



DEPARTMENT OF
LAND USE AND DEVELOPMENT

AGENDA

PLANNING COMMISSION
SEPTEMBER 8, 2020, 7:00 P.M.

IN PERSON: CITY HALL RECREATION ROOM, 10025 BUNKUM ROAD

VIRTUAL:

<https://cofh.my.webex.com/cofh.my/j.php?MTID=m0b9bbaa9c3e965c637b772941d17ba20>

Meeting number: 163 336 3420 - Password: PFmM8DPMB22

1. **CALL TO ORDER AND ROLL CALL**
2. **CITIZENS COMMENTS-** *This is an opportunity for the public to address the Plan Commission on non-agenda related items. Comments made during this section of the agenda that require a response will be referred to the appropriate City staff member or official for follow-up at a later date.*
3. **MINUTES:**
 - a. Regular Meeting of June 8, 2020
4. **PC CASES/PUBLIC HEARINGS**
 - a. PC 03-20 Public Hearing and Planning Commission consideration of a Final Plat of Drury Subdivision at 6900 N. Illinois. **VOTE REQUESTED**
 - b. PC 04-20 Public Hearing and Planning Commission consideration of a Special Use Permit with Site Development Plan at 6565 N. Illinois to allow the construction of a restaurant with drive-thru. **VOTE REQUESTED**
 - c. PC 05-20 Site development plan for 6100 N. Illinois to allow the construction of a 37,000 sf building. **POSTPONED BY APPLICANT**
5. **OLD BUSINESS** - None
6. **NEW BUSINESS** - None
7. **ANNOUNCEMENTS**
 - a. Chair/Plan Commission Member Comments
 - b. Director's Report
8. **ADJOURNMENT**

The next regularly scheduled meeting is October 13, 2020: it may be canceled if there is no business to conduct.

**CITY OF FAIRVIEW HEIGHTS, ILLINOIS
PLANNING COMMISSION
MEETING MINUTES
June 9, 2020**

CALL TO ORDER

The meeting was called to order at approximately 7:00 p.m. by Chairman Jim Bramstedt with (5 members) in physical attendance: Greg Moats, Larry Mensing, Don Barkley, Linda Hoppe, Pat Herrington, (2 members) in attendance via Zoom: Kelly Smith and Patrick McCarthy. Also, in attendance were Andrea Riganti (Land Use Director), Andrew Hoerner (Attorney), and Kendra Tucker (Secretary).

1. CITIZENS COMMENTS

None.

2. APPROVAL OF MINUTES

The minutes of February 11th, 2020 approved as written.

3. NEW BUSINESS – Special Use Permit, 6536 N. Illinois Street, Chad Fairbanks

Director Riganti presented the application and staff advisory to the commission.

Commissioner Barkley requested clarification on the proposed building materials. Director Riganti stated that the options the applicant is presenting is acceptable per the development code.

The applicant was present.

Bruce LaSurs of 6500 Chippewa Street, Suite 200, St. Louis, MO 63109.

Applicant LaSurs responded to the commission's questions regarding building materials, drive-thru lanes, dumpster location, and plans for the pavement.

Director Riganti stated that the application meets site plan requirements.

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

**RESOLUTION PC 02 -20
A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL
OF REQUEST FOR A SPECIAL USE PERMIT AND SITE DEVELOPMENT**

PLAN FOR 6535 NORTH ILLINOIS WITHIN THE "PB" PLANNED BUSINESS DISTRICT.

WHEREAS, Chad Fairbanks, Core States Group, on behalf of Chase Bank, hereinafter referred to as the "Applicant," has properly applied for a Special Use Permit with Site Development Plan for the construction of a bank with drive-thru ATM within the "PB" Planned Business District located at 6535 North Illinois Street, PIN 03-28.0-204-011.

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 9, 2020 and that said public hearing was properly conducted 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 not require changes to traffic circulation and ingress/egress.
4. That this permit will not require minor enhancements to landscaping, 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 Special Use Permit and Site Development Plan approval will allow the applicant's development of a bank as proposed by the Applicant.
13. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
14. 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.
15. That this Development Plan Approval shall automatically expire if the use is not initiated within one year of City Council approval.
16. That this Development Plan approval allows for the site plan as presented.

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

and the following voted against the same: None
and the following abstained: None
and the following were absent: Wesemann, Carthen, & Coleman,

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 9th day of June 2020.

4. OLD BUSINESS

None.

5. NEW BUSINESS

None.

6. DIRECTOR'S REPORT

Director Riganti stated that the sales of marijuana was approved by the City Council but no applications have been received.

The progress on the new Development Code continues to be pushed forward.

Chairman Bramstedt inquired when the city buildings would reopen from the Covid-19 shutdown. Director Riganti stated that there has been no update at this time.

7. ANNOUNCEMENTS

None.

8. ADJOURNMENT – The meeting was adjourned at 7:26 p.m.

Respectfully,

Andrea Riganti
Director of Land Use and Development
AR/kt

The next regularly scheduled meeting of the Fairview Heights Planning Commission will be July 14, 2020 at 7:00 p.m. in the Council Chambers of the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.



DEPARTMENT OF LAND USE AND DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC-03-20

REQUEST: Final Plat of Drury Subdivision at 6900 N. Illinois

APPLICANT NAME: Walter Pflieger, Land Surveyor on behalf of Fairview Heights Hotel Partners, LP

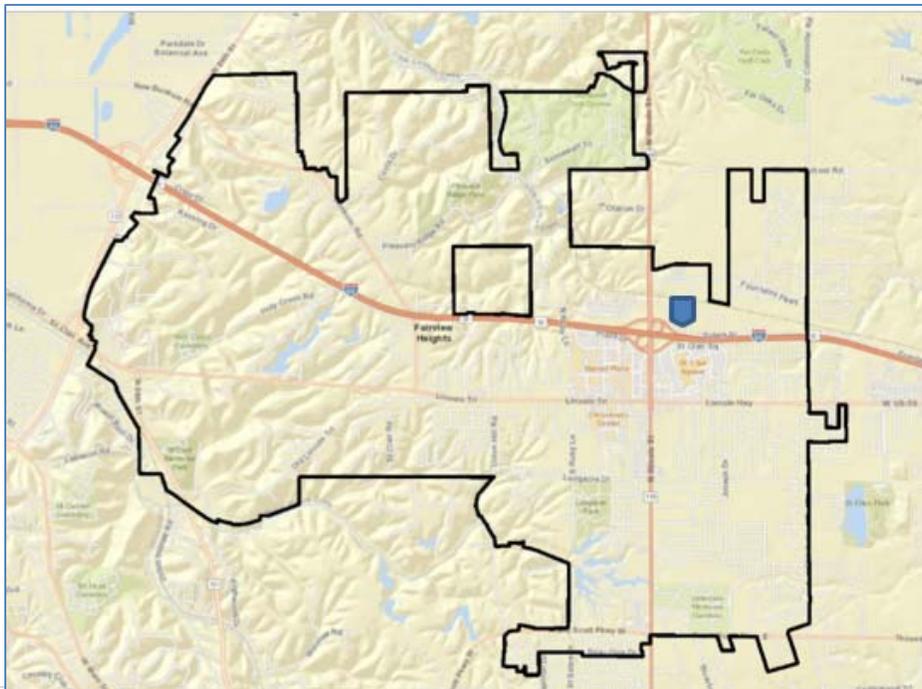
MEETING DATE: September 8, 2020

ZONING: PB-Planned Business

LAND USE: Commercial – restaurant
Vacant

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

GENERAL LOCATION:



STAFF ADVISORY

1. BACKGROUND

The City of Fairview Heights Development Code establishes procedures for the division of land into two or more lots. A “Minor Subdivision” is the division of land into two (2), but not more than six (6) lots. The applicant is proposing to divide one lot into two, and is therefore defined as a “Minor Subdivision”. Development Code Section 14-9-4: Subdivision Application, Minor Subdivision exempts minor subdivisions from the preliminary plat procedures and requirements and permits the subdivider to proceed to the final plat review process. Subdivision procedures for a final plat include administrative review, consideration by Planning Commission and final action by City Council. In considering a Final Plat, the reviewing authorities are to ensure the submittal meets the technical requirements of the Development Code. If a Final Plat meets the criteria it shall be recommended for approval.

The subject property located at 6900 N. Illinois Street is zoned PB-Planned Business. This zoning district is has a minimum lot size for tracts of land less than two (2) acres that have common property line with a residential district. It does not have a minimum lot size for tracts of land that have common property lines with commercial or industrial districts. The latter situation exists for this tract; therefore there is no minimum lot size.

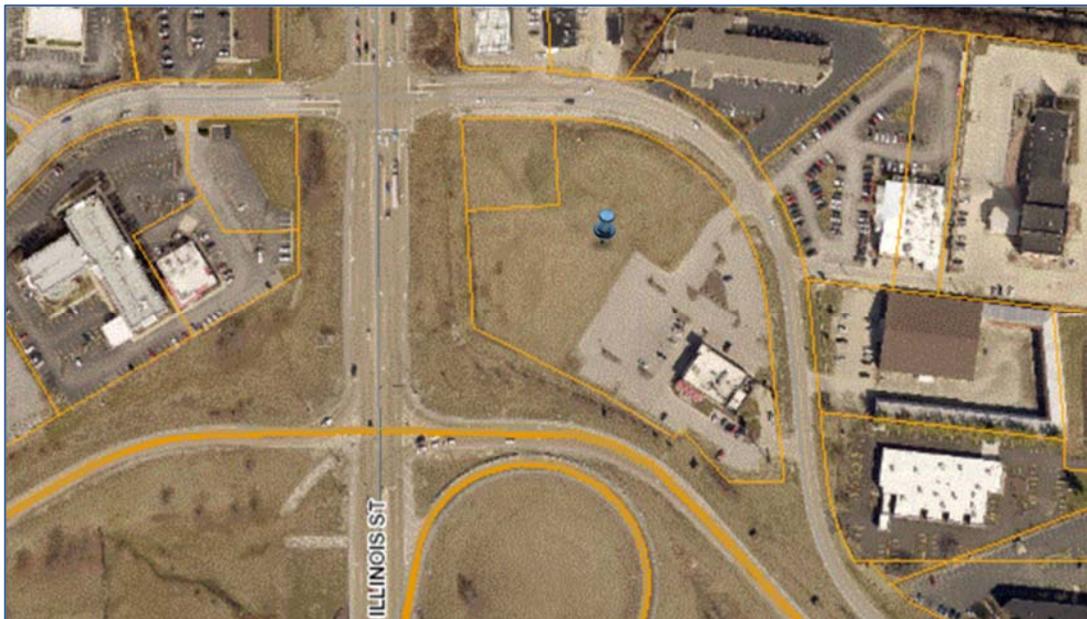
2. DISCUSSION

Context

The subject property is located in the north- central part of the City, north of Interstate 64, east of North Illinois and south of Lincoln Trail. The parcel is approximately 4.7 acres. A restaurant (Friday’s) is located eastern portion of the parcel.

The adjoining properties are zoned PB-Planned Business. The surrounding land uses are consistent with zoning and include a gas station, hotel, restaurant and retail.

Aerial View of Property



Planning Considerations

The existing parcel is 4.7 acres. The proposed subdivision would create two lots; the western lot would be 3.028 acres and the eastern lot would be 1.75 acres. The parcel line for the subdivision will bisect a portion of the existing restaurant parking lot. To address potential issues regarding cross access, an easement has been created that will run in perpetuity with the land.

At issue is whether or not the proposed Final Plat meets the technical requirements of Development Code 14-9-6 Subdivision Application, Final Plat as below:

14-9-6 SUBDIVISION APPLICATION, FINAL PLAT.

A final plat to be provided by the subdivider shall meet the following specifications:

- (A) The final plat may include all or only a part of the preliminary plat which has received approval.
- (B) The plans of the final plat shall be drawn on new linen tracing cloth or polyester base film, with waterproof black ink to a scale not greater than one hundred feet to one inch (100' to 1"); provided that the resulting drawing would not be greater than thirty-six (36) inches square. Four (4) cloth or polyester base film positives of the final plat shall be provided to the City by the subdivider at the time of final plat application.
- (C) All dimensions shall be shown in feet and decimals of a foot.
- (D) All surveys for a final plat shall be made under the active and personal direction of a registered land surveyor of Illinois, and the following basic information shall be shown:
 - (1) Accurate boundary lines, with dimensions and bearings or angles, which provide a survey of the tract, closing with an error of closure of not more than one foot in five thousand feet (1' in 5,000').
 - (2) Accurate distances and directions to the nearest established quarter section corner monument. Reference corners shall be accurately described on the final plat.
 - (3) All elevations shall be referenced to the established datum and the said reference shall be clearly stated on any plans or drawings showing such datum, provided that bench marks are located within a reasonable distance. Where spot elevations are taken from USGS Map as the datum used for a bench mark, it shall be so shown on the plat.
 - (4) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract, shown by heavy solid lines.
 - (5) Right-of-way line of streets, easements and other rights-of way and property lines and areas of lots and other tracts, with accurate dimensions, bearings and curve data, including radii, arcs and chords, points of tangency, and central angles.
 - (6) Name and right-of-way width for each street or other right of-way.
 - (7) Location, dimensions and purposes of any easement, shown by light, dashed lines.
 - (8) Number to identify each lot or site.
 - (9) Purpose for which sites, other than residential lots, are dedicated or reserved.
 - (10) Lot dimensions and areas of each lot and building setback lines and dimensions.
 - (11) Location, type, material, and size of all monuments and lot markers.
 - (12) Restrictions of all types which will run with the land and become covenants in the deeds for lots. Restriction lines should be shown by medium, dashed lines.
 - (13) Title or name of subdivision, Section, Township and Range numbers in which the subdivision is located; and north arrow, scale and date.
 - (14) Certification by registered Illinois Land Surveyor with registration numbers and seal affixed to all final documents of the final plat.
 - (15) Certificate of dedication of all public areas.
 - (16) Certificate that all taxes due have been paid

The proposed Minor Subdivision is in conformance with the requirements of 14-9-6.

Exhibits

1. Application and Supporting Documents
2. Public notice
3. Resolution and Findings of Fact

APPLICATION FOR FINAL PLAT



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

| OFFICE USE ONLY | |
|--|---|
| DATE COMPLETED APPLICATION RECEIVED: | CASE NUMBER ASSIGNED: |
| RESUBMITTALS RECEIVED/DATE: | APPLICATION FEES PAID (\$150 + \$5 per lot): |
| ZONING DISTRICT: | DATE PUBLIC NOTICE SIGN POSTED: |
| APPLICATION CIRCULATION DATE ____: Comments Received: <input type="checkbox"/> Public Works <input type="checkbox"/> Fire District <input type="checkbox"/> Parks and Recreation <input type="checkbox"/> Economic Development <input type="checkbox"/> Police Department <input type="checkbox"/> Finance Department <input type="checkbox"/> Administration Department <input type="checkbox"/> Other | AUTHORITY MEETING DATE/RECOMMENDATION: <input type="checkbox"/> Planning Commission ____ / ____ <input type="checkbox"/> Community Committee ____ / ____ <input type="checkbox"/> City Council ____ / ____ |
| DATE OF MEETING: | RESOLUTION NUMBER: <i>(Attach resolution to final plat. One copy to City Clerk, one with LUD/application, one copy to applicant)</i> |

Applicants are encouraged to schedule a pre-application conference with the Director of Land Use and Development prior to submittal.

As an applicant, **you are responsible for submitting:**

1. Completed application including submittal fees and all required attachments to the Department of Land Use and Development at least thirty-six (36) days prior to the Plan Commission meeting.
2. Photographs- aerial and/or ground-level photographs of the site.
3. Building elevations or perspectives- to show compatibility with surrounding area and of sufficient detail to ensure building material requirements are met.
4. Development schedule- a development schedule providing reasonable guarantees for the completion of the proposed development (*only when requested*).
5. Legal description of the property.
6. An electronic copy of all documents.

After the initial submission, **you will be required to post a sign on the subject property.** Shortly after your application is received, you will receive information from the Land Use and Development Department on how to purchase and properly locate the required sign. The applicant must provide photographic evidence that the sign is posted in the appropriate location no more than twenty-one (21) calendar days and no less than seven (7) calendar days prior to the date of the public hearing. The sign must be maintained and remain in place until the hearing is complete.

PROJECT INFORMATION FOR FINAL PLAT

Project Name: DRURY SUBDIVISION
Project Address: 6900 N ILLINOIS STREET
Parcel ID: 03-22-300-009 AND 03-22-300-010
Current Use of Property: RESTAURANT AND VACANT AREA
Project Size/Acreage: 4.781 ACRES
Number of Lots: 2
Density: _____

CONTACT INFORMATION FOR FINAL PLAT

Property Owner(s): FAIRVIEW HEIGHTS HOTEL PARTNERS, LP
Mailing Address: 13075 MANCHESTER ROAD, SUITE 200
Phone: _____
E-Mail: TOM.MILFORD@DRURYDEVELOPMENT.COM

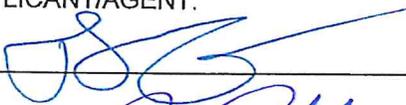
Applicant/agent: WALTER J. PFLEGER
Relationship to owner: LAND SURVEYOR
Mailing Address: 257 CHESTERFIELD BUSINESS PARKWAY CHESTERFIELD MO 63305
Phone: 636-530-9100
E-Mail: JOE.PFLEGER@STOCKASSOC.COM

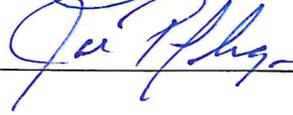
AUTHORIZATION

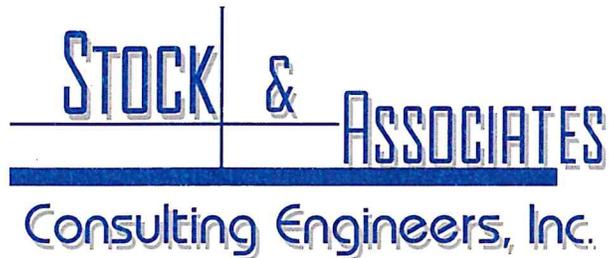
I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or 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: 8/4/2020
Printed Name: _____

Signature of Applicant:  Date: 8/4/2020
Printed Name: _____



PROPERTY DESCRIPTION

Part of the Southwest Quarter of Section 22, Township 2 North, Range 8 West of the Third Principal Meridian in St. Clair County, Illinois, being all part of said Southwest Quarter bounded by the Highway right of way lines of Ramp "C" of F.A.I. 64, S.B.I. 159 (F.A. Rte. 50), and Frontage Road "D" of F.A.I. 64 and more particularly described as follows:

Commencing at a point which is 140.08 feet right of Station 45+00.55 of centerline of S.B.I. 159 (F.A. 50) as shown on the plat of said road and recorded in the Recorder's Office of St. Clair County, Illinois in Book of Plats "64" on page 120 and 35.00 feet right of Station 99+88.64 of centerline of Frontage Road "D" as shown on said plat, this being the point of beginning, thence North 89 degrees 32 minutes 15 seconds East along the South right of way line of said right of way line of said Frontage Road "D" a distance of 155.00 feet, thence continuing along the last described course a distance of 15.73 feet, thence along the arc of a circular curve to the right having a radius of 325.00 feet, an arc length of 484.70 feet and a chord that bears South 47 degrees 44 minutes 15 seconds East a distance of 441.01 feet, thence South 05 degrees 00 minutes 45 seconds East, a distance of 291.35 feet, thence (South) 84 degrees 59 minutes 44 seconds West, a distance of 85.87 feet; thence North 39 degrees 31 minutes 32 seconds West, a distance of 109.45 feet, thence South 50 degrees 25 minutes 18 seconds West, a distance of 20.00 feet; thence North 56 degrees 38 minutes 09 seconds West, a distance of 129.34 feet; thence North 64 degrees 46 minutes 23 seconds West, a distance of 244.03 feet; thence North 04 degrees 03 minutes 02 seconds West, a distance of 185.52 feet; thence North 03 degrees 34 minutes 33 seconds West, a distance of 161.38 feet to the point of beginning.

Except the coal underlying the surface of said land and all rights and easements in favor of the estate of said coal.

And further excepting the oil underlying the surface of that part of the premises which was conveyed by Donald G. Soffer and Pearl Soffer, his wife, to Chicago Title and Trust Company, as Trustee under the provisions of a trust agreement dated November 9, 1978 and known as Trust No. 1073597 in a Warranty Deed dated November 8, 1978 and recorded November 9, 1978 in Book 2454 Page 1491.

Situated in the County of St. Clair and the State of Illinois.

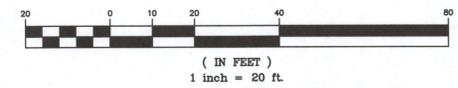
RECORD PLAT OF DRURY SUBDIVISION

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 8 WEST OF THE THIRD PRINCIPAL MERIDIAN CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS



LOCATION MAP
(NOT TO SCALE)

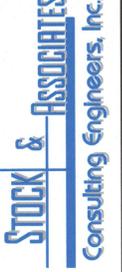
GRAPHIC SCALE



U.S.G.S. BENCHMARK
S 147 RESET 1972
ELEV = 569.5 (NAVD 88)

DESCRIBED BY ILLINOIS DEPARTMENT OF TRANSPORTATION 1973
4.1 MI W FROM O FALLON.
ABOUT 4.1 MILES WEST ALONG THE BALTIMORE AND OHIO RAILROAD FROM THE STATION AT O FALLON, ABOUT 3.7 MILES SOUTHEAST ALONG THE B AND O RR FROM THE CROSSING OF STATE HIGHWAY 157 AT CASEYVILLE. SET HORIZONTALLY IN TOP OF THE CRASH WALL AT THE EAST END OF THE NORTH PIER UNDER STATE HIGHWAY 159 OVERPASS OVER THE TRACK, 24.8 FT NORTH OF THE NORTH RAIL, 9.7 FT WEST OF EAST END OF PIER AND 2 FEET ABOVE THE LEVEL OF THE SLOPE WALL.

PREPARED BY:



MINOR SUBDIVISION PLAT

DRURY SUBDIVISION

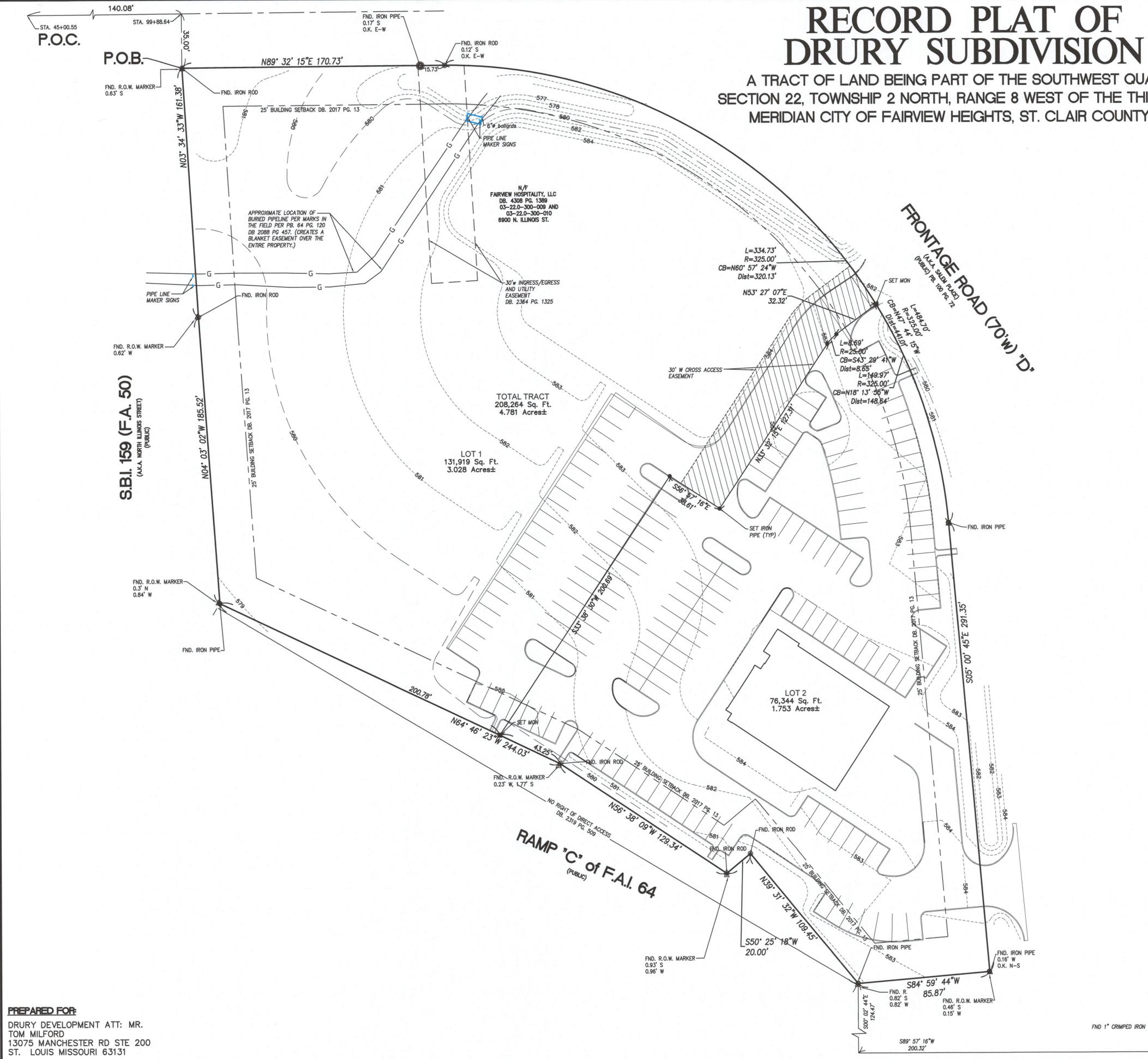
6900 N. ILLINOIS ST
FAIRVIEW HEIGHTS IL



REVISIONS:

| | |
|----------------------|---------------------------|
| DRAWN BY: NPW | CHECKED BY: W.J.P. |
| DATE: 07/22/2020 | JOB NO: 206-3803-3 |
| S.L.C. H&T # XXXX | H&T S.U.P. # XX-XXX-XX |

| |
|----------------------------------|
| SHEET TITLE: SUBDIVISION PLAT |
| SHEET NO: SHEET #1 OF 2 |



PREPARED FOR:
DRURY DEVELOPMENT ATT: MR.
TOM MILFORD
13075 MANCHESTER RD STE 200
ST. LOUIS MISSOURI 63131



CITY OF FAIRVIEW HEIGHTS

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

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, September 8, 2020 at 7:00 p.m. This meeting will be held both in-person in the Recreation Room of Fairview Heights City Hall, 10025 Bunkum Road, 62208 and virtually due to the COVID-19 pandemic and Governor J.B. Pritzker's Executive Order 2020-10, which waived physical attendance requirements for public meetings. Parties interested in attending the meeting virtually should contact Andrea Riganti, Director of Land Use and Development at (618) 489-2061 or riganti@cofh.org for instructions and visit the City's website for an agenda and meeting materials at www.cofh.org.

At this meeting, the Commission will consider a Minor Subdivision of 6900 N. Illinois Street, a single parcel, into two parcels. Also identified by St. Clair County PIN 0322300009 and 0322300010 and legally described as: Part of the Southwest Quarter of Section 22, Township 2 North, Range 8 West of the Third Principal Meridian in S.t Clair County, Illinois, being all part of said Southwest Quarter bounded by the Highway right of way lines of Ramp C of FAI 64 SBI 159 and Frontage Road D of FAI 64.

Request was made by Walter Pflieger, 257 Chesterfield Parkway, Chesterfield, MO 63305.

All persons desiring to be heard on this proposal may attend either in-person or virtually.

Dated this 18th day of August, 2020.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Jim Bramstedt, Chairman

PC03-20

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

RESOLUTION PC 03 -20

A RESOLUTION APPROVING THE FINAL PLAT OF DRURY SUBDIVISION.

WHEREAS, Fairview Heights Hotel Partners, LP c/o Water Pflieger, Stock and Associates Land Surveyor., hereinafter referred to as the “Applicant,” has properly applied for a Final Plat for Drury Subdivision, specifically identified by PIN #03-22-300-009 and #03-22-300-010 respectively.

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 is proposing to divide one (1) parcel into two (2) parcels.
2. That the proposed division is defined as a Minor Subdivision pursuant to 14-9-4, which exempts minor subdivisions from the preliminary plat requirement and permits submission of a final plat.
3. That the Applicant appeared before the Planning Commission pursuant to Section 14-10-5 of the City of Fairview Heights Development Code on September 8, 2020 and that the minutes of said meeting are hereby incorporated by reference.
4. That the Final Plat contains 4.7 acres and will create two lots by minor subdivision; one being 3.028 acres and one being 1.75 acres.
5. That the proposed final subdivision plat meets all of the requirements of the City of Fairview Heights Development Code relating to final plats.

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

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of September 2020.

Planning Commission Chairman

ATTEST:

Land Use and Development Director

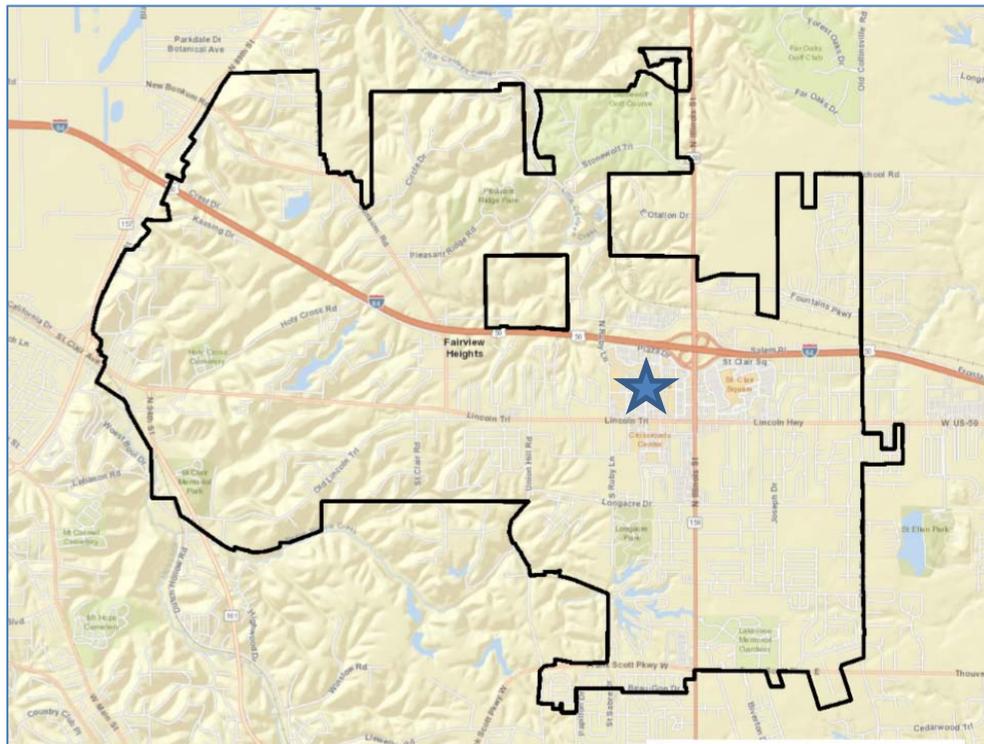


DEPARTMENT OF LAND USE AND DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

- APPLICATION NUMBER:** PC-04-20
- REQUEST:** Special Use Permit (SUP) with Site Development Plan to allow the construction of a restaurant with drive-thru at 6565 N. Illinois Avenue
- APPLICANT NAME:** Raising Cane's LLC c/o Robert Vann, 6800 Bishop Road, Plano, TX 75024
- MEETING DATE:** September 8, 2020
- ZONING:** PB-Planned Business
- PLANNING COMMISSION ACTION:** Consideration of the SUP and Site Development Plan, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

GENERAL LOCATION:



STAFF ADVISORY

1. BACKGROUND

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 subject property located at 6565 N. Illinois Street is zoned PB-Planned Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. The restaurant use is permitted; however, a Special Use Permit with Site Development Plan is required when there is a substantial change to an approved PB-Planned Business development site plan or there could be impacts to traffic, noise or adjacent uses. A new process is required with this redevelopment due to the proposed drive-thru.

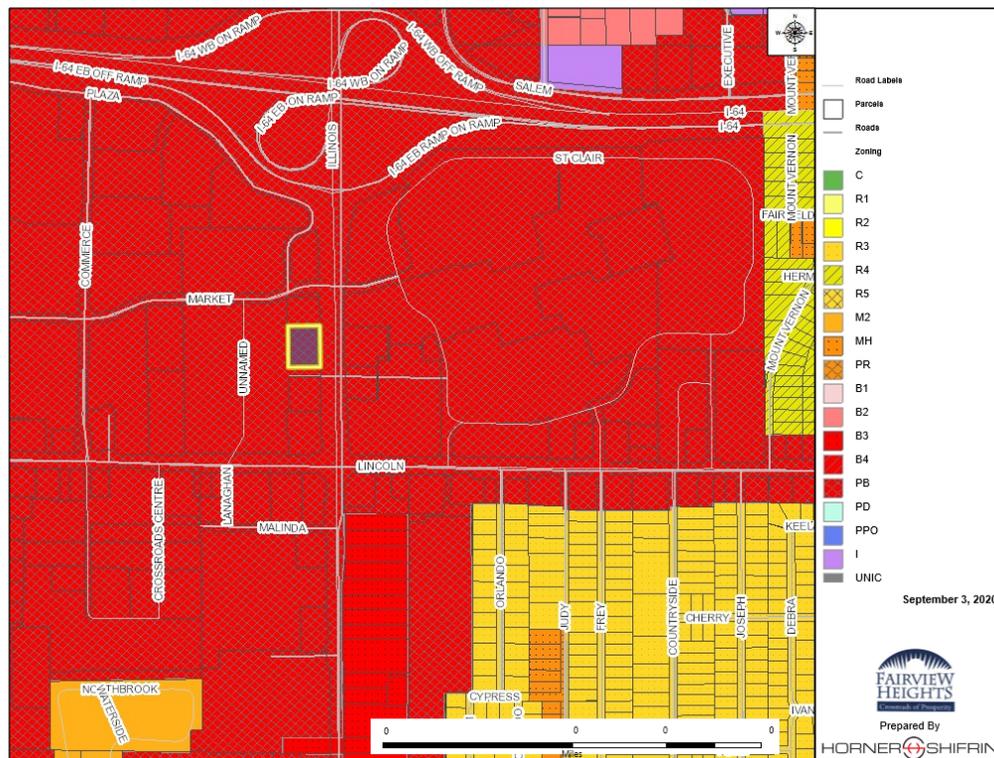
2. DISCUSSION

Context

The subject property is located in the east-central part of the City, south of Interstate 64, west of North Illinois and north of Lincoln Trail. The parcel is approximately 1.16 acres and the former use was a restaurant (former Ruby Tuesday’s).

The adjoining properties are zoned PB-Planned Business. The surrounding land uses are consistent with zoning and include Dick’s sporting goods, Office Max, Fresh Thyme, Walgreens, Home Goods and more. St. Clair Square Mall is located to the east of the site across North Illinois Street.

Zoning: Site and Surrounding Areas



Aerial Map



General Project Information

The proposed development includes the construction of a 3,332 square foot single story building to be used as a restaurant with drive thru. There will be interior and exterior seating. The building height at the tallest point is 19' 10". There will be 43 parking spaces provided, including two ADA spaces.

The existing restaurant building (former Ruby Tuesday's) will be demolished. The site will be modified for the proposed development. The existing southern wall will be moved to the north to provide more distance from adjacent entrances. Landscaping will be provided around the perimeter of the property and building.

The hours of operation will be 10:00 a.m. to midnight, Sunday thru Thursday and 10:00 a.m. to 1:00 a.m. Friday and Saturday. Approximately 50-75 full and part-time employees will be hired, with an average of 12 employees per shift.

Planning Considerations

At issue is whether or not the proposed addition is reasonable as per the Development Code for Site Development Plans, the PB-Planned Business District and SUP standards.

I. **Analysis: Site Development Plan and PB-Planned Business District**

The proposed project is in substantial conformance with the requirements of the Development Code and the "PB" District. The intent of the "PB" district is to generate development consistent with good planning practice

and compatible with adjoining properties. In making a recommendation, Planning Commission shall address general planning considerations and make conditions specific to the site development plan. Following are the criteria outlined in Section 14-2-14-G.3 and proposed conditions, where applicable:

(a) Permitted uses, including maximum floor area.

The permitted use is quick-serve restaurant with drive-thru. The proposed building is 3,332 square feet. Minor increases or decreases to the square footage are permitted, provided that said differences are not substantial or substantially alter the overall development.

(b) Performance standards. (Performance standards regulate the intensity of land use to prevent adverse impact on abutting and nearby properties.)

The premises shall be maintained in good condition, free from trash and debris.

Noise emanating from the 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.

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.

(c) Height limitations.

The building height is proposed to be +/- 20' at the highest point, which is below the maximum height permitted.

(d) Minimum yard requirements.

n/a

(e) Off-street parking and loading requirements

A restaurant use of this size is required to have 40 parking spaces, two ADA accessible. The development exceeds this requirement and is providing 43 spaces, two ADA. Each parking space is 9'x18', which is in keeping with the Fairview City Centre shopping district indentures. The interior drive aisles are 24', which exceed the 22' minimum requirement.

The landscaping requirements of the Development Code are met, with curbed landscaped islands at the ends of parking aisles.

The project meets other parking and loading requirements for surfacing, access, and ingress/egress.

(f) Sign regulations

A sign package has been submitted. The size, number, and location are acceptable in concept as proposed, subject to further review during the permitting process.

(g) Minimum requirements for site development plans.

The minimum requirements for site development plans include depicting the location of buildings, parking areas, traffic circulation, landscaping, utilities, and drainage. These requirements have been met.

(h) Time limitations for commencement of construction.

Within one (1) year of approval, construction shall commence. The applicant may apply for one (1) extension of time limitation from the City in writing explaining extenuating circumstances.

(i) Trust funds, impact fees, surcharges and connection fees.

The applicant will pay all applicable fees and meet all permitting requirements of any utility or other jurisdictional unit.

(j) Rights of way dedication and road improvements.

n/a

Other Development Guidelines

Article III General Development Regulations define design requirements that apply to specific zoning districts and/or type of development. The following sections are applicable to this project:

14-3-8.2(c) Exterior storage of equipment and supplies shall be enclosed by a wall or fence at least six (6) feet high and of materials and color complimentary to the principal structure.

This requirement has been met. The dumpster will be enclosed and screened as required.

14-3-34 Stormwater management

The Fairview City Centre development, inclusive of the subject property, was designed and constructed as per an approved stormwater management plan. The site plan has been reviewed by the Department of Public Works. The redevelopment of the property is not anticipated to increase stormwater runoff. Therefore, it has been determined that the previously approved plan is adequate for the development under consideration.

14-3-35 Exterior building material and design; business and industrial districts

The proposed building scale, massing, design, and architectural treatments meet the design guidelines. The construction materials and exterior are in keeping with the minimum requirement of sixty (60%) glass and/or masonry materials. The building will be constructed with a mix of glass, brick, metal, EIFS, and aluminum.

Article IV Supplementary Land Use and Area-Bulk Regulations define standards that apply to specific zoning districts and/or type of development. The following section is applicable to this project:

14-4-10 Lighting Controls

The lighting provided by the development meets the adequate standard of illumination over the site. The light fixtures shall be designed to prevent glare or other objectionable problems to surrounding areas, pedestrians and vehicular traffic.

II. Special Use Permit Analysis

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

Finding: *The City's Comprehensive Plan identifies the subject property as retail/commercial. Therefore, the proposed use 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 project is the redevelopment of an existing site. It is not expected to impact the schools or public utilities.*

The anticipated traffic generated was obtained by comparison of a traffic impact study in a similar community. A maximum drive-thru queuing value of 9 was obtained from an operational Raising Cane's. The off and on-site traffic impacts of similar developments in the City were studied. These studies and observations were contemplated during site design. To accommodate potential traffic

volume and mitigate off-site drive-thru queueing, the south entrance was moved further to the north. Two drive thru lanes are provided. The applicant has also developed an operational plan that can be implemented if necessary. It will be reviewed and refined if needed.

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

Finding: *N/A*

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 development as designed and proposed to be will not have a negative impact on public health, safety and welfare.*

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

Finding: *The proposed use is not anticipated to have a harmful impact on surrounding properties. It is expected to improve the value of surrounding properties.*

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

Finding: *A restaurant with drive-thru is in keeping with the essential character of the district.*

Exhibits

1. Application and Supporting Documents
2. Public notice
3. Resolution and Findings of Fact



17710 DETROIT AVENUE
LAKEWOOD, OHIO 44107
TEL. (216) 521-5134
FAX (216) 521-4824

August 11, 2020

**City of Fairview Heights
Planning & Zoning Division
10025 Bunkum Road
Fairview Heights, IL 62208**

***Regarding:*
595 Raising Cane's
6565 N. Illinois Street
Fairview Heights, IL 62208**

Our Project No. 20197

Dear Planning Commission,

The proposed development is to construct a 3,332 SF quick-serve restaurant – Raising Cane's Chicken Fingers - with drive through lanes, interior and exterior seating, and utilizing the current property extents. The development is located within the Fairview City Centre shopping complex on an out parcel near Lincoln Trail entry off North Illinois street.

We will be demolishing the existing building and modifying the site to work for the new Raising Cane's establishment. Our development efforts are anticipated to be a 12 month process from August to August with construction being around a 4 month process.

The location is zoned for our use, with the exception of our need of a SUP on the drive through lanes and, we have been thrilled to hear the positive feedback from the community for our inclusion to your city.

There will be minimal grading requirements as this site is already in good standing for our intent. Our site will expose the area to high customer activity with our drive throughs but, our site design will alleviate the surrounding properties from inconvenient overflows.

1. Enclosed is the SUP Site Plan for the proposed Raising Cane's restaurant which was created in conformance with the Submittal Requirements for Special Use Permit as noted on the Application for Special Use Permit. Among other things, this plan shows the general site layout and how it relates to the adjacent properties, traffic circulation, utility design, and landscape design. We believe this plan effectively portrays a design that meets the needs and desires of both the City and Raising Cane's.
2. The developed property already provides a restaurant. Our restaurant wouldn't effect schools or main road traffic. It will have very little impact on public utilities since they are already at the site. Our restaurant may improve shopping in the area due to our site being located in a shopping center. Adjacent properties are aware of our intent; there is expected to be no objections.
3. Our restaurant will provide public convenience as we offer many options for obtaining our food. It will also provide the public with a nearby option for quick serve dining or pick-up.
4. Yes. It will allow for more convenience to the public by allowing us to give the public options in providing quality food in these trying times. It will also allow us to operate as we intended.
5. The application is designed and proposed to protect the public's safety and welfare
6. Our application is expected to improve the value of other properties in the neighborhood in which we are located.
7. Legal description at 6565 N. Illinois St., Fairview Heights, IL 62208:
Parcel 1:
Lot 3 of the minor subdivision of Fairview Heights market place addition according to the plat recorded October 21, 2011 as document no. A02286211 St. Clair County, Illinois, excepting the coal and other minerals underlying the surface of said premises and all rights and easements in favor of the estate of said coal and other minerals, situated in St. Clair County, Illinois.

Parcel 2:

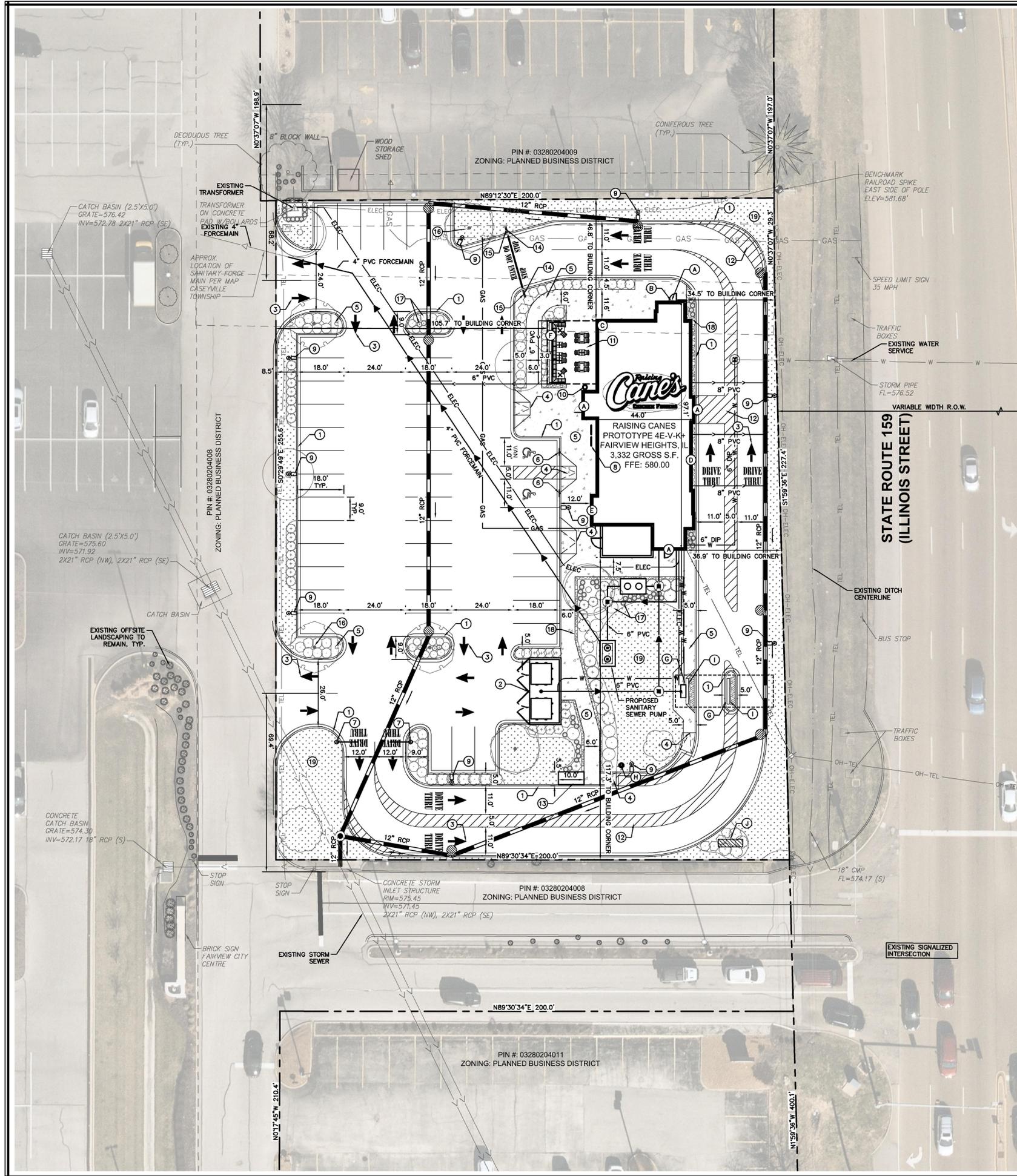
Perpetual non-exclusive easement for (1) pedestrian and vehicular ingress and egress; (ii) installation, operation, maintenance, repair and replacement of utility facilities; (iii) performing maintenance, repairs, resurfacing or replacements; and (iv) maintenance, repairs, replacement and alterations on or to a shopping center pylon sign and surrounding landscaping; perpetual exclusive easement to locate, place, construct and maintain a shopping center pylon sign; for the benefit of parcel 1, all according to the declaration of easements, covenants, conditions, and restrictions recorded on October 28, 2011 as document no. A02287160.

Should you have any questions, or require additional information, please contact our office.

Sincerely,

Dustin Johnston

Dustin Johnston
ADA Architects, Inc



SITE KEYNOTE LEGEND

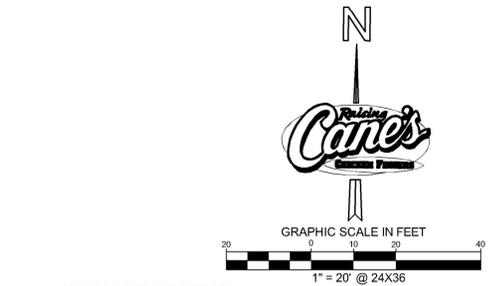
| | |
|----|---|
| 1 | B6.12 BARRIER CURB AND GUTTER. |
| 2 | RECYCLING/TRASH DUMPSTER LOCATION. |
| 3 | DIRECTIONAL PAVEMENT MARKING, TYP. |
| 4 | BARRIER FREE RAMP. |
| 5 | CONCRETE SIDEWALK, TYP. |
| 6 | ACCESSIBLE PARKING SIGN. |
| 7 | HEIGHT DETECTOR. |
| 8 | BIKE RACK. |
| 9 | LIGHT POLE (30'-0" POLES ON 30" POLE BASE). |
| 10 | TRASH RECEPTACLE. |
| 11 | COVERED PATIO. |
| 12 | PAVEMENT STRIPING. |
| 13 | KIOSK. |
| 14 | STOP SIGN (MUTCD R1-1) |
| 15 | DO NOT ENTER SIGN (MUTCD R5-1) |
| 16 | CANOPY TREE, TYP. |
| 17 | SHRUB / GRASSES, TYP. |
| 18 | ROCK MULCH, TYP. |
| 19 | TURF SOD, TYP. |

PLANT SCHEDULE

| TREES | COMMON NAME |
|-------------------------|-----------------------------------|
| 2 | AMERICAN LINDEN |
| 2 | FREEMAN MAPLE |
| 2 | SAWLEAF ZELKOVA |
| 3 | SKYLINE HONEY LOCUST |
| EVERGREEN TREES | |
| 8 | EMERALD GREEN ARBORVITAE |
| ORNAMENTAL TREES | |
| 1 | PEKING LILAC |
| SHRUBS | |
| 8 | ANNABELLE SMOOTH HYDRANGEA |
| 12 | BLUE MUFFIN VIBURNUM |
| 25 | GRO-LOW FRAGRANT SUMAC |
| 5 | ISANTI DOGWOOD |
| 8 | LITTLE QUICK FIRE HYDRANGEA |
| 11 | LOW SCAPE HEDGER CHOKEBERRY |
| 17 | MINUET WEIGELA |
| GRASSES | |
| 9 | BLUE SWITCH GRASS |
| 55 | FEATHER REED GRASS |
| EVERGREEN | |
| 20 | BLUE CHIP JUNIPER |
| 14 | SPARTAN JUNIPER |
| 20 | TAUNTON YEW |
| GROUND COVERS | |
| 302 SF | 2" RIVER ROCK MULCH |
| 45 SF | ANNUALS - SEASONAL COLOR BY OWNER |
| 7,702 SF | TURF SOD |

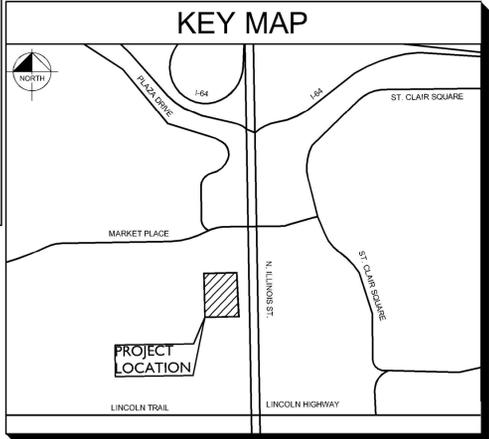
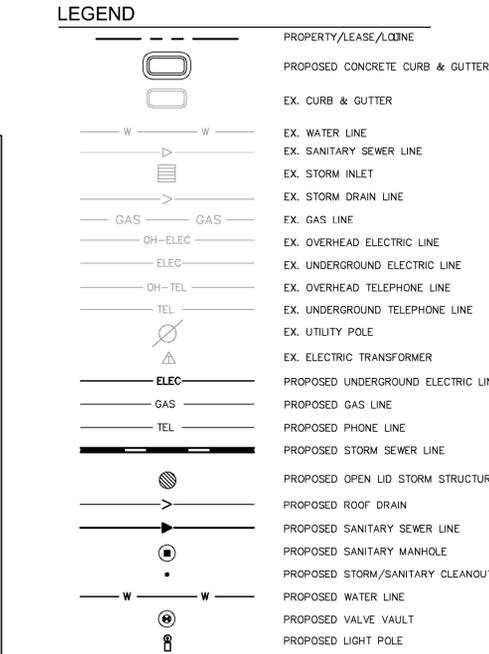
SITE ANALYSIS TABLE

| | |
|---------------------|--|
| EXISTING ZONING | PB - PLANNED BUSINESS DISTRICT |
| PROPOSED USE | RESTAURANT W/ DRIVE THRU |
| LOT AREA | 50,382 SF / 1.16 AC |
| GROSS BUILDING AREA | 3,332 SF |
| TOTAL PARKING | REQUIRED: 40 SPACES PROVIDED: 43 SPACES |
| ACCESSIBLE | REQUIRED: 2 SPACES PROVIDED: 2 SPACES |



SIGNAGE LEGEND

| QTY. | CODE | DESCRIPTION |
|------|--------|---------------------------|
| 4 | WS-8FT | 4x8 Wall Sign |
| 1 | ONS | Open Sign |
| 1 | CFMS | Chicken Fingers Neon Sign |
| 1 | PMRL | Painted Mural |
| 1 | BD-I | Blue Dog |
| 1 | CAN | One Love Canopy Letters |
| 2 | DTMB | DT Menuboard |
| 1 | DTPS | Pre Sell Board |
| 2 | DISP | Speaker Post |
| 1 | PYLON | 7x14 Pylon @ 30' OAH |



Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tel: 972-769-3100 Fax: 972-769-3101

PROTOTYPE ISSUE DATE: 11/20/2018
STORE:
RAISING CANE'S RESTAURANT
6565 N. ILLINOIS ST.
FAIRVIEW HEIGHTS, IL 62209
PROTOTYPE 4E-V
STORE #RC595

PROFESSIONAL OF RECORD:
KURT L. SCHMITZ
ARCHITECTS, INC.
7770 Detroit Avenue, Lakewood, Ohio 44107
Phone (216) 521-5134 Fax (216) 521-4824
www.aadarchitects.com

UPDATE EVERY ISSUANCE:
SUP APPLICATION

ENGINEER INFORMATION:
Kimley»Horn
2020 KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD ROAD, SUITE 600, IL 60555
PHONE: 630-487-3050
WWW.KIMLEY-HORN.COM

KH JOB NO. 168418022

SHEET REVISIONS

| # | DATE | TYPE |
|----|------|------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |

SUP SITE PLAN

DATE 08/11/2020
JOB NO.

EXH.
SHEET NO.



WEST ELEVATION



EAST ELEVATION

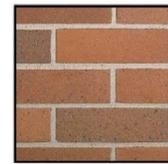


NORTH ELEVATION



SOUTH ELEVATION

MATERIAL FINISHES

| | | | | | | | |
|---|---|--|--|--|--|--|--|
| EM-3  | EM-4  | EWF-1  | EWF-2  | EWF-4  | EWF-5  | EWF-6  | EWF-2  |
| CARBON GRADE FINISH: RAW STEEL w/ EXPOSED WELDS CLEAR COAT FINISH | RECLAIMED METAL PANEL: VINTAGE CAR HOOD OCCURS AT FACE OF "1" ONLY | BELDEN NORMAN BRICK MASONRY MEDIUM RANGE, SMOOTH, IRON SPOT. MORTAR TO MATCH SOLOMON PRODUCTS 10 H, WEATEHRED HORIZONTAL STRIKE. VERTICAL JOINTS ARE FLUSH | "382 TAMALE" EIFS | BORAL "ALAMO" MODULAR BRICK, MORTAR TO MATCH SOLOMON PRODUCTS 10 H, LIGHT BUFF SACK RUB FINISH | "132 MOUNTAIN FOG" EIFS | "456 OYSTER SHELL" EIFS | ALUMINUM STOREFRONT SYSTEM FINISH: BLACK |



STORE:
RAISING CANE'S RESTAURANT
 6565 N. ILLINOIS ST
 FAIRVIEW HEIGHTS, IL 62208
 PROTOTYPE: P4EV-AV
 SCHEME: B
 RESTAURANT #RC595
 VERSION: NKLR 1.0



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PERMIT SET

ENGINEER INFORMATION:

SHEET REVISIONS

| # | DATE | TYPE |
|----|------|------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
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| 10 | | |

EXISTING SITE PHOTOGRAPHS

PERMIT DATE: 11/19/20

JOB NO. 20197

P1.0

SHEET NO.



DEPARTMENT OF LAND USE AND DEVELOPMENT

10025 Bunkum Road, Fairview Heights, IL 62208. (618) 489-2060

APPLICATION FOR SPECIAL USE PERMIT GENERAL INFORMATION

The Development Code divides the City into zoning district and categorizes uses as either “permitted” or “special”. *Permitted* uses are allowed as long as a property owner meets all requirements within the particular zoning category. *Special* uses are permitted upon with conditional requirements. With a special use, the property owner applies for the Special Use Permit (SUP), which is then reviewed by the City’s Plan Commission, Community Committee, and City Council. If the permit is approved, there will be a list of conditions upon which the approval is granted. Those conditions become part of the permit and must be met in order for the “use” to be legal.

Applicants are encouraged to schedule a pre-application conference with the Director of Land Use and Development prior to submittal. The attached SUP application and supporting documentation must be completed in its entirety and submitted to the Department of Land Use and Development at least thirty-six (36) days prior to a Plan Commission meeting. Deficient applications may delay consideration of the request. The Plan Commission meets at 7:00 p.m. on the second Tuesday of every month, unless noted otherwise. These meetings are held in the City Council Chambers of Fairview Heights City Hall, 10025 Bunkum Road.

The applicant and/or his/her representation are required to appear at the scheduled public hearing. All persons testifying before the board will do so under oath, and must state their name and address for the record. The representative should be prepared to present his/her request to the Plan Commission and demonstrate how the proposal will be consistent with the general purpose and intent of the development code and City’s Comprehensive Plan. Other parties interested in the application, who may speak for or against the request, will also be provided with an opportunity to speak at the public hearing.

The Plan Commission shall consider the following factors, and others as appropriate to the specific case, when evaluating a SUP:

- (1) The effect the proposal would have on the City's comprehensive plan;
- (2) The effect the development would have on schools, traffic, streets, shopping, public utilities and adjacent properties;
- (3) Is the application necessary for the public convenience at that location?;
- (4) In the case of an existing nonconforming use, will a special use permit make the use more compatible with its surroundings?;
- (5) Is the application so designed, located and proposed to be operated that the public health, safety, and welfare will be protected?;
- (6) Will the application cause injury to the value of other property in the neighborhood in which it is located?;
- (7) Will special use be detrimental to the essential character of the district in which it is located?

This information is intended as a brief guide and should not be relied upon for a thorough understanding of the hearing procedure or zoning laws as applicable.

APPLICATION FOR SPECIAL USE PERMIT



_____ DATE APPLICATION RECEIVED BY LUD

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

| OFFICE USE ONLY | |
|---|---|
| DATE APPLICATION DEEMED COMPLETE: | CASE NUMBER ASSIGNED: |
| RESUBMITTALS RECEIVED/DATE: | APPLICATION FEES PAID (\$150 + \$25 per acre above one acre, + \$50 Publication fee): |
| ZONING DISTRICT: | DATE PUBLIC NOTICE SIGN POSTED BY STAFF: |
| DATE SET FOR HEARING: | NEWSPAPER NAME AND PUBLICATION DATE: |
| APPLICATION CIRCULATION DATE _____: Comments Received: <input type="checkbox"/> Public Works <input type="checkbox"/> Fire District <input type="checkbox"/> Parks and Recreation <input type="checkbox"/> Economic Development <input type="checkbox"/> Police Department <input type="checkbox"/> Finance Department <input type="checkbox"/> Administration Department <input type="checkbox"/> Other | AUTHORITY MEETING DATE/RECOMMENDATION: <input type="checkbox"/> Planning Commission _____ / _____ <input type="checkbox"/> Community Committee _____ / _____ <input type="checkbox"/> City Council _____ / _____ |
| | CITY COUNCIL RESOLUTION NUMBER: <i>(Maintain copy with LUD file)</i> |

Applicants should submit two hard copies and one electronic version of the completed application and submittal requirements (attachments) to the Department of Land Use and Development at least thirty-six (36) days prior to the Plan Commission meeting. All application fees must be included in order for the application to be deemed complete.

The SUP procedures are found in Section 14-10-8 of the Development Code. Applicants should be aware that a public hearing will be conducted at Plan Commission. This hearing allows the applicant and any other person(s) with interest in the matter to provide comments for the official record. Public notification requirements include publishing a notice of hearing in a newspaper of general circulation at least 15 days prior to the hearing, placing a hearing sign on the property and notifying surrounding property owners (within 300 feet of the subject parcel) of the application. City staff will complete the public notification tasks.

PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name: RAISING CANE'S – FAIRVIEW HEIGHTS
Project Address: 6565 N. ILLINOIS STREET, FAIRVIEW HEIGHTS, IL 62208
Parcel ID: 03280204010
Current Use of Property: EXISTING RESTAURANT
Project Size/Acreage: 1.16 AC
Number of Lots: 1
Density: N/A

CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s): FAIRVIEW CITY CENTRE, LLC – ATTN BRIAN NELTNER
Mailing Address: 400 TECHNE CENTER DRIVE, SUITE 320, CINCINNATI, OHIO 45105
Phone: 513-332-9960
E-Mail: BNELTNER@SELECTSTRAT.COM

Applicant/agent: RAISING CANE'S, L.L.C (CONTACT: ROBERT VANN/ROBERT MONTGOMERY)
Relationship to owner: LAND PURCHASER
Mailing Address: 6800 BISHOP ROAD, PLANO, TX 75024
Phone: (817) 219-8266
E-Mail: JRVANN61@GMAIL.COM / RMONTGOMERY@RAISINGCANES.COM

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: 8/10/2020
Printed Name: Brian Neltner

Signature of Applicant:  Date: 8/10/20
Printed Name: Robert Montgomery



CITY OF FAIRVIEW HEIGHTS

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

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, September 8, 2020 at 7:00 p.m. This meeting will be held both in-person in the Recreation Room of Fairview Heights City Hall, 10025 Bunkum Road, 62208 and virtually due to the COVID-19 pandemic and Governor J.B. Pritzker's Executive Order 2020-10, which waived physical attendance requirements for public meetings. Parties interested in attending the meeting virtually should contact Andrea Riganti, Director of Land Use and Development at (618) 489-2061 or riganti@cofh.org for instructions and visit the City's website for an agenda and meeting materials at www.cofh.org.

At this meeting, the Commission will consider a Special Use Permit with Site Development Plan at 6565 N. Illinois Street to allow the construction of a restaurant with drive-thru. Also identified by St. Clair County PIN 03280204010 and legally described as: Lot 3 of the minor subdivision of Fairview Heights Market Place addition.

Request was made by Robert Vann, 6800 Bishop Road, Plano, TX 75024.

All persons desiring to be heard on this proposal may attend either in-person or virtually.

Dated this 18th day of August, 2020.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Jim Bramstedt, Chairman

PC04-20

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

RESOLUTION PC 04 -20

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF REQUEST FOR A SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN FOR 6565 NORTH ILLINOIS WITHIN THE "PB" PLANNED BUSINESS DISTRICT.

WHEREAS, Robert Vann, on behalf of Raising Cane's, hereinafter referred to as the "Applicant," has properly applied for a Special Use Permit with Site Development Plan for the construction of a restaurant with drive-thru within the "PB" Planned Business District located at 6565 North Illinois Street, PIN 03280204010.

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 September 8, 2020 and that said public hearing was properly conducted 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/will not require changes to traffic circulation and ingress/egress. An operational traffic circulation plan has been submitted if changes should occur and shall be refined if needed.
4. That this permit will/will not require minor enhancements to landscaping, lighting, landscaping and the existing site usage.
5. That the proposed use will/will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
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/will not be hazardous or disturbing to existing neighboring uses.
8. That the proposed use will/will not be served adequately by public facilities and services such as highways and streets.
9. That the proposed use will/will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.

10. That the proposed use will/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/will not be consistent with the Comprehensive Plan.
12. That this Special Use Permit and Site Development Plan approval will allow the applicant's development of a restaurant with drive-thru as proposed by the Applicant.
13. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.
14. That the Director of Land Use, and her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
15. That this Special Use Permit shall automatically expire if the use is not initiated within one year of City Council approval.
16. That this approval allows for the development in keeping with the presented site plan.

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

and the following voted against the same:
and the following abstained:
and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of September 2020.

Planning Commission Chairman

ATTEST:

Land Use Director