Public Participation
Approval of Minutes – March 20, 2019

Parks & Recreation
Alderman Frank Menn, Chairman

1. Director’s Report
2. The Rec Complex Update

Development
Alderman Bill Poletti, Chairman

1. Director’s Report
2. Sales Tax & Other Revenue
3. Metro East Business Incubator (MEBI)
4. Open House Economic Development Strategy

Planning
Alderman Harry Zimmerman, Chairman

1. Director’s Report
2. Area Bulk Variance to allow the 50’ front yard setback required in the “C” Conservation District to be reduced to 15’ for 1050 St. Clair Road. From the Board of Zoning Appeals.
3. Amendment of a Preliminary Plat for Fountain Place Addition, Revising Village C and F. From Planning Commission.
COMMUNITY COMMITTEE MINUTES  
Wednesday, March 20, 2019 - 7:00 p.m.  
City Council Chambers  
10025 Bunkum Road, Fairview Heights, IL

Committee Members in attendance - Frank Menn, Ryan Vickers, Pat Baeske, Harry Zimmerman

Committee Members absent - Bill Poletti

Other Aldermen and Elected Official in attendance - Pat Peck, Brenda Wagner, Roger Lowry

Staff in attendance - Parks and Recreation Director Angela Beaston, Economic Development Director Paul Ellis, Land Use and Development Director Andrea Riganti, City Attorney Katherine Porter

Recorder - Cheryl Kleb

Public Participation - none

Approval of February 20, 2019 Minutes
Motion and second to approve said minutes were made by Committee Members Harry Zimmerman/Pat Baeske. Motion carried.

Parks & Recreation Committee
Alderman Frank Menn, Chairman

Parks and Recreation Director’s Report
Director Beaston presented the Director’s written report to Committee for review. There were no questions.

Recreation Complex
Director Beaston gave an update on the construction progress regarding the Recreation Complex and announced that the keys for The Rec were turned over to the City on March 15th. Director Beaston further stated that The Rec will be holding their Grand Opening starting with a Ribbon Cutting and Open House on May 4th – 5th, with the first actual day of business on May 6th.

Development Committee
Alderman Pat Baeske, Acting Chairman

Economic Development Director’s Report
Director Ellis presented the Director’s report to Committee for review. Director Ellis further briefed Committee on the status of the closing of Smokey Bones and the Sales Tax Report.
Planning Committee
Alderman Harry Zimmerman, Chairman

Land Use & Development Director’s Report
Director Riganti presented the Director’s report to Committee for review. There were no questions.

PC 02-19 Special Use Permit – Grace Church, 5151 North Illinois
Director Riganti briefed Committee on Planning Commission case PC02-19, a Special Use Permit request by Grace Church to allow a Building Addition to an Existing Church in the R-3 Residential District at 5151 N. Illinois

A representative from Grace Church was present and available to answer questions.

Motion and second to recommend to City Council approval of case PC02-19, a Special Use Permit request by Grace Church to allow a Building Addition to an Existing Church in the R-3 Residential District at 5151 N. Illinois in accordance with the recommendation of the Planning Commission were made by Aldermen Pat Baeske/Ryan Vickers. Motion carried.

Ordinance amendment to Chapter 3, Division II and Chapter 15, Building Code requiring electrical contractors to be registered
Director Riganti briefed Committee on an Electrical Commission recommendation for an Ordinance amendment to Chapter 3, Division II and Chapter 15, Building Code requiring electrical contractors to be registered.

Kenneth Keeney, Electrical Commission Chairman, was present and available to answer questions.

Motion and second to recommend to City Council approval of an Ordinance amending Ordinance No. 190, “The Revised Code”, Chapter 3, Division II, Electrical Commission and Chapter 15, Building Code in accordance with the recommendation of the Electrical Commission were made by Aldermen Frank Menn/Ryan Vickers. Motion carried.

Adjournment 7:55 p.m.

Submitted By:  

_________________________________  
Recorder
PARKS AND RECREATION DEPARTMENT

INTER OFFICE MEMO

TO: Elected Officials

FROM: Angela Beaston, Director of Parks and Recreation

DATE: April 15, 2019

SUBJECT: Parks & Recreation Committee Agenda Overview

Director’s Report

The following is a synopsis of the Parks and Recreation Department:

The Parks and Recreation Department: The Parks and Recreation seasonal newsletter will be changing, with all of the new programs and services we will be providing with the addition of the REC the department will now be distributing a magazine to every household in Fairview Heights. This will be delivered to approximately 8,000 homes in our community.

The busy season has definitely started for our department. The Parks Department hosted the Community Cleanup on April 4th and again it was a huge success. As soon as we have statistics on the event from each vendor, we will prepare a report for the total collection amounts.

The Recreation Department hosted the Annual Easter Egg Hunt and Special Needs Hunt this past weekend, April 13. These events are always wonderful events that continue to spread community outreach and positivity throughout Fairview Heights.

Up Coming Events:

THE REC COMPLEX OPEN HOUSE: May 4 & 5

THE REC’s OFFICIAL FIRST DAY - May 6th at 5:00 a.m.

EMPLOYEE FITNESS DAY – May 15th

Agenda Review:

Agenda Item #1 – Director’s Report: General discussion regarding items in report.

Agenda Item #2 – Recreation Complex: Update on progress.
MEMORANDUM

TO: Elected Officials

FROM: Paul A. Ellis, Director of Economic Development

DATE: April 10, 2019

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

1. Consultants for the Economic Development Strategy have met for the second time with the Steering Group and have finalized the market analysis to be released for broader public review at Community Open House #1 (see attached flyer).

2. The Director continues to work with property owners and regional brokers to secure new tenants for several key retail properties:
   a. Sears Holdings’ former department store space in St. Clair Square;
   b. The former Toys ‘R’ Us building;
   c. The former Babies ‘R’ Us building;
   d. The former Here Today store in Lincoln Place II

3. The Director is working with property owners and brokers for the former Vatterot College facility to determine whether or not another educational institution might be interested in the property; while it can be repurposed, the building is currently configured for offices, classrooms and labs.

4. Staff are securing appointments for the Director with property owners and retailers for the International Council of Shopping Centers (ICSC) RECON trade show in Las Vegas in May.

5. The Director has been attending bimonthly meetings of the Military Affairs Committee organized by the Leadership Council of Southwestern Illinois, which has provided him access to military and civilian leaders from Scott AFB and the surrounding communities; this year, he is bringing additional attendees with him to meetings in order to promote events like the 50th Anniversary Celebration and the opening of The REC.

6. The Director will be meeting with the St. Clair County Assessor to develop the mechanism to facilitate a PACE (property assessed clean energy) financing program for commercial properties here; once implemented, PACE will offer a new development incentive without requiring investment of public funds.

7. Regional media continue to play up the community’s accomplishments when informed about them—i.e., recognition (see attached) by the St. Louis Business Journal of The REC and a feature in the Illinois Business Journal (see attached) previewing the upcoming Community Open House.

8. The Metro East Business Incubator (MEBI) has been registered as a not for profit (NFP) corporation with the State of Illinois (see attached Articles of Incorporation) and the first meeting for its Board of Directors was held on April 4.
9. The MEBI will be seeking service from the City as its fiscal agent while the not for profit attains federal tax exempt status; an agreement to that end will be presented for review and approval at a future meeting.

Paul A. Ellis
Director of Economic Development

Attachments:

a. Flyer – Community Open House #1
b. Fairview Heights' $19M REC Complex [St. Louis Business Journal]
c. Fairview Heights invites public to help shape city’s economic development strategy [Illinois Business Journal]
d. Articles of Incorporation for the Metro East Business Incubator (MEBI)
Building St. Louis: Fairview Heights aims to create regional destination with $19M REC Complex

Mar 22, 2019, 5:00am CDT
Subscriber-Only Article Preview | For full site access: Subscribe Now

Finalist: Public/Private more than $10 million

As Fairview Heights continues to attract new development, the city sought to create a landmark destination to support the surrounding businesses and community that both residents and visitors could enjoy.

The $19 million REC Complex, which began construction two years ago, is a 58,000-square-foot indoor and outdoor recreational center that offers an indoor aquatic center, fitness center, climbing wall, indoor and outdoor tracks, dog park, venue space and other amenities.

The city projects The REC will have 3,000 members in its first year of operation and will serve over 500,000 visitors. Membership is open to the public across the St. Louis region, and visitors will be able to purchase passes and tickets.

The structure was substantially completed at the end of 2018 and opens this month. It will create 75 jobs.

About the project

Owner/developer: City of Fairview Heights

Contractor: Affton Fabricating; Automatic Fire Sprinkler; Bergmann-Roscow Plumbing; Byrne & Jones Construction; Capri Pools; France Mechanical; Guarantee Electrical; LW Contractors; Missouri Builders Service; Missouri Terrazzo; Pro Star; RCS Construction

Architect: The Farnsworth Group

Engineer: ASDG, LLC; Counsilman-Hunsaker; Horner & Shifrin; Millenia Professional Services

Interior design: The Farnsworth Group

Financing: General obligation bonds repaid through proceeds of the city’s food & beverage tax as well as through sales of memberships and user fees

Project cost: $19 million
Fairview Heights invites public to help shape city’s economic development strategy

Fairview Heights residents and businesses are invited to attend a citywide informational meeting on the city’s economic development strategy.

The event will take place from 5 to 7:30 p.m., Wednesday, April 24, at the Fairview Heights Library Lower Level, 10017 Bunkum Road.

Attendees at the informational meeting will have an opportunity to review highlights of the Assessment and Market Analysis Report that is being released as part of a year-long plan to develop an economic development strategy for Fairview Heights.

The meeting will be an open house style format with no formal presentation. The public can stop by at any time.

“We have just started the overall planning process,” said Mark Kupsky, mayor of Fairview Heights. “This first informational meeting will give attendees an opportunity to review highlights of the Assessment and Market Analysis Report that provides information on the context of the existing economy of Fairview Heights compared to other cities in the Metro East and St. Louis region.”

While the economy of Fairview Heights is still strong, national and regional trends in retail and economic development point to the need for the Fairview Heights to think strategically about future economic development. The development of an economic development strategy will position the city on a path toward financial resiliency by creating a vision around which the city with its public, private and institutional partners can coalesce efforts to drive investment and growth.

The planning team is led by the i5Group, along with Community and Economic Development Solutions, Colliers International, and the Lochmueller Group. A 15-member Steering Committee is helping to guide the planning process. The Steering Committee has representatives from the City Council, Economic Development Commission, and business leaders from across the city.

The planning process started in early 2019 and will be substantially complete by the end of 2019. A second citywide informational meeting will take place in the Fall for the public to review the draft economic development strategy.

“The economic development strategy is expected to include a number of topics,” said Paul Ellis, director of Economic Development for Fairview Heights. “It will include strategies for cluster industries (industries with the greatest growth potential), small business and entrepreneurship, business and talent retention and expansion, place-based growth, incentive programs, equitable growth, financial resiliency, tourism and marketing.”

For more information about the economic development strategy, contact Ellis at (618) 489-2033.
# CITY OF FAIRVIEW HEIGHTS, IL
## SALES TAX REPORT
### State 1% Municipal Tax Portion

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Help Shape the Economic Future of Fairview Heights!

Economic Development Strategy Informational Open House #1

This year, Fairview Heights is conducting the development of an Economic Development Strategy. The strategy will position the City on its path toward a resilient economy by creating a vision around which the City with its public, private and institutional partners can coalesce efforts to drive investment and growth for the community. Fairview Heights residents and businesses are invited to learn more about the plan at the first of two open houses.

When: 5:00 - 7:30pm
Wednesday, April 24th

Where: Fairview Heights Library (Lower Level)
10017 Bunkum Road
Fairview Heights, IL 62208

Questions? Contact Director of Economic Development, Paul Ellis at 618-489-2033

Notes: The meeting will be an open house style format with no formal presentation. Stop by anytime between 5:00 - 7:30pm.
ARTICLES OF INCORPORATION

FILE # 72267265
Filing Fee: $50
Approved By: JXR

FILED
APR 02 2019
Jesse White
Secretary of State

Article 1.
Corporate Name: METRO EAST BUSINESS INCUBATOR, INC.

Article 2.
Registered Agent: PAUL ELLIS
Registered Office: 10025 BUNKUM RD

FAIRVIEW HEIGHTS IL 62208-1798 ST CLAIR COUNTY

Article 3.
The first Board of Directors shall be 6 in number, their Names and Addresses being as follows:
MIKE HOLMES 3701 GRANDEL ST LOUIS MO 63108
TOM TYLER 4387 N ILLINOIS SWANSEA IL 62226
JO ANN MAY BOX 1107 EDWARDSVILLE IL 62026
A DETERMANN 2600 W MAIN BELLEVILLE IL 62226
M HAGEN 134 ST CLAIR SQ FAIRVIEW HEIGHTS 62208
K CHATMAN 10220 LINCOLN TR FAIRVIEW HEIGHTS 62208

Article 4.  Purpose(s) for which the Corporation is organized:
Professional, commercial, industrial, or trade association.
Promoting the development, establishment, or expansion of industries.
Any purpose permitted to be exempt from taxation under Section 501(c) or 501(d) of the United States Internal Revenue Code, as now in or hereafter amended.

Is this Corporation a Condominium Association as established under the Condominium Property Act? Yes No
Is this a Cooperative Housing Corporation as defined in Section 216 of the Internal Revenue Code of 1954? Yes No
Is this Corporation a Homeowner’s Association, which administers a common-interest community as defined in subsection (c) of Section 9-102 of the code of Civil Procedure? Yes No

Article 5.  Name & Address of Incorporator
The undersigned incorporator hereby declares, under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

PAUL ELLIS 10025 BUNKUM RD.
Name Street
Dated APRIL 02, 2019 Month & Day
FAIRVIEW HEIGHTS, IL 62208 City, State, ZIP

This document was created electronically at www.cyberdriveillinois.com
MEMORANDUM

To: City Council
From: Andrea Riganti, Land Use and Development Director
Subject: Director’s Report
Date: April 11, 2019

Following are the major action items and ongoing projects for the Department:

Planning and Zoning
- The Zoning Board of Appeals (ZBA) met on March 21, 2019 to consider an area-bulk variance at 1050 St. Clair Road to reduce the 50’ front yard setback requirement in the “C” Conservation District to 15’. The ZBA recommended approval, and their findings are being forwarded to City Council for consideration in accordance with 14-10-9 of the Development Code.

- Plan Commission met on April 9 to consider an amended preliminary plat for Fountains Place Addition. This request amends the preliminary plat for the development approved in May 2008, to revise the density of Villages C and F. This plat reduces the number of housing units in Village C from 86 villa (units) to 72 units. It also reduces the number of housing units in Village F. As platted in 2008, Village F included 288 condominiums. As revised, Village F is proposed to be 44 single-family lots. The preliminary plat meets all requirements of the City’s Development Code as well as the Illinois Plat Act. Plan Commission recommended approval and the application is being forwarded to City Council in accordance with 14-10-9 of the Development Code.

- Plan Commission held a Study Session on April 9 to discuss the revised Development Code. At the session, Tim Tolliver provided an overview of the substantive changes. A second study session will be held on May 14 at 6:00 p.m.

- Staff continued to provide technical assistance to residents, businesses and potential developers on the zoning code and development review processes. There are several projects in conceptual stages, which may proceed to develop application submittal and review.

Code Enforcement Division
- Staff continues to cite properties for environmental issues, property maintenance issues, and problem properties.

- Staff continues to respond to animal control matters.

- Staff is preparing for anticipated warm weather activities, such as mosquito abatement and an increase in nuisance property inspections (tall grass).

- Staff is reviewing the municipal code and other adopted codes for potential update.

Building Division
- Staff continued to review building permits and perform inspections.
• Staff continues to work on demolition of priority properties.

• There were 60 occupancy permits issued in January and 56 occupancy permits issued in February. Inspections are required prior to permit issuance.

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April 12, 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 April 17, 2019 Community Committee:

APPLICATION NUMBER: ZBA-01-19
REQUEST: Area Bulk Variance to allow the 50’ front yard setback required in the “C” Conservation District to be reduced to 15’ for 1050 St. Clair Road.

APPLICANT NAME: Tim and Jamie Gotto, 1050 St. Clair Road, Fairview Heights, IL  62208

ZONING: C-Conservation
ZBA RECOMMENDATION: Approval

Attached is the staff advisory and Zoning Board of Appeals Resolution pertaining to the request.

Respectfully,

Cheryl Bunfill

Cheryl Bunfill, Chairman
Zoning Board of Appeals
Based upon review of the request, Peterson moves to recommend approval of ZBA01-19, an Area Bulk Variance to allow the front yard setback required in the “C” Conservation District to be reduced for the property addressed as 1050 St. Clair Road, Fairview Heights, Illinois. St. Clair Co. PIN 03-29.0-310-005 from 50’ to 15’ for the following reason(s):

**Area/Bulk Variance**

1. The request will not be injurious or detrimental to the public health, safety and welfare.

2. The applicant is requesting a variance for the use of the property due to the topographical conditions of the lot.

3. The request would not alter the essential character of the area.

4. The request will not extend the nonconformity.

5. The front yard setbacks are restrictive and with minimum deviation will eliminate the hardship.

Abernathy seconded

VOTE: 5 YEAS; Peterson, Abernathy, Petroff, Fowler, Wicks and Bunfill

0 NAYS; 1 ABSENT; Prescott

**ZONING BOARD RECOMMENDATIONS**

Based upon the application materials and proposed plans, the Zoning Board of Appeals recommends Approval of the aforementioned Area Bulk Variance contained in ZBA01-19, for property located at 1050 St. Clair Road.
TRANSMITTAL TO ZONING BOARD OF APPEALS

APPLICATION NUMBER: ZBA-01-19
REQUEST: Area Bulk Variance to allow the 50' front yard setback required in the "C" Conservation District to be reduced for the property addressed as 1050 St. Clair Road, Fairview Heights, Illinois. St. Clair Co. PIN 03-29.0-310-005.
APPLICANT NAME: Tim and Jamie Gotto, 1050 St. Clair Road, Fairview Heights, IL 62208
MEETING DATE: March 21, 2019
ZONING: C-Conservation
LAND USE: Vacant

VARIANCE REQUEST
1050 ST. CLAIR AVENUE

LOCATION MAP
ZBA-01-19

Subject Property

Prepared by
Department of Land Use and Development
March, 2019
1. BACKGROUND

The City of Fairview Heights Development Code divides the City into districts and establishes standards for lot width, yard setbacks, area, and more. The standards vary amongst zoning districts and are specific to the characteristics of each.

The subject property located at 1050 St. Clair Avenue is zoned C – Conservation. According to 14-2-4 of the Development Code, the "C" Conservation District:

*Encompasses areas within which natural topography creates practical difficulty for urban development. Site location for buildings may be difficult on small tracts, adequate and safe traffic circulation system are problematic, engineering of utility systems and storm water drainage entail special circumstances and difficulties, and erosion can become a significant consideration. This can result in disproportionate or burdensome expenditures of public funds for the provision of necessary supporting roads and public facilities. It is the intent and purpose of this district to provide for appropriate densities to preserve and enhance the natural conditions of such areas and to reduce the disproportionate cost of public facilities, by providing for appropriate uses and density patterns.*

Permitted uses in the C District include agriculture, animal hospitals, cemeteries, day care homes, green houses, non-commercial recreational activities, single family residences, railroad rights of way, and more. The lot standards for the C District are found in the table below.

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<th>MINIMUM ZONE DISTRICT REGULATIONS “C” Conservation</th>
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<tr>
<td><strong>LOT STANDARDS</strong></td>
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<tr>
<td>Lot Area in Sq. Feet or Acres</td>
<td>3 acres</td>
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<tr>
<td>Width at Building Line</td>
<td>250’</td>
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<tr>
<td>Mean Depth in Linear Feet</td>
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<td>Marginal Access</td>
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<td>Local</td>
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<td>Local Collector</td>
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<td>County Highways</td>
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<td>State &amp; Federal Highways</td>
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<td>Front Lot Line</td>
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<td>Depth of Side Yard Abutting a Street in Linear Feet</td>
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<td>Total for Both</td>
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<td>Minimum for Either</td>
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<td>Distance to Nearest Principal Building on Adjacent Lot</td>
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<td>Depth of Rear Yard in Linear Foot</td>
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<td>Maximum Height of Principal Building in Linear Foot</td>
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<td>Floor Area Ratio</td>
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<td>Maximum Number of Dwelling Units</td>
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</table>
2. DISCUSSION

Context
The subject property is located in the south-western portion of the City, south of Lincoln Trail and west of North Illinois Street. The parcel is approximately 3 acres and is currently vacant.

The adjoining properties are zoned C-Conservation to the west and east, and R-3 residential to the north. The properties to the south are not located within the Fairview Heights City Limits.

The surrounding properties are vacant or single-family residences located on large lots.
Reason for the Request
The applicant is seeking to construct a single-family residence on the subject property. The front yard setback in the C District requires the building be constructed a minimum of 50' from the front property line. The applicant indicates that this setback cannot be met as it would place the building in a creek. Therefore, the applicant is seeking to reduce the front yard setback in order to accommodate the project.

3. **AREA-BULK VARIANCE CRITERIA**

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

(a) That special circumstances or conditions fully described in findings of fact apply to the land or buildings for which the area-bulk variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to the land or buildings in the neighborhood, and that said circumstances or conditions are such that strict application of the provisions of this Code would deprive the applicant of a reasonable use of such land or building;
(b) that, for reasons fully set forth in the findings, the recommending of the area-bulk variance is necessary for the reasonable use of land or buildings, and that the variance as recommended by the Board is the minimum variance that will accomplish this purpose;

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

If the Board so agrees to grant a variance, it should establish an acceptable front yard setback.

Exhibits

1. Application and Supporting Documents
2. Public notice
3. Draft Findings of Fact
Notice of Final Decision on Assessed Value by Board of Review

St. Clair County
Board of Review
#10 Public Sq.
Belleville, IL 62220
(618) 277-6600
Extensions: 2489, 2493 or 2476

The “Final assessed value After Board of Renew Equalization” listed on the other side of this notice will be the locally assessed value of this property for the current assessment year and each succeeding year, unless revised in the manner provided by the Property Tax Code.

This is a final decision of the Board of Review. You may appeal this decision to the Property Tax Appeal Board by filing a petition for review with the Property Tax Appeal Board within 30 days after this notice is mailed to you or your agent. Forms for appeal are available in our office, on the website listed below, or by writing the:

Property Tax Appeal Board
Room 402 Stratton Office Building
Springfield, IL 62706-4001
(217) 782-6076
www.ptab.illinois.gov
APPLICATION FOR AREA-Bulk VARIANCE

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

(Do not write in this space – for office use only)

Case Number Assigned: ____________________________
Date Application Received: ____________________________
Date Set for Hearing: ____________________________
Name of Newspaper and Publication Date: ____________________________
Publication Fee Paid: ____________________________

Date Proof of Public Notice Sign Provided:
Zoning District of Property:
Recommendation of ZBA:
Date of City Council 2nd reading:
Action by City Council:

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): Tim and Jamie Gott
Mailing address: 1050 St Clair Rd, Fairview Heights, IL 62208
Phone: 618-954-5533
E-Mail: timgo1974@gmail.com

2. Name of applicant (if other than owner): N/A
Relationship to owner (contractor, family member, lessee, etc.): ____________________________
Mailing address: ____________________________
Phone: ____________________________
E-Mail: ____________________________
3. Address of property: N/A
   Parcel (Tax) ID number: 03-29.0-310-005
   Present use of property: un-used wooded lot
   Zoning district: conservation

4. Variance requested: We would like to move the proposed house up as close to
   front property line as possible

5. Hardship: What unique physical characteristics of the subject property are cause for
   allowing reasonable relief from Development Code regulations?
   ✓ Too narrow    ✓ Topography    ( ) Soil
   ( ) Too small   ( ) Drainage   ( ) Sub-surface
   ( ) Too shallow ( ) Shape      ( ) Other: __________
   Please describe:
   Conservation ordinance says house has to be 50 feet from property line.
   That would place the house in a creek.

6. Are the conditions of hardship for which you request a variance peculiar only to the
   property described by this petition? ✓ Yes ( ) No
   If "no", how many other properties are similarly affected? __________

7. Was the hardship created by the action of anyone having property interest in the land
   after the Development Code was adopted? ✓ Yes ( ) No
   If "yes", please describe: When we bought we unaware of the conservation zoning.
8. Was the hardship created by any other man-made change; such as the relocation of a road? ( ) Yes ( ) No
   If "yes", please describe: __________________________________________________________
   ________________________________________________________________________________

9. Do the existing structures comply with all area and bulk regulations for the zone district in which it is located? ( ) Yes ( ) No (if "no", specify each non-conforming use):
   ________________________________________________________________________________

10. What is the "minimum" variance from the area/bulk regulations that will permit you to make reasonable use of your land? (Specify, using maps, site plans with dimensions and written explanation. Attach additional sheets if necessary).
    ________________________________________________________________________________

11. An area-bulk variance 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.
    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: ___________________________ Date: 2/19/2019

Signature of Applicant: ___________________________ Date: ___________________________
PHYSICIAN'S AFFIDAVIT — GUARDIANSHIP

Marc Rosen, MD, on oath states:

1. I am licensed to practice medicine in all its branches in Illinois.


3. In my opinion, he is physically and mentally incapable of managing his person and estate (physically and/or mentally).

4. My opinion is based on these facts:
   1. Traumatic Brain Injury from MVA 1-26-93
   2. Patient is confined to wheelchair

Signed and sworn to before me

November 27, 2018

(Notary Public)

Name

Attorney for Petitioner

Address

City

Telephone
ST CLAIR COUNTY, ILLINOIS

DISABLED APPOINTMENT ORDER

RE: JOEL G. TURNER, DISABLE

ORDER

The above cause called for an appointment of guardian for the Disabled Adult:

DOB: ___________________________

☑ Proposed guardian Lenora Sharon Turner X present ( ) not present
☑ Proposed co-guardian Tony Janie Goffs X present ( ) not present
☒ Disabled Adult Joel G. Turner X present ( ) not present

Supporting Medical Report: ( ) filed ( ) not filed
Supporting Medical Report to support appointment of guardian ( ) sufficient
( ) not sufficient.

( ) Cause continued for service on Disabled Adult

☒ Attorney Eloise LaChan appointed Guardian Ad Litem for Disabled Adult, previously appointed.

☑ Parties are to contact Guardian Ad Litem before Court date.

☒ Temporary Appointment granted ( ) Appointment granted ( ) Appointment declined.

☒ Hearing on petition set for the 7th day of March 2019, Goffs.

at 9:00 am in Courtroom 107 St. Clair County Courthouse;

( )

Entered this 10th day of January 2019.

JUDGE

DA APPT ORDER

[Signature]

[Signature]
PRELIMINARY
NOT FOR CONSTRUCTION

CURRENT ZONING: CONSERVATION
FRONT BUILDING SET-BACK LINE: 50'
SIDE BUILDING SET-BACK LINE: 10' MINIMUM
AND 25' COMBINED
REAR BUILDING SET-BACK LINE: 25'
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PUBLIC NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Zoning Board of Appeals on Thursday, March 21, 2019 at 7:00 p.m. in the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois at which time and place the Zoning Board of Appeals will consider an Area Bulk Variance to allow the 50’ front yard setback required in the “C” Conservation District to be reduced for the property addressed as 1050 St. Clair Road, Fairview Heights, Illinois. St. Clair Co. PIN 03-29.0-310-005.

Request was made by Tim and Jamie Gotto, 1050 St. Clair Road, Fairview Heights, IL 62208.

All persons desiring to comment on this proposal may appear at said hearing and be heard thereon.

Dated March 4, 2019

FAIRVIEW HEIGHTS ZONING BOARD OF APPEALS

BY: Cheryl Bunfill

ZBA01-19
April 12, 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 April 17, 2019 Community Committee:

APPLICATION NUMBER:  PC-03-19
REQUEST:  Amendment of a Preliminary Plat for Fountain Place Addition, Revising Village C and F
APPLICANT NAME:  O’Fallon Development Group, c/o Steve Macaluso
LOCATION:  Northeast; south of Milburn School Road, east of Old Collinsville Road
PLAN COMMISSION 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 Moats introduced the following resolution and moved for its adoption:

RESOLUTION PC 03-19

A RESOLUTION APPROVING THE AMENDED PRELIMINARY PLAT OF FOUNTAIN PLACE ADDITION, MAKING REVISIONS TO VILLAGE C AND VILLAGE F.

WHEREAS, O’Fallon Development Group c/o Steve Macaluso., hereinafter referred to as the “Applicant,” has properly applied for an Amended Preliminary Subdivision Plat for Fountains Place Addition, to make revisions to Village C and Village F of the phased development, specifically identified by PIN #03220213019 and 03220203014 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 appeared before the Planning Commission pursuant to Section 14-10-5 of the City of Fairview Heights Development Code on April 9, 2019, and that the minutes of said meeting are hereby incorporated by reference.

2. The subject properties are part of a phased subdivision development, previously approved by Resolution 3174-2004.

3. The Applicant desires to make revisions to the previously approved plat to Village C and Village F.

4. The Amended Preliminary Plat contains approximately 20.3 acres (Village C) and 12.7 acres (Village F).

5. That the proposed amended preliminary subdivision plat meets all of the requirements of the City of Fairview Heights Development Code relating to preliminary plat.

6. That this preliminary plat approval shall remain in effect for a one (1) year period. The applicant may, during this period, submit all of parts of said preliminary plat for final plat approval. In the event that the subdivision is being development in stages, the applicant may, by written mutual agreement have the parts of the plat delayed for a period not to exceed (5) years from the preliminary plat approval.

7. That the general terms and conditions under which the preliminary plat approval was granted will not change.
The motion for the adoption of the foregoing resolution was duly seconded by Coleman upon vote being taken thereon, the following voted in favor thereof: Herrington, Moats, Mensing, Wesemann, Hoppe, Barkley, Carthen, Coleman, Smith, McCarthy, Barmstedt.

and the following voted against the same: None

and the following abstained: None

and the following were absent: None

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 9th day of April 2019.

______________________________
Planning Commission Chairman

ATTEST:

______________________________
Land Use Director
TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC-03-19
REQUEST: Amendment of a Preliminary Plat for Fountain Place Addition, Revising Village C and F
APPLICANT NAME: O’Fallon Development Group, c/o Steve Macaluso
MEETING DATE: April 9, 2019
ZONING: PD- Planned Development
LAND USE: Vacant
PLANNING COMMISSION ACTION: Consideration of the Preliminary Plat, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

AMENDED PRELIMINARY PLAT
Fountains Place Addition

LOCATION MAP
PC-03-19

Subject Property

Prepared by Department of Land Use and Development
April 2019
1. BACKGROUND

The subject properties are included in the 173 acre planned Fountains Place Addition subdivision development. The development is located south of Milburn School Road, west of Old Collinsville Road and north of Fountains Place Residential Subdivision. The area was zoned to PD – Planned Development, which offers flexibility with respect to zoning standards such as lot width, density and setbacks. The overall development includes a swimming pool, open fields, and common walking paths. As originally platted in 2005, the subdivision was divided into 6 villages to be constructed in phases. A variety of housing types were proposed to include detached single family, attached single family villas, townhomes and condominium units. Thusfar, two villages have been completed.

The construction of the remaining phases had been stalled due to a perceived lack of demand and market conditions. However, the property was recently acquired by a developer who is seeking to move forward with the project. The developer is proposing changes to the previously approved preliminary plat. To accommodate this request, the preliminary plat must be amended.

This application contemplates changes to Village C and Village F only.

This application request is to amend the development approvals to make changes to Village C and Village F. A revised preliminary plat is necessary to accomplish these changes.

2. DISCUSSION

Context
The subject property is located in the north-eastern portion of the City, south of unincorporated St. Clair County and west of the City of O’Fallon.

The land use of adjoining properties is as follows and zoning is depicted on the map:

North
Vacant/agricultural

South
Mixed-residential

West
Vacant/agricultural

East
Single family residential

...
Project Information
Village C as originally platted included attached single family homes (villas) on 95’ wide lots with 120’ depth, 7.5’ side setback and 25’ front setback. There were 43 lots and 86 units. The Village density was 4.2 units per acre. As revised, Village C is decreasing in density. There are 36 lots proposed and 72 units. The Village density is 4.1 units per acre. The proposed rights of way, street configuration, access, and pavement width remains essentially the same as the previously approved version. Village C will be accessed through Village D (developed) off of a 50’ wide street (Corner Point Drive). It will include two cul-de-sacs; additional details regarding infrastructure will be provided during the final platting stage, as per code.

Village F as originally platted included attached condominiums with 15 four unit buildings and 19 twelve unit buildings, with a total of 288 units. The Village density was 14.3 units per acre. As revised, the Village has significantly decreased in density. It is now proposed to be subdivided into 44 lots for single-family development. The lots will be 65’ by 125’ lots. The density is now 4.1 units per acre. The street configuration has been redesigned and includes a circular drive rimmed by lots, and two points of access. One entrance is directly on to Dunhill Drive (main road) and the other through Village E to the south. Additional details about infrastructure will be provided during the final platting stage, as per code.

Planning Considerations
The City’s requirements for preliminary plats is found in Exhibit 2. All of the requirements have been met. The preliminary plat has been reviewed by the Fire Department, Building Official and Department of Public Works: there were no concerns with the application.

Exhibits
1. Application and Supporting Documents
2. Preliminary Plat Requirements
3. Resolution
# APPLICATION FOR PRELIMINARY PLAT

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

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### OFFICE USE ONLY

<table>
<thead>
<tr>
<th>DATE COMPLETED APPLICATION RECEIVED:</th>
<th>CASE NUMBER ASSIGNED:</th>
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<tr>
<th>RESUBMITTALS RECEIVED/DATE:</th>
<th>APPLICATION FEES PAID ($150 + $5 per lot):</th>
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<tr>
<th>ZONING DISTRICT:</th>
<th>DATE PUBLIC NOTICE SIGN POSTED:</th>
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<tr>
<th>APPLICATION CIRCULATION DATE:</th>
<th>AUTHORITY MEETING DATE/RECOMMENDATION:</th>
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- **Comments Received:**
  - Public Works
  - Fire District
  - Parks and Recreation
  - Economic Development
  - Police Department
  - Finance Department
  - Administration Department
  - Other

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<tr>
<th>DATE OF MEETING:</th>
<th>RESOLUTION NUMBER:</th>
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<td></td>
<td>(Attach resolution to preliminary plat. One copy to City Clerk, one with LUO/application, one copy to applicant)</td>
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**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 PRELIMINARY PLAT**

<table>
<thead>
<tr>
<th><strong>Project Name:</strong></th>
<th>Fountain Place Addition - Amended Preliminary Plat</th>
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<tr>
<td><strong>Project Address:</strong></td>
<td>Southwest Quadrant of Old Collinsville Road at Milburn School Road</td>
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<td><strong>Parcel ID:</strong></td>
<td>03220213019 - Village C  03220203014 - Village F,</td>
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<td><strong>Current Use of Property:</strong></td>
<td>Vacant Ground</td>
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<tr>
<td><strong>Project Size/Acreage:</strong></td>
<td>Overall Fountain Place Addition = 173 Ac. Village C = 20.3 Ac. Village F = 12.7 Ac.</td>
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<tr>
<td><strong>Number of Lots:</strong></td>
<td>Overall Fountain Place Addition = 704 Units Village C = 36 Duplex Lots Village F = 44 Lots</td>
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<td><strong>Density:</strong></td>
<td>Overall Fountain Place Addition = 5.0 Units/Ac Village C = 4.1 Village F = 4.1</td>
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**CONTACT INFORMATION FOR PRELIMINARY PLAT**

<table>
<thead>
<tr>
<th><strong>Property Owner(s):</strong></th>
<th>O'Fallon Development Group, LLC  c/o Steve Macaluso</th>
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<tbody>
<tr>
<td><strong>Mailing Address:</strong></td>
<td>774 Sunset Blvd, O'Fallon, IL 62269w</td>
</tr>
<tr>
<td><strong>Phone:</strong></td>
<td>618-623-9600</td>
</tr>
<tr>
<td><strong>E-Mail:</strong></td>
<td><a href="mailto:Steve@Halloraninc.com">Steve@Halloraninc.com</a></td>
</tr>
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<tr>
<th><strong>Applicant/agent:</strong></th>
<th>Same as owner</th>
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<tr>
<td><strong>Relationship to owner:</strong></td>
<td></td>
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<tr>
<td><strong>Mailing Address:</strong></td>
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<td><strong>Phone:</strong></td>
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<td><strong>E-Mail:</strong></td>
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**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.

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<th><strong>Signature of Owner:</strong></th>
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<tr>
<td><strong>Printed Name:</strong></td>
<td>[Name]</td>
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<td><strong>Date:</strong></td>
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<th><strong>Signature of Applicant:</strong></th>
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SUBMITTAL REQUIREMENTS – PRELIMINARY PLAT

The minimum standards for land subdivision and development are contained in Article VIII of the City’s Development Code. Please consult this section, as well as the relevant zoning district regulations, when preparing the subdivision development plans. http://www.cofh.org/DocumentCenter/View/298/COMPLETE-PDF-CODE

14-9-5 SUBDIVISION APPLICATION PRELIMINARY PLAT.

The preliminary plat to be provided by the subdivider shall meet and include the following specifications and shall supply all of the information requested in this section.

(A) Four (4) copies of prints of the preliminary plat. ENCLOSED
(B) Proposed name of the subdivision and location. SHOWN ON PLAT
(C) Small key map showing the relation of the proposed subdivision to section or U. S. survey lines and to platted subdivisions and dedicated streets, including maps of adjacent properties, within three hundred (300) feet of the proposed subdivision. SHOWN ON PLAT
(D) Names and address of the owner, subdivider, land planning consultant, the licensed engineer and registered land surveyor of Illinois who prepared the preliminary plat. The plat shall be certified with registration numbers and seal affixed to the plat. SHOWN ON PLAT
(E) Streets and rights-of-way on and adjoining the site of the proposed subdivision; showing the names and including street roadway and right-of-way widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, planting strips and other pertinent data, including classification on all existing or proposed streets as to function, such as collector, arterial or local street. SHOWN ON PLAT
(F) All lot lines adjacent to and abutting the subdivision. SHOWN ON PLAT
(G) Layout of lots, showing approximate dimensions, numbers, lot area, and zone district classification(s). All lots shall meet the requirements of the zone district in which they are located.
(H) Parcels of land, if any, proposed to be dedicated or reserved for schools, parks, playgrounds or other public, or community purposes and use(s) within the area to be subdivided in compliance with the Comprehensive Plan as adopted by the City, or as desired to be dedicated by the developer.
(I) Easements, existing and proposed, showing locations, widths and purposes. SHOWN ON PLAT
(J) Building setback line and dimensions. SHOWN ON PLAT
(K) Location, accessibility and size of existing public utilities and drainageways or facilities within or adjoining the proposed subdivision and the location, accessibility and size of the nearest water trunk mains, interceptor sewer lines and other pertinent utilities. SHOWN ON PLAT
(L) Location, type and approximate size of utility improvements to be installed. SHOWN ON PLAT
(M) Tract boundary lines showing dimensions, bearings, angles and references to known land lines. SHOWN ON PLAT
(N) The gross area and net area acreage of the proposed subdivision, the acreage of streets, and of any areas reserved for the common use of the property owners within the subdivision and/or for public use. SHOWN ON PLAT
(O) Topography shall be shown by two (2) foot contour intervals on lands having slopes of zero to four percent (0% to 4%) at five (5) foot intervals on slopes of four to twelve percent (4% to 12%) at ten (10) foot intervals on slopes of twelve percent (12%) and above. TO BE PROVIDED ON CONST PLANS
(P) Location of major water courses, ponding area, natural drainageways and flood hazard areas. SHOWN ON PLAT
(Q) The preliminary plat shall be drawn to a scale necessary for clarity provided the resulting drawing would not be over thirty-six (36) inches square. YES
(R) North arrow and date. YES
Whenever a large tract is intended to be developed in stages, and only a part of that tract is to be submitted for final plat approval, a preliminary plat for subdivision of the entire tract shall be submitted.

Additional requirements include:

1. General description of the location and size of the tract to be platted.
2. Intent as to character type and use of the property and structures to be developed.
3. Deed restrictions proposed, if any.
5. The extent and character of the improvements to be made by the subdivider.
6. Zone district classification(s) of the territory and compliance of the proposed subdivision thereto.
7. Description of any unique hardship or difficulty limiting the physical development of the property under consideration and a description of any past history of the property under consideration which is pertinent thereto.
8. An erosion and sedimentation control plan when applicable. (See Sections 14-2-18, 14-3-22 and 14-8-6)
SUBMITTAL REQUIREMENTS – PRELIMINARY PLAT

The minimum standards for land subdivision and development are contained in Article VIII of the City’s Development Code. Please consult this section, as well as the relevant zoning district regulations, when preparing the subdivision development plans.  http://www.cofh.org/DocumentCenter/View/298/COMPLETE-PDF-CODE

14-9-5 SUBDIVISION APPLICATION PRELIMINARY PLAT.

The preliminary plat to be provided by the subdivider shall meet and include the following specifications and shall supply all of the information requested in this section.

(A) Four (4) copies of prints of the preliminary plat.
(B) Proposed name of the subdivision and location.
(C) Small key map showing the relation of the proposed subdivision to section or U. S. survey lines and to platted subdivisions and dedicated streets, including maps of adjacent properties, within three hundred (300) feet of the proposed subdivision.
(D) Names and address of the owner, subdivider, land planning consultant, the licensed engineer and registered land surveyor of Illinois who prepared the preliminary plat. The plat shall be certified with registration numbers and seal affixed to the plat.
(E) Streets and rights-of-way on and adjoining the site of the proposed subdivision; showing the names and including street roadway and right-of-way widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, planting strips and other pertinent data, including classification on all existing or proposed streets as to function, such as collector, arterial or local street.
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(G) Layout of lots, showing approximate dimensions, numbers, lot area, and zone district classification(s). All lots shall meet the requirements of the zone district in which they are located.
(H) Parcels of land, if any, proposed to be dedicated or reserved for schools, parks, playgrounds or other public, or community purposes and use(s) within the area to be subdivided in compliance with the Comprehensive Plan as adopted by the City, or as desired to be dedicated by the developer.
(I) Easements, existing and proposed, showing locations, widths and purposes.
(J) Building setback line and dimensions.
(K) Location, accessibility and size of existing public utilities and drainageways or facilities within or adjoining the proposed subdivision and the location, accessibility and size of the nearest water trunk mains, interceptor sewer lines and other pertinent utilities.
(L) Location, type and approximate size of utility improvements to be installed.
(M) Tract boundary lines showing dimensions, bearings, angles and references to known land lines.
(N) The gross area and net area acreage of the proposed subdivision, the acreage of streets, and of any areas reserved for the common use of the property owners within the subdivision and/or for public use.
(O) Topography shall be shown by two (2) foot contour intervals on lands having slopes of zero to four percent (0% to 4%) at five (5) foot intervals on slopes of four to twelve percent (4% to 12%) at ten (10) foot intervals on slopes of twelve percent (12%) and above.
(P) Location of major water courses, ponding area, natural drainageways and flood hazard areas.
(Q) The preliminary plat shall be drawn to a scale necessary for clarity provided the resulting drawing would not be over thirty-six (36) inches square.
(R) North arrow and date.
(T) Additional requirements include:

1. general description of the location and size of the tract to be platted;
2. the intent as to character type and use of the property and structures to be developed;
3. the deed restrictions proposed, if any;
4. a statement of mineral rights;
5. the extent and character of the improvements to be made by the subdivider;
6. the zone district classification(s) of the territory and compliance of the proposed subdivision thereto;
7. if appropriate, a description of any unique hardship or difficulty limiting the physical development of the property under consideration and a description of any past history of the property under consideration which is pertinent thereto; and
8. an erosion and sedimentation control plan when applicable. (See Sections 14-2-18, 14-3-22 and 14-8-6)