A G E N D A
COMMUNITY COMMITTEE
Wednesday, June 19, 2019 – 7:00 p.m.
Council Chambers
Fairview Heights City Hall
10025 Bunkum Road

Public Participation

Approval of Minutes – May 22, 2019

Development
Alderman Bill Poletti, Chairman

1. Director’s Report
2. Sales Tax

Planning
Alderman Harry Zimmerman, Chairman

1. Director’s Report
2. PC-06-19
3. PC-07-19
4. PC-08-19

Parks & Recreation
Alderman Frank Menn, Chairman

1. Director’s Report
COMMUNITY COMMITTEE MINUTES
Wednesday, May 22, 2019 - 7:00 p.m.
City Council Chambers
10025 Bunkum Road, Fairview Heights, IL

Committee Members in attendance – Bill Poletti, Frank Menn, Harry Zimmerman, Pat Baeske, Brenda Wagner, Ryan Vickers, Anthony LeFore

Committee Members absent – Josh Frawley

Other Aldermen and Elected Official in attendance – Karen Kauffhold, City Clerk

Staff in attendance - Parks and Recreation Director Angela Beaston, Land Use and Development Director, Andrea Miller-Riganti, City Attorney Garrett Horner, and Mayor Mark Kupsky

Recorder – Kelly Youngman

Public Participation - none

Approval of April 17, 2019 Minutes
Motion and second to approve said minutes were made by Committee Members Harry Zimmerman/Brenda Wagner. Motion carried.

Parks & Recreation Committee
Alderman Brenda Wagner, Chairman

Parks and Recreation Director’s Report
Director Beaston presented the Director’s written report to Committee for review. Director Beaston proposed an amendment to our current ordinance language to allow selling of concessions in Fairview Heights parks and facilities. A motion was made by Committee Member Bill Poletti and seconded by Committee Member Frank Menn to recommend a motion to City Council for an approval of an amendment to the existing Ordinance to allow the sale of concessions at City Parks and facilities with the approval of the Director of Parks and Recreation.

Recreation Complex
Open House festivities for the Rec were a huge success, and it is having a positive effect on our community. Memberships are doing better than originally projected and our marketing company is working towards not only new memberships, but ways to retain existing memberships. Party room bookings are doing very well and membership is not required in order to book a party room or use the Clip-N-Climb. The facility will be closed on Christmas Day and Easter; there will be holiday hours for all other holidays.
Development Committee  
Alderman Bill Poletti, Chairman

Economic Development Director’s Report  
Director Ellis is at a conference in Las Vegas, NV. Chairman Poletti stated that there are several properties that are currently in process for redevelopment and have had serious inquiries. Because the length of time to process property sales has increased in recent years, some buildings remain vacant longer than usual. There was discussion about current vacancies and how they are being addressed. Mayor Kupsky stated that many of these properties are purchased by investment companies which increases the length of time it takes to negotiate leasing. He further stated that the retail market is changing and even without the loss of those stores we would very likely see a decrease in sales tax due to online shopping.

Planning Committee  
Alderman Harry Zimmerman, Chairman

Land Use & Development Director’s Report

Planning and Zoning  
Director Riganti stated that the City’s Development Code remains under review, however it is nearing completion and impending submission to the Planning Commission for approval. Director Riganti further stated that she is working with the Public Works Director, John Harty to address short and long term storm water management issues. Director Riganti presented PC 05-19 Zoning Map Amendment request to change the zoning designation of 1 Sheryl Dr. from B-3 Community Business District to B-1 Neighborhood Business District. The Planning Commission has recommended approval for this case and has forwarded it to you for your consideration.

Code Enforcement/Building Division  
Director Riganti explained that we are currently short staffed in Code Enforcement due to the injury of one of our inspectors. We have enlisted Public Works to help with grass mowing as we have no contract services at this point. We continue to address complaint driven issues and attempt to prioritize other issues as they arise. Building Division is coming into our busiest season of the year for building permits and occupancy.

Adjournment 8:05 p.m.

Submitted By:______________________________

Kelly Youngman, Recorder
MEMORANDUM

TO: Elected Officials

FROM: Paul A. Ellis, Director of Economic Development

DATE: June 14, 2019

SUBJECT: Economic Dev. Dept. - Director's Report

1. The next step for the Economic Development Strategy will be to develop recommendations to present for public review and comment this fall; consultants and City staff have already begun discussion on several topics for review by the Steering Group at their next meeting (June 21).

2. A lease has been signed for the former Here Today store in Lincoln Place II (opening set for October) and a national clothing retailer has leased space in one of that center’s pads—announcements pending.

3. Competing letters of intent have been offered for the former Toys ‘R’ Us building and the owners are working with the interested parties while continuing to market the former Babies ‘R’ Us property.

4. Bobcat of St. Louis, one of the top ten sales tax producers for the City, has shelved plans to relocate to Shiloh and is reviewing potential new sites in Fairview Heights; the Director has been creatively assembling potential parcels since there is nothing meeting the company’s criteria currently listed by any brokers locally.

5. The Director is working with both property owners and real estate brokers to recruit new restaurants to fill vacancies created by closing of local Smokey Bones, Steak & Shake, and TBD Social chain locations.

6. While at RECon in Las Vegas last month, the Director met with representatives from DLC Management Corporation, owners of the Marketplace Shopping Center, to explore some ways to add vibrancy to that center; despite its visibility from I-64, Marketplace has been struggling in recent years.

7. The Director is working currently with three business and/or property owners who are interested in pursuing redevelopment of properties along Lincoln Trail through the City’s award-winning Business Assistance Program.

8. Participants in the Lodging & Conference Roundtable are meeting with the Worldwide Technology (formerly Gateway) Racetrack to develop a partnership that will boost lodging here by attendees at the racetrack’s events; Fairview Heights is the closest full service municipality to the facility.

9. The Director has been working with Sustainable Solutions Funding of St. Louis and the Illinois Finance Authority to develop a local program for PACE (property assessed clean energy) financing for commercial properties.

10. The Director is working with the ILLINOISouth Tourism Bureau to lease billboard space to promote the Midwest Salute to the Arts event and, subsequently, to
promote shopping in Fairview Heights; the latter advertising is anticipated to be undertaken in conjunction with St. Clair Square.

11. The Metro East Business Incubator (MEBI) has been allocated $100,000 by the Illinois General Assembly for the fiscal year beginning July 1. The Director and other organizers continue to pursue funding with local businesses and the City is applying for a startup grant on its behalf; organizers recently met with Ameren Foundation and are pursuing additional financial support from several local businesses and financial institutions.

12. Fairview Heights will again host the Downstate Illinois P3 Luncheon for the International Council of Shopping Centers at the Fountains Conference Center on Sept. 12.

Paul A. Ellis
Director of Economic Development

Attachments:

   a. Overview – Sustainable Solutions Funding
   b. Bio – Thomas D. Appelbaum JD, MBA
   c. Summary - Office of Minority Economic Empowerment (OMEE) Incubator Grant
   d. Bringing stores into the 21st century [Retail Dive]
Sustainable Solutions Funding, LLC is one of the nation’s pioneering Property Assessed Clean Energy (PACE) program administrators and has led the movement for PACE-financing in the Midwest. The principals of Sustainable Solutions Funding have developed, implemented, and administered clean-energy programs since 2010. Based in St. Louis, Missouri, the firm’s experience includes administering “Set the PACE St. Louis” (www.setthepacestlouis.com), the Missouri Energy Savings Program (www.MO-ESP.com), and the “Arkansas Advanced Energy Equity” program in Fayetteville and Little Rock (www.A2E2.net). Sustainable Solutions Funding principal had also been selected to co-administer “Green Homes St. Louis,” a residential and municipal buildings energy-efficiency program backed by Qualified Energy Conservation Bonds in the City of St. Louis.

As Program Administrator, Sustainable Solutions Funding (EEF) works with a robust network of contractors, local banks, developers, funding providers, and other industry stakeholders to help meet the community’s economic and sustainability goals. Program design is driven by triple bottom line metrics and includes informational sessions, and contractor training. Set the PACE St. Louis has had several noteworthy achievements including national recognition for a fast and streamlined process, innovating tax abatement as directly related to sustainability investment, and closing the second largest project in the nation among all PACE programs for 2015. As of January 2016, Set the PACE St. Louis has funded the largest amount of private-sector commercial projects per capita in the Midwest. Principals for SSF designed and launched “A2E2”, Arkansas’s first PACE program, in December 2014, and has since financed the state’s first PACE project in 2015.

Working with Missouri’s home energy auditor and home performance contractor community since 2009, SSF principals played a pivotal role in helping to orchestrate the passage of Property Assessed Clean Energy (PACE) legislation for Missouri in 2010. Through involvement in several PACE “best practices” committees organized by the Missouri Department of Natural Resources in 2010, the principals of SSF recognized the need for a pragmatic, efficiency-focused approach to the implementation of any PACE program in the Midwestern market. SSF deploys a “Mid-American” model for energy efficiency/renewable energy programs that provides consumer protections while ensuring an “agnostic” approach toward program participation for contractors and funding providers. This model is designed to accommodate the region’s climate characteristics, relatively low energy costs, and business sensibilities. SSF’s Mid-American PACE administration model also leverages the unique economic development attributes of the PACE legislation.

The principal of SSF, Tom Appelbaum, is a recipient of the Energy Efficiency Champion Award from Renew Missouri, a project of the Missouri Coalition for the Environment. They have presented at several regional and national conferences including PACE Nation, Global Solutions Summit at the U.S. Department of State and Atlantic Council, Midwest Energy and Climate Policy Conference, Greening Midwest Communities, and others. Sustainable Solutions Funding principal has also presented to the Missouri Association of Counsels of Government (MACOG) as part of a regional approach to alternative financing programs for energy-efficiency upgrades.

“Sustainable Solution’s program design is driven by triple bottom line metrics—people, profit, and planet.”
Key Relationships:
The principals of SSF have significant relationships with both the private and public sector concerning environmental, economic development, and clean energy initiatives. In 2009, SSF principals were founding incorporators of the Missouri Association of Accredited Energy Professionals (MAAEP), one of the nation’s first trade associations for home performance professionals, and have developed relationships with environmentally-oriented and other pertinent nongovernmental organizations, such as: the Missouri Coalition for the Environment, Efficiency First, Greening Midwest Communities, Sierra Club, Clinton Presidential Library and Center, East-West Gateway Council of Governments, American Council for an Energy-Efficient Economy, Missouri Athletic Club and Preservation Foundation, PACENow / PACENation, P80 Group Foundation, Mitchell Williams Law Firm, Global Cleantech Cluster Association, Renew Missouri, Missouri Botanical Garden, Global Technology Deployment Initiative, Missouri Bankers Association, Earthways Center, Powers of Arkansas, Arkansas Advanced Energy Association, Arkansas Bankers Association, the Arkansas Association of General Contractors, Arkansas Municipal League, Association of Arkansas Counties and the Arkansas Homebuilders Association local chapters of the U.S. Green Building Council, Missouri Energy Initiative, and others.

The Principals:

Tom Appelbaum is an attorney and geologist who was the statewide Program Manager for the Sierra Club's Cool Cities Code Campaign on behalf of the Missouri Association of Accredited Energy Professionals (MAAEP) and recently presented at the Missouri Governor's Conference on Economic Development on Property Assessed Clean Energy. Please see attached CV.
Thomas D. Appelbaum, JD, MBA

tomappelbaum@gmail.com • St. Louis, Missouri • 314.814.7883
https://www.linkedin.com/in/tom-appelbaum-3324293/

Senior Level Attorney or C-Level Executive

Market Innovation, Team Building, Strategic Communications and Legislative Success

Experienced Attorney and Corporate Executive Officer with demonstrated success working in the legal, finance and sustainability industries. Skilled in Litigation, Operational Compliance, Strategic Planning, Government Affairs and Sustainability Policy.

Key Competencies: Contract Negotiation and Drafting - Innovative Information Technology Application and Deployment - Board and Corporate Governance - Strategic Planning and Implementation - Business and Project Development - Coalition Building and Stakeholder Engagement - Advancing Policy Objectives - Finance - Health Care Industry

Leadership Snapshot

INNOVATIVE MINDSET + OPERATIONAL STRATEGIC KNOWLEDGE = VALUE CREATION

- Identified, Built and Developed $100mm Clean-Energy Market in Missouri and Arkansas
- Founder and COO of Clean-Energy Startup Sold to National Industry Sector Leader
- Featured Speaker and Presenter at Prominent Institutions and Industry Events
- Sourced leading National Multi-Million Dollar Clean-Energy Projects
- Presented to over 60 City and County Councils
- Successfully Won Contracts Through Competitive Bid Process to Run 8 Clean-Energy Programs.
- Elected to Board of Directors for Two Terms on the 7th Largest School District in the State of Missouri

Career Evolution

The Law Offices of Tom Appelbaum, LLC | St. Louis, MO
Attorney 2018 – Present

- “Of counsel” with the Ketcher Law Firm, LLC on litigation concerning ballot initiative process.
- Litigation and consulting on a broad range of legal issues, interacting with elected officials on a regular basis.

Ygrene Energy Fund | Petaluma, CA
Senior Director of Midwest Business Development, Government Relations 2016 – 2018

- Managed compliance issues for political subdivisions regarding board governance and program operations.
- Met with and presented to municipal and regional governmental authorities regarding program compliance.
- Managed the deployment of an advanced technology platform that generated underwriting criteria on residential finance applications from public data sources.
- Oversaw the process of developing program materials for applying taxing authority, including the development of a legal opinion to support the statutory authority for property tax assessments, and statutory compliance for program materials.
- Managed program outreach to elected officials and reporting of program metrics.

Energy Equity Funding | St. Louis, MO
Co-Founder; President/COO 2010 – 2017

- Primary author of responses to RFPs, and successfully won eight (8) proposals for developing and administering programs in two different states:
  - Set the PACE St. Louis for the City of St. Louis (initial contract and renewal).
  - The Green HELP program for the City of St. Louis (development and design).
  - The Missouri Energy Savings program for St. Louis County (www.MO-ESP.com)
  - Washington, Missouri
  - Fayetteville, Arkansas (as a partner with Arkansas Advanced Energy Equity)
  - Pulaski County Arkansas (as a partner with Arkansas Advanced Energy Equity)
  - North Little Rock, Arkansas (as a partner with Arkansas Advanced Energy Equity)
- Negotiated and executed contracts with municipalities and political subdivisions for administration and compliance services.
- Oversaw development, corporate governance and compliance issues for Clean Energy Development Boards.
- Presented at the 2016 National Main Street Now conference in Milwaukee,
- Participated in the National Governor's Association experts' roundtable on commercial PACE in 2016.
- Presented at the 2010 Governor’s Conference on Economic Development on Property Assessed Clean Energy programs.
Parkway School District | St. Louis, MO
Director, Board of Education 2010 – 2016
● 7th largest school in Missouri district with over $230 million annual budget.
● Implemented:
  ○ Largest solar install in Missouri (38 buildings).
  ○ Single stream recycling.
  ○ CNG bus purchase and fueling station through grant funding, reducing fuel costs by half.
  ○ District-wide composting.
  ○ District-wide LED lighting retrofit.
● Passed $90 million bond authorization.
● Turned around negative budget trend to re-establish fund balance reserve to policy levels.

Veterans Resource Foundation | St. Louis, MO
Board Member 2012 – 2018
● 501.c(3) started as the result of organizing the nation’s first “Welcome Home the Heroes” parade in downtown St. Louis. This parade was organized and executed in 30 days and was made possible by raising over $25,000 in 4 days. An estimated crowd of over 120,000 attended the parade and it received international media coverage (featured on The Rachel Maddow Show, NBC Nightly News, and Fox News).

Missouri Association of Accredited Energy Professionals | St. Louis, MO
Co-Founder; Board Member 2009 – 2013
● Statewide 501.c(6) professional association of energy assessors and affiliates.
● Named “Energy Efficiency Champion” by the NGO Renew Missouri.
● Co-authored and edited a report on survey results of the Missouri Department of Natural Resource’s Energize Missouri Homes – Home Upgrade with Geothermal.
● Program Manager for the statewide Cool Cities Campaign for adoption of the 2009 IECC building codes.

The Law Offices of Tom Appelbaum, LLC | St. Louis, MO
Attorney 2009 – 2015
● Presented before the State Committee of Psychologists, resulting in the legislative requirement that Applied Behavioral Analysts be licensed to treat autistic children.
● Represented numerous corporate and non-profit organizations in transactional and structural matters.
● Litigated numerous matters through the entire trial process.

Owen Newman, LLC | St. Louis, MO
Associate Attorney 2005 – 2009
● Major psychiatric hospital group as a client for most transactional matters and litigation.
  ○ Assisted in suit won before the Supreme Court of Missouri over Medicaid reimbursements, resulting in an award of over $4 million.
  ○ Handled corporate transactional issues including leases for outpatient services and employment issues, including physician contracts and HIPAA issues.
● Drafted and negotiated numerous commercial leases.
● Handled all corporate matters for tax credit funded housing projects company.
● Dealt with a wide range of civil litigation matters throughout the entire trial process.

OrthoMotion, LLC | St. Louis, MO
Director of Operation 2002 – 2005
● Negotiated and administered contracts as durable medical equipment provider with insurance companies, vendors, business associates, and distributor agreements for product lines.
● Negotiated alliances with other medical providers to expand business and increase market share.
● Awarded the exclusive distributorship of six different product lines.
● Received the ‘Quota Buster Award’ for the year 2004 for top distributor performance against quotas.
MetaMatrix, Inc (n/k/a Redhat) | St. Louis, MO
Senior Technical Account Manager 2000 – 2002

- Responsible for planning and executing the implementation of enterprise application integration (EAI).
- Act as liaison between developers and sales/senior management.
- Identified solutions to business problems using enterprise application integration (EAI) technology for potential customers; authored and edited white papers on the topic.
- Drafted white paper on utilization of EAI technology in the medical field.

BJC Health Systems, Inc. | St. Louis, MO

- Managed I.S. Surgical Services team, including budgeting, planning, and personnel/resource allocation for the support and implementation of operating room software systems as well as other application support.
- Led team responsible for the development, support, and implementation of the Medical Communication Information System.
- Audited enterprise wide systems for Y2K readiness and provided architectural support for testing facilities.

Additional Professional Experience:

1997 – 1998, Amdocs, Inc., Technical Team Lead – Managed team of programmers as part of the growth of St. Louis development center.


1989-1993, Marston & Marston, Inc., Project Geologist – Performed reserve analysis for projects in North America and Eastern Europe. The purpose of the projects was typically due diligence for capital investment or litigation support. Provide ongoing support for all phases of active coal operations, from EPA permitting to life of mine planning.

1988-1989, Peabody Development Company, Geologist – Assisted with development of land management system (early GIS system) and gather reserve and lease data for mineral rights.

Education

Saint Louis University School of Law
December 2005  Juris Doctorate

- Graduated top third of class

Maryville University
1996  Masters in Business Administration

- Member of the Sigma Beta Delta Business Students’ Honor Society

Missouri State University
1988  Bachelor of Science - Geology

Technical Publications and Presentations:

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**Contact Information**
Address: Governor’s Office of Management and Budget  
401 South Spring  
603 Stratton Building  
Springfield, IL 62706  
Phone: 217-782-4520  
Email: OMB.GATA@illinois.gov (mailto:OMB.GATA@illinois.gov)

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OPINION

Bringing stores into the 21st century

The old prototype store model is obsolete and fails to accommodate the new reality of retail, ruled by personalized experiences, local flavor and nuance, writes WD Partners' Elaine Kleinschmidt.

By Elaine Kleinschmidt
Published June 13, 2019

The following is a guest post by Elaine Kleinschmidt, executive vice president of strategy and experience design at WD Partners. Views are the author's own.

Over the past five years, the retail industry has been turbulent, to say the least. Many brands, both mature and novice alike, have been rocked by forces all around them — shifts in shopper behaviors, generational preferences, local nuance, economic pressures, commercial real estate values, and the infusion of private equity and resulting expensive corporate retail debt — which has put many retailers into a tailspin, if not out of business.

Brands that have historically been in offensive mode on growth and expansion, have been forced to live in defensive mode where the struggles of meeting day-to-day goals have inhibited them from making real progress on future visioning. Branded manufacturers who have historically built their retail proposition through wholesale points of distribution are doubling down on direct-to-consumer (DTC) retail (e.g. Nike and Adidas). And brands who have predominately built their business around brick-and-mortar
stores have found their sea legs with robust digital commerce capabilities. Even digital pure-play brands are expanding their strategy to include brick-and-mortar (e.g. Amazon, Warby Parker, Wayfair, Bonobos and One Kings Lane).

We all know that e-commerce is not putting companies out of business, it's simply changing the way customers connect to brands. Instead, private-equity-backed real estate, high-interest debt and brands' inability to focus on investments that will connect all facets of their digital and physical ecosystems, have been their downfall. The result? Brands who are winning today have focused investments on mapping brand experience strategies to both the needs of the customer and to the overall health of the brand.

Let's cut to the chase — the old prototype store model is obsolete. It is too inflexible and tone deaf to serve the needs of today's sophisticated customer. This dated approach — of one ideal-state design that's sized to small, medium or large — leaves retailers stranded with anomaly stores, which are difficult to replicate, may contain un-scalable experiences and/or operational challenges, posed by a lack of integration between their retail storefront and digital operations.

Most importantly, the prototype design fails to accommodate the new reality of retail, ruled by personalized experiences, local flavor and nuance, new options in order fulfillment and service offerings dictated by what customers need for on-demand access to product de jour. Yet, for all those flaws, giving up the prototype is hard to do.

"We're still talking about retail development [through] the lens of a traditional prototype. That is exactly our problem, and we wonder why it's been so painful," says one senior executive we visited recently.
A new strategic approach to concept, design and execution has emerged. At WD Partners, we call it a "retail portfolio strategy." It is a flexible set of modules to help retail brands create a strategically designed system of integrated parts and operations, to achieve synergy and scale, with both customers and their brand in mind.

This broad, multidimensional approach lies beyond the capabilities of the old ways of store design and retail concepts. Having a retail portfolio strategy can help brands get out in front of the changes that are reshaping retailing. They can pursue a broader, more strategic vision as they take the initiative to reinvent their operations, improve the shopping experience, enhance their engagement with customers and better integrate online and in-store efforts. Ultimately, a retail portfolio strategy helps brands achieve an ideal state of agility by operationalizing innovation and prioritizing spend, based on customer insights and business analysis combined.

Reaping further rewards and new growth from the mash-up of clicks and bricks will require retailers to adopt smarter distribution logistics, overhaul and retrofit existing stores for faster curbside delivery, online pickup and returns, improve app features and knit together data systems for loyalty programs, sales, marketing and more.

New formats will blend clicks and bricks so well, that they barely are distinguishable. After all, to the customer, retail is retail. The challenge for brands is seeing themselves from the customer's point-of-view. Brands will succeed by investing in integrated brand experience and technology strategies that map a shoppers' experience, agnostic to place, space and time. All of this is accommodated by a retail portfolio strategy, especially when it comes to DTC efforts. In contrast, almost none of it is covered by the narrow scope of the old retail prototype model.
As mentioned earlier, brands are facing an epic offensive/defensive struggle. Historically, retail brands were on the offensive in pursuing growth and customer acquisition. In recent years, buffeted by the forces afflicting the industry, they have been forced to live in defensive mode in adapting to the rapid-fire changes in retailing. How do brands get to a place where offense and defense can co-exist, where innovation and operation are not at odds?

When planning a new store concept and/or DTC growth strategy, retail executives must weigh some dynamic and tectonic shifts that lie beyond the old prototype model's reach:

1. Product innovation
2. Experiential retail
3. Distribution logistics
4. Localization
5. Omni-technology
6. Value-added services

Given these shifting dynamics, gone are the days of the old prototype model and a one-size-fits-all solution for retail development — and these days should be gone. By deploying an integrated retail portfolio strategy, retailers can strategically architect an integrated system-of-parts to drive scale vs. a tactical application during a prototypical site-adaptation process.

In discarding the prototype model, retailers can use retail portfolio strategy to take a broader-based approach to designing and maintaining a brand ecosystem. Modules are dialed up or down for the dynamic conditions of their retail experience, with the ability to prioritize various modules relative to store format and locale, to serve the needs of a variety of primary shoppers, instead of store size being the driving factor.
Retail becomes a portfolio of formats instead of mere channels of distribution. In applying the RPS approach, retailers can serve business needs and consumer needs at once, gaining their customers’ trust and loyalty.

Retailers know they must "get unstuck," unshackle themselves from old ways and change their approach to most everything. The hard part is to know where to begin and what it should look like. While the base framework is simple, the hidden shackles lie in designing a system of parts for developing and applying the strategy to today’s current and future state. The two diagrams below illustrate the contrasts between the old, inflexible prototype store model and a retail portfolio strategy base framework.

New build and remodel programs are now strategically planned through the evaluation of both customer and business needs, with market expansion and real estate strategy as key components. Brands are free to solve problems and stay locally relevant while reining in and fine-tuning the costs of providing experiential retail and value-added services. A retail portfolio strategy helps retailers account for regional and cultural nuances that the prototype-store
design fails to serve. And, reconfigures both clicks and bricks to account for one another — as portals to and from each other.

Breaking the mold of the past lets retailers reassemble the clicks and bricks into a structured yet scalable model for brand resilience and growth. As more online retailers open more storefronts, and storefront retailers improve their game in the ether, the lines between physical and digital, and even brand and retailer, are long past blurred.
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INTER OFFICE MEMO

TO: Elected Officials
FROM: Angela Beaston, Director of Parks and Recreation
DATE: June 17, 2019
SUBJECT: Parks & Recreation Committee Agenda Overview

**Director’s Report:** The following is a synopsis of the Parks and Recreation Department:

Recreation Department: The summer season is in full swing with programs, classes, luncheons and summer camp. Our seasonal staff is excited to help the community enjoy the programs and events we have planned for the community this summer.

Parks Department: The Parks Department has been working very hard to assist the 50th Anniversary Committee with the signs and cakes that have been distributed throughout the City and also the set-up of the music in the park that was held on June 8, 2019. This is definitely a busy time for the Parks Department with the general maintenance to all City Parks, Municipal Complex and The REC Complex. Each week the department prepares the pavilions and baseball diamonds for the scheduled events that happen that at each of the parks.

THE REC Complex: The REC Complex is off to a wonderful start. The membership team continues to work on promoting the facility while selling memberships. The Fitness Department is currently looking for fitness instructors to increase the number of fitness classes we offer the members. The fitness department will continue to develop different classes to the needs and demands of the members.

**Up Coming Events:**

June 28th – Ice Cream Social at Moody Park – Come out to Moody Park on Friday, June 28th for FREE Ice Cream. Parks and Recreation Employees will be scooping ice cream at the large pavilion from 6:00 – 8:00 p.m. Children’s entertainment will also be provided.

**Agenda Review:**

Agenda Item #1 - Director’s Report: General discussion regarding items in report
INTEROFFICE MEMORANDUM

To: City Council
From: Andrea Riganti, Land Use and Development Director
Subject: Director’s Report
Date: June 13, 2019

Following are the major action items or ongoing projects for the Department of Land Use and Development (LUD):

**Planning and Zoning**
- Zoning Board of Appeals did not meet in June, 2019 due to lack of agenda items.
- Planning Commission met on June 11, 2019 to consider three cases, all of which are being forwarded to the Community Committee with a favorable recommendation:
  1. PC 06-19, Special Use Permit for 1 Pleasant Drive to allow a daycare to operate in the B-3 Business Commercial Zoning District.
  2. PC 07-19, Special Use Permit for 9612 Fairmont Drive to allow a lodge to operate in the C – Conservation Zoning District.
  3. PC 08-19, 6405 Old Collinsville Road Map Amendment (re zoning) request from R-4 Residential to PB – Planned Business Development and a Development Plan to allow for the expansion of an existing gas station with a convenience store at 1029 Lincoln Highway.
- Planning Commission Development Code Committee (DCC) met on June 12 to discuss changes to the proposed Development Code. The DCC considered changes to permitted and special uses in the business and industrial zoning districts. These changes will be incorporated into the draft. The DCC will reconvene at a to be determined time/date to review the final draft again, and set a date for full Planning Commission consideration.
- Staff continues to consult with developers, property owners, and residents on zoning related matters.
- Staff is providing some community neighbors technical guidance on the possible creation of a neighborhood association.

**Code Enforcement**
- Staff continues to perform routine inspections of problem properties and “hot spots” for potential property maintenance issues. Staff also responds to complaint driven issues for same.
- LUD is short-staffed on code enforcement inspectors, with one being on medical leave. Staff will prioritize complaints based on level of severity, and continue to focus on re-
inspections of cited properties to ensure compliance; if none, follow-up with progressive action.

- With warmer temperatures, staff began distributing larvicide pellets in standing water areas (retention/detention areas) to reduce the mosquito population.

- Staff is collaborating with the Department of Public Works on grass cutting of nuisance properties. A part-time staff person will be hired for this task.

**Building Division**

- Staff is developing an application, brochures, and implementation processes for licensing electrical contractors in accordance with recently adopted 1838-2019 requiring same. The target date for implementation is October 1, 2019.

- Staff conducted the annual apartment and hotel/motel inspections. This process ensures compliance with codes even if there is no change in occupancy or ownership, which typically triggers the inspection requirement. At this time, notification of violation letters are being sent out.

- Below is recent commercial occupancy permit information.

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Please let me know if there are questions or concerns.
June 14, 2019

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

Dear Community Committee Member:

The petition listed below is hereby transmitted for your consideration at the June 19, 2019 Community Committee:

**APPLICATION NUMBER:** PC-06-19

**REQUEST:** Special Use Permit for 1 Pleasant Lane to allow a daycare to operate in the B-3 Business Commercial Zoning District.

**APPLICANT NAME:** Tamala Malone

**LOCATION:** Central, north of Lincoln Trail, east of Bunkum Road, west of Pleasant Lane

**RECOMMENDATION:** Approval

**WARD:** II

Attached is the staff advisory and Plan Commission Resolution pertaining to the request.

Respectfully,

Jim Bramstedt

Jim Bramstedt, Chairman
Planning Commission
Planning Commissioner Moats introduced the following resolution and moved for its adoption:

**RESOLUTION PC 5-19**

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

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

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

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

2. The subject property, 1 Pleasant Lane, is zoned B-3 Commercial Business District. The building is approximately 4,800 square feet.

3. That this permit will require any changes to traffic circulation and ingress/egress. A sign indicating right turn only onto Pleasant Lane when exiting the parking lot shall be installed.

4. That this permit will require any changes to lighting, landscaping, or the existing site usage.

5. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.

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

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

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

9. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
10. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.

11. The proposed use will be consistent with the Comprehensive Plan.

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

13. That the Director of Land Use, and his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.

14. That the Permittee shall meet the performance standards identified in Section 14-3-20 of the Development Code, and ensure in particular that traffic and noise impacts deemed to be excessive to surrounding residential areas are reasonably mitigated. Mitigation strategies will be reviewed by the Director of Land Use prior to implementation.

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

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

and the following against the same: Barkley

and the following abstained:

and the following were absent: Hoppe, Carthan

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

_________________________________________
Planning Commission Chairman

ATTEST:

_________________________________________
Land Use Director
Tamala Malone hereby acknowledges receipt of this Permit and has 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 _________________, 2019 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.

_________________________________
TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC-06-19
REQUEST: Special Use Permit (SUP) to Allow a Daycare in the B-3 Community Business District at 1 Pleasant Road
APPLICANT NAME: Tamala Malone
MEETING DATE: June 11, 2019
ZONING: B-3 Community Business District
PROPOSED LAND USE: Daycare
PLANNING COMMISSION ACTION: Consideration of the SUP, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.
STAFF ADVISORY

1. BACKGROUND

Summary
The City of Fairview Heights Development Code divides the City into districts and establishes a set of land uses that are either “permitted” or “special”. Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Plan Commission and City Council, in accordance with Development Code section 14-10-8. Each special use is evaluated on its own merits.

The applicant proposes to operate a daycare center to serve children between the ages of 6 weeks to 12 years old. The Illinois Department of Children and Family Services has visited the site and authorized the applicant to accept up to 75 children. The expected hours of operation are 6:00 a.m. through 7:00 p.m. The business expects to employ up to 15 staff. Additional information about the proposal can be found in Appendix A.

The subject site is zoned B-3 Community Business District. A daycare is listed as a special use in the B-3 Zoning District, as per Development Code section 14-2-11.C.

Context
The subject property is located in the middle portion of the City, east of Bunkum Road, north of Lincoln Trail and west of Pleasant Avenue. The parcel is approximately .38 acre and includes a +/- 4,800 square foot building and on-site parking. The building was constructed in 1964 and is in need of renovation. The site is completely built out, with little opportunity for building expansion given current zoning district requirements and adjacent property uses. The building has been vacant for about one year, and was formerly occupied by Pantera’s Pizza.

There is one curb cut onto the property, which is located at the east side of the property approximately 30 feet from the back of the curb. There are adequate public utilities and infrastructure available to the site. A sidewalk is provided along Lincoln Trail to the south of the property, but none is present along Pleasant Drive to the east. This portion of Lincoln Trail is served by the #12 O’Fallon-Fairview Heights Metro Bus.

The zoning and land uses of adjoining properties are as follows:

North: R-3 Single Family Residential; Single-family residence

South: B-3 Community Business District; Vacant; Commercial – automobile repair

West: B-3 Community Business District; Hair salon, vacant

East: B-3 Commercial Business District; Church
Site Views
Planning Considerations
At issue is whether or not the proposed use is reasonable as per the Development Code and SUP standards.

SUP standards:

1. The effect the proposal would have on the City’s comprehensive plan.

   **Finding:** The City’s Comprehensive Plan identifies the subject property as in a neighborhood serving commercial areas. These areas should provide daily goods and services to nearby residential areas and should be smaller in scale and intensity than other commercial areas. The proposed daycare is consistent with the intent of the comprehensive plan.

2. The effect the development would have on schools, traffic, streets, shopping, public utilities and adjacent properties.

   **Finding:** The site has been vacant for over a year; therefore, any use will have some impact. However, no additional services are required to serve this site. In terms of traffic, a daycare use typically generates the most site visits during two peak timeframes: between 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m. During these time periods, children are dropped off or picked up, with each visit generally lasting an average of 10 minutes. This traffic is not anticipated to disrupt normal patterns and flow to an unacceptable level of service. If issues are discovered after operations commence, the operator should
consider mitigating strategies such as staggering or assigning drop off/pick up times. A condition to the SUP will be added to accommodate potential concerns.

Daycares often generate noise during times when children are outside. The applicant plans to have regular times for outdoor play, not to coincide with typical residential morning and evening quiet hours observed. A condition to the SUP will be added to accommodate potential concerns.

3. Is the application necessary for the public convenience at that location?
   
   **Finding:** The proposal offers convenience at the location.

4. In the case of an existing nonconforming use, will a special-use permit make the use more compatible with its surroundings?

   **Finding:** N/A

5. Is the application so designed, located and proposed to be operated that the public health, safety, and welfare will be protected?

   **Finding:** The proposed business is not expected to have a substantial impact on the factors cited in this criteria.

6. Will the application cause injury to the value of other property in the neighborhood in which it is located?

   **Finding:** The daycare use is not anticipated to have a harmful impact on the neighborhood. Rather a previously vacant building will be activated and may help generate additional redevelopment efforts.

7. Will the special use be detrimental to the essential character of the district in which it is located?

   **Finding:** A daycare use is less intense than the previous restaurant use and is not anticipated to be detrimental to the surrounding uses. Located on Lincoln Trail, it is within a commercial corridor business district.

**Other Applicable Standards**

Section 14-3-20 of the Development Code identifies performance standards for developments and redevelopments, and applies to this application:

**PERFORMANCE STANDARDS – GENERAL**

(A) Any lot shall be properly graded for drainage and maintained in good condition, free from trash and debris.

(B) Noise emanating from any use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

(C) No obnoxious, toxic or corrosive matter, smoke, fumes or gases shall be discharged into the air or across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business.

A building permit will be required for interior remodeling.

**Exhibits**

1. Application and Supporting Documents
2. Public notice
3. Resolution and Findings of Fact
APPLICATION FOR SPECIAL USE PERMIT

OFFICE USE ONLY

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Special Use Permits are reviewed by the City's Planning Commission, Community Committee and City Council. City Council has the final decision on the application. Representation is required at these meetings.

Applicants are encouraged to schedule a pre-application conference with the Director of Land Use and Development prior to submittal. The application will be processed and scheduled for Plan Commission consideration after it is deemed complete.

Applicants are responsible for the following:

1. Two hard copies and one electronic version of the completed application and submittal requirements. The application deadline to the Department of Land Use and Development is at least thirty-six (36) days prior to the Plan Commission meeting.
2. Application fees.
3. Posting a public hearing notice sign on the subject property; providing photographic evidence of same.
4. Newspaper public notification fee.
PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name: Tree of Life Childcare
Project Address: Pleasant Lane
Parcel ID: 03-29-8-205-018
Current Use of Property: Vacant
Project Size/Acreage: 3.8 acres.
Number of Lots: 1.47 feet deep 12.5 feet wide
Density:

CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s): Tamala Malone
Mailing Address: 7138 Cedar Mill Dr. Shiloh, IL 62221
Phone: 618-449-9986
E-Mail: m-tamah@yahoo.com

Applicant/agent: 
Relationship to owner: 
Mailing Address: 
Phone: 
E-Mail: 

AUTHORIZATION

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or licenses required by any applicable regulatory agency for this project.

I consent that the entry upon the premises described in this application by an 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.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF THE OWNER OF RECORD OR AUTHORIZED APPLICANT/AGENT.

Signature of Owner: 
Date: 5-3-19
Printed Name:

Signature of Applicant: 
Date: 
Printed Name:
The project planned at 1 Pleasant Lane will be a daycare center. I have been in the childcare industry for 10 years now. I love children. I have a positive reputation with DCFS. DCFS considers the location as an ideal site. They have visited and have authorized up to 75 children between ages 6 weeks to 12-years-old. The estimated time to develop this project is 6 months. We plan on beginning renovations July 1, 2019, and open January 2, 2020. We have partnered with several shelters to provide childcare, so the demand is high. Having this demand for care, we will be able to employ up to 15 employees. Expected hours of service will be from 6am-7pm; with anticipated traffic between the hours of 7am-8:30am and 3pm-4:30pm. Children will be dropped off and picked up at the front entrance of the building. Up to 25 parking spaces are on the property and should not impact traffic. Having this location is convenient for parents as it will be great for business in the area. This location would also be great for the economy. Not only are we providing jobs at our site, we would also be helping parents in the area get jobs. This location has been vacant for over 15 years. Operating a business at this site would bring the property values up as well as generate taxes that could help the city. It is my hope to have this approved in time to begin renovations July 1.
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June 14, 2019

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

Dear Community Committee Member:

The petition listed below is hereby transmitted for your consideration at the June 19, 2019 Community Committee:

**APPLICATION NUMBER:** PC-07-19  
**REQUEST:** Special Use Permit for 9612 Fairmont Drive to allow a lodge to operate in the C-Conservation Zoning District.

**APPLICANT NAME:** Christine Rae Bishop  
**LOCATION:** West-central, north of St. Clair Avenue, east of 157, west of I-64.

**RECOMMENDATION:** Approval  
**WARD:** I

Attached is the staff advisory and Plan Commission Resolution pertaining to the request.

Respectfully,

**Jim Bramstedt**

Jim Bramstedt, Chairman  
Planning Commission
Planning Commissioner Wesemann introduced the following resolution and moved for its adoption:

RESOLUTION PC 6-19

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

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

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

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

2. The subject property, 9612 Fairmont Road, is zoned C Conservation District and is approximately 4 acres.

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

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

5. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.

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

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

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

9. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
10. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.

11. The proposed use will be consistent with the Comprehensive Plan.

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

13. That the Director of Land Use, and his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.

14. That the Permittee shall meet the performance standards identified in Section 14-3-20 of the Development Code, and ensure in particular that traffic and noise impacts deemed to be excessive to surrounding residential areas are reasonably mitigated. Mitigation strategies will be reviewed by the Director of Land Use prior to implementation.

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

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

and the following against the same: None

and the following abstained: None

and the following were absent: Carthen & Hoppe

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

________________________________________
Planning Commission Chairman

ATTEST:

________________________________________
Land Use Director
Christine Rae Bishop hereby acknowledges receipt of this Permit and has reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: ___________________________  Its: ___________________________

STATE OF ILLINOIS)

COUNTY OF ___________

SS.

On this _____ day of ____________, 2019 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.

______________________________
TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC-07-19

REQUEST: Special Use Permit (SUP) to Allow a Lodge to Operate in the C-Conservation Zoning District at 9612 Fairmont Avenue

APPLICANT NAME: Christine Bishop

MEETING DATE: June 11, 2019

ZONING: C-Conservation District

PROPOSED LAND USE: Lodge

PLANNING COMMISION ACTION: Consideration of the SUP, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

SPECIAL USE PERMIT
9612 Fairmont Drive

LOCATION MAP
PC-07-19

Subject Property

Prepared by
Department of Land Use and Development
June, 2019
STAFF ADVISORY

1. BACKGROUND

Summary
The City of Fairview Heights Development Code divides the City into districts and establishes a set of land uses that are either "permitted" or "special". Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Plan Commission and City Council, in accordance with Development Code section 14-10-8. Each special use is evaluated on its own merits.

The proposal is to allow a lodge to operate in the C-Conservation District. The lodge would target "crafters" for "scrapbooking weekends". There will be eight to ten beds offered, with a maximum capacity of ten overnight guests. According to the applicant, there are few facilities that offer weekend overnight stays and can meet crafter’s space needs, which include: adequate parking, well-lit rooms, convenient bathrooms, food preparation and storage areas, multi-purpose area and dedicated sleep areas. The applicant is a crafter and would like to offer this option in a to be built 3,700 square feet residence, to include a dedicated area for the lodge. Guests will provide their own food, and the applicant will provide lodging and crafting space. Guests will arrive Friday afternoons and depart on Sundays. The operation details of the lodge have not yet been provided.

The subject site is zoned C-Conservation District. A lodge is listed as a special use in this district, as per Development Code section 14-2-4.C.

Context
The subject property is located in the middle western portion of the City, east of Bunkum Road, north of Holy Cross Road and south of I-64. The parcel is approximately 4 acres, and is primarily vacant but for a quanset hut.

The property is heavily treed, much of which is to remain. Vehicular access to the property is limited to Fairmont Road, which only serves the surrounding residential area.

The zoning and land uses of adjoining properties are as follows:

North: R-3 Single Family Residential; Single-family residence

South: C Conservation District; Single-family residence

West: C Conservation District; Single-family residence

East: MH Manufactured Home; Single-family residence, manufactured home
Site Views
Planning Considerations
At issue is whether or not the proposed use is reasonable as per the Development Code and SUP standards.

SUP standards:

1. The effect the proposal would have on the City’s comprehensive plan.

   Finding: The City’s Comprehensive Plan identifies the subject property as in a single-family area. The proposed home occupation lodge is consistent with the intent of the comprehensive plan.

2. The effect the development would have on schools, traffic, streets, shopping, public utilities and adjacent properties.

   Finding: The use will generate additional traffic. Guests must reserve the space in advance, therefore there will not be unexpected traffic. The anticipated number of vehicle trips is not predicted to negatively impact infrastructure or residential traffic patterns. If issues are discovered after operations commence, the operator should consider mitigating strategies such as changing check-in/check-out times.

   The lodge is intended for “quiet retreat weekends” and is not expected to generate noise that negatively impacts adjacent residential areas. A condition to the SUP will be added to accommodate potential concerns.

3. Is the application necessary for the public convenience at that location?

   Finding: The proposal offers convenience at the location.

4. In the case of an existing nonconforming use, will a special-use permit make the use more compatible with its surroundings?

   Finding: N/A

5. Is the application so designed, located and proposed to be operated that the public health, safety, and welfare will be protected?

   Finding: The proposed operation is not expected to have a substantial impact on the factors cited in this criteria.

6. Will the application cause injury to the value of other property in the neighborhood in which it is located?

   Finding: The lodge is not anticipated to have a harmful impact on the neighborhood.

7. Will the special use be detrimental to the essential character of the district in which it is located?

   Finding: The lodge will be contained within the applicant’s primary residence. As such, it will not be out of character with the residential nature of surrounding uses.

Other Applicable Standards
Section 14-3-20 of the Development Code identifies performance standards for developments and redevelopments, and applies to this application:

PERFORMANCE STANDARDS – GENERAL
(A) Any lot shall be properly graded for drainage and maintained in good condition, free from trash and debris.
(B) Noise emanating from any use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses. 
(C) No obnoxious, toxic or corrosive matter, smoke, fumes or gases shall be discharged into the air or across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business.

A building permit will be required for the construction of the residence/with lodge.

**Exhibits**
1. Application and Supporting Documents
2. Public notice
3. Resolution and Findings of Fact
# 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)

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**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):** Donald K. Bishop Christine Rae Bishop  
   Mailing address: 9412 Fairmont Rd., Fairview Heights, IL 62208  
   Phone: (816) 210-9379  
   E-Mail: craebishop@gmail.com

2. **Name of applicant (if other than owner):** Same  
   Relationship to owner (contractor, family member, lessee, etc.): ________________  
   Mailing address: __________________________  
   Phone: __________________________  
   E-Mail: __________________________
3. Address of property: Same
Parcel (Tax) ID number: 
Present use of property: 
Zoning district: 

4. Type of Development for which permit is requested: Lodge / Retreat Center

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: Christine Rae Bishop  Date: 2 March 2019
Signature of Applicant: Christine Rae Bishop  Date: 2 March 2019
June 14, 2019

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

Dear Community Committee Member:

The petition listed below is hereby transmitted for your consideration at the June 19, 2019 Community Committee:

APPLICATION NUMBER:  PC-08-19
REQUEST:  Map Amendment (rezoning) request from R-4 Residential to PB- Planned Business Development AND Site Development Plan to allow for the expansion of an existing gas station with convenience store at 1029 Lincoln Highway.

APPLICANT NAME:  Nick Smock on behalf of Martin and Bayley, Inc.
LOCATION:  East-central, at the northwest intersection of Lincoln Hwy and Old Collinsville Road.

RECOMMENDATION:  Approval
WARD:  IV

Attached is the staff advisory and Plan Commission Resolution pertaining to the request.

Respectfully,

Jim Bramstedt

Jim Bramstedt, Chairman
Planning Commission
Planning Commissioner McCarthy introduced the following resolution and moved for its adoption:

RESOLUTION PC7-19 (A)

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

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

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

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019 and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

2. The subject property is zoned R-4 Single Family Residential and proposed to be zoned PB Planned Business District.

3. That this permit will require any changes to traffic circulation and ingress/egress.

4. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.

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

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

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

8. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
9. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.

10. The proposed use will be consistent with the Comprehensive Plan.

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

and the following voted against the same: Herrington

and the following abstained:

and the following were absent: Hoppe, Carthan

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

__________________________
Planning Commission Chairman

ATTEST:

__________________________
Land Use Director
Planning Commissioner McCarthy introduced the following resolution and moved for its adoption:

RESOLUTION PC 007-19 (B)

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

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

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

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2019 and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.

2. The subject properties are zoned "PB” Planned Business District.

3. That this permit will require changes to traffic circulation and ingress/egress.

4. That this permit will require changes to lighting, landscaping and the existing site usage.

5. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.

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

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

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

9. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
10. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors.

11. The proposed use will be consistent with the Comprehensive Plan.

12. That this Development Plan approval will allow the applicant's development of a Huck's Convenience Store as it is proposed per the Development Plan by the Applicant; with the exception that a 10’ vinyl fence be installed at the northern property line adjacent to residential areas.

13. That the Development Plan approval shall be contingent upon the Department of Public Works approval of the drainage and grading plan, the storm water management plan, the erosion control plan and other relevant planning design documents.

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

15. That the Director of Land Use, and his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.

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

17. That this Development Plan approval allows for the site plan as presented, with the addition of the 10’ vinyl fence. Any significant changes to materials on the building, landscaping or signage on this site not provided for in the site plans on the Subject Property will require additional review and approval by the City Council.

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

and the following voted against the same: Herrington
and the following abstained: Hoppe&Carthan
and the following were absent: 

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

______________________________
Planning Commission Chairman

ATTEST:

______________________________
Land Use Director
PLANNED BUSINESS NARRATIVE

HUCKS CONVENIENCE STORE

LOCATED IN THE
CITY OF FAIRVIEW HEIGHTS
ST. CLAIR COUNTY, ILLINOIS

Prepared By:
Thouvenot, Wade and Moerchen, Inc.
4940 Old Collinsville Road
Swansea, Illinois 62226
(618) 624-4488
(618) 624-6688
www.twm-inc.com

Issued:
May 2019
PLANNED BUSINESS NARRATIVE

HUCKS CONVENIENCE STORE
Fairview Heights, Illinois

Table of Contents

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Appendix A: SITE PLANS
Appendix B: PHOTOGRAPHS
Appendix C: BUFFERED PARCEL REPORT
Appendix D: BUILDING ELEVATIONS/FLOOR PLANS
Appendix E: LEGAL DESCRIPTION
Appendix F: TRIP GENERATION
**Project Location**

The proposed Hucks Convenience Store is to be constructed on 1.2 acres consisting of two parcels where the existing Hucks is located, and an adjacent parcel directly to the North. Upon approval, the three parcels can be consolidated at the City’s request. The property is at the intersection of Old Collinsville Road and Lincoln Trail (US Highway 50). The congressional township description for the property is Section 27 of Township 2 North, Range 8 West of the Third Principal Meridian in St. Clair County, Illinois. The general latitude and longitude of the site is 38° 35' 34" North and 89° 58' 00" South. Existing site photographs can be found in Appendix B.

**Existing and Adjacent Land Use Conditions**

The existing project site is comprised of three parcels. Two of the parcels have historically been utilized as a Hucks Convenience Store and the adjacent property to the North as residential. Two residential lots, currently owned by Zachary Brann and Mark and Sally Medder, will be located directly to the north of the project and are zoned as R-4 Residential. To the west of the property there is a developed commercial lot owned by Property Development LLC. The entire east and south property lines are bordered by street right-of-way. A buffered parcel list, showing all properties within 300’ of the proposed project site can be found in Appendix C.

**Proposed Planned Business**

The Planned Business will be developed on three parcels, 03-27.0-225-020, 03-27.0-225-025, and 03-27.0-225-028. The owner currently has and LOI agreement with the landowner directly to the north of the current Hucks convenience store. Upon successful approval of the planned business and rezoning, the owner will purchase the subject property. The construction portion of the project will be completed in two phases. Initially the existing structures and utilities on the residential lot will be removed. Construction of the proposed site improvements in this area will begin shortly after. The existing store will remain operational during this initial phase. Upon completion of the new building and surrounding area, the existing store will be closed and demolished. Construction of the new canopy, fuel pumps and concrete paving in these areas will begin immediately following demolition of the existing store. A more detailed description of the overall phasing and timing of each element can be provided prior to construction. Exhibits depicting the existing topography, demolition and proposed site plan can be found in Appendix A and preliminary floor plans and elevations are shown in Appendix D.

The proposed building will provide updated features and new technology in comparison the existing store, which will improve the overall experience of the patrons. The new site layout will provide for safer vehicular and pedestrian movements. The overall site improvements with new landscaping and an improved façade will help to revitalize the
area and improve the overall aesthetics of the intersection. While the improvements are planned to increase patrons, the overall impact on traffic is minimal and can be seen in the Traffic Impact Analysis Found in Appendix F.

Utility and Infrastructure

The proposed sewer will be rerouted around the proposed building and continue to drain North into an existing 8" inc. All plans and requirements for sewer service will be coordinated with the City of Fairview Heights as well as Caseyville Township Sewer.

There are existing waterlines to the south and east of the proposed development. All plans and requirements for water service will be coordinated with the City of Fairview Heights and the City of O'Fallon water department.

Other utilities such as gas, electric, phone and cable will be designed by their respective companies. Ameren IP, AT&T and Charter will provide the required services. Additional information, such as connection points and proposed routings will be available at a later date.

Storm sewers and storm water detention (if required) will be accommodated per the City's Code of ordinances and will not encroach on adjacent property owners. In addition to the City's review and approval, all drainage calculations and site plans will need to be approved through the IDOT permitting section as well.
Appendix A

Site Plans
Appendix B

Photographs
Appendix C

Buffered Parcel Report
Appendix D

Building Elevations/Floor Plans
Appendix E

Legal Description
DEED INTO TRUST

KNOW ALL PERSONS BY THIS INSTRUMENT:

The Grantor, Martin & Bayley, Inc., under direction from its board of directors, a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, for and in consideration of Ten ($10.00) Dollars, and other good and valuable considerations in hand paid, Conveys with special warranty unto FULKERSON LAND TRUST PARTNERSHIP, an Illinois Partnership, not personally, but as Trustee of the FULKERSON LAND TRUST, pursuant to Trust Agreement dated December 29, 1998, the following described real estate in the County of St. Clair and State of Illinois, to-wit:

See attached Exhibit "A", legal description

Parcel #03-27-0225-02STR & 02STR

To have and to hold the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth

Full power and authority is hereby granted to said trustees to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to re-subdivide said property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said trustees, to dedicate, to subdivide, to mortgage, pledge or otherwise encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence at present or in future, and upon any terms and for any period or periods of time, not exceeding in the case of any single demesne the term of 198 years and to renew or extend leases upon terms and for any period or periods of time and to amend change or modify leases and the terms of provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property, or any part thereof, for other real or personal property, to grant easements or changes of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said trustees in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said trustees in relation to said real estate shall be conclusive

[Stamp: Real Estate Transfer Tax]

State of Illinois

Real Estate Transfer Tax

State of Illinois

Real Estate Transfer Tax

[Stamp: Real Estate Transfer Tax]

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Evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument (a) that at the time of the delivery thereof the trust created by this indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said trust agreement or in any amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustees were duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

The interests of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

This conveyance is made with special warranty that the property is conveyed to Grantee in fee simple, its heirs and assigns, with covenants on the part of the grantor, (1) that at the time of the making and delivery of said deed it was the lawful owner of an indefeasible estate in fee simple, in and to the premises herein described, and had good right and full power to convey the same, (2) that the same were then free from all encumbrances, and (3) that it warrants to the grantee, its heirs and assigns, the quiet and peaceable possession of such premises, and will defend the title thereto against all persons who may lawfully claim the premises by, through or under the grantor.

Grantee covenants and warrants that no person owns, occupies or possesses any part of the above described premises as homestead, and said described premises is conveyed free from all claims of homestead and exemption under the laws to the State of Illinois.

Executed pursuant to resolution of the Board of Directors of Grantor this 29th day of December, 1998.

ATTES'T:

[Signature]
Name: [Name]
Title: [Title]

STATE OF ILLINOIS 

COUNTY OF [County]

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that [Signature] personally known to me to be the [Position] of [Corporation], and personally known to me to be the [Position] of Martin & Bayley, Inc., and [Signature] personally known to me to be the [Position] of the corporation, appeared before me this day in person and severally acknowledged that as such corporate officers, they
signed and delivered the said instrument as officers of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Subscribed and sworn to before me this 29th day of December, 1998

My commission expires 12/15/00

By authority of the

Notary Public in and for the State of Illinois

White County

James L. Van Winkle
Van Winkle & Van Winkle
Attorneys at Law
301 S. Jackson St., P.O. Box 337
McLeansboro, IL 62859-0337
Telephone: (618) 643-4396
Facsimile: (618) 643-4241
8/Jvw/c/wp51/hucks/H3441.0/Jivw;
vw file: 53-441.0
version date: 12/15/98

Future taxes to: Fulkerson Land Trust, c/o Martin & Bayley, Inc., 928 County Road 1350 North, P.O. Box 385, Carmi, Illinois 62821-0385
EXHIBIT "A" LEGAL DESCRIPTION

Parts of Lots 2 and 3, Martin & Bayley Tract

A tract of land being part of Lot 2 and part of Lot 3 of William Schaperkoetter Assessment Plat as recorded in Book of Assessment Plats No. 1 on page 1 of the Recorder's Office in St. Clair County, Illinois and being located in the East one-half (E1/2) of the Northeast one-quarter (NE1/4) of Section Twenty-seven (27), Township Two (2) North, Range Eight (8) West of the Third Principal Meridian, St. Clair County, Illinois, and being more particularly described as follows:

Beginning at the Northeastern corner of above said Lot 2; thence South 00 degrees 08 minutes 49 seconds East along the Easterly line of said Lot 2 a distance of 134 76 feet to a point on the Northernly line of U.S. Highway 50, also known as F.A.U. Route 9166 as widened by instrument recorded in Book 2797 Page 1493 of the above said Recorder's Office, thence North 89 degrees 40 minutes 00 seconds West along last said Northernly line 156 99 feet to a point being located 25.00 feet Westerly, normal distance from the Easterly line of above said Lot 2; thence North 00 degrees 08 minutes 55 seconds West and parallel with last said Easterly line 133 47 feet to a point on the Westerly prolongation of the Northernly line of above said Lot 2; thence North 89 degrees 51 minutes 48 seconds East along last said Northernly line and the Northernly line of above said Lot 2 a distance of 156 99 feet to the Point of Beginning and containing 21,054 square feet or 0.483 acres more or less and being the same tract of land as recorded in Book 2705 Page 471 of the above said Recorder's Office according to a survey executed by Stock and Associate Land Surveying, Inc. on December 9, 1994.

Part of Lot 1 - L. Keller Oil Properties, Inc., Tract

A tract of land being part of Lot 1 of William Schaperkoetter Assessment Plat as recorded in Book of Assessment Plats No. 109 and being located in the East one-half (E1/2) of the Northeast one-quarter (NE1/4) of Section Twenty-seven (27), Township Two (2) North, Range Eight (8) West of the Third Principal Meridian, St. Clair County, Illinois and being more particularly described as follows:

Beginning at the Northwesterly corner of above said Lot 1; thence North 89 degrees 51 minutes 48 seconds East along the Northernly line of said Lot 1 a distance of 106 68 feet to a found iron pipe on the Westernly line of Old Collinsville Road; thence South 00 degrees 07 minutes 10 seconds East along said Westernly line 124.63 feet to a point on the Northernly line of U.S. Highway 50, also known as F.A.U. Route 9166 as widened by instrument recorded in Book 2801 on page 1995 of the above said Recorder's Office; thence along the last said Northernly line the following courses and distances; thence South 64 degrees 20 minutes 24 seconds West 25.10 feet; thence South 89 degrees 40 minutes 00 seconds West 83 97 to a point on the Westernly line of above said Lot 1; thence North 00 degrees 08 minutes 49 seconds West along last said Westernly line 134 76 feet to the Point of Beginning and containing 14,293 square feet or 0.328 acres more or less and being the same tract of land as recorded in Book 2701 Page 1029 of the above said Recorder's Office according to a survey executed by Stock and Associates Land Surveying, Inc. on December 9, 1994.
QUITCLAIM DEED

THIS INDENTURE WITNESSETH THAT THE GRANTOR, BRAUER LIVING TRUST, by Julianne Horvath and Angela Viaina, Trustees, 16348 Nantucket Sound Ct., Wildwood, MO 63040, for and in consideration of the sum of Thirty-Nine Thousand Five Hundred Dollars ($39,500.00), in hand paid, do hereby convey and quitclaim to RUTH CLAIRE COCHRAN, 6405 Old Collinsville Rd., Fairview Heights, IL 62208, all interest in the following described real estate:

A tract of land being a part of the Southeast quarter (1/4) of the Northeast quarter (1/4) of Section numbered Twenty-seven (27) in Township Two (2) North Range Eight (8) West of the Third (3rd) Principal Meridian, St. Clair County, Illinois, and more particularly described as follows, to-wit:

Commencing at a point in the East line of said Section numbered Twenty-seven (27), T. 2 N. R. 8 W. Of the 3rd P.M. distant Ten (10) Rods and Fifteen (15) feet North of the East and West middle line of said Section Twenty-seven (27); said point of beginning being the Northeast corner of a tract of land described in Book of Deeds 588 page 507 of the Recorder's Office of St. Clair County, Illinois; running thence Westwardly and along the North line of said One (1) Acre tract referred to for a distance of Two hundred sixty-four (264) feet to the Northwest corner of the One (1) Acre tract referred to; running thence Northwardly parallel to the East line of said quarter, quarter section for a distance of Eighty-two and five-tenths (82.5) feet to a point; running thence Eastwardly parallel to the South line of said quarter, quarter section for a distance of Two hundred and sixty-four (264) feet to a point in the East line of said quarter, quarter section; distant Northward Eighty-two and five-tenths (82.5) feet from the point of beginning; running thence Southwardly and along the East line of said quarter, quarter section Eighty-two and
five-tenths (82.5) feet to the point of beginning, containing 0.5 acres, more or less, now known as Lot 5 of Schaperkoetter Assessment Plat.

Excepting, however, the Coal underlying said described premises situated in the County of St. Clair in the State of Illinois.

Permanent Index Number 03 27-0 225 020

JULIANNE HORVATH

ANGELA VAIANA

Successor Trustees
BRAUER LIVING TRUST

Dated this 16th day of November, 2009.

STATE OF MISSOURI )
) SS
COUNTY OF ST. LOUIS )

I, the undersigned, a Notary Public in and for said County in the State aforesaid, do hereby certify that JULIANNE HORVATH and ANGELA VAIANA, personally known to me to be the persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they are the presently acting Successor Trustees of the BRAUER LIVING TRUST, and that they signed, sealed, and delivered the said instrument as their free and
voluntary act as the Trustees of the BRAUER LIVING TRUST for the
uses and purposes therein set forth.

Given under my hand and notarial seal this 16th day of
November, 2009.

[Signature]
Notary Public

Mail this recorded instrument to:

Anthony F. Vaiana
300 Strawbridge Dr.
Chesterfield, MO 63017

Address of Property:

Mail tax bills to:

Deed prepared by:

Ruth Cochran
6405 Old Collinsville Road
Fairview Height, IL 62208

Anthony F. Vaiana
300 Strawbridge Dr.
Chesterfield, MO 63017
(314) 469-0660
Appendix F

Trip Generation
This report examines the anticipated existing trip generation of a development at current conditions with the proposed trip generation of the development site with improvements. This project is located in the northwest quadrant of W Highway 50 (Lincoln Highway) and Old Collinsville Road in Fairview Heights, Illinois. The proposed development will remain a gas station with convenience store. Ingress to and egress from the proposed development is being sought through the utilization of two of the three full access entrances already at the existing site. One entrance to remain will be the far west entrance along Lincoln Highway, the other will be the existing entrance along Old Collinsville Road.

**Existing Trip Generation**

The existing development is comprised of 12 fueling positions. The Tenth Edition of the *Trip Generation Manual*, published by the Institute of Traffic Engineers was used to estimate the number of vehicle trips which may be reasonably expected to be generated by the existing development. The *ITE Manual* trip generation rates for this type of facility is shown in Table 1.

Due to the gas station type land use, it is assumed that not all traffic generated by this individual site would be new traffic added to the external street system. According to the *ITE Handbook*, retail-orientated developments such as shopping centers, discount stores, restaurants, banks, service stations, and convenience stores attract a portion of their trips from passing motorists called pass-by trips (*Trip Generation Handbook*, 29). Due to the heavier traffic volume and the close proximity of the downtown in this area, it was estimated that a certain number of trips entering and leaving the development area during the AM and PM peak hours would come from commuters already traveling Lincoln Highway and Old Collinsville Road. The *ITE Handbook* states the following pass-by trip reduction factors which were incorporated in this study: 62% for the AM peak hour and 56% for the PM peak hour. Table 2 depicts the forecasted existing trips generated after considering the aforementioned factors for the existing development.

<table>
<thead>
<tr>
<th>ITE Code</th>
<th>Land Use</th>
<th>Trip Generation Rate</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Equation or Rate/Unit</td>
<td>% Entering/ Exiting</td>
</tr>
<tr>
<td>945</td>
<td>Gasoline/Service Station w/ Veh. Fueling Positions</td>
<td>12.47</td>
<td>51/49</td>
<td>13.99</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ITE Code</th>
<th>Land Use</th>
<th>Size</th>
<th>Unit</th>
<th>Forecasted Trips</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Veh. Fueling Positions</td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td>945</td>
<td>Gasoline/Service Station w/ Convenience Market</td>
<td>12</td>
<td>Veh. Fueling Positions</td>
<td></td>
<td>77</td>
<td>73</td>
</tr>
<tr>
<td></td>
<td>Pass-By Trips</td>
<td>(48)</td>
<td>(45)</td>
<td>(93)</td>
<td>(48)</td>
<td>(46)</td>
</tr>
<tr>
<td></td>
<td>New Trips</td>
<td>29</td>
<td>28</td>
<td>57</td>
<td>38</td>
<td>36</td>
</tr>
</tbody>
</table>
Projected Trips Generated from Proposed Development

The proposed development is comprised of 16 vehicle fueling positions per the concept plan. As was done with the existing, the Tenth Edition of the Trip Generation Manual was used to estimate the number of vehicle trips which may be reasonably expected to be generated by the proposed development.

As mentioned previously, not all traffic generated by this individual site will be new traffic added to the external street system. Table 3 depicts the forecasted proposed trips generated after considering the aforementioned factors for the proposed development.

<table>
<thead>
<tr>
<th>ITE Code</th>
<th>Land Use</th>
<th>Size</th>
<th>Unit</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td>945</td>
<td>Gasoline/Service Station w/ Convenience Market</td>
<td>16 Veh. Fueling Positions</td>
<td>102</td>
<td>98</td>
<td>200</td>
</tr>
<tr>
<td>Pass-By Trips</td>
<td></td>
<td></td>
<td></td>
<td>(63)</td>
<td>(61)</td>
</tr>
<tr>
<td>New Trips</td>
<td></td>
<td></td>
<td></td>
<td>39</td>
<td>37</td>
</tr>
</tbody>
</table>

Table 4 shows that during the AM peak hour there will be an additional 50 vehicles entering/exiting the project site, while in the PM peak hour it will be approximately 56 additional vehicles. As described above, some of the traffic entering/exiting the site is already utilizing the existing adjacent roadways and considered pass-by traffic. Viewing the “New Trips” generated for the adjacent roadways will only add 19 vehicles in the AM peak hour and 24 vehicles in the PM peak hour.