



DEPARTMENT OF LAND USE AND ECONOMIC DEVELOPMENT

AGENDA PLANNING COMMISSION July 9, 2024 7:00 P.M.

IN PERSON: CITY HALL, 10025 BUNKUM ROAD.

VIRTUAL: BY COMPUTER, TABLET OR SMARTPHONE.

[HTTPS://WWW.GOTOMEET.ME/COFH_LUD/PLANNING_COMMISSION](https://www.gotomeet.me/cofh_lud/planning_commission)

PHONE: +1 (408) 650-3123 ACCESS CODE: 739-271-573

ONE-TOUCH: TEL: +14086503123, 739271573#

1. CALL TO ORDER AND ROLL CALL

2. **CITIZENS COMMENTS-** *This is an opportunity for the public to address the Planning 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 11, 2024

4. **PC CASES/PUBLIC HEARINGS**
 - a. PC 12-24, Special Use Permit for 515 Lincoln Hwy Suite #6, Fairview Heights. Also identified by St Clair County PIN(s) 03-27.0-100-062. *VOTE REQUESTED*

5. **OLD BUSINESS**
 - a. None

6. **NEW BUSINESS**
 - a. None



DEPARTMENT OF LAND USE AND ECONOMIC DEVELOPMENT

7. ANNOUNCEMENTS

- a. Chair/Plan Commission Member Comments
- b. Director's Report

8. ADJOURNMENT

The next regularly scheduled meeting is August 13th, 2024: it may be canceled if there is no business to conduct.

**CITY OF FAIRVIEW HEIGHTS, ILLINOIS
PLANNING COMMISSION
MEETING MINUTES
June 11, 2024**

CALL TO ORDER

The meeting was called to order at approximately 7:00 p.m. by Chairman Greg Moats with (8 members) in physical attendance: Pat Herrington, Terry Fowler, Pat Wesemann, Linda Hoppe, Sunyatta McDermott, Kelly Smith, Rich Baldwin, Janice Petroff, and Greg Moats. Amanda Brinson attended virtually. Also, in attendance were Dallas Alley (Director of Land Use & Development), Amanda Schwartz (Recording Secretary) and Andrew Hoerner (Attorney).

1. CITIZENS' COMMENTS

None.

2. APPROVAL OF MINUTES

The minutes of May 14, 2024 were approved as written. Sunyatta McDermott 1st to motion and Linda Hoppe 2nd to motion to approve last month's minutes.

3. NEW BUSINESS

PC 03-24, Special Use Permit, 61 Ludwig Drive, Fairview Heights, Karen Hill Gray.

Chairman Moats states that we are going to deviate a bit from the agenda with the (**Old Business**) since we have a repeat case that was tabled last month and we are going to have her go first instead of making her sit through everything.

Director Alley states that PC 03-24 is a Development Plan modification for 61 Ludwig Drive. The tenant space that they are occupying has been vacant for several years. They do have an interior site plan that Salon & Spa Sanctuary which is allowed within the PB. The reason it was Tabled last month was because of concerns with Code Enforcement issues with the ownership of the property. Code Enforcement has made contact with them and made headway with them. Director Alley states that he actually meets with some of their representatives when he was out in Las Vegas at a conference last week, and we feel confident that we can move forward. Director Alley says as you can see, they plan to have 25 or more customers per day, and will have several stations set up. He does not believe that there is a problem with parking, plenty of ingrass, egrass parking. He states that there are no concerns from his department on this particular use.

The applicant, Karen Hill Gray of 4535 N Illinois Street, Fairview Heights, IL was sworn in. Ms. Gray states that this their 3rd location in Fairview Heights. They have been in business for 7 years. She sates that they have not had any challenges in Fairview Heights, and that they would love to stay in Fairview Heights. She talks about the services that they offer is of a hygiene type of a nature and offer cosmetology type of services. Ms. Gray again states that they would love to stay in Fairview Heights, and she asked that they would approve her Special Use Permit for the new location located on Ludwig nest to Urban Air.

Chairman Moats ask commissioners if they have any thoughts. No thoughts were discussed. Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

Commissioner Herrington requests that a max limit number be set at 15. All Commissioners are in agreement with the set number to be 15.

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

RESOLUTION PC 03-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR A BEAUTY SALON AT 61 LUDWIG DR

WHEREAS, Salon & Spa Sanctuary, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a development plan for a beauty salon parcel number 03-21.0-400-031, commonly known as 61 Ludwig Dr; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
2. That the subject property is zoned "PB" Planned Business Zoned District.

3. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
4. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
5. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
6. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Hoppe upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

PC 04-24, Special Use Permit, 9101 Saint Clair Ave, Fairview Heights, Kenneth Shock.

Director Alley states PC 04-24 is a request to modify the original Development Plan for the subject site at 9101 Saint Clair Ave. They currently operate a used car dealership, and want to as a second supplemental secondary use have U Haul rentals there. They are currently operating, and did not realize that they needed to go through a hearing. As soon as we told them that they needed to go through a hearing they can in the same day and filled the paperwork and filed out the application. Director Alley states that the only thing he will note is in the application that it says a few rentals and don't specify an exact number. He says that it would be staff recommendation that an official number be set just for clarification so that they know and we also know how many they can have on site. Director Alley states its pretty straight forward it would be on the existing lot that they already have their cars on display. There truck would be in the same parking lot as where the cars are for sale.

The applicant, Kenneth Shock of 9101 Saint Clair Ave, Fairview Heights, IL was sworn in. Mr. Shock states that they opened the car lot in 2020 during Covid and has been going pretty well. It is licensed with the state, insurance and bond, and that he has the parking lot lit good so that there is not trouble. He decided that we need to try something else to make extra money, so we talked to the U Haul people. Mr. Shock states that there will be between 5-10 U Hauls and that he was not sure what to put on the application. He mentions that he included

aerial pictures in his application from when it was a car lot before him, and that they easily had 30-40 cars on the lot. He also says that he usually only has about 5-10 cars on the lot now, so that there will be plenty of room to add the U Hauls. He states that the U Hauls will be back off the street towards the back of the lot and even parking along the side of the building.

Chairman Moats asks Mr. Shock if he would be willing to through a number out of to set. Mr. Moat's asked if he would be willing to set the number at 12. Mr. Shock said yes, 12-15 how that. He states that the reason he upped it to 15 is because it would be a drop off location as well. He says he could leave for the night and come back in the next day to find 4 or 5 new U Hauls that he didn't have on the lot the day before.

Roger son to Kenneth Shock of 9101 Saint Clair Ave, Fairview Heights, IL was sworn in. Roger states that he has permission from the neighbor Ms. Branda to use her lot behind the car lot for overflow if needed to store a couple U Hauls as well.

Director Alley states that he believes in the plan it also states that he has permission from the neighbor to use the lot for backflow if needed.

Kenneth Shock states that he wants his business to look clean with no trash all over. He has all the permitting necessary since he has been at the location for over 4 years.

Chairman Moats ask commissioners if they have any thoughts. No thoughts were discussed. Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item.

Brenda McNeal 9055 Saint Clair Ave, Fairview Heights, IL was sworn in.

Ms. McNeal states that she owns the house and the lot that is behind the car lot. She states that she does not use that lot for anything, and that it's a big lot. She has given permission to the owners of the car lot the use it to switch vehicles and truck out, and that the space is not being used. Since she owns the house and lot, she originally purchased it for her own business. But that she has not needed it. Again, she states that it is ok for them to use her lot if needed.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 04-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR U-HAUL RENTAL IN THE PARKING LOT AT 9101 SAINT CLAIR AVE

WHEREAS, U-Hauls, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of U-Haul Rental in the parking lot parcel number 02-25.0-105-042 commonly known as 9101 Saint Clair Ave; and,

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

7. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
8. That the subject property is zoned "PB" Planned Business Zoned District.
9. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
10. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
11. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
12. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Hoppe upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

PC 05-24, Special Use Permit, 515 Lincoln Hwy Suite #7, Fairview Heights, Cicely Cole.

Director Alley states PC 05-24 is for the placement of a retail popcorn store at 515 Lincoln Hwy Suite #7. He states that the suite has been vacant for several years, probably about 15 years. The applicant had his operation here in Fairview at a different location, decided he wanted to move to this site. He did not have to go through a hearing before because it was zoned as B-3, and now he's moving into this site is PB. A modification to the Development plan is the reason for the hearing. Director Alley states that there are no concerns for the parking here, no modification is being made to the outside of the building, and you can see in his packet that there is a layout for the entrance. Mr. Alley states that there are no concerns be staff.

The applicant, Andrew Cole of 515 Lincoln Hwy Suite #7, Fairview Heights, IL was sworn in. Mr. Cole states that he has owned Popcorn-N-Such for 11 years. We started at a couple malls in Missouri, did 4 years in Belleville, then moved to Fairview Heights about 4 or 5 years ago. He states that they out grew the space, and now we are wanting to move to the new location to expand.

Chairman Moats ask commissioners if they have any thoughts. No thoughts were discussed. Chairman Moats then asked if there was anyone that would like to address the

commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 05-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR A RETAIL POPCORN STORE AT 515 LINCOLN HWY SUITE# 7

WHEREAS, Popcorn n Such, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a development plan for a retail popcorn store parcel number 03-27.0-100-062, commonly known as 515 Lincoln Hwy Suite# 7; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

13. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
14. That the subject property is zoned "PB" Planned Business Zoned District.
15. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
16. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
17. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
18. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Fowler upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

PC 06-24, Special Use Permit, 9705 W State Rte 161, Fairview Heights, Scott & Beth Jacob.

Director Alley states PC 06-24 an expansion of the facility for Chesley Commercial Fence & Rail co tenant with Jacobs at 9705 W State Rte 161. They have purchased the block building to south of the existing property. The tenants have moved out and they have cleaned up that property, and have additional plans to clean up that building and the area in between the existing facility. They did get a permit for excavation to level out the land. The plan is enclosing that area, grade it out, gravel it, provide detention, and use it as a storage lot. Mr. Alley states if you look through the analysis the one thing you will note, buffer areas that they are not planning screens, but given the unique layout there its really up to the commission on whether or not they want to require screening. The only thing is to the south, but there are existing trees and vegetation. Mr. Alley states that they do have the requires 8ft fence surrounding the property as required. The existing building that they purchased does not meet the setbacks, but they are not modifying the building so there are no concerns on our end.

The applicant, Scott Jacob of 9723 W State Rte 161, Fairview Heights, IL was sworn in. Mr. Jacob states that we have two companies, the Jacob company and the Chesley company. The Chesley company handles the residential side, and a commercial side. Mr. Jacobs states that

the commercial side is currently in Cottage Hills, IL and we want to move it down here next to us making it more convenient, better for everybody in the city.

He states that we have plans to clean up that old building making it prettier for our tools and equipment and make it one big compound.

Chairman Moats ask commissioners if they have any thoughts. Commissioner Wesemann asked Mr. Jacob if he has employees that would transfer to this new location. Mr. Jacob replied, yes, all of our employees would transfer and we would be moving our whole operation here. Commissioner Petroff asks Mr. Jacob if they plan to be moving a lot of the trees. Mr. Jacob replied no. He states that if you have been down there you can see that dirt has been moved around, and that they have someone come up to them and asked for dirt, and he said that he would like to have more flat area so he is allowing them to take some dirt. Mr. Jacob states that they are about stopped to where they will no longer take anymore dirt. He states that he might possibly take out a few trees on the 9711 lot that might to overhanging the fence.

Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 06-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR THE ALLOWANCE OF A PLANNED UNIT DEVELOPMNET AT 9711 AND 9717 WEST STATE ROUTE 161

WHEREAS, Scott and Beth Jacob hereinafter referred to as the "Applicant," applied for a Special Use permit for a Planned Unit Development of parcel numbers 02-25.0-400-038, 02-25.0-400-035, and 02-25.0-400-034, commonly known as 9705 and West State Route 161; and

WHEREAS, the Fairview Heights Development Code requires that any Planned Unit Development in I – Industrial Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

19. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and

that said public hearing was properly advertised, both of which are incorporated by reference.

20. That the subject properties are zoned "I" Industrial Zoned District.
21. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
22. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
23. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
24. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by McDermott; upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

PC 07-24, Special Use Permit, 4610 N Illinois St Units #4634,4636, Fairview Heights, Vanessa Crowder.

PC 08-24, Special Use Permit, 4610 N Illinois St Units #4610A, Fairview Heights, Vanessa Crowder.

Director Alley asks the commissioners if they can do case PC 07-24 and PC 08-24 together. Director Alley states that the applicant has proposed the same use in two separate units within the same building. He states that the only difference is that the site plan operations are the same an event center with same with shared office space. At the time of the application the applicant had not decided on what units to use so they applied for both. Mr. Alley states there are no changes to the exterior of the building and there are no concerns for parking on this. Director Alley states that the only thing that he would request is that the commission have the applicant determine which of the two spaces so that we can approve one site plan.

The applicant, Tiara Lewis of 10850 Lincoln Trail unit # 16, Fairview Heights, IL was sworn in. Ms. Lewis states that currently she manages and operates Café Biz 618 Event Space. She

states that they will be closing that location as of July and are currently and looking to move the same concept which will now be under 618 Business & Events Center. Ms. Lewis states that they plan to use both locations. 4610A will serve as their work space and offices and 4634, and 4636 will be combined into one unit will be the meeting and event space.

Chairman Moats ask commissioners if they have any thoughts. Director Alley then states, that in that case we will need to separate motions. No thoughts were discussed.

Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 07-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR AN EVENT CENTER AT 4610 N ILLINOIS ST UNITS# 4634, 4636.

WHEREAS, 618 Business and Event Center LLC, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a development plan for an Event Center parcel number 03-34.0-300-041, commonly known as 4610 N Illinois St Units # 4634, 4636; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

25. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
26. That the subject property is zoned "PB" Planned Business Zoned District.
27. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.

28. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
29. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
30. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Hoppe upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

Chairman Moats ask commissioners if they have any thoughts. Director Alley then states, that in that case we will need to separate motions. No thoughts were discussed.

Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 08-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR AN EVENT CENTER AT 4610 N ILLINOIS ST UNIT# 4610A.

WHEREAS, 618 Business and Event Center LLC, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a development plan for an Event

Center parcel number 03-34.0-300-041, commonly known as 4610 N Illinois St Unit # 4610A; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

31. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
32. That the subject property is zoned "PB" Planned Business Zoned District.
33. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
34. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
35. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
36. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Smith upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

PC 09-24, Special Use Permit, 319 Lincoln Hwy, Fairview Heights, Steve Burkarth.

Director Alley states PC 09-24 is the same applicant and the same use that was previously approved for a classic arcade games. Director Alley states that the difference is that for whatever the reason they were not able to finalize the lease at the current spot. They reached out to the Land Use department and we helped then find another spot near to the original spot that would work for them and were able to start discussions with that owner. He states that it is not in the application, but we have already talked to the owner and they are able to do a little landscaping that will be handled by the Land Use department. Director Alley states that there is no need for a modification of the site plan since its all minor. No change to the exterior other than the landscaping. Interior they are going to put up one wall to enclose the video gaming like at the other site. They will also need to do some plumbing modifications to the building, but that's it the same as last time it was approved.

The applicant, Chris McGinnis of 7 Benham Dr, Millstadt, IL was sworn in. Mr. McGinnis states video arcade games has been showing up in the surrounding areas. Mr. McGinnis believes that the classic arcade games are a great concept and will bring in a lot of people to the area.

Chairman Moats ask commissioners if they have any thoughts. Commissioner Wesemann asks Mr. McGinnis if he believes that the new location is better because you can see it easier. Mr. McGinnis agrees that the new location is a better spot as far as seeing it and that its closer to the highway. He states that one the landscape of the high bushes is taken care of, then it will be much better to see the location. Commissioner McDermott states that she notices that there will be food and beverages and wants to know if there will also be alcohol. Mr. McGinnis states that yes there will be. Director Alley says that in order to have the video gaming you have to serve alcohol, but they have already applied for the liquor license. He states that their existing liquor license is on hold pending approval and that he talked to the Mayor this morning about transferring that address on it and there were no concerns.

Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 09-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR A CLASSIC ARCADE & VIDEO GAMING AT 319 LINCOLN HWY.

WHEREAS, Zzemss LLC, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a development plan for Classic Gaming parcel number 03-27.0-100-072, commonly known as 319 Lincoln Hwy; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

37. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.

38. That the subject property is zoned "PB" Planned Business Zoned District.
39. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
40. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
41. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
42. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Baldwin upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

PC 10-24, Special Use Permit, 5 Canty Ln, Fairview Heights, Van Johnson.

Director Alley states PC 10-24 is a request to modify the development plan to construct a steel accessory structure that will have a permit foundation it will have sides on it, even though it is similar to a car port because it is permanently attached, we consider it a garage. Director Alley states that he will point out that it will be in the back of the building and that the building does not face Canty Lane, so it does meet that requirement and the set back requirements. It will be a 20x20 structure.

The applicant, Van Johnson of 5 Canty Lane, Fairview Heights, IL was sworn in.

Mr. Johnson states that they are just creating this space for storage. He states that he owns cosmetology schools and has multiple locations and will be opening one up here soon in Swansea and that they intend on opening up 2 more before the end of the year.

Mr. Johnson advises that they purchase used furniture and that currently they have two storage spaces that are currently filled up and his buildings are also filled up with the furniture for the new locations so he needs this space to store more items.

Chairman Moats ask commissioners if they have any thoughts. Chairman Moats asks applicant what type of space is he planning on renting? Director Alley replies that this has an accessory structure already and he is requesting a steel frame on a permanent foundation. Mr. Johnson replies that he is buying the building and that there is a larger lot in the back

that the structure would go on. He also says that he doesn't even believe that they are visible to anybody since they are off of Lincoln Trail behind Randall's. Commissioner Petroff asks what he intends to store in there and Mr. Johnson replied use solar furniture, stations. Ms. Petroff asks so its all equipment for the cosmetology schools. Mr. Johnson replied yes and it will also be stations for salon suits.

Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 10-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR A STEEL STRUCTURAL GARAGE AT 5 CANTY LN.

WHEREAS, Van Johnson, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a development plan for a Structural Garage parcel number 03-28.0-401-002, commonly known as 5 Canty Ln; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

43. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
44. That the subject property is zoned "PB" Planned Business Zoned District.
45. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.

46. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
47. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
48. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Smith upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

PC 11-24, Special Use Permit, 67 Ludwig Dr Suite #53-101, Fairview Heights, Austin Givens.

Director Alley states PC 11-24 this is a modification development plan for 67 Ludwig Drive. He states that this suite has been vacant for a very long time and the applicant is purposing to do Athletic training center there and they have this in a different city that they intent to move here. Director Alley stats that he is familiar with their layout because he has inspected their site at the previous facility. This is like other strength training facilities it has an open layout. He states that there are no concerns on parking, and no modifications to the outside of the building.

The applicant, Austin Givens of 9679 Winchester, Mascoutah, IL was sworn in. Mr. Givens states that they have an existing business where they work middle school, Elementary, High School athletes on speed, strength, mobility, and mainly injury prevention. Mr. Givens states that they have out grown the current location which is a nice problem to have, however, from an organizational standpoint and a safety standpoint they need to expand. He saw the spot over on Ludwig and it seems to be a really good fit for them. Mr. Given states that it is a pretty cut and dry plan that will have artificial turf, the weight room mostly free wights, bathrooms. He states that they are currently in communication with SSM

Physical therapy about going into the back and having that as an option.

Chairman Moats ask commissioners if they have any thoughts. No thoughts were discussed.

Chairman Moats then asked if there was anyone that would like to address the commissioners regarding this agenda item. Hearing none.

Commissioner Moats closed the public hearing.

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

RESOLUTION PC 11-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR AN ATHLETIC PERFORMANCE FACILITY AT 67 LUDWIG DR SUITE# 53-101.

WHEREAS, Austin Givens, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a development plan for an Athletic Facility parcel number 03-21.0-400-031, commonly known as 67 Ludwig Dr Suite# 53-101; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 as follows:

49. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on June 11, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
50. That the subject property is zoned "PB" Planned Business Zoned District.
51. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
52. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.

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

54. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Fowler upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, Brinson, Petroff, and Moats.

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 11th day of June, 2024.

Greg Moats

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

4. OLD BUSINESS

PC 03-24, Special Use Permit, 61 Ludwig Drive, Fairview Heights, Karen Hill Gray.

5. NEW BUSINESS

None.

6. ANNOUNCEMENTS

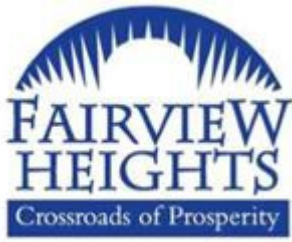
Director's Report- Mr. Alley states that we do already have one hearing for next month, and that he does expect to have at least one hearing every month. He states that since we only have one hearing scheduled for next month, we are going to try to get the Comprehensive Plan out the door and done with that with the development code. He does say that he would expect 1-2 hearings every month going forward. He states that we do have a lot of inquiries and re-development, and new development projects. Things are happening on the North end of town, the South end of town, and in the central corridor whether it is new construction, or tear down and re build construction.

7. ADJOURNMENT – The meeting was adjourned at 7:42 p.m.

Respectfully,

Dallas Alley
Director of Land Use and Development
DA/as

The next regularly scheduled meeting of the Fairview Heights Planning Commission will be on July 9th, 2024 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-12-24

REQUEST: Special Use Permit to allow a small Mexican Grocery Mart in the “PB” Planned Business zoning district at 515 Lincoln Hwy Suite #6. Also identified by St. Clair County PIN(s) 03-27.0-100-062. *VOTE REQUESTED.*

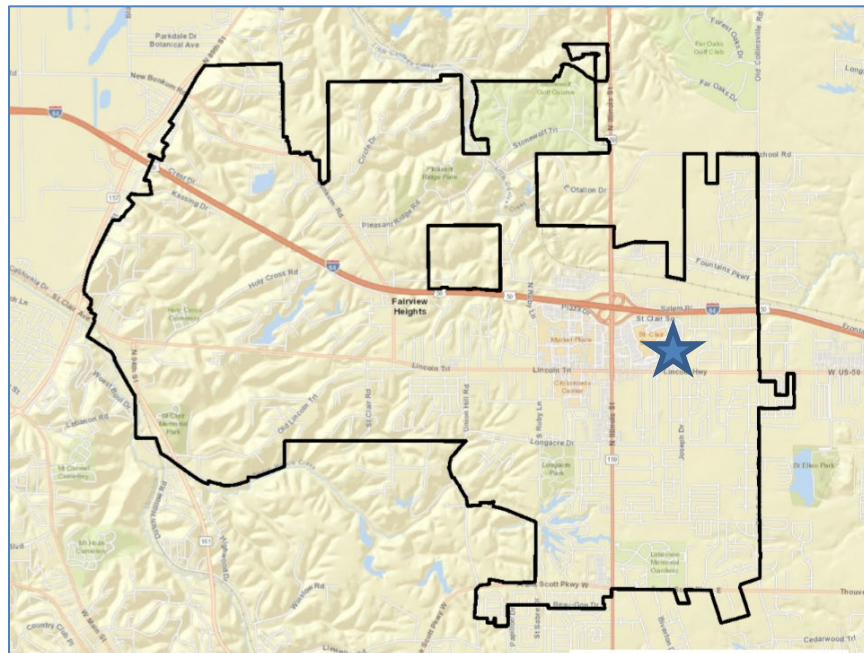
APPLICANT NAME: Tienda Mexicana Don Pedro

MEETING DATE: July 9, 2024

ZONING: PB – Planned Business

PLANNING COMMISSION ACTION: Consideration of the Special Use Permit, 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 applicant is seeking approval to allow a small Mexican grocery store that will include multiple items for sale.

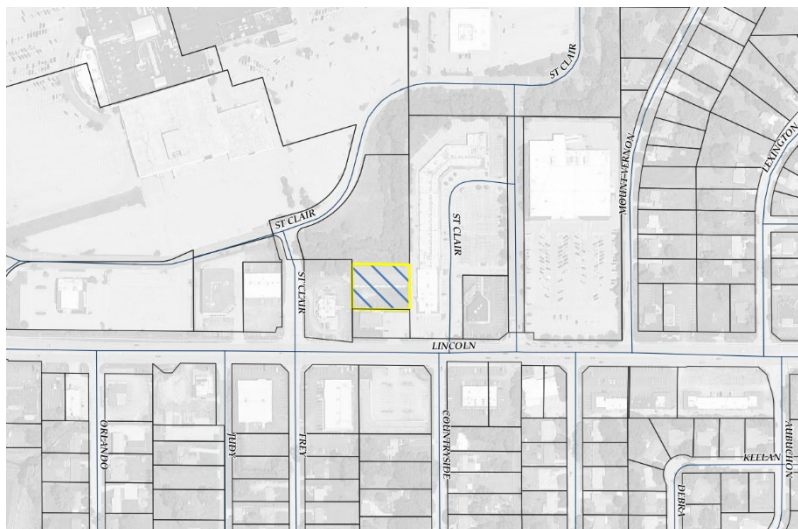
The subject property located at 515 Lincoln Hwy Suite #6 and is zoned PB- Planned Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. A grocery store is permitted; however, a Special Use Permit with Site Development Plan is required when there is a substantial change to an approved PB-Planned Business development site plan or where there could be impacts to traffic, noise or adjacent uses.

2. DISCUSSION

Context

The subject site is located in the north central portion of the City, south of IL I-64, and east of IL Rte 159. It is comprised of one parcel.

The zoning designation for this parcel is PB – Planned Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. Substantial changes to an approved planned business development site plan must be approved by the Planning Commission as established in Development Code Section 14-2-13 (G) Procedures in PB District.



Zoning: Site and Surrounding Areas

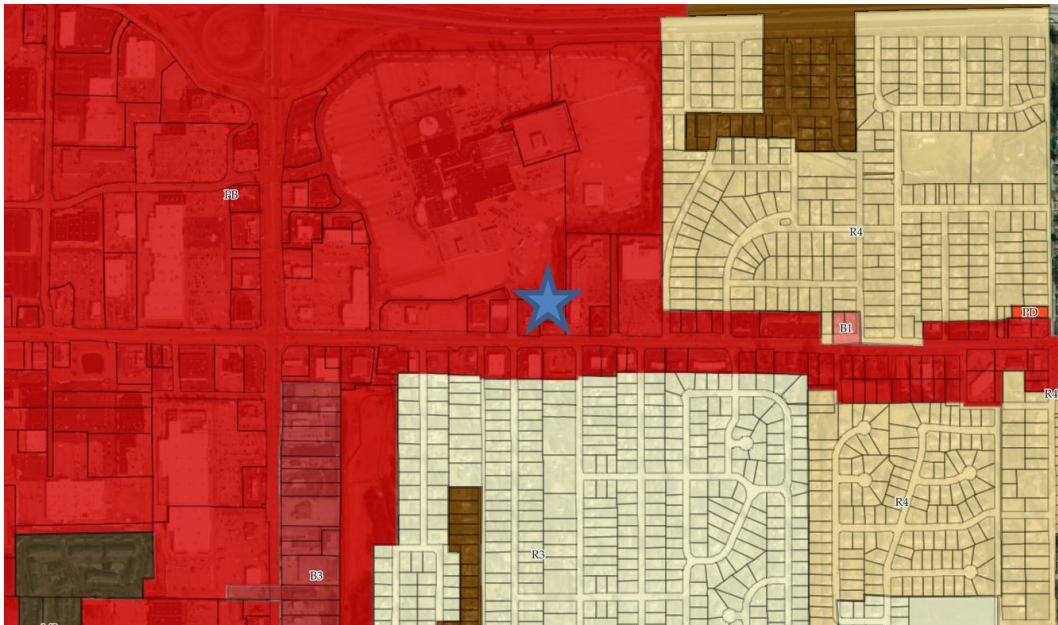
The zoning and land uses of adjoining and surrounding properties are as follows:

North: PB –Planned Business;

South: PB and R3 – Planned Business and Single Family Residential;

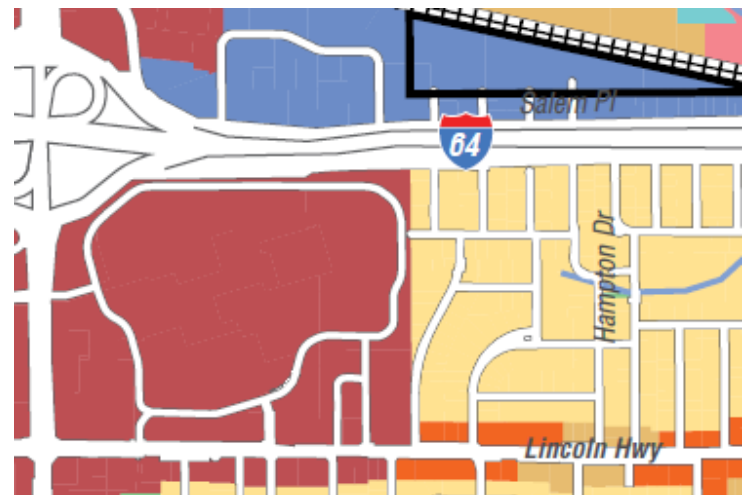
West: PB –Planned Business

East: PB –Planned Business.

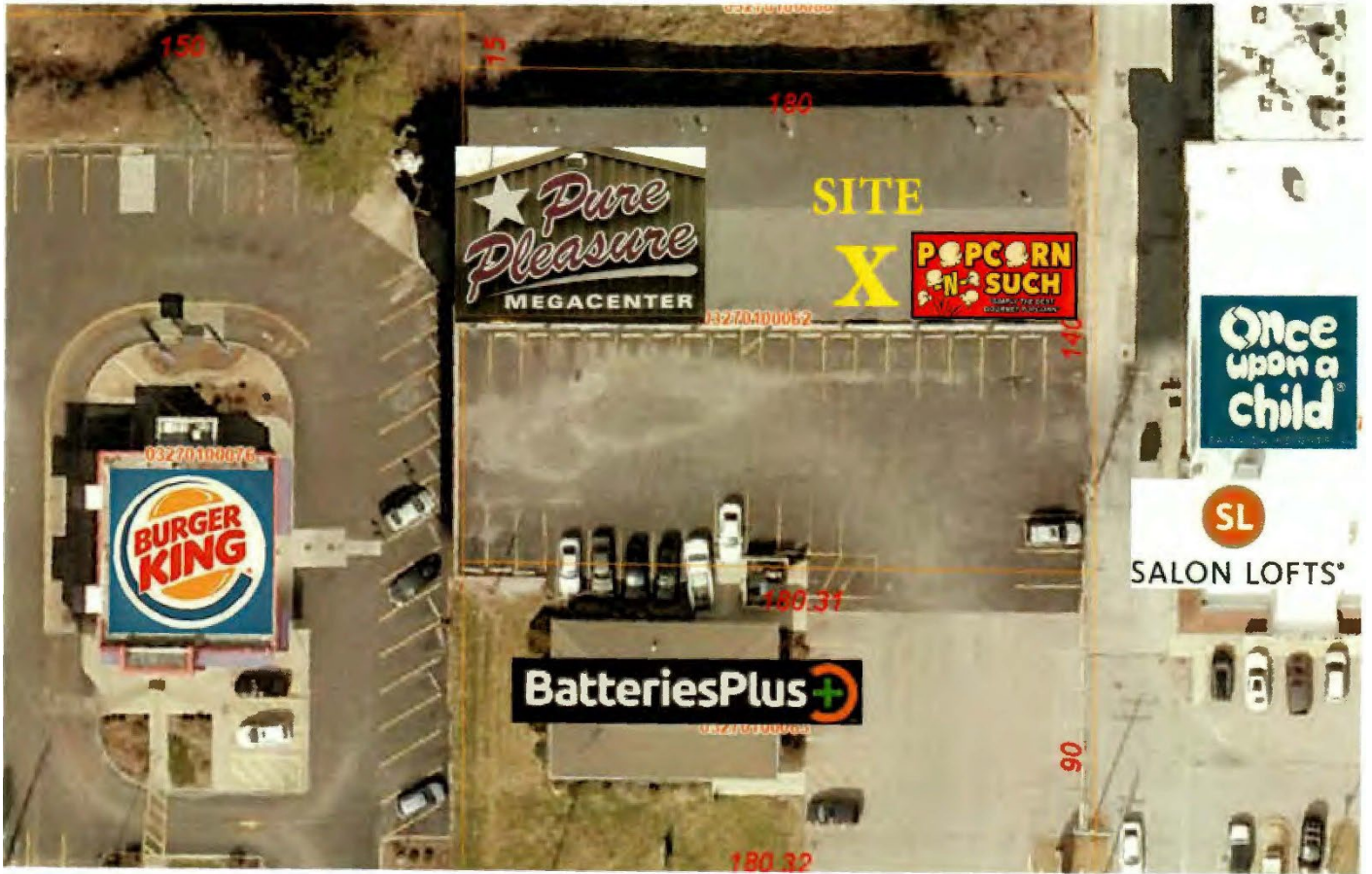


Future Land Use: Site and Surrounding Areas

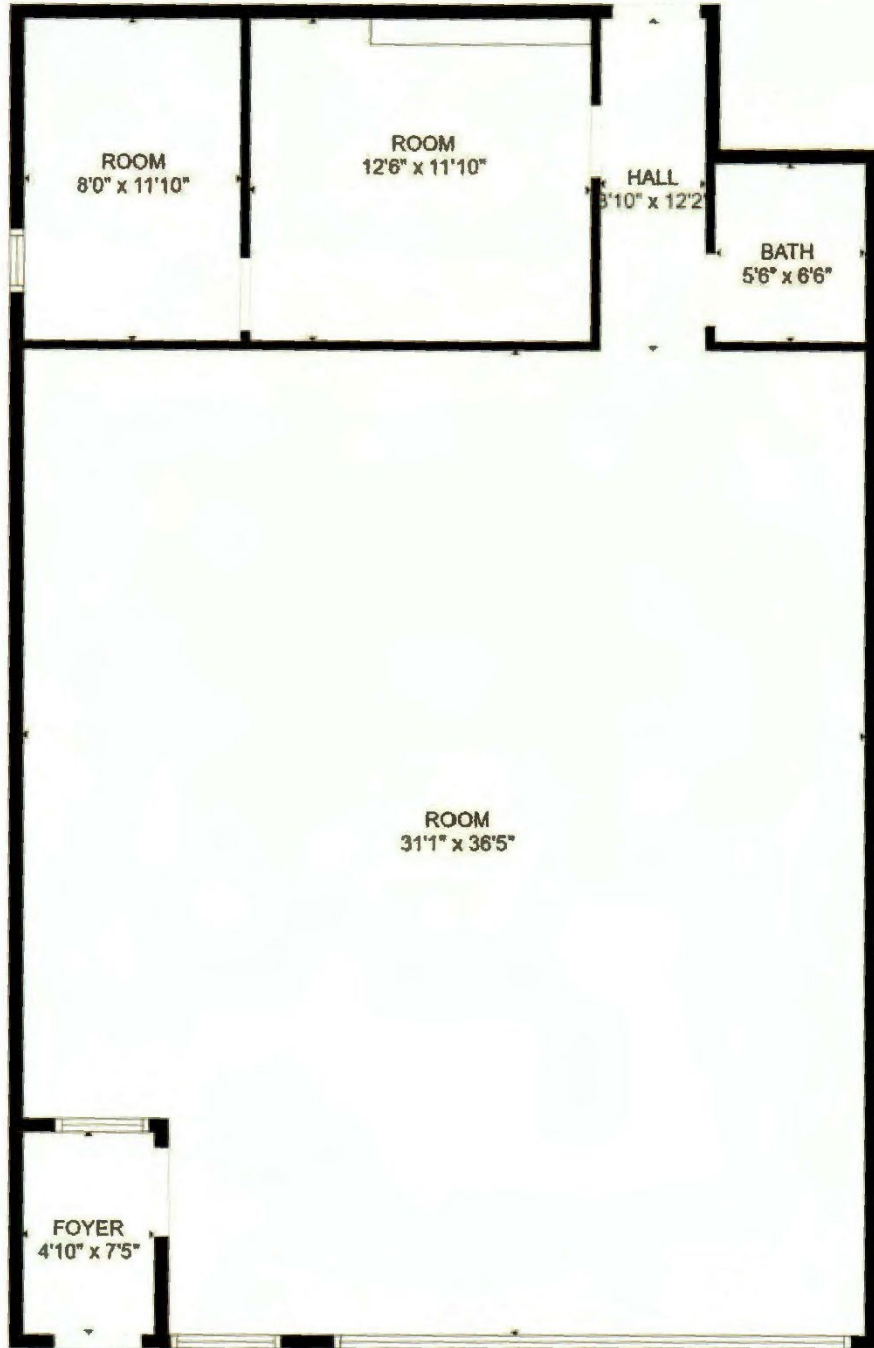
The Fairview Heights Comprehensive Plan identifies the subject site as Regional Commercial. This designation is an intense commercial land use consisting of larger commercial properties. The proposed use conforms with the Fairview Heights Comprehensive Plan.



Site Photograph



Interior Site Plan -



5. Legal Description

CASEYVILLE TWP SEC 27 & 22 LOT/SEC-27-SUBL/TWP-2N-BLK/RG-8W PT W 1/2 E 1/2 NW S OF I 64 DOC A02263095

I. Analysis: Site Development

The applicant is seeking approval for a small Mexican grocery store. In its deliberations, Planning Commission shall review general planning considerations and may impose conditions to the approval of this structure. Following are the criteria outlined in Chapter 14 of the Fairview Heights Code of Ordinances (Development Code) and proposed conditions, where applicable:

(a) *Permitted uses, including maximum floor area.*

The use of a grocery store is permitted in the PB Planned Business District.

(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 not to be modified.

(d) *Minimum yard requirements.*

n/a

(e) *Off-street parking and loading requirements*

The proposed parking and loading configuration is satisfactory to the zoning administrator.

(f) *Sign regulations*

The size and number of signs are prescribed in Article VII of the Development Code and will be reviewed during the permitting process. The location will also be determined at that time.

(g) *Minimum requirements for site development plans.*

Site development plans shall depict the proposed 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

Exhibits

1. Applicant's Narrative and Excerpted Supporting Documents
2. Resolution and Findings of Fact
3. Public notice

APPLICATION FOR SPECIAL USE PERMIT



5/23/24 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: <u>05/28/24</u>	CASE NUMBER ASSIGNED: <u>PC 12-24</u>
RESUBMITTALS RECEIVED/DATE:	APPLICATION FEES PAID (\$150 + \$25 per acre above one acre): <u>05/28/24</u>
ZONING DISTRICT:	DATE PUBLIC NOTICE SIGN POSTED:
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 _____ / _____
DATE OF MEETING: <u>07/09/24</u>	RESOLUTION NUMBER: (Maintain copy with LUD file)

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

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

Applicants are responsible for the following:

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

PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name: Tienda Mexicana Don-Pedros (Specialty Mexican Small Grocery Mart)
 Project Address: 513 (515) Lincoln Hwy #6 Fairview Heights, IL Advertised as 515 Lincoln Hwy, actual parcel per county is 513 Lincoln Hwy
 Parcel ID: _____
 Current Use of Property: Space #6 is currently vacant. Half of the building is leased to an adult toy/book Mega Center.
 Project Size/Acreage: Leasing Suite #6 which is 1,500 SF. The building sits on a 0.58 Acre Lot. Building is 8,330 SF
 Number of Lots: 1
 Density: _____

CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s): David Lee Legal Name: Kyung Hee Lee
 Mailing Address: 2 Regency Dr. Voorhees, NJ 08043
 Phone: 314-496-4608 cell
 E-Mail: david.lee.nj@gmail.com

Applicant/agent: Levi Mateo Gaspar Garcia
 Relationship to owner: Tenant
 Mailing Address: 109 Lee Dr. #4 O'Fallon, IL 62269
 Phone: 217 663-9009 cell
 E-Mail: Levingaspargarcia@gmail.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: 5/22/2024
 Printed Name: Kyung Hee Lee

Signature of Applicant:  Date: 5/22/2024
 Printed Name: Levi Mateo Gaspar Garcia

1. Site Plan

No Changes will be made to the exterior of the property except for the installation of signage on pylon and on building.



2. Narrative

Don Pedro's is a specialty grocery store and will start out with 6 employees.

Products to be sold include:

Meat, Fresh Pruduce, Prepared foods, Frozen food, Fruits, Vegetable, Spices, Seafood, Dairy, Baked Goods, Beverage, canned, packaged goods as well as for various non-food items such as kitchenware, household cleaners, pharmacy products, pet supplies, Clothing, shoes, Accessories.

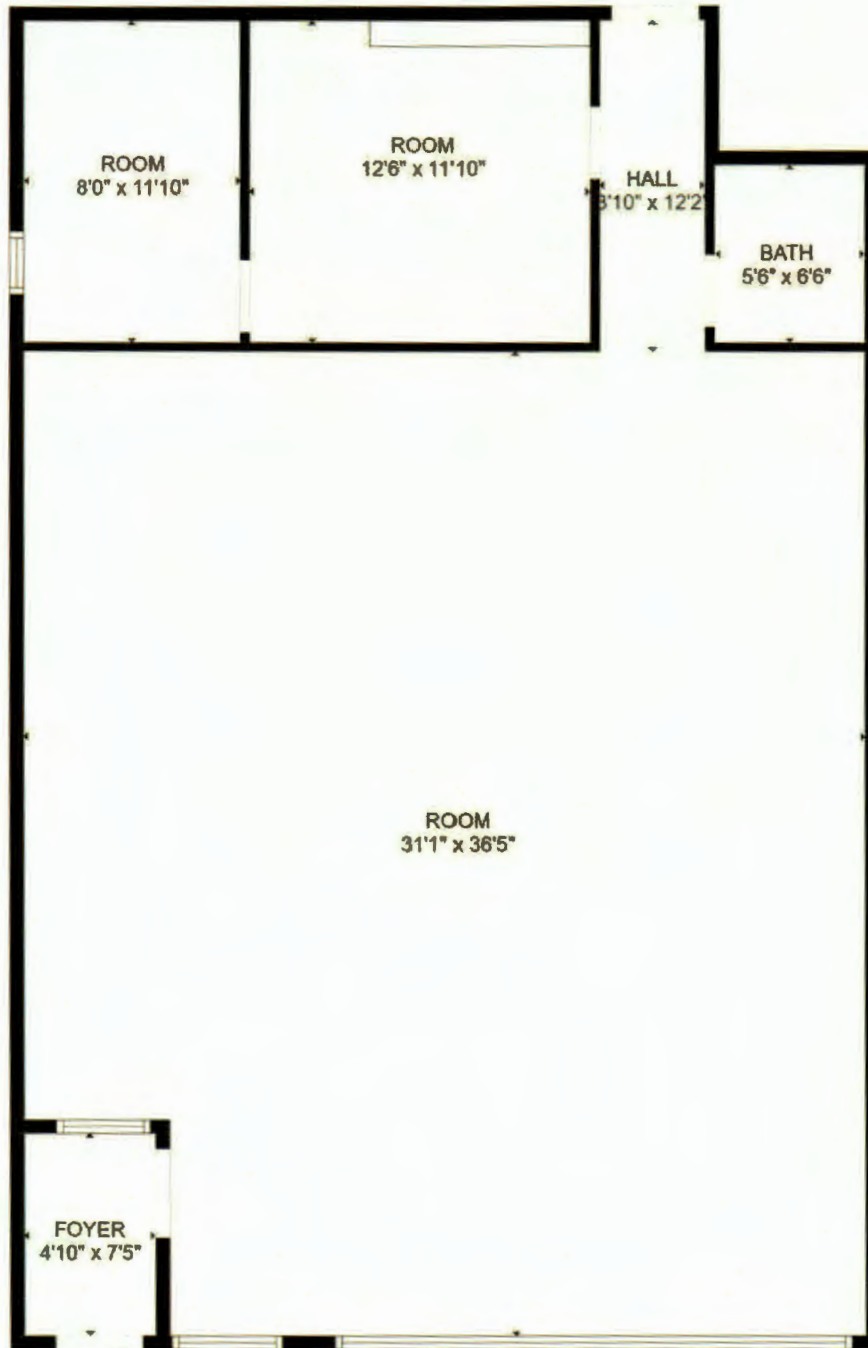
Plan to open shortly after being award this special use permit. So this summer.

There will be no major modifications made to the interior or exterior of the space. The interior will just have shelving and refrigerators installed and other furniture needed for retail business.

3. Phtograph of Exterior from Ground Level



4. Floor Plan



5. Legal Description

CASEVILLE TWP SEC 27 & 22 LOT/SEC-27-SUBL/TWP-2N-BLK/RG-8W PT W 1/2 E 1/2 NW S OF I 64 DOC A02263095

Amanda Schwartz

From: noreply@ncr.com
Sent: Tuesday, May 28, 2024 3:12 PM
To: levimathew38@gmail.com
Subject: Payment Receipt

Notice: This email was sent from an outside address.

Illinois: City of Fairview Heights

Payment Receipt

Thank You for Your Payment

Please save this Confirmation Number for your personal records.

Customer Name

Levi Mateo

Effective Date

5/28/2024 3:11 PM Central Standard Time

Confirmation Number

20005362

Payment Method	Amount
MasterCard ***** 0361	\$153.45
Item	Payment
Special Use Permit	\$150.00
Transaction Fee:	\$3.45
Total Amount Paid:	\$153.45

Payment Details

Special Use Permit

Name: LEVI MATEO GASPAR GARCIA - Address: 515 Lincoln hwy #6 Fairview Heights IL 62208 -
Levi Mateo - \$150.00

A Transaction Fee has been included in the total amount paid for this transaction.

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

RESOLUTION PC 12-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A
SPECIAL USE PERMIT FOR A SMALL MEXICAN GROCERY MART AT
515 Lincoln Hwy #6.

WHEREAS, Levi Mateo Gaspar Garcia, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a Small Mexican Grocery Mart parcel number 03-27.0-100-062, commonly known as 515 Lincoln Hwy Suite# 6; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business Zoned District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 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 July 9, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
2. That the subject property is zoned "PB" Planned Business Zoned District.
3. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
4. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.
5. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
6. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

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

And the following voted against the same: 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 July, 2024.

Planning Commission Chairman

ATTEST:

Land Use Director

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

RESOLUTION PC 12-24

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO DENIAL OF A SPECIAL USE PERMIT FOR AN SMALL MEXICAN GROCERY MART AT 515 Lincoln Hwy #6.

WHEREAS, Levi Mateo Gaspar Garcia, hereinafter referred to as the "Applicant," applied for a Special Use permit for approval of a Small Mexican Grocery Mart parcel number 03-27.0-100-062, commonly known as 515 Lincoln Hwy Suite# 6; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in PB Planned Business District be approved as a special use;

WHEREAS, the Applicant has properly applied for a special use permit.

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 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 July 9, 2024 and that said public hearing was properly advertised, both of which are incorporated by reference.
2. That the subject property is zoned "PB" Planned Business District.
3. That the Applicants special use permit for a Small Mexican Grocery Mart shall be denied, based on the following criteria

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

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 9th day of July, 2024.

Planning Commission Chairman

ATTEST:

Land Use Director



DEPARTMENT OF LAND USE AND DEVELOPMENT

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, July 9, 2024 at 7:00 p.m. This meeting will be held both in-person at the Fairview Heights City Hall, 10025 Bunkum Road, 62208 and virtually. Parties interested in attending the meeting virtually should contact Dallas Alley, Director of Land Use and Development at (618) 489-2061 or alley@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 in the "PB" Planned Business zoning district for placement of a Small Mexican Grocery Mart at 515 Lincoln Hwy Suite # 6 also identified by St. Clair County PIN(s) 03-27.0-100-062.

Request was made by Levi Mateo Gaspar Garcia, 109 Lee Dr #4, O'Fallon, IL 62269.

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

Dated this 17th day of June 2024.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Greg Moats, Chairman

PC 12-24