned at approximately 8:45 p.m. The next regularly scheduled meeting of the Fairview Heights Planning Commission will be April 12, 2016 at 7:00 p.m. in the Council Chambers of the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.

Respectfully,

Timothy Tolliver  
Director of Land Use and Development  
TT/kt



## CITY OF FAIRVIEW HEIGHTS

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

April 4, 2016

Fairview Heights Planning Commission  
10025 Bunkum Road  
Fairview Heights, IL 62208

Dear Commission Member:

The petition listed below is hereby transmitted for your consideration:

**Petition No:** PC07-16  
**Petitioner:** E. William Reichert  
**Request:** Development Plan  
**Area Size:** Approximately 1.25 acres  
**Location:** 5 Ludwig Dr  
**Hearing Date:** April 12, 2016  
**Report:** Staff Advisory  
**Ward:** IV

Respectfully,

Timothy J. Tolliver, Director  
Land Use and Development  
TT/kt

TO: Planning Commission

FROM: Tim Tolliver

DATE: April 4, 2016

RE: **PC07-16, Development Plan – E. William Reichert, 5 Ludwig Drive**

### **AREA LAND USE AND ZONING**

The subject property, 5 Ludwig Drive, is an approximate 1.25 acre site located on the northwest corner of Illinois Route 159 and Ludwig Drive. The property currently contains a medical office building occupied by HSHW Medical Group. The subject property, as the adjoining properties to the west, south and east, is zoned "PB" Planned Business District. The adjoining property to the southeast across the intersection is developed with a hotel. The adjoining property to the south and southeast across Ludwig Drive is developed with a restaurant and hotel. The adjoining property to the west is developed with a restaurant. The property immediately adjoining the northern property line is the CSX Railroad right-of-way, a discontinued railroad line.

### **DEVELOPMENT PLAN REQUEST**

The applicant, E. William Reichert on behalf of the owners William & Barbara Gasset, is requesting approval of a development plan to allow the reconfiguration of the parking lot to accommodate a total of 31 parking spaces. Parking spaces are proposed to be a combination of nine by ten (21 spaces) and nine and one-half by ten(8 spaces) feet wide with two handicapped spaces.

### **PLANNING CONSIDERATION**

The Development Code **Article VI OFF-STREET PARKING AND LOADING** establishes the following regulations:

#### **14-6-5 DESIGN STANDARDS, ACCESS AISLE AND SPACE REQUIREMENTS.**

##### **(A) Space Requirements.**

**(1) Parking Spaces.** *Each off-street parking space shall be **ten feet wide by twenty feet long (10' x 20')** except for single-family residential, each space shall be **eight feet wide by eighteen feet long (8' x 18')**. The size of all parking spaces shall be measured from the center line of each stripe. Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking spaces shall be*

place of business where any person, firm, association, partnership, or corporation engages in, carries on or permits to be engaged in, carried on any of the activities mentioned in the definition of massage, including, but not limited to what are commonly known as spas, suntan spas, parlors, bathhouses and massage parlors. A massage business shall not include any accredited educational facility that teaches massage therapy or masseuse techniques, nor shall it include any licensed health care facility or establishment of duly licensed doctors. This will not apply to salons, recreational facilities, or physical therapy offices which may offer massages as an accessory use to more dominant uses on the premises."

"**MASSAGE.** Means any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating or external sort of parts of the body with the hands or other parts of the human body or with the aid of any mechanical or electrical; apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations commonly used in said practice."

"**MASSAGE THERAPIST.** Any person who, for any consideration or gratuity whatsoever, engages in the practice of massage as defined herein."

Exhibits:

1. Staff Advisory
2. Application
3. Floor Plan
4. Public notice
5. Surrounding Property Owners

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

**RESOLUTION PC 007 -16**

**A RESOLUTION ADOPTING FINDINGS OF FACT PC07-16 RELATING TO THE REQUEST FROM E. WILLIAM REICHERT TO MODIFY THE DEVELOPMENT PLAN FOR PARKING AT 5 LUDWIG DRIVE.**

**WHEREAS**, E. William Reichert, hereinafter referred to as the “Applicant,” has properly applied for a Development Plan approval for a Development Plan within the “PB” Planned Business District located at 5 Ludwig Drive., St. Clair County PIN 03-21.0-400-014.

**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 April 12, 2016, 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 vacant and is zoned “PB” Planned Business District. The subject property is situated on one parcel, PIN# 03-21.0-400-014.
3. That the Subject Property contains approximately 1.25 acres.
4. That this permit will/will not require any changes to traffic circulation and ingress/egress.
5. That this permit will/will not require any changes to lighting, landscaping, or the existing site usage.
6. That the proposed use will/will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
7. That the proposed use will/will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
8. That the proposed use will/will not be hazardous or disturbing to existing neighboring uses.
9. That the proposed use will/will not be served adequately by public facilities and services such as highways and streets.
10. That the proposed use will/will not create excessive additional requirements at public cost for public facilities and services, and it will/will not be detrimental to the economic welfare of the community.

11. That the proposed use will/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.
12. The proposed use will/will not be consistent with the Comprehensive Plan.
13. That this Development Plan approval will/will not allow for the applicant's development of a 31 space parking lot at the property as it is proposed per the Development Plan by the Applicant.
14. 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.
15. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
16. 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.
17. That this Development Plan Approval shall automatically expire if the use is not initiated within one year of City Council approval.

The motion for the adoption of the foregoing resolution was duly seconded by;  
upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 12th day of April 2016.

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Planning Commission Chairman

**ATTEST:**

\_\_\_\_\_  
Land Use Director

William S. and Barbara J. Gasset, hereby acknowledges receipt of this Permit and that he has reviewed the conditions of this Permit and have agreed that he will comply with the terms of this Permit.

By: \_\_\_\_\_

Its: \_\_\_\_\_

**STATE OF ILLINOIS)**

) SS.

**COUNTY OF \_\_\_\_\_)**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016 before me, a Notary Public, personally appeared \_\_\_\_\_, the applicant, to be known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

\_\_\_\_\_

# APPLICATION FOR SPECIAL USE PERMIT OR DEVELOPMENT PLAN



Land Use and Development Department  
Fairview Heights City Hall  
10025 Bunkum Road  
Fairview Heights, IL 62208  
Phone (618) 489-2060

(Do not write in this space – for office use only)	
Case Number Assigned: _____	Date Proof of Public Notice Sign Provided: _____
Date Application Received: _____	Zoning District of Property: _____
Date Set for Hearing: _____	Recommendation of Plan Commission: _____
Name of Newspaper and Publication Date: _____	Date of Final City Council Decision: _____
Publication Fee Paid: _____	Action by City Council: _____

Development Plan: \_\_\_\_\_ Amended Development Plan: \_\_\_\_\_  
Special Use: \_\_\_\_\_

All information must be completed and submitted herewith. Applicants are encouraged to visit the Land Use and Development Department for any assistance needed in completing this form.

1. Name of property owner(s): William S & Barbara J Gasset

Mailing address: 16 Oak Ridge Drive, Columbia IL 62236

Phone: (618) 581-8594

E-Mail: staceyq@dynaflex.com

2. Name of applicant (if other than owner): E. William Reichert AIA

Relationship to owner (contractor, family member, lessee, etc.): Architect to tenant -

HSHS

Mailing address: 391 Frank Scott Pkwy East, Fairview Heights, IL 62208

Phone: 618-236-2000

E-Mail: breichert@ewrassociates.com

3. Address of property: 5 Ludwig Drive, Fairview Heights IL 62208

Parcel (Tax) ID number: 03-21.0-400-014

Present use of property: Medical Office Building

Zoning district: PB

4. Type of Development for which permit is requested:

Revision of development plan to revise parking layout and striping

5. (For residential developments only)

Density : \_\_\_\_\_

Number of structures: \_\_\_\_\_ Dwelling units per structure: \_\_\_\_\_

Total number of dwelling units: \_\_\_\_\_

Estimated number of persons per dwelling unit: \_\_\_\_\_

Density = Population of development = \_\_\_\_\_ = \_\_\_\_\_ persons/acre.

6. A special use permit or development plan approval is requested for the property described above in conformity with the documents submitted herewith.

I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate; that I have read and understand the regulations pertaining to Special Uses and Development Plans and I believe to the best of my knowledge that the proposed will not violate any portion of said code.

I also understand that as the Applicant, it is my responsibility to obtain all other permits or licenses required by any applicable regulatory agencies for this Land Use Application.

I consent that the entry in or upon the premises described in this application by any authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

Signature of Owner: W. J. S. J. S. Date: 2/22/16

Signature of Applicant: [Signature] Date: 2/22/16



Architecture • Interiors • Planning

February 10, 2016

**Planning Commission Development Plan Revision Application  
City of Fairview Heights, IL**

**NARRATIVE:**

**Property - #5 Ludwig Drive**

**Parcel No. 03-21.0-400-014**

**Area of Lot – 1.2599 Ac**

**Owners – William S and Barbara J. Gassett,  
16 Oak Ridge Dr.  
Columbia, IL**

**Tenants – HSHS Medical Group**

This narrative is an attachment to the accompanying Development Plan Application being submitted to the Planning Commission to request some relief in portions of the City Zoning Ordinance related to the sizes of parking spaces for a commercial building.

The former Golf Shop at the NW corner of Route 159 ( North Illinois Street and Ludwig Drive) was leased to HSHS Medical Group for a Family Medicine practice and diagnostic Center about 2 years ago. HSHS and the owner of the property had expended some significant funds to rehab the structure and convert it from a retail shop to a medical office building. The addition of this facility has added professional healthcare services to the community that previously did not exist. In addition to the multiple physician providers the facility added an x-ray facility and lab to the services provided.

It is the plan of HSHS to add additional providers to the practice and in doing so, coupled with the successful patient growth and use of the facility, the tenants find a need to add patient parking to the existing lot.

The tract of land is positioned with significant setbacks from Rt. 159 and has restricted ability to add additional pavement area due to the steep and rough terrain to the north and west. Thus, a potential solution is relief of the width of the parking spaces in order to add more parking capability on the existing site.

HSHS architect, Bill Reichert, has had discussions with the city staff regarding any possible future revisions to the Zoning regulations and understand that there is currently some consideration for narrowing the width of required parking spaces at some point in the future, due to the advantages of reduced hard surface paving and storm water run-off, as well as accommodating reduced automobile sizes which seems to be the trend.

This site, while being one with great visibility and access, has its topographic challenges which restrict the overall use of the surface of the property. And so, it is the request of the owner and tenant that an exception to the parking stall width be made, as this is an excellent candidate for such an exception by way of this exiting condition. Being a healthcare facility, it also has a virtual obligation to provide direct access to available parking on site and not require patients to have to cross Ludwig, using an adjacent lot to the south at Drury, which is certainly not advantageous or acceptable to either HSHS or Drury. There already is some shared agreement for staff parking between Drury and HSHS on their lot.

The MOB is a 5,000 sf office building and there are 24 spaces currently, along with 2 handicapped. This is barely enough for the current providers. Our proposed development plan indicates 31 spaces of which 2 are handicapped, increasing the total on - site parking by 5 spaces. The reduced stall width asks for 9'-6" wide spaces on the perimeter rows of parking and 9' wide spaces on the internal row. We plan to restripe the lot and also relocate the handicapped parking stalls to be closer to the building entrance.

This is a very inexpensive solution and will not require closing down any parking during operating hours to accomplish so as not to inconvenience or endanger patients any more than necessary. No other impediment to traffic is created by this work.

## **Adjacent Uses:**

Adjacent property uses re all planned development use and include:

- Drury Inn and Bob Evans to the south
- Houlihans to the west
- RR ROW and vacant land to the north
- Gas and Convenience store to east across Rt. 159

## **Other site conditions:**

No other site revisions are requested at this time. Utilities, drainage building, signage, natural features, lot entrance drive are all to remain as is.

Since no other revisions are requested, we have not included in this request and application the following usually required documentation:

- Topography, utilities, signage, buffers, building elevations or building floor plans, perspectives, schedule of construction.

We have included the property buffer report of adjacent uses, property dimensions, aerial photo and county property tax report for your consideration.



Jennifer Gomric Minton - St. Clair County Assessor  
Charles Suarez - St. Clair County Collector

Ownership / Addresses

**Parcel Number** 03-21.0-400-014  
**Parcel Year** 2015  
**Property Address** 5 LUDWIG DR FAIRVIEW HEIGHTS, IL 62208  
**Property Owner** GASSETT , WILLIAM S & BARBARA J  
**Mailing Address** 16 OAK RIDGE DR COLUMBIA, IL 62236

Assessment Level	Land Value	Building Value	Total Value
Board of Review Prior to EAV	91471	90940	182411
Assessor Value	91471	90940	182411
Fair Market Value	274413	272820	547233

Date Sold	Sales Price	Doc Number
09-19-2004	525000.00	01834807
12-16-2005	410000.00	A01952592
02-16-2007	660000.00	A02027473

Legal

**Township** CASEYVILLE  
**Legal Description Line 1** FAIRVIEW OFFICE PARK  
**Legal Description Line 2** LOT/SEC-1 A02027473  
**Legal Description Line 3**  
**Legal Description Line 4**

Tax District	Tax Rate	Tax Amount
BELLEVILLE HS #201	To Be Determined	To Be Determined
CASEYVILLE ROAD	To Be Determined	To Be Determined
CASEYVILLE TWP	To Be Determined	To Be Determined
CITY OF FAIRVIEW HTS	To Be Determined	To Be Determined

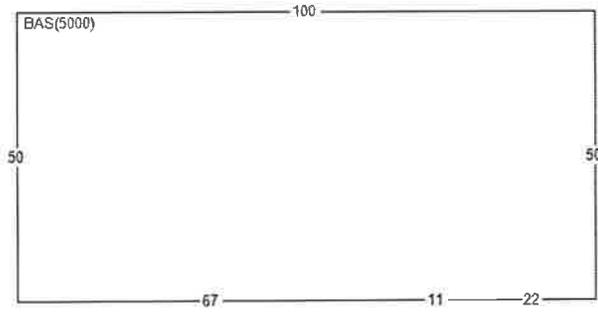
CITY OF FRVW HTS LIB	To Be Determined	To Be Determined
FAIRV CASEY TWP FIRE	To Be Determined	To Be Determined
PONTIAC DIST #105	To Be Determined	To Be Determined
ST CLAIR CO OTHER	To Be Determined	To Be Determined
SWIC DIST #522	To Be Determined	To Be Determined

### **Disclaimer**

These materials are intended, but not promised or guaranteed to be current or accurate. The materials on this website are offered only for general informational purposes. The documents and materials displayed or mentioned on this site are not official copies of documents. St. Clair County, its officers, agents or employees are not liable for any harm suffered as a result of reliance on information contained in this site. We reserve the right to restrict usage that may compromise the performance or security of our website. Such usage may include but it is not limited to malicious probes or attacks as well as attempts to mirror website data using automated data retrieval programs. All access is limited to system availability.

COLUMBIA IL 622361980  
Site Address: 000005 LUDWIG DR

BLDG # 1  
 Frame Type WJ Comm Wood J  
 Quality C C Average  
 Building Use 1000 Commercial  
 Comm 1st Fl #1 OFBL Office Blk/  
 Comm 1st Fl #2  
 1st Flr Height F10 1st Flr 10  
 Com Upr Flr #1  
 Com Upr Flr #2  
 Upr Flr Height  
 Comm Wall Ratio 170 Wall Ratio  
 Fin Basement  
 Bsmt Wall Hght  
 Weight Adj.  
 Cent.Air 1st Fl OFF Office  
 Cent.Air Upr Fl  
 Cent.Air Bsmt  
 Res Fixtures  
 Comm Fixtures C08 08 Fixtures  
 Sprinklers C Comm. Sprin  
 Mezzanine  
 Store Front  
 Actual Year Blt 1980  
 Effect Year Blt 1990  
 Normal Depr Tbl CA Comm CDU -  
 Functional Obs 000000  
 Economic Obs 000000  
 Observed Cond 000000  
 Obs. Cond.Code  
 Cost Factor 000 N/A



BOOK	PAGE	DATE	QS	SALE PRICE
		0207	Q	660,000
		1205	Q	410,000
		0904	U	525,000
PERMIT NO	TYPE	DATE	AMOUNT	
13-3081	CM	1013		
12945	CM	0307	67,900	
Appraiser		006	PM	
Appr Date		06/12/14		
Use Code		0070	Comm. Office	
NBHD		80043.00	Caseyville	
			L100 M100 B100	

AREA	FLAT	EFF%	E/AREA	ACT%	A/AREA	EA/AA	HEATED
SPRNK	5000	1.00	5000	1.00	5000	5000	
BAS	5000	1.00	5000	1.00	5000	5000	5000

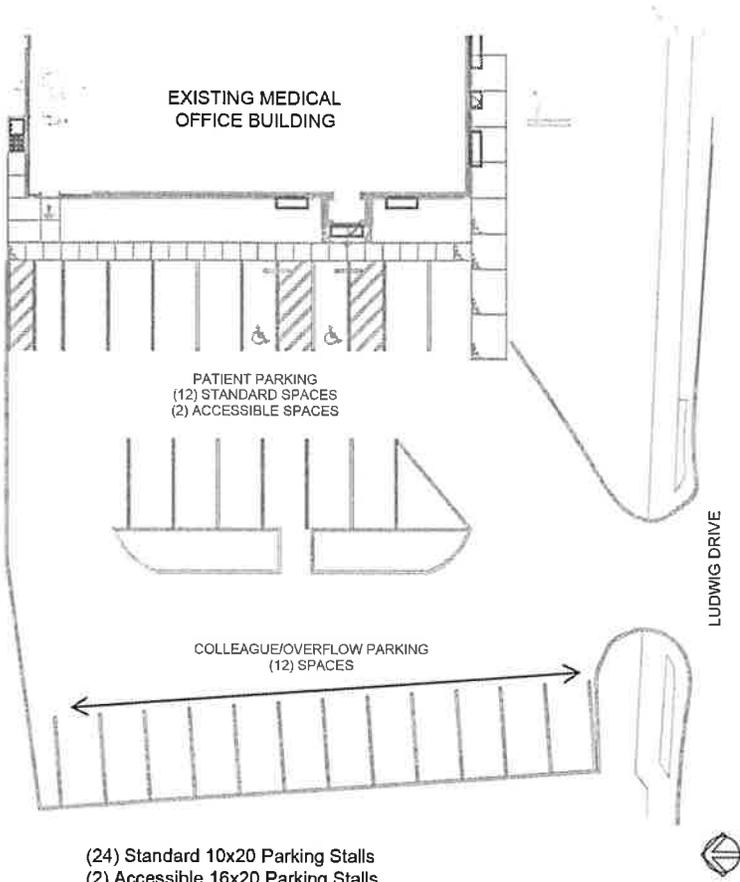
History Values

Tax Year	Total Appraised Value
14	487,953
13	496,947
12	508,230

MISC	BLDG	CODE	DESC	LENGTH	WIDTH	UNITS	EYB	DT
	1	1	PAVASPYD Yard Paving Asp	.00	.00	13644.00	1990	CA
	2	1	PAVCNPKYD Yard Pav Parking	.00	.00	1164.00	1990	CA

LAND	LUSE	DESC	UNITS	TP
1	0070	COMMERCIAL OFFIC	1.00	L

----- ADJUSTMENT CODES -----

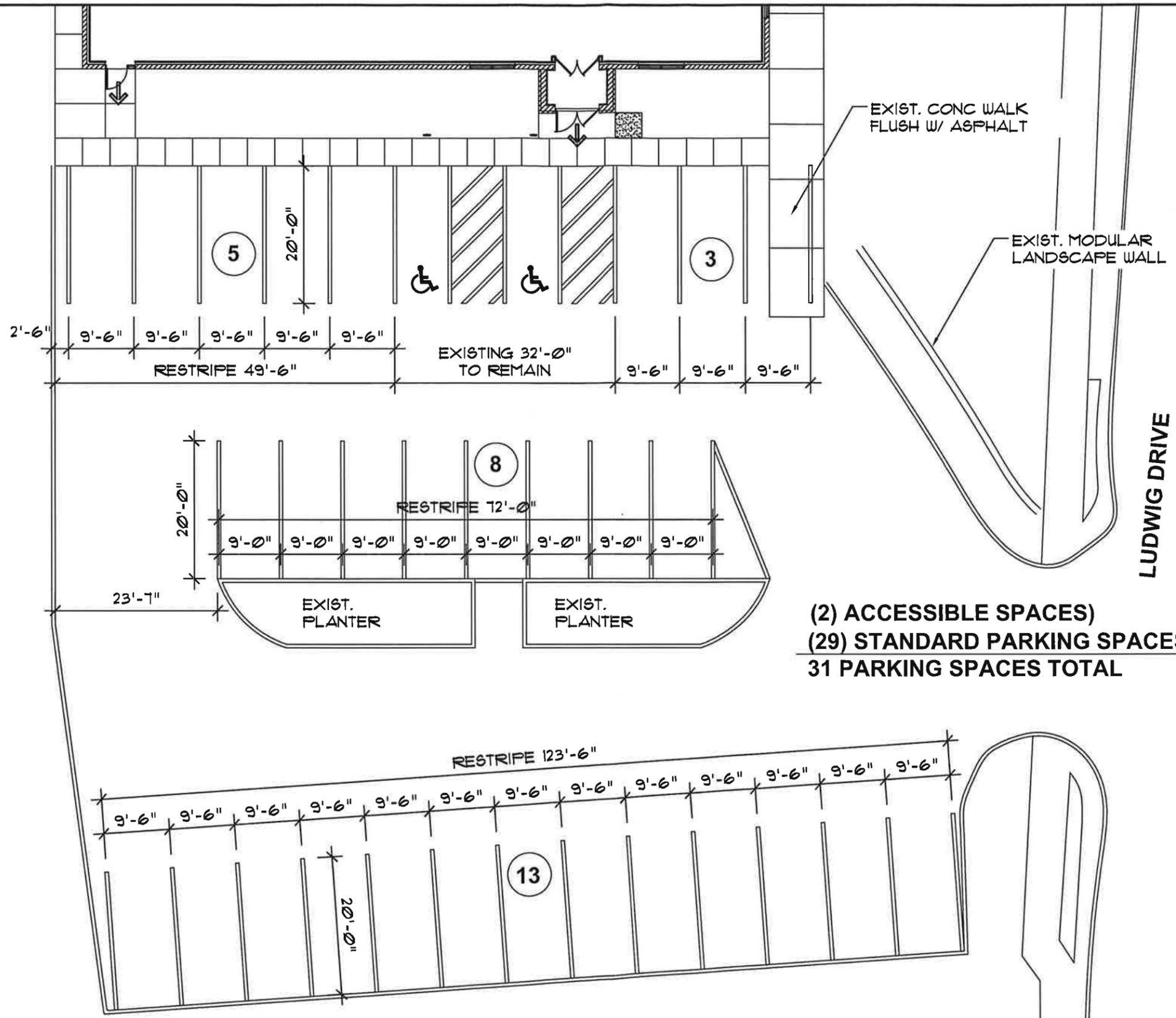


(24) Standard 10x20 Parking Stalls  
 (2) Accessible 16x20 Parking Stalls

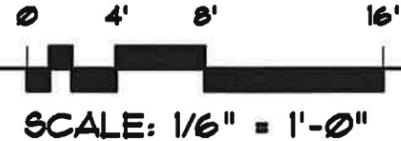
EXISTING PARKING SPACES



PARCELID	SITEADR1	OWNER	ADDRESS	CITYST	ZIPCODE
03-21.0-400-001	DEVILS HOLE RD	MC HORNING	2182 MESA DR	NEWPORT BEACH, CA	92660
03-21.0-400-014	5 LUDWIG DR	WILLIAM S & BARBARA J GASSETT	16 OAK RIDGE DR	COLUMBIA, IL	622361980
03-21.0-401-001	LUDWIG DR	DI HOTELS SUN LLC	101 S FARRAR DR	CAPE GIRARDEAU, MO	63701
03-21.0-401-002	10 LUDWIG DR	BEF REIT INC	3776 S HIGH ST	COLUMBUS, OH	432074012
03-21.0-401-003	12 LUDWIG DR	DSW INNS LLC	101 FARRAR DR	CAPE GIRARDEAU, MO	637014905
03-21.0-402-001	45 LUDWIG DR	SHIVAM HOTEL LLC	126 N HOTZE RD	SALEM, IL	628815237
03-21.0-402-002	LUDWIG DR	R E MEYER COMPANIES LLC	300 CHESTERFIELD CENTER #190	CHESTERFIELD, MO	63017
03-21.0-403-001	25 LUDWIG DR	FCPT RESTAURANT PROPERTIES LLC	1000 DARDEEN CENTER DR	FAIRFIELD, IL	62837
03-22.0-500-001	OLD COLLINSVILLE RD	B & O RR	0 OLD COLLINSVILLE RD	FAIRVIEW HGTS, IL	62208



**OPTION B  
STRIPING PLAN**





03210100032 5.23    03210100041 2.13    03210200002 38.2    03210200006 34.58    03220100004 51.25

03210301026    03210302002    03210302001  
03210302041    03210302042    03210302004  
03210302031    03210302019 6.9    03210302020 3.53  
03210302035    03210302037    03210302038 2.02  
03210302048 1.02    03210302049 0.81

03210302045 1.71    03210302016    03210302030 18.04  
03210302012 0.84    03210302043    03210302026 3.78  
03210302046    03210302044    03210302028  
03210302045    03210302046

03210302053 1.27    03210302030    03210400026 3.78  
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03210302030    03210400012 1.99    03210400013

03210400001 72.57

03210400031 11.99    UNNAMED RD    03210402004 3.69    03210402005 2.93  
03210402001 2.35    03210402002 1.58  
03210400014 1.26    03210402007 2.22  
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03210400020 3.08

03220305012 17.43    03220306005 2.56    03220306004 1.79  
03220306001 2.05    03220307001 2.71    03220307009 4  
03220500001 20.48    03220300023 1.52  
03220300010 4.42    03220300012 1.93





## CITY OF FAIRVIEW HEIGHTS

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

March 23, 2016

**RE: PC07-16, Development Plan- William S. Gassett, 5 Ludwig Drive**

DEAR SURROUNDING PROPERTY OWNERS:

Enclosed please find a copy of "Notice of Public Hearing" which appeared in the Thursday, March 24, 2016 issue of the Fairview Heights Tribune.

Please advise that this notice concerns property in the vicinity of the property owned by you.

We cannot contact everyone by mail, so feel free to share this information with your neighbors. You are welcome to attend the public hearing and voice your opinions regarding the case.

The public hearing will be held before the Fairview Heights Planning Commission in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, on Tuesday, April 12, 2016 beginning at approximately 7:00 p.m., in the City Council Chambers.

If you have any questions, please feel free to contact this office at 489-2063 or 489-2060.

Sincerely,

Kelly Youngman  
Secretary, Land Use and Development  
Enclosure  
PC07-16



## CITY OF FAIRVIEW HEIGHTS

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

### PUBLIC NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, April 12, 2016 at approximately 7:00 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, at which time and place the Commission will consider a Development Plan to allow reconfiguration of parking lot located at 5 Ludwig Dr., Fairview Heights, IL also identified by St. Clair County PIN 03-21.0-400-014.

Request was made by E. William Reichert, 391 Frank Scott Parkway East, Fairview Heights, IL.

All persons desiring to appear and be heard for or against said proposal may appear at said hearing and be heard thereon.

Dated this 21st day of March, 2016.

### FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Jim Bramstedt, Chairman

PC07-16

OWNER	ADDRESS	ADDRESS2	CITYST	ZIPCODE
WILLIAM S & BARBARA J GASSETT	16 OAK RIDGE DR		COLUMBIA, IL	622361980
DI HOTELS SUN LLC	101 S FARRAR DR		CAPE GIRARDEAU, MO	63701
BEF REIT INC	TAX DEPARTMENT	3776 S HIGH ST	COLUMBUS, OH	432074012
DSW INNS LLC	101 FARRAR DR		CAPE GIRARDEAU, MO	637014905
SHIVAM HOTEL LLC	126 N HOTZE RD		SALEM, IL	628815237
R E MEYER COMPANIES LLC	300 CHESTERFIELD CENTER #190		CHESTERFIELD, MO	63017
FCPT RESTAURANT PROPERTIES LLC	1000 DARDEEN CENTER DR		FAIRFIELD, IL	62837
DAVID J ROTH GEN PARTNER ROTH	1 RIVER RIDGE BOX 477		GRAFTON, IL	62037
MC HORNING	2182 MESA DR		NEWPORT BEACH, CA	92660
SPIRIT ENERGY LLC	7701 TORSYTH BLD 325		SAINT LOUIS, MO	63105
LUPE MENDOZA	4425 JAMBOREE RD STE 250		NEWPORT BEACH, CA	926603002
RESIDENTS	5 LUDWIG DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	LUDWIG DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	10 LUDWIG DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	12 LUDWIG DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	45 LUDWIG DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	LUDWIG DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	25 LUDWIG DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	7105 S LAKES DR		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	DEVILS HOLE RD		FAIRVIEW HEIGHTS, IL	62208
RESIDENTS	EXECUTIVE DR		FAIRVIEW HEIGHTS, IL	62208
Fairview-Caseyville Twp Fire	c/o Chief Bryan Doyle	214 Ashland Avenue	FAIRVIEW HEIGHTS, IL	62208
Pontiac-Wm Holliday #105	c/o Supt. Julie Brown	400 Ashland Avenue	FAIRVIEW HEIGHTS, IL	62208
Belleville Twp High School #210	c/o Supt. Dr. Jeff Dosier	920 N. Illinois Street	BELLEVILLE, IL	62220



## CITY OF FAIRVIEW HEIGHTS

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

April 4, 2016

Fairview Heights Planning Commission  
10025 Bunkum Road  
Fairview Heights, IL 62208

Dear Planning Commission Member:

The petition listed below is hereby transmitted for your consideration:

<b>Petition No:</b>	<b><i>PC08-16</i></b>
<b>Petitioner:</b>	Tsou Chin Wang-Sengsarichunh
<b>Request:</b>	Special Use Permit in the Community Business District
<b>Area Size:</b>	Approximately 2,100 square feet
<b>Location:</b>	5900 N. Illinois Ste. 8, 9 & 10
<b>Hearing Date:</b>	April 12, 2016
<b>Report:</b>	Staff Advisory (Exhibit 1)
<b>Ward:</b>	IV

Respectfully,

Timothy Tolliver, Director  
Land Use & Development

TO: Planning Commission  
FROM: Tim Tolliver  
DATE: January 6, 2014  
RE: **Staff Advisory (Exhibit 1)  
PC 08-16, Special Use Request**

### **AREA LAND USE AND ZONING**

The subject property, 5900 N. Illinois, is a commercial center commonly known as Pontiac Center, owned by Pontiac Group LLC, located on the northeast corner of the intersection of N. Illinois and Ashland Ave. The center contains approximately 25,000 square feet of which the tenant space proposed to be occupied is approximately 2,100 square feet. This is an existing building in an established retail area. The subject property is zoned "B-3" Community Business District and surrounding properties are zoned either Planned Business or Community Business District and are developed with commercial uses. The Pontiac Center tenant mix includes restaurants, service uses and fitness center.

### **PROPOSAL**

The Petitioner, Tsou Chin Wang-Sengsarichunh, is requesting a Special Use Permit to have a massage establishment at the subject property, Suites 8, 9 & 10, located within the "B-3" Community Business District.

### **DEVELOPMENT CODE AND ZONING REQUIREMENTS**

The property at 5900 North Illinois is zoned "B-3" Community Business District. There is a provision for massage therapy as a special use in a Community Business District, "Section 14-2-11(C) SPECIAL USES IN "B-3" lists' Massage establishments."

The Development Code Section 14-1-11 states:

**"Massage Establishment: A massage establishment may employ only persons that have a State license issued by the Illinois Department of Professional Regulation pursuant to the Illinois Massage Licensing Act, 225 Illinois Compiled Statutes 57/1 et seq., as it may be amended from time to time, to engage in the practice of massage.**

A massage establishment shall be defined as any establishment that provides massages as the primary means of business, employs at least one licensed massage therapist, and does not offer illicit sexual services under the guise of therapeutic massage. This shall include any establishment having a fixed

not less than **twenty-two (22) feet** by **nine (9) feet**. Parallel spaces shall be as approved by the Administrative Official.

**14-6-12 PARKING SPACES REQUIRED.** *For the following uses, accessory off-street parking spaces shall be provided as required hereinafter. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time. When employee parking is required, it shall be provided on the basis of **one space for each one and one-half employees.***

**(C) Office Uses.**

*Business, Professional and Governmental Office Three (3) parking spaces shall be provided for each 1,000 square feet of floor area, plus one (1) space for each company or business vehicle.*

Exhibits:

1. Staff Advisory
2. Application
3. Narrative
4. Site Plan
5. Aerial Photo
6. Public notice
7. Surrounding Property Owners

TT/kt

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

**RESOLUTION PC008-14**

**A RESOLUTION ADOPTING FINDINGS OF FACT PC08-16 RELATING TO A REQUEST FROM TSOU GHIN WANG-SENCSAIRICHUNH, TO ALLOW A SPECIAL USE PERMIT FOR A MASSAGE ESTABLISHMENT AT 5900 N. ILLINOIS STREET.**

**WHEREAS**, Tsou Chin Wang-Sengsarichunh, hereinafter referred to as the “Applicant,” has properly applied for a Special Use Permit for a Massage Establishment in the “B-3” Community Business District at 5900 N. Illinois St., St. Clair County PIN 03-27.0-300-059.

**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 Applicants appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on April 12, 2016, 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, 5900 N. Illinois, is a commercial center commonly known as Pontiac Center is located on the northeast corner of the intersection of N. Illinois and Ashland Ave. The center contains approximately 25,000 square feet of which the tenant space proposed to be occupied is approximately 2,100 square feet. The subject property is zoned “B-3” Community Business District and surrounding properties are zoned either Planned Business or Community Business District and are developed with commercial uses. The Pontiac Center tenant mix includes restaurants, service uses and fitness center.
3. That the Subject Property is approximately 2,100 Square feet of tenant space.
4. That Section 14-2-11 establishes Massage Establishments as a Special Use in the B-3 Community Business District.
5. That this permit will/will not require any changes to traffic circulation and ingress/egress.
6. That this permit will/will not require any changes to lighting, landscaping, or the existing site usage.
7. That the proposed use will/will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
8. That the proposed use will/will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
9. That the proposed use will/will not be hazardous or disturbing to existing neighboring uses.

10. That the proposed use will/will not be served adequately by public facilities and services such as highways and streets.
11. That the proposed use will/will not create excessive additional requirements at public cost for public facilities and services, and it will/will not be detrimental to the economic welfare of the community.
12. That the proposed use will/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.
13. The proposed use will/will not be consistent with the Comprehensive Plan.
14. That this Special Use Permit denial/approval allows for the applicant's use of a massage establishment at the property as it is proposed to be used.
15. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
16. 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.
17. That this Special Use Permit Approval shall automatically expire if the use is not initiated within one year of approval by the City Council.

The motion for the adoption of the foregoing resolution was duly seconded by; Commissioner \_\_\_\_\_ upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 12th day of April 2016.

---

Planning Commission Chairman

**ATTEST:**

\_\_\_\_\_  
Land Use Director

Tsou Chin Wang-Sengsarichunh hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: \_\_\_\_\_

Its: \_\_\_\_\_

**STATE OF ILLINOIS)**

) SS.

**COUNTY OF \_\_\_\_\_)**

On this \_\_\_\_ day of \_\_\_\_\_, 2016 before me, a Notary Public, personally appeared \_\_\_\_\_, the applicant, to be known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

\_\_\_\_\_

# APPLICATION FOR SPECIAL USE PERMIT OR DEVELOPMENT PLAN



Land Use and Development Department  
Fairview Heights City Hall  
10025 Bunkum Road  
Fairview Heights, IL 62208  
Phone (618) 489-2060

(Do not write in this space – for office use only)	
Case Number Assigned: _____	Date Proof of Public Notice Sign Provided: _____
Date Application Received: _____	Zoning District of Property: _____
Date Set for Hearing: _____	Recommendation of Plan Commission: _____
Name of Newspaper and Publication Date: _____	Date of Final City Council Decision: _____
Publication Fee Paid: _____	Action by City Council: _____

Development Plan: \_\_\_\_\_ Amended Development Plan: \_\_\_\_\_  
Special Use: \_\_\_\_\_

All information must be completed and submitted herewith. Applicants are encouraged to visit the Land Use and Development Department for any assistance needed in completing this form.

1. Name of property owner(s): Pontiac Group, LLC  
 Mailing address: P.O. Box 37105  
 Phone: 314. 965. 5413  
 E-Mail: USK612@gmail.com
  
2. Name of applicant (if other than owner): Tsou Chin Wang-Sengsaurichanh  
 Relationship to owner (contractor, family member, lessee, etc.): \_\_\_\_\_  
 Mailing address: 3526 Connor Ave St. Louis MO 63121  
 Phone: (314) 496-2868  
 E-Mail: LamLuamassage@gmail.com

3. Address of property: 5900 N. ILLINOIS Suite 8, 9, 10  
Parcel (Tax) ID number: 47-2865545 03-270-300-059  
Present use of property: Shopping Center  
Zoning district: B-3

4. Type of Development for which permit is requested:

LMT Massage with foot reflexology  
Licensed Massage Therapist

5. (For residential developments only)

Density : \_\_\_\_\_

Number of structures: \_\_\_\_\_ Dwelling units per structure: \_\_\_\_\_

Total number of dwelling units: \_\_\_\_\_

Estimated number of persons per dwelling unit: \_\_\_\_\_

Density = Population of development = \_\_\_\_\_ = \_\_\_\_\_ persons/acre.

6. A special use permit or development plan approval is requested for the property described above in conformity with the documents submitted herewith.

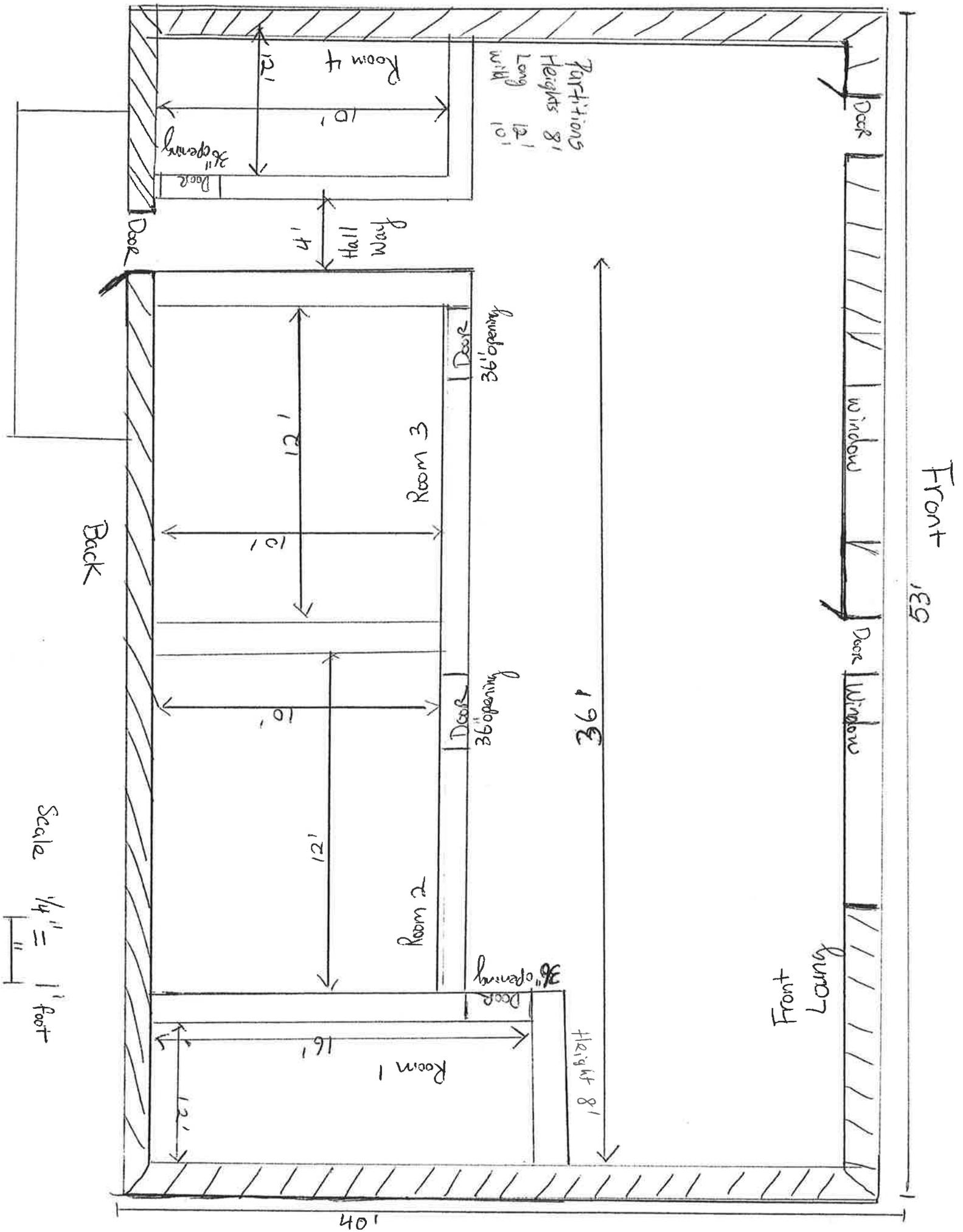
I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate; that I have read and understand the regulations pertaining to Special Uses and Development Plans and I believe to the best of my knowledge that the proposed will not violate any portion of said code.

I also understand that as the Applicant, it is my responsibility to obtain all other permits or licenses required by any applicable regulatory agencies for this Land Use Application.

I consent that the entry in or upon the premises described in this application by any authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

Signature of Owner: Robert Engle Date: 2/10/16

Signature of Applicant: [Signature] Date: 2/10/16



PARCEL_NUMBER	SITEADR1	SITEADR2	OWNER	ADDRESS	ADDRESS2
03270300021	6004 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	HOFFMAN DEVELOPMENT CO	727 CRAIG RD STE 100	
03270300022	6000 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	MARVIN & NANCY ROTENBERG	8000 N ILLINOIS ST	
03270300023	5924 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	HSC PROPERTIES LLC	1917 DELMAR BLVD	
03270300033	5922 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	PONTIAC GROUP LLC	C/O USKO	PO BOX 37105
03270300059	5900 N ILLINOIS	FAIRVIEW HEIGHTS, IL 6220	PONTIAC GROUP LLC	C/O USKO	
03270300060	5902 N ILLINOIS	FAIRVIEW HEIGHTS, IL 6220	PONTIAC GROUP LLC	C/O USKO	PO BOX 37105
03270300064	113 ASHLAND AVE	FAIRVIEW HEIGHTS, IL 6220	BI STATE GROUP LLC	1 TWIN LAKE DR	
03270301025	119 PALM DR	FAIRVIEW HEIGHTS, IL 6220	CARL F & GEORGIA REHG	119 PALM DR	
03270301026	119 PALM DR	FAIRVIEW HEIGHTS, IL 6220	CARL F & WF REHG	119 PALM DR	
03270301027	119 PALM DR	FAIRVIEW HEIGHTS, IL 6220	CARL & GEORGIA REHG	119 PALM DR	
03270301032	221 PALM DR	FAIRVIEW HEIGHTS, IL 6220	FLOYD & CAROL BULLARD	8740 BULLARD LN	
03270301033	217 PALM DR	FAIRVIEW HEIGHTS, IL 6220	SAMUEL D PETERSON	217 PALM DR	
03270301036	115 PALM DR	FAIRVIEW HEIGHTS, IL 6220	ALBERT H APPLGATE	115 PALM DR	
03270301038	CYPRESS DR	FAIRVIEW HEIGHTS, IL 6220	CITY OF FAIRVIEW HGTS	CYPRESS DR	
03270316017	117 ASHLAND AVE	FAIRVIEW HEIGHTS, IL 6220	FLOYD C BULLARD	8740 BULLARD LN	
03280409020	5901 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	MAGNA BANK OF FAIRVIEW HGTS	5901 N ILLINOIS ST	
03280409023	5909 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	COLE MT FAIRVIEW HEIGHTS II LL	ATTN:ASSET MANAGER	16767 N PERIMETER DR SUITE 210
03330205070	5811 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	REALTY INCOME IL PROPERTIES 4	C/O REALTY INCOME CORP	11995 EL CAMINO REAL STE 101
03340100001	5812 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	MAD HOLDINGS LLC	2275 CASSENS DR STE 115	
03340100002	5812 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	MAD HOLDINGS LLC	2275 CASSENS DR STE 115	
03340100003	5800 N ILLINOIS ST	FAIRVIEW HEIGHTS, IL 6220	ROBERT G & SARAH L HEIL	5800 N ILLINOIS ST	
03340100004	3 KADLEC DR	FAIRVIEW HEIGHTS, IL 6220	ROBERT G & SARAH L HEIL	5800 N ILLINOIS ST	
03340100070	112 ASHLAND AVE	FAIRVIEW HEIGHTS, IL 6220	HUGH A HADFIELD	221 LAKE STRATFORD DR	
03340100071	15 KADLEC DR	FAIRVIEW HEIGHTS, IL 6220	DAVID F & BEVERLEE M MENEZES	15 KADLEC DR	
03340100078	12 ASHLAND AVE	FAIRVIEW HEIGHTS, IL 6220	MAD HOLDINGS LLC	2275 CASSENS DR STE 115	
03340100079	18 ASHLAND AVE	FAIRVIEW HEIGHTS, IL 6220	CLIFFORD & MARY A STEPHENSON	2017 HILLCREEK RD	
03340100080	3 KADLEC DR	FAIRVIEW HEIGHTS, IL 6220	STEPHEN WARFORD	3 KADLEC DR	
03340100081	5 KADLEC DR	FAIRVIEW HEIGHTS, IL 6220	CLIFFORD & MARY A STEPHENSON	2017 HILLCREEK RD	
03340100082	7 KADLEC DR	FAIRVIEW HEIGHTS, IL 6220	CLIFFORD & MARY ANN STEPHENSON	2017 HILLCREEK RD	
03340100083	9 KADLEC DR	FAIRVIEW HEIGHTS, IL 6220	JAYALAKSHMI ANNE	235 RIDGEPOINTE DR	
03340100084	13 KADLEC DR	FAIRVIEW HEIGHTS, IL 6220	KEITH BRUMLEY	13 KADLEC DR	



# Lam-Lua Massage

873 Seibert Road • Scott AFB, IL 62225  
tel: 618-671-6560

email: [lam-luamassage@mail.com](mailto:lam-luamassage@mail.com)

Head Ache? Back Ache? Stiff Neck? Feet Hurt? Tingling & Numbness?  
Anxiety? Stressed? Frozen Shoulders? Poor Circulation?

☉ Relieve Pain

☉ Release Tension

☉ Decrease Stress

☉ Increase Circulation

☉ Improve Metabolism

☉ Realign Muscles

*Service up to 2 Hours !!!*

### Chair Massage

### Foot Reflexology

### Table Massage

10min	\$12
15min	\$18
20min	\$22
30min	\$30

20min	\$22
30min	\$30
40min	\$40
60min	\$60

Cupping	\$22
30min	\$30
40min	\$40
60min	\$60

### Combo Massage (Foot and Body)

20min Foot & 20min Body \$40

30min Foot & 30min Body \$58

Deep Tissue Massage

Chinese Acupressure

Swedish Massage

Hot Stone Massage: \$85-60min

Detox: \$30-35min

Facial: \$35-\$25 with massage

Gift Certificates Available

Call to make **your** appointment

Walk-ins Welcome!

**Business Hours:** Monday thru Thursday 10am-6pm

Friday thru Saturday 10am-7pm

Sunday 12:00pm -5pm and by appointment

*Military discount Able*

*10-7pm*

*Close Sunday*

Living Energy Without Boundaries

# Lam Lua Massage & Foot Spa



5900 N Illinois St. Suite 8 Fairview Heights, IL 62208

(618) xxx-xxxx

## ~Chi-Gong Back Rub~

Our technique benefits the body, mind & spirit by relaxing the muscles & relieving tension, giving a profound feeling of wellbeing.

## ~Express Back Procedure~

The perfect procedure for the person on the go. It is the method that leaves you feeling rested & rejuvenated

20 minutes - \$20 30 minutes - \$30 40 minutes - \$40 50 minutes - \$50 60 minutes - \$60  
90 minutes - \$90 120 minutes - \$110

## ~Soothe the Sole Foot Reflexology 30 min. \$30~

Relieve tension with this special procedure focused on the feet. This treatment begins with a therapeutic foot bath in a Chinese herbal solution. A specialized technique & touch allows the energy to flow throughout the entire body. Each area on the foot relates to an area on the rest of the body. Releasing tension in the feet has a beneficial effect on your organs & overall health in general. It rejuvenates the body, calms the mind & spirit.

\* Military Discount Available !!!

## Package Deals

### *Combo #1 Mini Vacation*

**60 min \$56**

A gentle back rub designed for total relaxation. This procedure includes 40 min. of Chi-Gong deep muscle rub & a 20 min. foot rub. The shoulder, lower back & the feet are the highlights of this treatment.

### *Combo #2 Total Body Relaxation*

**90 min. \$78**

Our unique technique emphasizes a specific area. This procedure includes 50 minutes of deep muscle body rub, 40 min. of foot reflexology & aroma therapy on the eye lids

Seven days open  
Monday - Saturday  
10Am - 9:30pm  
Sunday 12pm - 6:30pm





## CITY OF FAIRVIEW HEIGHTS

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

March 23, 2016

**RE: PC08-16, Development Plan- Tsou Chin Wang-Sengsaurchunh, 5900 N. Illinois**

DEAR SURROUNDING PROPERTY OWNERS:

Enclosed please find a copy of "Notice of Public Hearing" which appeared in the Thursday, March 24, 2016 issue of the Fairview Heights Tribune.

Please advise that this notice concerns property in the vicinity of the property owned by you.

We cannot contact everyone by mail, so feel free to share this information with your neighbors. You are welcome to attend the public hearing and voice your opinions regarding the case.

The public hearing will be held before the Fairview Heights Planning Commission in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, on Tuesday, April 12, 2016 beginning at approximately 7:15 p.m., in the City Council Chambers.

If you have any questions, please feel free to contact this office at 489-2063 or 489-2060.

Sincerely,

Kelly Youngman  
Secretary, Land Use and Development  
Enclosure  
PC08-16



## CITY OF FAIRVIEW HEIGHTS

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

### **PUBLIC NOTICE**

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, April 12, 2016 at approximately 7:15 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, at which time and place the Commission will consider a Development Plan to allow a massage establishment located at 5900 N. Illinois St., Fairview Heights, IL also identified by St. Clair County PIN 03-27.0-300-059.

Request was made by Tsou Chin Wang-Sengsaichunh, 3526 Connor Ave., St. Louis, MO 63121.

All persons desiring to appear and be heard for or against said proposal may appear at said hearing and be heard thereon.

Dated this 21st day of March, 2016.

### **FAIRVIEW HEIGHTS PLANNING COMMISSION**

BY: Jim Bramstedt, Chairman

PC08-16

SITEADR1	OWNER	ADDRESS	ADDRESS2	CITYST	ZIPCODE
6004 N ILLINOIS ST	HOFFMAN DEVELOPMENT CO	727 CRAIG RD STE 100		SAINT LOUIS, MO	63141
6000 N ILLINOIS ST	MARVIN & NANCY ROTENBERG	6000 N ILLINOIS ST		FAIRVIEW HGTS, IL	62208
5924 N ILLINOIS ST	HSC PROPERTIES LLC	1917 DELMAR BLVD		SAINT LOUIS, MO	631031618
5922 N ILLINOIS ST	PONTIAC GROUP LLC	C/O USKO	PO BOX 37105	SAINT LOUIS, MO	63141
5900 N ILLINOIS	PONTIAC GROUP LLC	C/O USKO	PO BOX 37105	SAINT LOUIS, MO	63141
5902 N ILLINOIS	PONTIAC GROUP LLC	C/O USKO	PO BOX 37105	SAINT LOUIS, MO	63141
113 ASHLAND AVE	BI STATE GROUP LLC	1 TWIN LAKE DR		E ST LOUIS, IL	622031140
119 PALM DR	CARL F & GEORGIA REHG	119 PALM DR		FAIRVIEW HTS, IL	622082743
119 PALM DR	CARL F & WF REHG	119 PALM DR		FAIRVIEW HTS, IL	622082743
119 PALM DR	CARL & GEORGIA REHG	119 PALM DR		FAIRVIEW HTS, IL	622082743
221 PALM DR	FLOYD & CAROL BULLARD	8740 BULLARD LN		WORDEN, IL	620971922
217 PALM DR	SAMUEL D PETERSON	217 PALM DR		FAIRVIEW HTS, IL	622082745
115 PALM DR	ALBERT H APPLGATE	115 PALM DR		FAIRVIEW HTS, IL	622082743
CYPRESS DR	CITY OF FAIRVIEW HGTS	CYPRESS DR		FAIRVIEW HGTS, IL	62208
117 ASHLAND AVE	FLOYD C BULLARD	8740 BULLARD LN		WORDEN, IL	620971922
5901 N ILLINOIS ST	MAGNA BANK OF FAIRVIEW HGTS	5901 N ILLINOIS ST		FAIRVIEW HGTS, IL	62208
5909 N ILLINOIS ST	COLE MT FAIRVIEW HEIGHTS II LL	ATTN:ASSET MANAGER	16767 N PERIMETER DR SUITE 210	SCOTTSDALE, AZ	85260
5811 N ILLINOIS ST	REALTY INCOME IL PROPERTIES 4	C/O REALTY INCOME CORP	11995 EL CAMINO REAL STE 101	SAN DIEGO, CA	921302565
5812 N ILLINOIS ST	MAD HOLDINGS LLC	2275 CASSENS DR STE 115		FENTON, MO	63026
5812 N ILLINOIS ST	MAD HOLDINGS LLC	2275 CASSENS DR STE 115		FENTON, MO	63026
5800 N ILLINOIS ST	ROBERT G & SARAH L HEIL	5800 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208
3 KADLEC DR	ROBERT G & SARAH L HEIL	5800 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208
112 ASHLAND AVE	HUGH A HADFIELD	221 LAKE STRATFORD DR		FAIRVIEW HTS, IL	622083404
15 KADLEC DR	DAVID F & BEVERLEE M MENEZES	15 KADLEC DR		FAIRVIEW HTS, IL	622083677
12 ASHLAND AVE	MAD HOLDINGS LLC	2275 CASSENS DR STE 115		FENTON, MO	63026
18 ASHLAND AVE	CLIFFORD & MARY A STEPHENSON	2017 HILLCREEK RD		COLLINSVILLE, IL	622346859
3 KADLEC DR	STEPHEN WARFORD	3 KADLEC DR		FAIRVIEW HEIGHTS, IL	62208
5 KADLEC DR	CLIFFORD & MARY A STEPHENSON	2017 HILLCREEK RD		COLLINSVILLE, IL	622346859
7 KADLEC DR	CLIFFORD & MARY ANN STEPHENSON	2017 HILLCREEK RD		COLLINSVILLE, IL	622346859
9 KADLEC DR	JAYALAKSHMI ANNE	235 RIDGEPOINTE DR		COLD SPRING, KY	410768714
13 KADLEC DR	KEITH BRUMLEY	13 KADLEC DR		FAIRVIEW HEIGHTS, IL	62208
	MARVIN & NANCY ROTENBERG	457 SHEFFIELD ESTATE DR		SAINT LOUIS, MO	631418523
	% RICH & STEVE TYLER PALMS CAR	692 PLEASANT RIDGE RD		FAIRVIEW HEIGHTS, IL	62208
	CITY OF FAIRVIEW HGTS	MARK T KUPSKY	10025 BUNKUM RD	FAIRVIEW HTS, IL	622081703
	REGIONS BANK	250 RIVERCHASE PKWY	STE 600	BIRMINGHAM, AL	352441832
	(FRAN) COUNTY COLLECTOR-RE PAY	10 PUBLIC SQ		BELLEVILLE, IL	622201623
	RESIDENT	6004 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5924 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5922 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5900 N ILLINOIS		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5902 N ILLINOIS		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	113 ASHLAND AVE		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	221 PALM DR		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	117 ASHLAND AVE		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5909 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5811 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208

	RESIDENT	5812 N ILLINOIS ST 2		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5812 N ILLINOIS ST		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	12 ASHLAND AVE		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	18 ASHLAND AVE		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	5 KADLEC DR		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	7 KADLEC DR		FAIRVIEW HEIGHTS, IL	62208
	RESIDENT	9 KADLEC DR		FAIRVIEW HEIGHTS, IL	62208
	Fairview-Caseyville Twsp Fire	c/o Chief Bryan Doyle	214 Ashland Avenue	FAIRVIEW HEIGHTS, IL	62208
	Pontiac-Wm Holliday #105	c/o Supt. Julie Brown	400 Ashland Avenue	FAIRVIEW HEIGHTS, IL	62208
	Belleville Twsp High School #210	c/o Supt. Dr. Jeff Dosier	920 N. Illinois Street	BELLEVILLE, IL	62220



## CITY OF FAIRVIEW HEIGHTS

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

April 5, 2016

Fairview Heights Planning Commission  
10025 Bunkum Road  
Fairview Heights, IL 62208

Dear Commission Member:

The petition listed below is hereby transmitted for your consideration:

<b>Petition No:</b>	<b>PC09-16</b>
<b>Petitioner:</b>	The City of Fairview Heights
<b>Request:</b>	Amendment to Ordinance 190—Chapter 14 The Development Code, Article III, General Development Regulations
<b>Location:</b>	City Wide
<b>Hearing Date:</b>	April 12, 2016
<b>Report:</b>	Staff Advisory

Respectfully,

Timothy Tolliver, Director  
Land Use and Development

TO: Planning Commission  
FROM: Timothy Tolliver  
DATE: April 5, 2016  
RE: **Amendment to Ordinance 190–Chapter 14 The Development Code, Article III, General Development Regulations**

### **ZONING TEXT AMENDMENT REQUEST**

Staff is requesting a Zoning Text Amendment to Amendment to Ordinance 190 –Chapter 14 The Development Code, Article III, General Development Regulations by adopting the 2012 edition of the International Building Code with addendum, of the 2012 edition of the International Residential Code with addendum, the 2012 edition of the International Fire Code, the 2012 edition of the International Mechanical Code, the 2012 International Existing Code and the 2012 Edition of the International Energy Code, all as published by International Code Council.

The City of Fairview Heights is proposing to adopt the 2012 Editions of the above mentioned Codes with Addendums as indicated on the attached proposed amendments adopting by reference.

The Codes are available for review in the Land Use and Development Department.

### **PLANNING CONSIDERATIONS**

The major change you will notice is the 2012 International Residential Code adoption. Section R313 Automatic Fire Sprinkler Systems requires the installation of an automatic fire sprinkler system in one and two family dwellings as well as townhomes. Staff is recommending the deletion of that requirement.

Exhibits:

- 1 – Staff Advisory
- 2 – Proposed Zoning Code Article III, 14-3-2 through 14-3-6, and 14-3-36 through 14-3-38

SECTION 1. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code", Chapter 14, "Development Code", Article III, General Development Regulations, Section 14-3-2 Building Code Adoption, reading as follows:

**14-3-2 BUILDING CODE ADOPTION.** "2012 International Building Code", as published by International Code Council, Inc., including accumulative supplements thereto as amended from time to time, be and is hereby adopted as the Building Code for the City of Fairview Heights, Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the 2012 International Building Code and accumulative supplements thereto are hereby referred to, adopted, and made a part hereof as if fully set out in this Code with any additions, insertions, deletions, and changes thereto, described as follows:

**Section 101.1 Insert: City of Fairview Heights.**

**Section 1612.3 Insert: City of Fairview Heights and July 3, 1978.**

**Section 3412.2 Insert: January 20, 1975.**

**Section 406.3.4 Change: 1. Private garages... "Doors shall be self-closing and self latching in all use groups with the exception of R3."**

**Chapter 25 thru Chapter 33: Illinois State Plumbing Code 2014 Edition shall take precedents' of any conflicting process or requirements.**

**14-3-2.1 INTERNATIONAL RESIDENTIAL CODE.** "2012 International Building Code", as published by the International Code Council, Inc., including accumulative supplements thereto as amended from time to time, be and is hereby adopted as the Residential Building Code for the City of Fairview Heights, Illinois, for the control of one and two-family buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the 2006 International Residential Code and accumulative supplements thereto are hereby referred to, adopted and made a part hereof as if fully set out in this Code with any additions, insertions, deletions and changes thereto, described as follows:

**Insert: "Fairview Heights, Illinois" where wording calls for "Name of Municipality".**

**Section R302.5.1 Opening protection. The requirement for providing self-closing door device on openings between garage and residence shall be deleted**

**Section R105.2 Work Exempt from Permit Change to: 1. One story detached accessory structure used as tool and storage sheds, playhouses and similar uses, provide the floor area does not exceed 200 square feet (11.15m<sup>2</sup>)**

**Section R313 AUTOMATIC SPRINKLER SYSTEMS Shall be deleted in its entirety**

**14-3-6 INTERNATIONAL FIRE PREVENTION CODE ADOPTION. “The 2012 International Fire Code” as published by the International Code Council, Inc., including accumulative supplements thereto as amended from time to time, be and is hereby adopted, to be administered and enforced by the Fire Districts providing fire protection within the City limits of the City.**

**14-3-36 ENERGY CONSERVATION CODE. “International Energy Conservation Code 2012”, as published by International Code Council Inc. including accumulative supplements thereto as amended from time to time, be and is hereby adopted as the Energy Conservation Code for the City regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to use or maintenance of the building envelope, mechanical lighting and power systems in commercial buildings in the City; and each and all of the regulations, provisions, penalties, conditions and terms of the International Energy Conservation Code, 2012 edition, and accumulative supplements thereto or hereby referred to adopted and made part hereof as if fully set out in this Code with any additions, insertions, deletions and changes thereto described as follows: the following buildings shall be exempt from the Code:**

**(A) Buildings otherwise exempt from provisions of a locally adopted Building Code and buildings that do not contain a conditioned space.**

**(B) Buildings that do not use either electricity or fossil fuel for comfort conditioning. For purposes of determining whether this exemption applies a building will be presumed to be heated by electricity even in the absence of equipment used for electric comfort heating, whenever the building is provided with electrical service in excess of 100 amps, unless the Code Enforcement Official determines that this electrical service is necessary for purposes other than providing electric comfort heating.**

**(C) Historic Buildings. This exemption shall apply to those buildings that are listed on the National Register of Historic Places or the Illinois Register of Historic Places and to those buildings that have been designated as**

historically significant by a local governing body that is authorized to make such designations.

(D) Residential buildings.

(E) Other buildings specified as exempt by the International Energy Conservation Code.

**14-3-37 INTERNATIONAL EXISTING BUILDING CODE.** “2012 International Existing Building Code”, as published by International Code Council, Inc., including accumulative supplements thereto as amended from time to time, be and is hereby adopted as the Existing Building Code for the City, for regulating and governing the repair, alternation, change or occupancy, addition and relocation of existing buildings, as herein provided; providing for the issuance of permits and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code and hereby referred to, adopted and made a part hereof as if fully set out in this Code.

**14-3-38 INTERNATIONAL MECHANICAL CODE.** “2012 International Mechanical Code”, as published by International Code Council, Inc., be and is hereby adopted as the Mechanical Code of the City, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits, and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code are hereby referred to, adopted and made a part hereof as if fully set out in this Code.

**Home Builders Association of Greater Southwest Illinois  
Recommended Amendments for Adoption of the  
2012 INTERNATIONAL RESIDENTIAL BUILDING CODE**

**Delete Tables R302.1(1) and R302.1(2) and replace with new table.**

**Table R302.1(2) – Exterior Walls**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure to both sides	0 Feet
	(Not fire-resistance rated)	0-Hours	>3 Feet
Projections	(Fire-resistance rated)	1-Hour on the underside	2 Feet
	(Not fire-resistance rated)	0-Hours	3 Feet
Openings	Not Allowed	N/A	< 3 Feet
	Unlimited	0-Hours	3 Feet
Penetrations	All	Comply with Section R302.4	< 3 Feet
		None Required	3 Feet

a. For residential subdivisions where all dwellings are equipped throughout with an automatic sprinkler systems installed in accordance with Section P2904, the fire separation distance for non-rated exterior walls and rated projections shall be permitted to be reduced to zero feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.

**Table R302.1(2) – Exterior Walls**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure to both sides	<del>&lt; 5 Feet</del> 0 Feet <del>&gt; 3 Feet</del>
	(Not fire-resistance rated)	0-Hours	<del>&gt; 5 Feet</del> > 3 Feet
Projections	(Fire-resistance rated)	1-Hour on the underside	<del>&gt; 5 Feet</del> <del>&lt; 3 Feet</del> 2 Feet
	(Not fire-resistance rated)	0-Hours	3 Feet
Openings	Not Allowed	N/A	<del>3 Feet</del> < 3 Feet
	Unlimited	0-Hours	<del>5 Feet</del> 3 Feet
Penetrations	All	Comply with Section R302.4	<del>&lt; 5 Feet</del> < 3 Feet
		None Required	<del>5 Feet</del> 3 Feet

**For SI: 1 foot= 304.8 mm**

**N/A = Not Applicable**

---

**Revise as follows:**

**R302.5.1 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors, ~~equipped with a self-closing device.~~

---

**Revise as follows:**

**R312.1.1 Where required.** Guards shall be located along open-sided walking surfaces of all decks, porches, balconies, including stairs, ramps and landings that are located more than 30 inches measured vertically to the floor or grade below. ~~at any point within 36 inches (914 mm) horizontally to the edge of the open side~~ Insect screening shall not be considered as a guard.

---

**Delete Section R313 entirely**

~~**SECTION R313  
AUTOMATIC FIRE SPRINKLER SYSTEMS**~~

~~**R313.1 Townhouse automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed in townhouses.~~

~~**Exception:** An automatic residential fire sprinkler system shall not be required where additions or alterations are~~

~~made to existing townhouses that do not have an automatic residential fire sprinkler system installed.~~

~~**R313.1.1 Design and installation.** Automatic residential fire sprinkler systems for townhouses shall be designed~~

~~and installed in accordance with Section P2904 or NFPA 13D.~~

~~**R313.2 One and two family dwellings automatic fire systems.** An automatic residential fire sprinkler system shall be installed in one and two family dwellings.~~

~~**Exception:** An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.~~

~~**R313.2.1 Design and installation.** Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.~~

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**Delete Section R302.13 Fire protection of floors in its entirety**

~~**R302.13 Fire protection of floors.** Floor assemblies that are not required elsewhere in this code to be fire-resistance-rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) wood structural panel membrane, or~~

equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted.

**Exceptions:**

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.
  2. Floor assemblies located directly over a crawl space not intended for storage or fuel fired appliances.
  3. Portions of floor assemblies shall be permitted to be unprotected where complying with the following:
    - 3.1. The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m<sup>2</sup>) per story
    - 3.2. Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
  4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.
- 

**Revise as follows:**

**R324.7.2.2 Hip roof layouts.** Panels and modules installed on *dwelling*s with hip roof layouts shall be located in a manner that provides a clear access pathway not less than ~~3 feet (914 mm)~~ 22.5 inches in width from the eave to the ridge on each roof slope where panels and modules are located. The access pathway shall be ~~located at a structurally strong location on the building capable of supporting the live load of fire fighters~~ along the structural members of the roof framing to support any person accessing the roof.

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## Revise as follows:

**R403.1.6 Foundation anchorage.** ~~Where wood s~~Sill and sole plates are ~~and walls~~ supported directly on continuous foundation walls or monolithic slabs with integral footings required by the provisions of this code, they shall be anchored to the foundation in accordance with this section.

Cold-formed steel floor and wall framing shall be anchored to the foundation in accordance with Section R505.3.1 or R603.3.1.

Wood sole plates at all exterior walls ~~on monolithic slabs~~, wood sole plates of *braced wall panels* at building interiors on monolithic slabs with integral footings, and all wood sill plates shall be anchored to the foundation with minimum 1/2 inch (12.7 mm) diameter anchor bolts spaced a maximum of 6 feet (1829 mm) on center or approved anchors or anchor straps spaced as required to provide equivalent anchorage to the 1/2-inch-diameter (12.7 mm) anchor bolts. Bolts shall ~~be at least 1/2 inch (12.7 mm) in diameter and shall~~ extend a minimum of 7 inches (178 mm) into concrete or grouted cells of concrete masonry units. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundations with integral footings that are not part of a *braced wall panel* shall be positively anchored with *approved* fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318. ~~Gold formed steel framing systems shall be fastened to wood sill plates or anchored directly to the foundation as required in Section R505.3.1 or R603.3.1.~~

### Exceptions:

~~1. Foundation anchorage, spaced as required to provide equivalent anchorage to 1/2-inch-diameter (13 mm) anchor bolts.~~

1. ~~2.~~ Walls 24 inches (610 mm) total length or shorter connecting offset *braced wall panels* shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent *braced wall panels* at corners as shown in item 8 of Table R602.3(1).

2. ~~3.~~ Connections of walls 12 inches (305 mm) total length or shorter connecting offset *braced wall panels* to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent *braced wall panels* at corners as shown in item 8 of Table R602.3(1).

**National Association of Home Builders  
Recommended State & Local Amendments to the  
2012 Edition of the International Residential Code (IRC)**

**Issue:** Fire Separation Distance

**2012 IRC Section:** Table R302.1(1) & Table R302.1(2)

**Recommended Amendment:**

*Modify the Table as shown below (Delete text):*

**Table R302.1(2) – Exterior Walls**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure to both sides	<del>&lt; 5 Feet 0 Feet &gt; 3 Feet</del>
	(Not fire-resistance rated)	0-Hours	<del>&gt; 5 Feet &gt; 3 Feet</del>
Projections	(Fire-resistance rated)	1-Hour on the underside	<del>&gt; 5 Feet &lt; 3 Feet 2 Feet</del>
	(Not fire-resistance rated)	0-Hours	<del>3 Feet</del>
Openings	Not Allowed	N/A	<del>3 Feet &lt; 3 Feet</del>
	Unlimited	0-Hours	<del>5 Feet 3 Feet</del>
Penetrations	All	Comply with Section R302.4	<del>&lt; 5 Feet &lt; 3 Feet</del>
		None Required	<del>5 Feet 3 Feet</del>

**For SI: 1 foot= 304.8 mm**

**N/A = Not Applicable**

**Table R302.1(2) – Exterior Walls**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance-rated)	1-hour tested in accordance with ASTM E 119 or UL 263 with exposure to both sides	0 Feet
	(Not fire-resistance-rated)	0-Hours	≥3 Feet
Projections	(Fire-resistance-rated)	1-Hour on the underside	2 Feet
	(Not fire-resistance-rated)	0-Hours	3 Feet
Openings	Not Allowed	N/A	< 3 Feet
	Unlimited	0-Hours	3 Feet
Penetrations	All	Comply with Section R302.4	< 3 Feet
		None-Required	3 Feet

a. For residential subdivisions where all dwellings are equipped throughout with an automatic sprinkler systems installed in accordance with Section P2904, the fire separation distance for non-rated exterior walls and rated projections shall be permitted to be reduced to zero feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.

**Reason:**

NAHB urges all state and local jurisdictions to adopt the 2012 International Residential Code with the above referenced amendment to the fire separation distance requirements for exterior walls. For years NAHB has requested the IRC code committee to return the fire separation distances of exterior walls to those found in the 2003 IRC. During the supplemental code cycle, the fire separation distances were increased without any scientific data or reports that proved the allowable distance found in the 2003 IRC contributed to any increase in exposure fires from one dwelling to another. The fire separation distances were arbitrarily increased by a distance of 2'-0", without any justification or testing showing that the previously allowed distances were an increased fire hazard.

To this day, there are no known reports or studies that demonstrate the previously allowed 3 foot separation distance from the property line and 6 foot separation between structures failed to provide the minimum required safe distance for fire separation. We encourage the adoption of this amendment.

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**National Association of Home Builders  
Recommended State & Local Amendments to the  
2012 Edition of the International Residential Code (IRC)**

**Issue:** Opening Protection

**2012 IRC Section Number:** R302.5.1 Opening Protection

**Recommended Amendment:**

***Delete the Section in its entirety as shown below:***

**R302.5.1 Opening protection.** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 13/8 inches (35 mm) thick, or 20-minute fire-rated doors ~~equipped with a self-closing device.~~

**Reason:**

NAHB strongly disagrees with the new requirement for door closures to be required on openings between the garage and the house. For many years, the committee was requested to approve closures on the doors between the house and the garage with reason that fires that originate in the garage could pass through these openings. For many years the proponents failed to provide any reliable data or statistics on the number of fires that originated in the garage and passed through the opening resulting in the fire spreading into the interior of the dwelling. As a result, the committee and the governmental members repeatedly disapproved this requirement.

During the 2009-10 Code development, the proponents returned with a new reason for requiring that these doors be equipped with door closures, to prevent the spread of carbon monoxide from vehicles and the by-products produced by the burning thermoplastics. While the proponents were able to produce a extremely lengthy dissertation on the hazards of carbon monoxide and the number of false alarms that are created by carbon monoxide detectors, nowhere in their written or oral testimony were they able to link any statistical substantiation to need for closures on these openings. To this day there are no reports that support the addition of door closures on doors between the dwelling and the garage will reduce the number of fires spreading into the dwelling, prohibit the flow of carbon monoxide into the dwelling, or reduce the number of false CO alarms.

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**National Association of Home Builders  
Recommended State & Local Amendments to the  
2012 Edition of the International Residential Code (IRC)**

**Issue:** Guardrails

**2012 IRC Section:** R312.1.1

**Recommended Amendment:**

*Modify the Section as shown below (Delete text)*

**R312.1.1 Where required.** Guards shall be located along open-sided walking surfaces of all decks, porches, balconies, ~~including stairs, ramps and landings that are located more than 30 inches measured vertically to the floor or grade below, at any point within~~ 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

**Reason:**

The purpose of this amendment is to retain the provisions of the 2006 International Residential Code (IRC), where guardrails were required when the elevation difference between the walking surface was greater than 30 inches to the floor or grade directly below. The 2009 IRC now requires a guardrail where the elevation difference is greater than 30 inches from the walking surface to a horizontal point 36 inches adjacent to the leading edge of the walking surface to the grade or floor below. This change will now require the building official to carry a four foot level to conduct inspections.

During the 2007/2008 Code Development Cycle, the proponent referred to work conducted and reports written by the International Code Council's Code Technology Committee (CTC). Though, at no time during the Public Hearing, nor the Final Action Hearing, was any technical justification presented to substantiate the change requiring the building official to measure thirty-six inches away from the leading edge of the walking surface or tread to determine when a guardrail should or should not be required. After reviewing the many reports from the CTC website, it is still unclear from where the thirty-six inch requirement was derived. Currently there are no studies that can support the claims made that this will have an effect on reducing possible injuries. While the proponent promotes this as a means for consistent enforcement of the guard requirements, there was no evidence that showed an increased risk to the safety of the occupant if the current method of measuring from the edge of the walking surface to grade below is used.

Furthermore, the new language now requires a guardrail to be applied to any open-sided walking surface. This could very well be interpreted by building officials to include driveways, landscaped walkways, retaining walls and other elevated surfaces used for the purpose of walking. This change substantially expands the areas needing to be equipped with guards, beyond the previous edition of the code.

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# National Association of Home Builders Recommended State & Local Amendments to the 2012 Edition of the International Residential Code (IRC)

## Issue: Foundation Anchorage

2012 IRC Section Number: 403.1.6

### Recommended Amendment:

***Modify the section as shown below:***

**R403.1.6 Foundation anchorage.** ~~Where wood s~~Sill and sole plates are and walls supported directly on continuous foundation walls or monolithic slabs with integral footings required by the provisions of this code, they shall be anchored to the foundation in accordance with this section.

Cold-formed steel floor and wall framing shall be anchored to the foundation in accordance with Section R505.3.1 or R603.3.1.

~~Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of braced wall panels at building interiors on monolithic slabs with integral footings, and all wood sill plates shall be anchored to the foundation with minimum 1/2 inch (12.7 mm) diameter anchor bolts spaced a maximum of 6 feet (1829 mm) on center or approved anchors or anchor straps spaced as required to provide equivalent anchorage to the 1/2-inch-diameter (12.7 mm) anchor bolts. Bolts shall be at least 1/2 inch (12.7 mm) in diameter and shall extend a minimum of 7 inches (178 mm) into concrete or grouted cells of concrete masonry units. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundations with integral footings that are not part of a braced wall panel shall be positively anchored with approved fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318. Cold-formed steel framing systems shall be fastened to wood sill plates or anchored directly to the foundation as required in Section R505.3.1 or R603.3.1.~~

### **Exceptions:**

- ~~1. Foundation anchorage, spaced as required to provide equivalent anchorage to 1/2-inch-diameter (13 mm) anchor bolts.~~
12. Walls 24 inches (610 mm) total length or shorter connecting offset *braced wall panels* shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent *braced wall panels* at corners as shown in item 8 of Table R602.3(1).
23. Connections of walls 12 inches (305 mm) total length or shorter connecting offset *braced wall panels* to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent *braced wall panels* at corners as shown in item 8 of Table R602.3(1).

### **Reason:**

The purpose of this amendment is to revise and clarify the language for anchorage of light-frame wood and cold-formed steel stud walls to the foundations of the house. We are concerned that the provisions as stated will be interpreted as requiring a continuous footing and anchor bolts along the entire length of an interior, non-bearing wall used as

part of a braced wall line. Chapters 4 and 6 of the IRC do not explicitly require a continuous foundation in these locations and they are not traditionally provided in low-wind, low-seismic areas. If interpreted and enforced as such by plan reviewers and inspectors in this area, disputes and project delays will result.

The ICC Ad-Hoc Committee on Wall Bracing revised this section during the 2007/2008 code cycle with the intent of insuring that sufficient anchorage is provided on braced wall lines and panels inside a dwelling to transfer lateral loads to either monolithic (thickened) slab foundations or continuous footings. While we agree that providing a continuous load path is important, the new language is overly broad in its application. In addition to the concern about non-bearing walls used as braced wall lines, we are also concerned the language could be taken to require *all* light-frame walls to be provided with anchor bolts to the foundation. Thus, a non-bearing interior partition that is not part of a braced wall line but which just happens to sit atop a foundation wall or continuous foundation (e.g. at a partial basement, crawlspace, or interior knee wall) would also be required to be fastened to the wall or footing below with 1/2" diameter anchor bolts at 6 foot spacing. The ability to use wedge anchors, expansion bolts, mudsill straps, or other equivalent anchorage in lieu of anchor bolts needs to be strengthened. This permission should be granted in the main text of the section similar to the IBC, not just as an exception. Among other benefits, this will help prevent a possible issue with requiring anchor bolts in the middle of a post-tensioned slab-on-grade used where expansive soils exist.

Further, there was no technical justification provided for the increased anchorage requirements. It is noted that the bottom plate of a braced wall line on the interior of a dwelling and supported on floor framing (including a raised floor system over a crawlspace or pier-and-beam foundation) can be attached to the framing with 3-16d nails at 16" spacing. In most dwellings, braced wall lines inside the dwelling will use Method GB bracing, reflecting the fact gypsum board is the typical interior finish. The ultimate capacity for Method GB when used on both sides of a braced wall is 400plf (or 200plf allowable). Clearly, this can easily be achieved not only by the standard nailing on a raised floor system, but also by short post-installed anchors or even power-actuated fasteners. 1/2" diameter anchor bolts at 6 foot spacing are not necessary.

Finally, the pointer to the foundation anchorage requirements in Chapter 5 and 6 for cold-formed steel framing is moved from the end of the paragraph on anchorage requirements for wood framing to the beginning of Section 403.1.6 where it can serve as charging language and an appropriate pointer. As part of the move the text regarding wood sill plates is deleted as this option is covered by the Chapter 5 and 6 provisions.

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## CITY OF FAIRVIEW HEIGHTS

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

### **PUBLIC NOTICE**

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, April 12, 2016 at 7:30 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois, at which time and place the Commission will consider an application for Zoning Text Amendment of Ordinance No. 190 The Revised Code, Chapter 14 The Development Code, Article III, General Development Regulations by adopting the 2012 edition of the International Building Code with addendums, of the 2012 edition of the International Residential Code with addendums, the 2012 edition of the International Mechanical Code, the 2012 edition of the International Fire Code, the 2012 edition of the International Energy Code, the 2012 edition of the International Existing Building Code and Amendments to the 2012 edition of the International Property Maintenance Code with addendums, all as published by International Code Council.

Request was made by City of Fairview Heights

All persons desiring to appear and be heard for or against said proposal may appear at said hearing and be heard thereon.

Dated this 21st day of March, 2016.

### **FAIRVIEW HEIGHTS PLANNING COMMISSION**

BY: Jim Bramstedt, Chairman

PC09-16