

**CITY OF FAIRVIEW HEIGHTS
CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
MAY 3, 2016
7:00 P.M.**

- A. Call to Order
- B. Pledge of Allegiance
- C. Invocation
- D. Roll Call
- E. Public Participation
- F. Consent Agenda:

City Council Minutes - April 19, 2016
Finance Report

- G. Committee Reports
- H. Communication from Mayor
- I. Communication from Elected Officials

J. UNFINISHED BUSINESS

None.

K. NEW BUSINESS

Proposed Ordinance No. 29-'16, an Ordinance amending Ordinance No. 190, "The Revised Code," Chapter 14, "The Development Code," Article III, General Development Regulations. (Community Committee)

Proposed Ordinance No. 30-'16, an Ordinance granting an Area Bulk Variance allowing the placement of a principal structure of a specific size in the required front yard within the "R-1" Single-Family Dwelling District, located at 238 Circle Drive. (Community Committee)

Proposed Ordinance No. 31-'16, an Ordinance approving a Special Use Permit for a massage establishment for Tsou Chin Wang at 5900 North Illinois. (Community Committee)

Proposed Ordinance No. 32-'16, an Ordinance approving a Development Plan for a medical office parking lot at 5 Ludwig Drive. (Community Committee)

Proposed Ordinance No. 33-'16, an Ordinance granting an Area/Bulk Variance allowing a building addition in the front setback area within the "B-3" Community Business District, located at 9723 West State Route 161. (Community Committee)

K. NEW BUSINESS - continued

Proposed Resolution No. 38-'16, a Resolution approving a Special Event Permit request allowing a Farmers Market to be located at 10207 Lincoln Trail. (Community Committee)

Proposed Resolution No. 39-'16, a Resolution authorizing the Mayor to enter into an agreement for professional services with Sports Facilities Advisory (SFA) to perform a Feasibility Study for a Recreation Complex Phases I and II. (Community Committee)

Move to reappointment Don Baden, President, Linda Spencer, Secretary and Debra Smith, Trustee to the Library Board, terms to expire May 1, 2019.

L. ADJOURNMENT

**CITY OF FAIRVIEW HEIGHTS
CITY COUNCIL MINUTES
APRIL 19, 2016**

The regular meeting of the Fairview Heights City Council was called to order at 7:00 P.M. by Mayor Mark T. Kupsky in the Municipal Complex, 10025 Bunkum Road, Fairview Heights, IL with the Invocation by City Clerk Karen J. Kaufhold and the Pledge of Allegiance by Mayor Kupsky.

ROLL CALL

Roll call of Aldermen present: Justin Gough, Denise Williams, Bill Poletti, Frank Menn, Dennis Baricevic, Pat Baeske, Brenda Wagner, Harry Zimmerman, Pat Peck and Roger Lowry. Mayor Mark T. Kupsky, City Clerk Karen J. Kaufhold and City Attorney Kevin Hoerner were also present.

PUBLIC PARTICIPATION

None.

CONSENT AGENDA

Alderman Poletti moved to approve the April 5, 2016 City Council and Public Hearing minutes and the bills and invoices presented for payment in the amount of \$1,516,185.14. Seconded by Alderman Baeske.

Roll call on the Consent Agenda showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Consent Agenda passed on 10 yeas and no nays.

COMMITTEE REPORTS

Mayor Kupsky announced the Community Committee will meet April 20th, 7:00 P.M.

COMMUNICATION FROM MAYOR

Mayor Kupsky thanked those who attended the Hero Inside Event which was held April 16th; Mayor announced Community Cleanup Day will be held April 23rd at Moody Park; Mayor Kupsky read a proclamation for the Women's Club of Fairview Heights celebrating their 50th Anniversary.

COMMUNICATION FROM ELECTED OFFICIALS

Alderman Wagner announced the first week in May is Small Business Week and stated that there are a number of events planned for the week.

City Clerk Kaufhold announced the Municipal Clerks of Illinois will be in Fairview Heights April 21st, 22nd and 23rd for a Regional Meeting; Clerk Kaufhold announced the Salute to the Masters Trivia night will be held on April 30th at Holy Trinity Church.

UNFINISHED BUSINESS

Proposed Resolution No. 29-'16, a Resolution repealing Resolution No. 3908-2015, passed April 7, 2015, and approved April 9, 2015, and all preceding Resolutions passed and approved since April 9, 2015; and a Resolution authorizing Departmental Force Levels effective May 1, 2016.

Alderman Baeske move to amend Proposed Resolution No. 29-'16 by adding, under "Administration, Full Time," the verbiage "Administrator, One (1)." Seconded by Alderman Wagner.

Roll call on the amendment showed Aldermen Williams, Poletti, Baeske, Wagner, Peck and Lowry voting "Yea." Aldermen Gough, Menn, Baricevic and Zimmerman voting "Nay." Motion passed on 6 yeas and 4 nays.

Roll call on Proposed Resolution No. 29-'16 as amended showed Aldermen Gough, Williams, Poletti, Menn, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Alderman Baricevic voting "Nay." Proposed Resolution No. 29-'16 passed on 9 yeas and 1 nay.

Proposed Resolution No. 29-'16 now becomes **RESOLUTION NO. 4006-2016.**

Proposed Resolution No. 31-'16, a Resolution authorizing the spending of Hotel/Motel Funds from the Hotel/Motel Tax Grant Funding Program for the promotion of tourism within the City of Fairview Heights based on the amount approved in the 2016-2017 City Budget as approved by Council. Motion made by Alderman Poletti. Seconded by Alderman Gough.

Alderman Wagner moved to add the following language "All funding requests and payments are subject to the event, being reviewed by staff and furthermore that the event adheres to all recommendations by staff to ensure the success and safety of the event." Seconded by Alderman Baeske.

Roll call on the motion showed Aldermen Baeske and Wagner voting "Yea." Aldermen Gough, Williams, Poletti, Menn, Baricevic, Zimmerman, Peck and Lowry voting "Nay." Motion failed on 8 nays and 2 yeas.

Roll call on Proposed Resolution No. 31-'16 showed Aldermen Gough, Williams, Poletti, Menn, Wagner, Zimmerman, Peck and Lowry voting "Yea." Alderman Baricevic "Abstained." Alderman Baeske voicing "Present." Proposed Resolution No. 31-'16 passed on 8 yeas, 1 abstaining, 1 present and no nays.

Proposed Resolution No. 31-'16 now becomes **RESOLUTION NO. 4007-2016.**

Proposed Ordinance No. 13-'16, an Ordinance establishing a Budget for the City of Fairview Heights for the Fiscal Year 2016-2017. Proposed Ordinance No. 13-'16 was read for the second time.

Alderman Baricevic moved to insert the Capital Improvement Program priority listing (Ordinance 7-16) into the Budget Book. Seconded by Alderman Poletti. Motion carried.

Roll call on Proposed Ordinance No. 13-'16 as amended showed Aldermen Gough, Williams, Poletti, Menn, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Alderman Baricevic voting "Nay." Proposed Ordinance No. 13-'16 passed on 9 yeas and 1 nay.

Proposed Ordinance No. 13-'16 now becomes **ORDINANCE NO. 1731-2016.**

UNFINISHED BUSINESS - continued

Proposed Ordinance No. 15-'16, an Ordinance amending Ordinance No. 190, "The Revised Code," Chapter 14, "The Development Code," Section 14-2-3, "Zone District Map and Boundaries" by changing the Zone District of certain real property commonly known as 9109 St. Clair Avenue and 1407 Second Street, from "R5" Single Family Dwelling District to "PB" Planned Business District. Proposed Ordinance No. 15-'16 was read for the second time.

Roll call on Proposed Ordinance No. 15-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 15-'16 passed on 10 yeas and no nays

Proposed Ordinance No. 15-'16 now becomes **ORDINANCE NO. 1732-2016**.

Proposed Ordinance No. 16-'16, an Ordinance approving a Development Plan for an impound/storage lot, within the Planned Business District, located at 9109 St. Clair Avenue and 1407 Second Avenue. Proposed Ordinance No. 16-'16 was read for the second time.

Roll call on Proposed Ordinance No. 16-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 16-'16 passed on 10 yeas and no nays

Proposed Ordinance No. 16-'16 now becomes **ORDINANCE NO. 1733-2016**.

Proposed Ordinance No. 18-'16, an Ordinance fixing a time and place for a Public Hearing concerning the Ludwig Drive Redevelopment Project Area Redevelopment Plan. Proposed Ordinance No. 18-'16 was read for the second time.

Roll call on Proposed Ordinance No. 18-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 18-'16 passed on 10 yeas and no nays.

Proposed Ordinance No. 18-'16 now becomes **ORDINANCE NO. 1734-2016**.

Proposed Ordinance No. 19-'16, an Ordinance creating a Joint Review Board for the Ludwig Drive Redevelopment Project Area and setting initial meeting time and place. Proposed Ordinance No. 19-'16 was read for the second time.

Roll call on Proposed Ordinance No. 19-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 19-'16 passed on 10 yeas and no nays.

Proposed Ordinance No. 19-'16 now becomes **ORDINANCE NO. 1735-2016**.

Proposed Ordinance No. 20-'16, an Ordinance authorizing the establishment of the Proposed Tax Increment Financing District "Interested Parties" Registries and adopting Registration Rules for such registry for Ludwig Drive TIF. Proposed Ordinance No. 20-'16 was read for the second time.

Roll call on Proposed Ordinance No. 20-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 20-'16 passed on 10 yeas and no nays.

Proposed Ordinance No. 20-'16 now becomes **ORDINANCE NO. 1736-2016**.

UNFINISHED BUSINESS - continued

Proposed Ordinance No. 21-'16, an Ordinance establishing a Special Tax Allocation Fund for the area subject to Proposed Resolution No. 25-'16 (Resolution No. 4001-2016).

Proposed Ordinance No. 21-'16 was read for the second time.

Proposed Ordinance No. 21-'16 passed on a voice vote.

Proposed Ordinance No. 21-'16 now becomes **ORDINANCE NO. 1737-2016**.

Proposed Ordinance No. 22-'16, an Ordinance authorizing the establishment of the Proposed Tax Increment Financing District "Interested Parties" Registries and adopting Registration Rules for such registry for State Route 159 North TIF. Proposed Ordinance No. 22-'16 was read for the second time.

Roll call on Proposed Ordinance No. 22-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 22-'16 passed on 10 yeas and no nays.

Proposed Ordinance No. 22-'16 now becomes **ORDINANCE NO. 1738-2016**.

Proposed Ordinance No. 23-'16, an Ordinance fixing a time and place for a Public Hearing concerning the State Route 159 North Redevelopment Project Area Redevelopment Plan.

Proposed Ordinance No. 23-'16 was read for the second time.

Proposed Ordinance No. 23-'16 passed on a voice vote.

Proposed Ordinance No. 23-'16 now becomes **ORDINANCE NO. 1739-2016**.

Proposed Ordinance No. 24-'16, an Ordinance creating a Joint Review Board for the State Route 159 North Redevelopment Project Area and setting initial meeting time and place. Proposed Ordinance No. 24-'16 was read for the second time.

Proposed Ordinance No. 24-'16 passed on a voice vote.

Proposed Ordinance No. 24-'16 now becomes **ORDINANCE NO. 1740-2016**.

Proposed Ordinance No. 25-'16, an Ordinance establishing a Special Tax Allocation Fund for the area subject to Proposed Resolution No. 26-'16 (Resolution No. 4002-2016).

Proposed Ordinance No. 25-'16 was read for the second time.

Proposed Ordinance No. 25-'16 passed on a voice vote.

Proposed Ordinance No. 25-'16 now becomes **ORDINANCE NO. 1741-2016**.

Proposed Ordinance No. 26-'16, an Ordinance authorizing the City to enter into a Redevelopment Agreement with Jim McKay at 10408 Lincoln Trail, Fairview Heights, IL. Proposed Ordinance No. 26-'16 was read for the second time.

Roll call on Proposed Ordinance No. 26-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 26-'16 passed on 10 yeas and no nays.

Proposed Ordinance No. 26-'16 now becomes **ORDINANCE NO. 1742-2016**.

NEW BUSINESS

Proposed Ordinance No. 27-'16, an Ordinance authorizing the sale of municipally owned real property commonly known as 10408 Lincoln Trail, Fairview Heights, Illinois. Motion made by Alderman Baricevic. Seconded by Alderman Baeske. Proposed Ordinance No. 27-'16 was read for the first time.

Alderman Lowry moved to table Proposed Ordinance No. 27-'16 until the site plan has been submitted suitable to issue a building permit recommendation from staff. Seconded by Alderman Poletti. Motion carried.

Proposed Ordinance No. 28-'16, an Ordinance authorizing the City to enter into a revised Redevelopment Agreement with Steve Giger at 10610 Lincoln Trail, Fairview Heights, IL. Motion made by Alderman Wagner. Seconded by Alderman Poletti. Proposed Ordinance No. 29-'16 was read for the first time.

Alderman Poletti moved to advance Proposed Ordinance No. 28-'16 to the second reading. Seconded by Alderman Lowry. Motion carried. Proposed Ordinance No. 28-'16 was read for the second time.

Roll call on Proposed Ordinance No. 28-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Ordinance No. 28-'16 passed on 10 yeas and no nays

Proposed Ordinance No. 28-'16 now becomes **ORDINANCE NO. 1743-2016**.

Proposed Resolution No. 32-'16, a Resolution authorizing the Mayor to enter into an agreement with the City of O'Fallon for the provision of 911 Certified Dispatch Staffing on an as needed basis. Motion made by Alderman Wagner. Seconded by Alderman Poletti. Roll call on Proposed Resolution No. 32-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Resolution No. 32-'16 passed on 10 yeas and no nays.

Proposed Resolution No. 32-'16 now becomes **RESOLUTION NO. 4008-2016**.

Proposed Resolution No. 33-'16, a Resolution amending Resolution No. 3992-2016, passed February 16, 2016 and approved February 18, 2016; a Resolution authorizing the Mayor to enter into an agreement with Motorola Solutions, Inc. for the purchase of Dispatch Radio Consoles for use by the Fairview Heights Police Department. Motion made by Alderman Wagner. Seconded by Alderman Poletti.

Roll call on Proposed Resolution No. 33-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Resolution No. 33-'16 passed on 10 yeas and no nays.

Proposed Resolution No. 33-'16 now becomes **RESOLUTION NO. 4009-2016**.

Proposed Resolution No. 34-'16, a Resolution authorizing the City to allocate \$16,500.00 to the Metro East Chamber of Commerce for Phase II of the Fairview Heights Audience Extension Retargeting Campaign. Motion made by Alderman Baricevic. Seconded by Alderman Lowry.

Roll call on Proposed Resolution No. 34-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Zimmerman, Peck and Lowry voting "Yea." Alderman Wagner voting "Nay." Proposed Resolution No. 34-'16 passed on 9 yeas and 1 nay.

Proposed Resolution No. 34-'16 now becomes **RESOLUTION NO. 4010-2016**.

NEW BUSINESS - continued

Proposed Resolution No. 35-'16, a Resolution authorizing the Mayor to enter into a contract on behalf of the City of Fairview Heights with Rooters Asphalt for Asphalt Resurfacing of roadways located in Weinel Hills. Motion made by Alderman Baricevic. Seconded by Alderman Poletti.

Roll call on Proposed Resolution No. 35-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Resolution No. 35-'16 passed on 10 yeas and no nays.

Proposed Resolution No. 35-'16 now becomes **RESOLUTION NO. 4011-2016**.

Proposed Resolution No. 36-'16, a Resolution authorizing the Mayor to enter into a contract on behalf of the City of Fairview Heights with Haier Plumbing & Heating, Inc. for storm water improvements in the Fox Creek Subdivision. Motion made by Alderman Baricevic. Seconded by Alderman Wagner.

Roll call on Proposed Resolution No. 36-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Resolution No. 36-'16 passed on 10 yeas and no nays.

Proposed Resolution No. 36-'16 now becomes **RESOLUTION NO 4012-2016**.

Proposed Resolution No. 37-'16, a Resolution authorizing the Mayor to enter into a Right-of-Way Agreement for the installation of Telecommunications Equipment within, over or under the City's Right-of-Way and a Dark Fiber License Agreement for the reservation of two dark fiber strands in the fiber optic cable for use by the City with Extenet Systems, Inc. Motion made by Alderman Poletti. Seconded by Alderman Wagner.

Roll call on Proposed Resolution No. 37-'16 showed Aldermen Gough, Williams, Poletti, Menn, Baricevic, Baeske, Wagner, Zimmerman, Peck and Lowry voting "Yea." Proposed Resolution No. 37-'16 passed on 10 yeas and no nays.

Proposed Resolution No. 37-'16 now becomes **RESOLUTION NO. 4013-2016**.

Alderman Gough moved to adjourn. Seconded by Alderman Williams. Motion carried.

Meeting adjourned at 8:03 P.M.

Respectfully submitted,



KAREN J. KAUFHOLD
CITY CLERK

Memo

To: Mayor & City Council
From: Gina Rader - Director of Finance
CC: City Clerk & Directors
Date: April 28, 2016
Re: Finance Report – May 3, 2016 City Council Meeting

Presentation of Bills

There are no bills to present at the May 3, 2016 City Council Meeting.

Finance Committee Legislation

There is no legislation to present at the May 3, 2016 City Council Meeting.

Payroll

The Finance Department has completed the transition of payroll. Payroll is now handled internally. We are in the process of converting all of the data that has is held in ADP into our software system.

Budget

The FY 2016-2017 was approved and will begin on May 1, 2016.

Please let me know if you have any questions.

PROPOSED ORDINANCE NO. 29-'16

AN ORDINANCE AMENDING ORDINANCE NO. 190, "THE REVISED CODE", CHAPTER 14, "THE DEVELOPMENT CODE," ARTICLE III, GENERAL DEVELOPMENT REGULATIONS.

WHEREAS, the Planning Commission on April 12, 2016 held the necessary Public Hearings and reviewed the proposed text amendment and has transmitted its Advisory Report to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

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. "2006 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 2006 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 3410.2 Insert: January 20, 1975.

Section 406.1.4 Change: 1. Private garages... "Doors shall be self-closing and self-latching in all use groups with the exception of R3."

Section 903.2.1.2 Group A-2 As follows:

"An automatic sprinkler system shall be provided for group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (465m²); or
2. The fire area has an occupant load of 100 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

Be and the same is hereby amended to read 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."

Section 312.1.1 Change by deleting "at any point within 36 inches (914 mm) horizontally to the edge of the open side"

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

SECTION 2. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code", Chapter 14, "Development Code", Article III, General Development Regulations, Section 14-3-2.1 International Residential Code, reading as follows:

14-3-2.1 INTERNATIONAL RESIDENTIAL CODE. "2006 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 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 (11.15m²)

Section R301.1 Emergency Escape and rescue openings Change to: Basement sleeping rooms shall have at least one operable emergency escape and rescue opening.

Be and the same is hereby amended to read as follows:

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 2012 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 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 (11.15m²).

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

Section R313 AUTOMATIC SPRINKLER SYSTEMS shall be deleted in its entirety.

SECTION 3. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code", Chapter 14, "Development Code", Article III, General Development Regulations, Section 14-3-6 International Fire Prevention Code Adoption, reading as follows:

14-3-6 INTERNATIONAL FIRE PREVENTION CODE ADOPTION. "The 2006 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.

Be and the same is hereby amended to read as follows:

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.

SECTION 4. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code", Chapter 14, "Development Code", Article III, General Development Regulations, Section 14-3-36 Energy Conservation Code, reading as follows:

14-3-36 ENERGY CONSERVATION CODE. "International Energy Conservation Code 2006", 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, 2003 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.

Be and the same is hereby amended to read as follows:

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, 2006 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.

SECTION 5. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code", Chapter 14, "Development Code", Article III, General Development Regulations, Section 14-3-37 International Existing Building Code, reading as follows:

14-3-37 INTERNATIONAL EXISTING BUILDING CODE. "2006 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.

Be and the same is hereby amended to read as follows:

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.

SECTION 6. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code", Chapter 14, "Development Code", Article III, General Development Regulations, Section 14-3-37 International Mechanical Code, reading as follows:

14-3-38 INTERNATIONAL MECHANICAL CODE. "2006 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.

Be and the same is hereby amended to read as follows:

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.

SECTION 7. PASSAGE. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

READ FIRST TIME:

READ SECOND TIME:

PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

PROPOSED ORDINANCE NO. 30-'16

AN ORDINANCE GRANTING AN AREA BULK VARIANCE ALLOWING THE PLACEMENT OF A PRINCIPAL STRUCTURE OF A SPECIFIC SIZE IN THE REQUIRED FRONT YARD WITHIN THE "R-1" SINGLE-FAMILY DWELLING DISTRICT, LOCATED AT 238 CIRCLE DRIVE.

WHEREAS, the Zoning Board of Appeals on April 7, 2016 held the necessary Public Hearing and reviewed the requested Area/Bulk Variances and has transmitted its Advisory Report to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. APPROVAL. A variance from the Development Code Section 14-2-2 (A) allowing a 36.5 foot variance to the required 80 foot front setback from the centerline of a county road and from Section 14-3-10.1 a 413 square foot variance allowing a 1,387 gross square foot house within the R-1 Single Family Residential District at 238 Circle Drive is hereby approved. A copy of the Zoning Board of Appeals Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT A." The site plan is attached hereto, made part hereof and marked "EXHIBIT B."

SECTION 2. PASSAGE. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

FIRST READING:

SECOND READING:

PASSED:

APPROVED:

ATTEST:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

KAREN J. KAUFHOLD - CITY CLERK



Exhibit "A"

CITY OF FAIRVIEW HEIGHTS

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

April 14, 2016

Fairview Heights City Council
10025 Bunkum Road
Fairview Heights, IL 62208

Dear City Council Member:

The petition listed below is hereby transmitted for your consideration:

Petition No:	ZBA 03-16
Petitioner:	Country View Homes Joe Ernst
Request:	Area/Bulk Variance
Area Size:	Approximately 1.86 acres
Location:	238 Circle Drive
Hearing Date:	April 7, 2016
Proponents:	0
Opponents:	0
Recommendation:	Approval of two Area Bulk Variances
Report:	Staff Advisory (Exhibit 1)
Ward:	I

Respectfully,

Cheryl Bunfill, Chairman
Zoning Board of Appeals

ZBA 03-16, Area/Bulk Variance—238 Circle Drive Country View Homes

AREA LAND USE AND ZONING

The subject property, 238 Circle Drive, is an approximate 1.86 Acre tract of ground containing a garage structure, the stick built house and a mobile home were demolished in 2015. The parcel is located on the east side of Circle Drive. The subject property is zoned “R-1” Single Family Residential District as are the adjoining properties. The adjoining properties are developed with single family residences.

DEVELOPMENT PROPOSAL

The Petitioner, Country View Homes Joe Ernst on behalf of owner Thomas Birdsong, is requesting two variances in order to construct 26’8” x 52’ house containing approximately 1387 square feet of gross space. The structure is proposed to be located 43’6” from the centerline of the Circle Drive.

Petitioner states that elevation drops off severely preventing placement of structure any further to the east.

VARIANCE REQUESTED

A five 36.5’ foot variance from the required 80 feet front lot line setback from the center line of the county road within the R-1 Single Family Residential District as stipulated in Section 14-2-2(A) Minimum Zone District Regulations; and, A 413 square foot variance from the 1,800 square foot minimum requirement of Section 14-3-10.1 Minimum Building Size for a residence within the R-1 District.

AREA-BULK VARIANCE CRITERIA

In accordance with 14-10-13 Zoning Board of Appeals: Powers, Duties, Procedures, no area-bulk variance in the application of any provisions of this Code shall be recommended by the Board, unless it finds:

(a) That special circumstances or conditions fully described in findings of fact apply to the land or buildings for which the area-bulk variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to the land or buildings in the neighborhood, and that said circumstances or conditions are such that strict application of the provisions of this Code would deprive the applicant of a reasonable use of such land or building;

(b) that, for reasons fully set forth in the findings, the recommending of the area-bulk variance is necessary for the reasonable use of land or

buildings, and that the variance as recommended by the Board is the minimum variance that will accomplish this purpose;

(c) that the recommending of this variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of adjoining buildings and those in the vicinity, the Board, in making its recommendations shall take into account whether the conditions of the subject premises are peculiar to the lot or tract described in the petition. Should it be determined that the conditions are part of the general condition of the neighborhood, then it shall be so noted and the Board may recommend appropriate corrections to Code.

Exhibits:

- 1 -- Staff Advisory
- 2 -- Application
- 3 -- Site Plan
- 4 -- Aerial Images
- 5 -- Photographs
- 6 -- House floor plan
- 7 -- Public notice
- 8 -- Surrounding Property owners
- 9 -- Development Code Excepts

**ZBA03-16, Area Bulk Variance
Joe Ernst
238 Circle Drive**

ZONING BOARD OF APPEALS FINDINGS

Based upon review of the request, Peterson moved to approve an Area Bulk Variance of 36.5' feet from the required 80 feet front lot line setback from the center line of the county road within the R-1 Single Family Residential District as stipulated in Section 14-2-2(A) Minimum Zone District Regulations within the City of Fairview Heights for the following reasons:

1. The addition will not be injurious or detrimental to the public health, safety and welfare.
2. The applicant is requesting a minimum variance for the use of the property due to the narrowness and topographical conditions.
3. Strict application of the Code would deprive the applicant of reasonable use of the property.
4. This addition would not alter the essential character of the area.
5. This addition will not extend the nonconformity.
6. The front and back are restrictive and with minimum deviation will eliminate the hardship.

Abernathy seconded.

VOTE: 6 YEAS; Peterson, Prescott, Wicks, Bunfill, Petroff and Abernathy
1 ABSENT; Bramstedt

ZONING BOARD RECOMMENDATIONS

Based upon application materials and proposed plans, the Zoning Board of Appeals recommends approval of an Area Bulk Variance for the front setback for property located at 238 Circle Drive, as requested in ZBA 03-16.

**ZBA03-16, Area Bulk Variance
Joe Ernst
238 Circle Drive**

ZONING BOARD OF APPEALS FINDINGS

Based upon review of the request, Peterson moved to approve an Area Bulk Variance of a 413 square foot variance from the 1,800 square foot minimum requirement of Section 14-3-10.1 Minimum Building Size for a residence within the R-1 District within the City of Fairview Heights for the following reasons:

1. The addition will not be injurious or detrimental to the public health, safety and welfare.
2. The applicant is requesting a minimum variance for the use of the property due to the narrowness and topographical conditions.
3. Strict application of the Code would deprive the applicant of reasonable use of the property.
4. This addition would not alter the essential character of the area.
5. This addition will not extend the nonconformity.
6. The front and back are restrictive and with minimum deviation will eliminate the hardship.

Wicks seconded.

VOTE: 4 YEAS; Peterson, Prescott, Wicks, and Bunfill
2 NAYS; Petroff and Abernathy, 1 Absent; Bramstedt

ZONING BOARD RECOMMENDATIONS

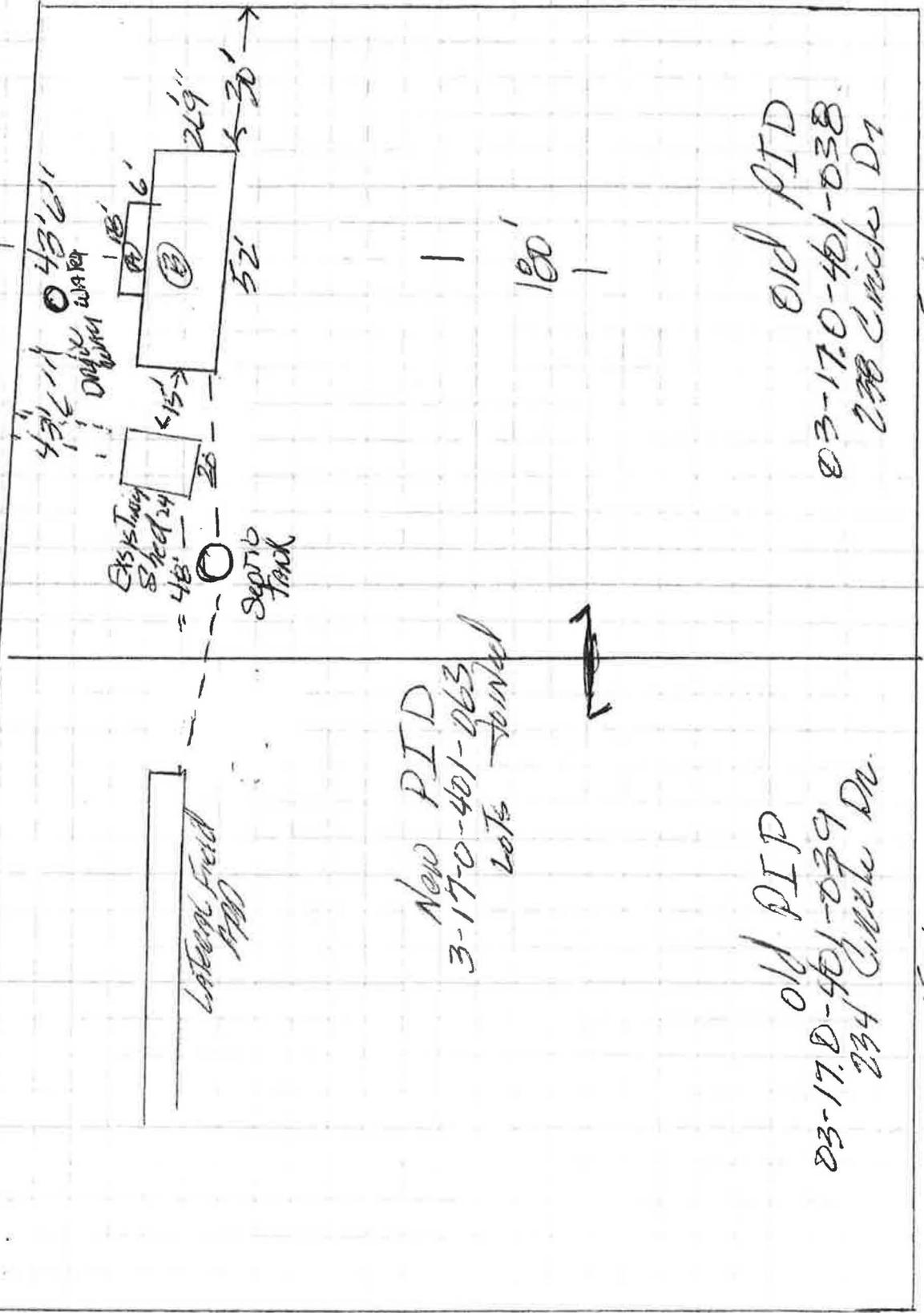
Based upon application materials and proposed plans, the Zoning Board of Appeals recommends Approval of an Area Bulk Variance from the minimum space of a residential structure for property located at 238 Circle Drive as requested in ZBA 03-16.

A = proposed 18'x6' Porch
B = proposed 52x269 Machine Room

Center line of Road

203'5"

224'



Creek Dr

Lateral Field PAD

Existing Shed 24' x 48''

Septic Tank

Dry Ice Storage 43' x 11'

Machine Room 52' x 269'

18' x 6'

New PID
3-17-0-401-063
Lots joined

Old PID
03-17-0-401-038
234 Creek Dr.

Old PID
03-17-0-401-038
298 Creek Dr.

150'

150'

271'

PROPOSED ORDINANCE NO. 31-'16

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A MASSAGE ESTABLISHMENT FOR TSOU CHIN WANG AT 5900 NORTH ILLINOIS.

WHEREAS, the Planning Commission on April 12, 2016 held the necessary Public Hearing and reviewed the Special Use Permit application and has transmitted its Advisory Report to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS that:

SECTION 1. APPROVAL. The Special Use Permit allowing a Massage Establishment for Tsou Chin Wang is hereby approved. A copy of the Planning Commission's Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT A."

SECTION 2. CONDITIONS. The conditions of this Development Plan are contained in the Findings of Fact adopted by Planning Commission Resolution PC008-16 of the Planning Commission's Advisory Report and attached hereto, made a part hereof, and marked "EXHIBIT B."

SECTION 3. PASSAGE. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

READ FIRST TIME:

READ SECOND TIME:

PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

Exhibit "A"



CITY OF FAIRVIEW HEIGHTS

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

April 14, 2016

Fairview Heights City Council
10025 Bunkum Road
Fairview Heights, IL 62208

Dear City Council Member:

The petition listed below is hereby transmitted for your consideration:

Petition No:	PC08-16
Petitioner:	Tsou Chin Wang-Sengsarichunh
Request:	Special Use Permit in the Community Business District
Area Size:	Approximately 2,100 square feet
Location:	5900 N. Illinois Ste. 8, 9 & 10
Hearing Date:	April 12, 2016
Proponents:	0
Opponents:	0
Recommendation:	Approval
Votes:	Yeas: Herrington, Mensing, Wesemann, Sudja, Barkley, Funk, Correale, McCarthy, Hoppe, & Bramstedt Nays: None Absent: Smith
Report:	Staff Advisory (Exhibit 1)
Ward:	IV

Respectfully,

Jim Bramstedt, Chairman
Planning Commission
TT/kt

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 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

Exhibit "B"

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

RESOLUTION PC008-16

A RESOLUTION ADOPTING FINDINGS OF FACT PC08-16 RELATING TO A REQUEST FROM TSOU GHIN WANG-SENGSAIRICHUNH, 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 not require any changes to traffic circulation and ingress/egress.
6. That this permit will not require any changes to lighting, landscaping, or the existing site usage.
7. 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.
8. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
9. That the proposed use will not be hazardous or disturbing to existing neighboring uses.

10. That the proposed use will not be served adequately by public facilities and services such as highways and streets.
11. 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.
12. 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.
13. The proposed use will be consistent with the Comprehensive Plan.
14. That this Special Use Permit 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 Herrington upon vote being taken thereon, the following voted in favor thereof: Herrington, Mensing, Wesemann, Sudja, Barkley, Funk, Correale, McCarthy, Hoppe, & Bramstedt

and the following voted against the same: None

and the following abstained: None

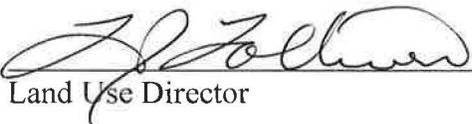
and the following were absent: Smith

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.

PROPOSED ORDINANCE NO. 32-'16

**AN ORDINANCE APPROVING A DEVELOPMENT
PLAN FOR A MEDICAL OFFICE PARKING LOT AT 5
LUDWIG DRIVE.**

WHEREAS, the Planning Commission on December April 12, 2016 held the necessary Public Hearing and reviewed the Development Plan application and has transmitted its Advisory Report to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. APPROVAL. The Development Plan for Medical Office parking lot at 5 Ludwig Drive is hereby approved. A copy of the Planning Commission's Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT A." A copy of the site plan is attached hereto, made a part hereof, and marked "EXHIBIT B."

SECTION 2. CONDITIONS. The conditions of this Development Plan are contained in the Findings of Fact adopted by Planning Commission Resolution PC007-16 of the Planning Commission's Advisory Report and attached hereto, made a part hereof, and marked "EXHIBIT C."

SECTION 3. PASSAGE. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

READ FIRST TIME:

READ SECOND TIME:

PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK



Exhibit "A"

CITY OF FAIRVIEW HEIGHTS

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

April 14, 2016

Fairview Heights City Council
10025 Bunkum Road
Fairview Heights, IL 62208

Dear City Council:

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
Proponents:	0
Opponents:	0
Recommendation:	Approval
Votes:	Yeas: Herrington, Mensing, Wesemann, Sudja, Barkley, Funk, Correale, McCarthy, Hoppe, & Bramstedt Nays: None Absent: Smith
Report:	Staff Advisory
Ward:	IV

Respectfully,

Jim Bramstedt, Chairman
Planning Commission
TT/kt

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 HSHV 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 (9) feet by twenty (20) feet (8 spaces) and nine and one-half (9.5) feet by twenty (20) feet (21 spaces) with two handicapped spaces sixteen (16) feet by twenty (20) feet each .

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 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.

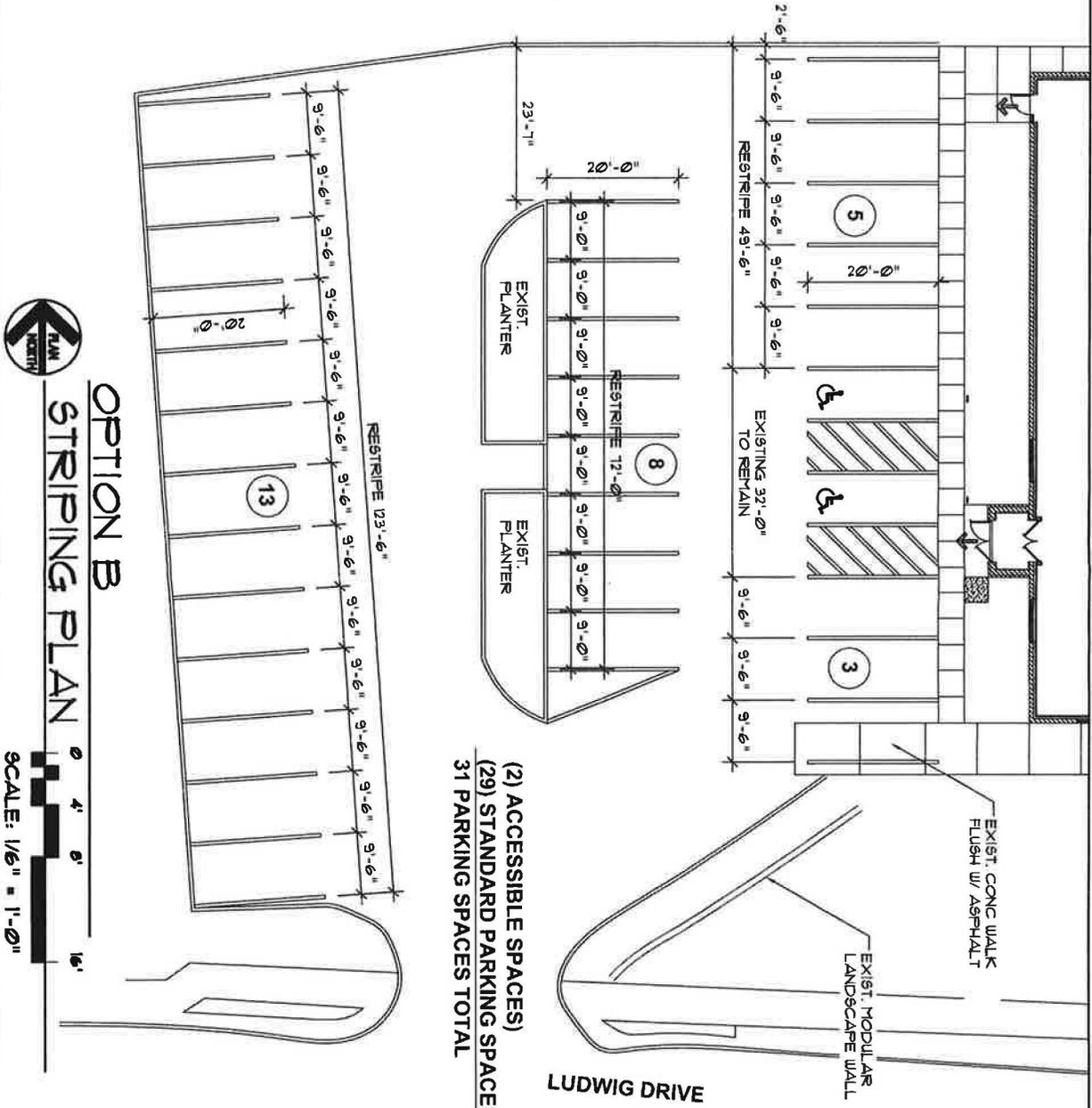
Business, Professional and Governmental Office Three (3) parking spaces shall be provided for each 1,000 square feet of floor area, plus one (1) space for each company or business vehicle.

Exhibits:

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

TT/kt

Exhibit "B"



OPTION B STRIPING PLAN



(2) ACCESSIBLE SPACES
(29) STANDARD PARKING SPACES
31 PARKING SPACES TOTAL

NO. 3
FAIRVIEW HEIGHTS PARKING LOT EXPANSION
B LUDWIG DRIVE
FAIRVIEW HEIGHTS, ILLINOIS 62206

JOB No.
216107
DATE: 01-27-16

DRAWING
NUMBER
A10



EXHIBIT "C"

Planning Commissioner Herrington 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 zoned "PB" Planned Business District. The subject property is contains a 5,000 square foot medical building occupied by HSHS Medical Group.
3. That the Subject Property contains approximately 1.25 acres.
4. That this permit will not require any changes to traffic circulation and ingress/egress.
5. That this permit will not require any changes to lighting, landscaping, or the existing site usage.
6. 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.
7. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
8. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
9. That the proposed use will be served adequately by public facilities and services such as highways and streets.

10. 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.
11. 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.
12. The proposed use will be consistent with the Comprehensive Plan.
13. That this Development Plan approval will 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; McCarthy upon vote being taken thereon, the following voted in favor thereof: Herrington, Mensing, Wesemann, Sudja, Barkley, Funk, Correale, McCarthy, Hoppe, & Bramstedt

and the following voted against the same: None

and the following abstained: None

and the following were absent: Smith

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

William S. and Barbara J. Gassett, 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.

PROPOSED ORDINANCE NO. 33-'16

AN ORDINANCE GRANTING AN AREA/BULK VARIANCE ALLOWING A BUILDING ADDITION IN THE FRONT SETBACK AREA WITHIN THE "B-3" COMMUNITY BUSINESS DISTRICT, LOCATED AT 9723 WEST STATE ROUTE 161.

WHEREAS, the Zoning Board of Appeals on April 7, 2016 held the necessary Public Hearing and reviewed the requested Area/Bulk Variance and has transmitted its Advisory Report to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. APPROVAL. A variance from Development Code Section 14-2-2(B) allowing a five (5) foot variance to the required 75 foot front lot depth requirement for an principal structure within the B-3 Community Business District at 9723 West State Route 161 is hereby approved. A copy of the Zoning Board of Appeals Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT A." The site plan is attached hereto, made part hereof and marked "EXHIBIT B."

SECTION 2. PASSAGE. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

FIRST READING:

SECOND READING:

PASSED:

APPROVED:

ATTEST:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

KAREN J. KAUFHOLD - CITY CLERK

Exhibit "A"



CITY OF FAIRVIEW HEIGHTS

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

April 12, 2016

Fairview Heights City Council
10025 Bunkum Road
Fairview Heights, IL 62208

Dear City Council Member:

The petition listed below is hereby transmitted for your consideration:

Petition No:	ZBA 02-16
Petitioner:	Jacob Five Enterprise
Request:	Area/Bulk Variance
Area Size:	Approximately 1.9 acres
Location:	9273 W. State Rte. 161.
Hearing Date:	April 7, 2016
Proponents:	0
Opponents:	0
Recommendation:	Approval
Votes:	Yeas: Prescott, Peterson, Abernathy, Wicks, Petroff, and Bunfill Nays: None Absent: Bramstedt
Report:	Staff Advisory (Exhibit 1)
Ward:	II

Respectfully,

Cheryl Bunfill, Chairman
Zoning Board of Appeals

**ZBA 02-16, Area/Bulk Variance—9723 W. State Rte. 161
Jacob Five Enterprises**

AREA LAND USE AND ZONING

The subject property, 9723 W. State Rte. 161, is a 1.9 acre parcel containing a two commercial structure the front building is the office and showroom with rear a warehouse structure. The parcel is a corner lot fronting W. State Rte. 161 on the west and Lynn Lee Court on the south. The subject property is zoned "B-3" Community Business District as are the adjoining properties to the west, north and east. The properties to south are zoned Industrial District. The property to the west is occupied the Metro link station with associated parking and out lots. Properties to the north and east are commercially developed. The property to the south is undeveloped and owned by applicant.

DEVELOPMENT PROPOSAL

The Petitioner, Jacob Five Properties, is requesting a front setback variance in order to construct a ten (10) foot by sixteen (16) foot aluminum sun room on the west side of the existing office showroom building. The showroom would be setback seventy (70) feet from the front property line/right of way of West State Rte. 161.

Petitioner states that the Illinois Department of Transportation purchased property from them for the relocation of West State Rte. 161. The relocation was part of the Metro link Station development.

VARIANCE REQUESTED

A five (5) foot variance from the required 75 feet front lot line setback within a B-3 Business District as stipulated in Section 14-2-2(B) Minimum Business and Industrial Zone District Regulations.

AREA-BULK VARIANCE CRITERIA

In accordance with 14-10-13 Zoning Board of Appeals: Powers, Duties, Procedures, no area-bulk variance in the application of any provisions of this Code shall be recommended by the Board, unless it finds:

- (a) That special circumstances or conditions fully described in findings of fact apply to the land or buildings for which the area-bulk variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to the land or buildings in the neighborhood, and that said circumstances or conditions are such that

strict application of the provisions of this Code would deprive the applicant of a reasonable use of such land or building;

(b) that, for reasons fully set forth in the findings, the recommending of the area-bulk variance is necessary for the reasonable use of land or buildings, and that the variance as recommended by the Board is the minimum variance that will accomplish this purpose;

(c) that the recommending of this variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of adjoining buildings and those in the vicinity, the Board, in making its recommendations shall take into account whether the conditions of the subject premises are peculiar to the lot or tract described in the petition. Should it be determined that the conditions are part of the general condition of the neighborhood, then it shall be so noted and the Board may recommend appropriate corrections to Code.

Exhibits:

- 1 -- Staff Advisory
- 2 -- Application
- 3 -- Site Plan
- 4 -- Floor Plan
- 5 -- Aerial Image
- 6 -- Development Code Excerpt
- 7 -- Public notice
- 8 -- Surrounding Property owners

**ZBA02-16, Area Bulk Variance
Jacob Five Enterprise
9273 W. State Rt. 161**

ZONING BOARD OF APPEALS FINDINGS

Based upon review of the request, Peterson moved to approve an Area Bulk Variance of 5 feet from the 75 feet front lot line requirement in a B-3 Business District as stipulated in Section 14-2-2(B) for 9273 W. State Rt. 161 within the City of Fairview Heights for the following reasons:

1. The addition will not be injurious or detrimental to the public health, safety and welfare.
2. The applicant is requesting a minimum variance for the use of the property due to the narrowness conditions of the lot resulting from the sale of property to the Illinois Department of Transportation for W. State Rte. 161.
3. Strict application of the Code would deprive the applicant of reasonable use of the property.
4. This addition would not alter the essential character of the area.
5. The front and back are restrictive and with minimum deviation will eliminate the hardship.

Abernathy seconded

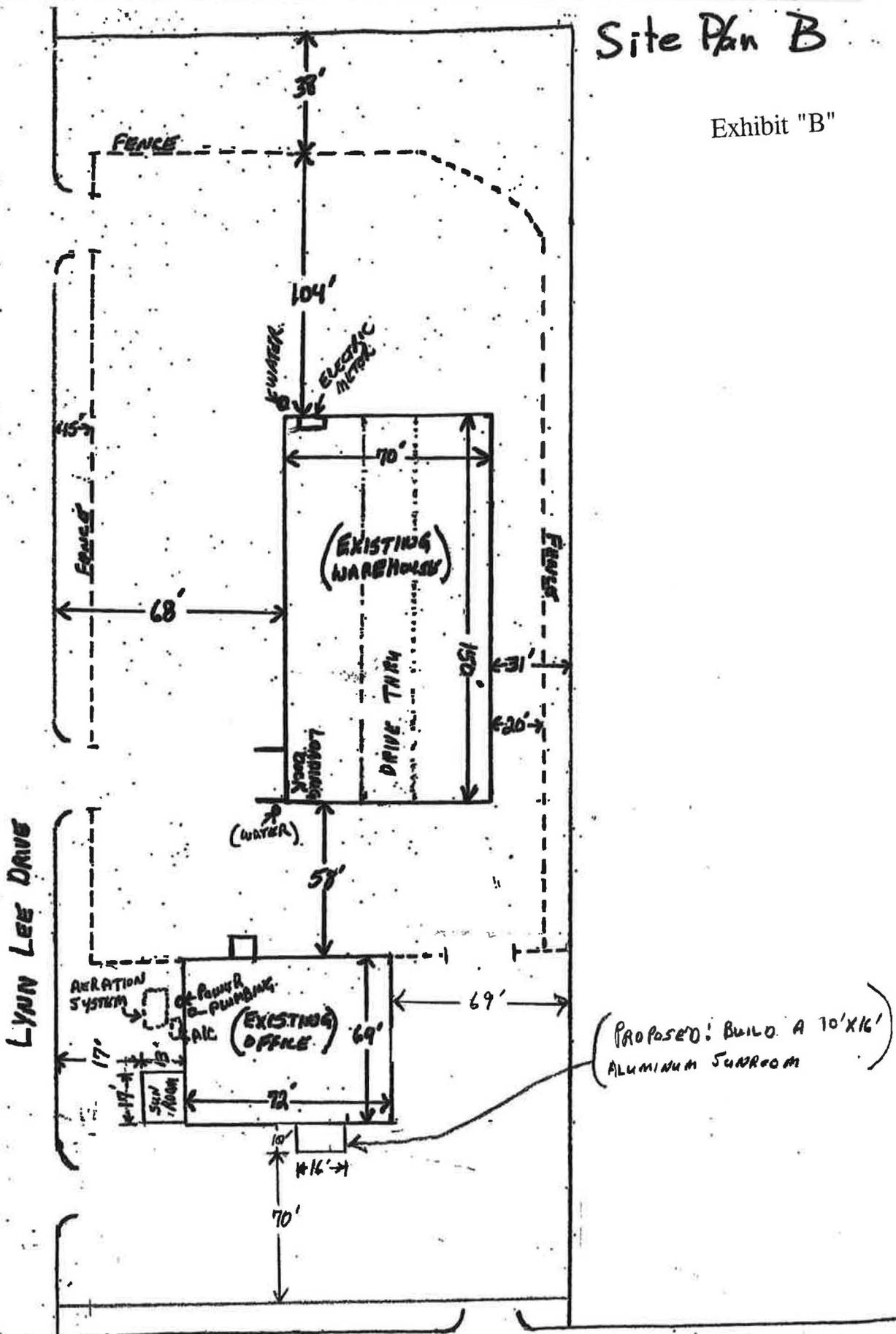
VOTE: 6 YEAS; Petroff, Peterson, Prescott, Wicks, Abernathy and Bunfill
0 NAYS

ZONING BOARD RECOMMENDATIONS

Based upon application materials and proposed plans, the Zoning Board of Appeals recommends Approval of ZBA02-16, Area Bulk Variance for property located at 9273 W. State Rt. 161

Site Plan B

Exhibit "B"



HWY 161

PROPOSED RESOLUTION NO. 38-'16

**A RESOLUTION APPROVING A SPECIAL EVENT
PERMIT REQUEST ALLOWING A FARMERS MARKET
TO BE LOCATED AT 10207 LINCOLN TRAIL.**

WHEREAS, the Planning Committee, on April 20, 2016 and reviewed the Special Event request.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. APPROVAL. The Special Event Permit for Fairview Heights Community Garden Farmers Market to be conducted at St. John UCC, 10207 Lincoln Trail is hereby approved with the following conditions:

1. The event shall take place on 23 consecutive Saturdays from 8:00 a.m. till 12:00 p.m. beginning on May 14, 2016 through October 29, 2016.
2. Up to ten canopies of approximate 10'x 10' shall be allowed.

SECTION 2. PASSAGE. This Resolution shall be in force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

PROPOSED RESOLUTION NO. 39-'16

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH SPORTS FACILITIES ADVISORY (SFA) TO PERFORM A FEASIBILITY STUDY FOR A RECREATION COMPLEX PHASES I AND II.

WHEREAS, the City of Fairview Heights is in need of a Recreation Complex.

WHEREAS, Sports Facilities Advisory (SFA), 600 Cleveland Street, Suite 910, Clearwater, FL 33755 has been selected to perform said Recreation Complex Feasibility Study, including Phases I and II for the City of Fairview Heights.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS:

That the Mayor be and is hereby authorized to enter into an agreement with Sports Facilities Advisory (SFA), 600 Cleveland Street, Suite 910, Clearwater, FL 33755 in an amount not to exceed FORTY ONE THOUSAND DOLLARS AND NO CENTS (\$41,000.00) plus reimbursable travel expenses as directed by the City of Fairview Heights, pursuant to the agreement attached hereto, made a part hereof, and marked "EXHIBIT A."

This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

"EXHIBIT A"



SERVICES AGREEMENT

- Pre-work and Preparation & Market Study
- Site Visit and Business Development & Planning and Strategy Session
- Site Selection Criteria, Program Plan, Construction & Start-up Costs
- Detailed Financial Forecast (Pro Forma)
- Feasibility Report
- Onsite Presentation

Presented to:
City of Fairview Heights

APRIL 21, 2016
SPORTS FACILITIES ADVISORY, LLC



CONTRACT FOR SERVICES
SPORTS FACILITIES ADVISORY, LLC – U.S. TAX ID: 32-0109344
600 Cleveland Street, Suite 910 • Clearwater, FL 33755 • P: 727.474.3845 • F: 727.361.1480

1. City of Fairview Heights (hereinafter referred to as “Client”) hereby engages Sports Facilities Advisory, LLC (hereinafter referred to as “Consultant”) for the services set forth in this Agreement.
2. **Scope of Services:** The Client is engaging the Consultant to provide the services set forth on Exhibit A in the attached hereto and the Consultant is agreeing to provide the services set forth on Exhibit A in the attached hereto.
3. **Period of Performance:** The period of performance under this Agreement shall commence upon signature of this Agreement by both parties and shall continue through the delivery by Consultant of the summary report, but in no case shall be longer than 120 days. Any services provided by Consultant to Client beyond the scope of services and period of performance described herein will be contracted separately and billed at Consultant’s hourly rates.
4. **Confidentiality, Nondisclosure and Nonuse Covenants:** For purposes of this Agreement, the party disclosing confidential information is the “discloser,” and the party receiving the information is the “recipient.” Confidential information means all information concerning either party's business including, but not limited to, all tangible, intangible, visual, electronic, present or future information such as (a) trade secrets; (b) financial information, including pricing; (c) technical information, including research, development, procedures, algorithms, data designs, and know-how; (d) business information, including operations, planning, marketing interests, and products and services; and (e) the terms of this Agreement.

The recipient does not have an obligation to protect confidential information that is; (a) in the public domain through no action of the recipient; (b) within the legitimate possession of the recipient, with no confidentiality obligations to a third party; (c) lawfully received from a third party having rights in the information without restriction, and without notice of any restriction against its further disclosure; (d) independently developed by the recipient without breaching the agreement or by the parties who have not had, either directly or indirectly, access to or knowledge of the confidential information; or (e) disclosed with the prior written consent of the discloser. If confidential information is required to be produced by law, court order or government authority, the recipient must immediately notify the discloser of that obligation. The recipient will not produce or disclose confidential information in response to that obligation until discloser has requested protection from the court or other legal or governmental authority issuing the process and the request has been denied, or consented in writing to the production or disclosure of the confidential information in response to the process, or taken no action to protect its interests in the confidential information within 14 business days after the receipt of notice from the recipient of the obligation to produce or disclose.

Recipient will use the confidential information only to further the relationship between the parties. Confidential information may not be disclosed to any third party without the written consent of the discloser or used by the recipient in any manner which may be competitive to the discloser.

5. **Responsibility:** Client assumes all responsibility for financial and other risks associated with the planning, development, operations & management of the Client’s business and Consultant assumes no liability for the Client’s project. The Client agrees to seek independent accounting and legal services that are necessary for the operation of Client’s businesses.
6. **Consultant Services:** Client understands that consultant is a management consulting firm, is not licensed to sell securities, is not a licensed accounting practice nor licensed to practice law.
7. **Construction:** The parties hereto acknowledge and agree that: (i) each party has participated in the drafting of this Agreement; (ii) no inference in favor of, or against, any party shall be drawn from the fact



that one party has drafted any portion hereof; and (iii) each party has had the opportunity to have this document reviewed by their respective legal counsel.

- 8. **Entire Agreement:** This Agreement and the attached Exhibit A contains the entire understanding and agreement between the parties hereto with respect to the subject matter hereof and supersedes all prior agreements or understandings, expressed or implied, written or oral, between the parties hereto with respect to the subject matter hereof. This Agreement may not be modified or amended except by a written instrument signed by the parties hereto.
- 9. **Compensation:** Upon execution of this Agreement, the compensation for Exhibit A shall be due and owing as follows under the Payment Terms:

Payment Terms – Exhibit A, Phases I-II (\$41,000.00 + Reimbursable Travel Expenses)

- **Payment 1 – (50%) \$20,500.00:** Due upon execution of agreement. Consultant will not provide services nor book meetings until Payment 1 is made in full.
- **Payment 2 – (30%) \$12,300.00 + Reimbursable Travel Expenses:** To be invoiced upon delivery and review of the draft pro forma.
- **Payment 3 – (20%) \$8,200.00:** To be invoiced upon delivery of the final pro forma.

- Preferred Payment: To avoid additional processing fees, the preferred payment method is via check.
- Wire Transfers: Client is responsible for all additional fees associated with electronic wire transfers.
- Credit Card Payments: For credit card payments, Client will be responsible for a 3% processing fee.

In the event Client fails to make any payments when due, interest will be charged on the unpaid total in the amount of 18% per annum or the maximum rate allowed under state and federal law, whichever is greater. All payment due dates, unless otherwise stated, are to be within 30 days of receipt of the invoice. Deposit (or initial) payments are the exception as these payments are immediately due to engage Consultant for services.

City of Fairview Heights
"CLIENT"

Sports Facilities Advisory, LLC
"CONSULTANT"

BY: _____

BY: 

Dev Pathik, CEO

Name, Title

Date

April 21, 2016

Client Billing Address

Invoicing/Billing Contact Name

Invoicing/Billing Contact Email

SFA OFFICE USE ONLY

Contract Name: City of Fairview Heights Code: 4100 Category: Planning Services

EXHIBIT A

Step 1: Preparation and Market Demographics Study

In this step, SFA will review any existing data, documentation, and resources related to this project. Additionally, SFA will conduct preliminary market research, which will encompass demographics, sports participation in the region, and an analysis of existing service providers (competition). This work will provide insight into the market that will assist us in our preparation for Step 2.

Step 2: Site Visit and Business Development Planning and Strategy Session (BDPS),

The strategic planning session will be facilitated by SFA to provide insights into the project vision, history, goals, and constraints. These meetings will also help to ensure that SFA and your team are aligned regarding information sharing and project milestones moving forward. The Strategic Planning Meetings will encompass a presentation of the market research and discussions related to project goals and plans for land/building acquisition and renovation.

The site visit will include a local market tour, visits to potential sites for the new development, and tours of existing sport and recreation centers and parks. In most cases the Strategic Planning Session is held from 11-2 p.m. with the site visit and market tour to follow.

Step 3: Establish Site Selection Criteria

SFA will identify the total land needed and identify a maximum price per acre for the project to be viable. Based on these criteria, the client will be able to identify, qualify, and eliminate parcels.

Step 4: Program Plan

Based on the results of the Market Analysis and Strategic Planning Session, SFA will provide a program plan outlining the acreage, square footage, ceiling height requirements, and the dimensions for storage, restrooms, food concessions, lobby entry way, mechanical electrical and other spaces to be included in the project planning phase. This will ultimately serve as the basis for the detailed financial analysis. This program plan will be identified to allow SFA to run a preliminary analysis and arrive at construction and start-up costs to assist the Client in making informed decisions about the development program and facility design considerations.

Step 5: Construction & Start-up Cost Estimates

We will next provide a preliminary construction and start up cost estimate. This will include the programmable and non-programmable spaces and costs for a fully developed building with pre-opening operational expenses. To be considered during this step:

- Playing surfaces and activity spaces
- Type, size, number of rec areas
- Space configuration, aesthetic features
- Support spaces (offices, locker rooms, party rooms, medical facilities, etc.)
- Infrastructure needs
- Possibilities for future expansion
- Fixtures and equipment needed
- Features that would support cost recovery and surplus revenues while limiting operating costs

Finally, based on the identified program plan and the order of magnitude determinations, SFA will provide



a master project budget, which includes construction, and start-up cost estimates for the development.

Step 6: SFA will conduct a web-based review of these findings before proceeding with Phase II

Price Quote (Phase I, Steps 1-6): \$19,000.00 + Reimbursable Travel Expenses

This price quote assumes 2 SFA representatives facilitating the BDPS onsite as well as analysis, review, and input from SFA's business and market analysts, management advisors, and executives. Travel expenses encompass flights, hotel accommodations, ground transportation and associated fees (parking, tolls, etc.), and meals, which will be billed at \$55 per consultant per day.



PHASE II:

Step 1: Detailed Financial Model & Forecast (Pro Forma)

In this step, SFA will complete more in-depth research/analysis to produce a 5-year cash flow forecast for the new facility. SFA’s pro formas are detailed, institutional-grade financial forecasts. This stage of analysis will include detailed research, assumptions, and back-up data for each facility program area and for each product offering, as well as direct calls to local sports organizations, other potential user groups, and industry vendors and alliances. The Pro forma will be highly detailed, with the analysis encompassing the following key elements:

- The Business Model
- Debt-to-Equity mix and debt service amortization table
- Program spaces and space requirements
- Parking considerations
- Revenue by product/program
- Program schedule and utilization projections by program and by season/session
- Facility and operating expenses
- Management and staffing expense

This stage of work will “right size” the facility given the vision, space requirements, and programming needs that can facilitate a successful and financially viable model. The pro forma will define in very clear terms, the financial results, risks, upside, and sensitivity of the business model.

Step 2: Feasibility Report

This document, which shall serve as an executive level summary, addressing the feasibility and financial potential for each location, will be prepared with the understanding that it may become part of a package for the founding team to secure funding. As with all SFA documents, this report will be developed for the eye of a broad audience including sophisticated funding sources. Each Feasibility Report will include:

- An executive summary
- Overview on the key team members
- Overview on potential strategic alliances
- Market research including demographics
- An outline of the programming, sports offerings, revenue streams
- Conclusion and key findings/ recommendations

Step 3: Onsite Presentation of Findings

To conclude our scope of work, SFA will travel back to the City of Fairview Heights to facilitate a formal presentation of the findings and recommendations for the move-forward plan.

Price Quote (Phase II, Steps 1-3): \$22,000.00 + Reimbursable Travel Expenses
 Travel expenses encompass flights, hotel accommodations, ground transportation and associated fees (parking, tolls, etc.), and meals, which will be billed at \$55 per consultant per day.

Total Price Quote (Phases I-II): \$41,000.00 + Reimbursable Travel Expenses