



City of Fairview Heights

CITY COUNCIL MEETING AGENDA
10025 BUNKUM ROAD
FAIRVIEW HEIGHTS, IL 62208
OCTOBER 6, 2020
7:00 P.M.

The City Council meeting will be held in the Recreation Room behind City Hall. Entrance is through the door next to the Police Department parking lot. There will also be remote access via conference call or video call. Please mute your phone during the meeting. Phone number: 1-650-215-5226
Passcode: 163 505 2067

A. Call to order

B. Pledge of Allegiance

C. Invocation

D. Roll call

E. Public participation

F. Consent Agenda:

City Council Minutes: September 15, 2020
Finance Director's Report

G. Committee Reports

H. Communication from Mayor

I. Communication from elected officials

J. UNFINISHED BUSINESS

Proposed Ordinance No. 16-'20, an Ordinance amending Ordinance No. 190, "The Revised Code," Chapter 8, Business Registration, Article 9, Section 8-9-3 Fee. (Administration Committee)

K. NEW BUSINESS

Proposed Resolution No. 24-'20, a Resolution approving a Special Use Permit and Site Development Plan for 6565 North Illinois within the "PB" Planned Business District to allow the construction and operation of a restaurant with drive-thru facility. (Community Committee)

Proposed Resolution No. 25-'20, a Resolution authorizing an Enterprise Zone Incentive to CA Jones, Inc., for a Redevelopment Project at 10890 Lincoln Trail in the City of Fairview Heights.(Community Committee)

L. ADJOURNMENT

**CITY OF FAIRVIEW HEIGHTS
CITY COUNCIL MINUTES
SEPTEMBER 15, 2020**

The regular meeting of the Fairview Heights City Council was called to order at 7:02 P.M. by Mayor Mark Kupsky and was held remotely due to the COVID19 Pandemic with the Pledge of Allegiance and Invocation by City Clerk Karen J. Kaufhold.

ROLL CALL

Roll call of Aldermen present: Joshua Frawley, Pat Baeske, Brenda Wagner, Harry Zimmerman, Pat Peck, Ryan Vickers, Bill Poletti, Denise Williams, and Frank Menn were present. Alderman Anthony LeFlore was absent. Mayor Mark Kupsky, City Clerk Karen Kaufhold, and City Attorney Andrew Hoerner were also present.

PUBLIC PARTICIPATION

Stanley Angus – stated that he is against the proposed taxes and also stated that he felt the single waste hauler program was a good idea for the City.

Stephen Warshaw - stated that adding additional taxes would be an additional burden for residents especially during COVID 19.

Elizabeth Opperman, stated people are struggling and the single waste hauler transition has been a hassle.

CONSENT AGENDA

Alderman Baeske moved to approve the August 18, 2020 City Council Minutes, Finance Director's Report and the bills and invoices presented in the amount of \$1,581,366.59. Seconded by Alderman Vickers.

Roll call on the motion showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Vickers, Poletti, Williams, and Menn voting "Yea." Alderman LeFlore was absent. Motion passed on 9 yeas and 1 absent.

COMMITTEE REPORTS

Mayor Kupsky announced the Community Committee will meet September 16th, 7:00 P.M.

COMMUNICATIONS FROM THE MAYOR

Mayor Kupsky stated our region is climbing in COVID numbers although St. Clair County is doing well, Bond and Clinton Counties are rising; COVID test sites will be held at Moody Park on September 24th and 25th from 8:00 A.M. to 4:00 P.M.; Mayor wished Alderman Zimmerman a Happy Birthday;

COMMUNICATIONS FROM THE MAYOR - continued

Mayor stated that a letter will be going out regarding Aspen Waste Haulers, who will be the City's single waste hauler and that a map is on the City's website showing the pickup days; Mayor stated that the City has been significantly impacted by COVID 19, the mall was closed for several months, our retailers were closed, our restaurants are partially open and our hotels are nearly vacant. Mayor stated that the City has seen approximately a half of a Million Dollar loss in revenue per month. Mayor also stated that the City has plowed streets, maintained parks, police services, streets, children's programs all with zero taxes to our residents and have done so for fifty years; Mayor stated that he is concerned that sales and COVID will impact the City even more. Mayor urged residents to review their tax bill. Mayor stated that schools are their own taxing districts.

COMMUNICATIONS FROM ELECTED OFFICIALS

Alderman Vickers – stated that the residents need to be educated about school district taxes. Alderman Vickers disagreed with the taxes on the agenda because the City hasn't educated or done the work to tell people.

Alderman Baeske – stated that Alderman Vickers was on board at the budget meetings and is not now.

Alderman Peck – stated that the school taxing districts are not the City's responsibility and mentioned how many services residents have already received for free.

Alderman Menn – stated that there are no secrets, everything is online, on the website and totally transparent. Alderman Menn stated that winter could be very scary this year and that the mall could close due to COVID 19.

NEW BUSINESS

Proposed Ordinance No. 16-'20, an Ordinance amending Ordinance No. 190, "The Revised Code," Chapter 8, Business Registration, Article 9, Section 8-9-3 Fee. Motion by Alderman Poletti. Seconded by Alderman Baeske. Proposed Ordinance No. 16-'20 was read for the first time.

Under the Omnibus Reading:

Proposed Ordinance No. 17-'20, an Ordinance amending Chapter 36 (Taxation) of the Revised Code of Ordinances of the City of Fairview Heights, Illinois as amended, by adopting Article VII (Simplified Municipal Telecommunications Tax).

Proposed Ordinance No. 18-'20, an Ordinance amending Chapter 36 (Taxation) of the Revised Code of Ordinances of the City of Fairview Heights, Illinois, as amended, by adopting Article VIII (Municipal Utility Taxes).

Proposed Ordinance No. 19-'20, an Ordinance amending Chapter 36 (Taxation) of the Revised Code of Ordinances of the City of Fairview Heights, Illinois, as amended, by

NEW BUSINESS - OMNIBUS READING - continued

adopting Article IX (Natural Gas Use Tax). Motion by Alderman Baeske. Seconded by Alderman Wagner. Proposed Ordinance No. 17-'20, Proposed Ordinance No. 18-'20 and Proposed Ordinance No. 19-'20 were read for the first time.

Alderman Baeske moved to advance Proposed Ordinance No. 17-'20, Proposed Ordinance No. 18-'20 and Proposed Ordinance No. 19-'20 to the second reading. Seconded by Alderman Frawley.

Roll call on the motion showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Poletti, Williams, and Menn voting "Yea." Alderman Vickers voting "Nay." Alderman LeFlore was absent. Motion passed on 8 yeas, 1 nay, and 1 absent.

Roll call on Proposed Ordinance No. 17-'20, Proposed Ordinance No. 18-'20 and Proposed Ordinance No. 19-'20 showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Poletti, Williams and Menn voting "Yea." Alderman Vickers voting "Nay." Alderman LeFlore was absent. Proposed Ordinance No. 17-'20, Proposed Ordinance No. 18-'20, and Proposed Ordinance No. 19-'20 passed on 8 yeas, 1 nay and 1 absent.

Proposed Ordinance No. 17-'20 now becomes **ORDINANCE NO. 1872-2020**;
Proposed Ordinance No. 18-'20 now becomes **ORDINANCE NO. 1873-2020**; and
Proposed Ordinance No. 19-'20 now becomes **ORDINANCE NO. 1874-2020**.

Proposed Ordinance No. 20-'20, an Ordinance suspending restrictions on allocation/utilization of Home Rule Tax Revenue under Chapter 36 (Taxation), Section 36-1-2 of the Revised Code of Ordinances, for Fiscal Year 2020-2021. Motion by Alderman Poletti. Seconded by Alderman Baeske. Proposed Ordinance No. 20-'20 was read for the first time.

Alderman Peck moved to advance Proposed Ordinance No. 20-'20 to the second reading. Seconded by Alderman Wagner.

Roll call on the motion showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Vickers, Poletti, Williams, and Menn voting "Yea." Alderman LeFlore was absent. Motion passed on 9 yeas and 1 absent.

Roll call on Proposed Ordinance No. 20-'20 showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Poletti, Williams and Menn voting "Yea." Alderman Vickers voting "Nay." Alderman LeFlore was absent. Proposed Ordinance No. 20-'20 passed on 8 yeas, 1 nay, and 1 absent.

Proposed Ordinance No. 20-'20 now becomes **ORDINANCE NO. 1875-2020**.

Proposed Resolution No. 23-'20, a Resolution for maintenance under the Illinois Highway Code. Motion by Alderman Baeske. Seconded by Alderman Wagner.

Roll call on Proposed Resolution No. 23-'20 showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Vickers, Poletti, Williams and Menn voting "Yea." Alderman LeFlore was absent. Proposed Resolution No. 23-'20 passed on 9 yeas and 1 absent.

Proposed Resolution No. 23-'20 now becomes **RESOLUTION NO. 4351-2020**.

Alderman Baeske moved to go into Executive Session as per ILCS 120/2 (c) (1) Personnel. Seconded by Alderman Poletti.

NEW BUSINESS - continued

Roll call on the motion to go into Executive Session showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Vickers, Poletti, Williams and Menn voting "Yea." Alderman LeFlore was absent. Motion passed on 9 yeas and 1 absent.

Mayor Kupsky withdrew the Executive Session from the City Council agenda.

Alderman Baeske moved to rescind the motion to go into Executive Session. Seconded by Alderman Poletti.

Roll call on the motion showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Vickers, Poletti, Williams and Menn voting "Yea." Alderman LeFlore was absent. Motion passed on 9 yeas and 1 absent.

Alderman Baeske moved to return to the regular City Council Meeting. Seconded by Poletti.

Roll call on the motion showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Vickers, Poletti, Williams and Menn voting "Yea." Alderman LeFlore was absent. Motion passed on 9 yeas and 1 absent.

Alderman Poletti moved to adjourn. Seconded by Alderman Peck.

Roll call on the motion to adjourn showed Aldermen Frawley, Baeske, Wagner, Zimmerman, Peck, Vickers, Poletti, Williams, and Menn voting "Yea." Alderman LeFlore was absent. Motion passed on 9 yeas and 1 absent.

Meeting adjourned at 8:20 P.M.

Respectfully submitted,

A handwritten signature in cursive script, reading "Karen J. Kaufhold".

KAREN J. KAUFHOLD
CITY CLERK

Memo

To: Mayor & City Council
From: Gina Rader - Director of Finance
CC: City Clerk & Directors
Date: October 1, 2020
Re: Finance Report – October 6, 2020 City Council Meeting

Budget

The revised Budget Books have been distributed for review. The budget will be revised at the October 14, 2020 Administration meeting after it is reviewed by City Council.

Audit

The FY 2019-2020 Audit is in the final stages of preparation. Scheffel Boyle has the intent to present the Audit at the October Administration meeting.

PROPOSED ORDINANCE NO. 16-'20

AN ORDINANCE AMENDING ORDINANCE NO. 190,
"THE REVISED CODE," CHAPTER 8, BUSINESS
REGISTRATION, ARTICLE 9, SECTION 8-9-3 FEE.

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

SECTION 1. AMENDMENT. Amendment of Ordinance No. 190, "THE REVISED
CODE," CHAPTER 8, BUSINESS REGISTRATION, ARTICLE 9, SECTION 8-9-3, FEE,
reading as follows:

"8-9-3 FEE. The annual fee is Twenty Five Dollars (\$25.00) and shall be
submitted with the registration application. This fee is non-refundable and is used solely
for the administration of this Article."

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

**"8-9-3 FEE. The annual fee is Fifty Dollars (\$50.00) and shall be submitted
with the registration application. This fee is non-refundable and is used solely for
the administration of this Article."**

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

READ FIRST TIME: SEPTEMBER 15, 2020

READ SECOND TIME:

PASSED:

APPROVED:

PUBLISHED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

PROPOSED RESOLUTION NO. 24-'20

A RESOLUTION APPROVING A SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN FOR 6565 NORTH ILLINOIS WITHIN THE 'PB" PLANNED BUSINESS DISTRICT TO ALLOW THE CONSTRUCTION AND OPERATION OF A RESTAURANT WITH DRIVE-THRU FACILITY.

WHEREAS, the Planning Commission on September 8, 2020 held the necessary Public Hearing and reviewed the Special Use Permit application and has transmitted its Advisory Report to the City Council.

WHEREAS, the Community Committee of City Council on September 16, 2020 reviewed the Special Use Permit application and the Planning Commission Advisory Report and recommended forwarding same to the full City Council.

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

SECTION 1. APPROVAL. The Special Use Permit and Site Development Plan for 6565 North Illinois within the "PB" Planned Business District to allow the construction and operation of a restaurant with drive-thru facility is hereby approved.

SECTION 2. CONDITIONS. The conditions of this Special Use Permit and Site Development Plan are contained in the Findings of Fact adopted by Planning Commission Resolution PC04-20 attached hereto, made a part hereof and marked "EXHIBIT A."

SECTION 3. SUPPORTING DOCUMENTS. A copy of the Planning Commission's Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT A." A copy of the application documents are attached hereto made a part hereof and marked "EXHIBIT B."

SECTION 4. PASSAGE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

"EXHIBIT A"



**DEPARTMENT OF
LAND USE AND DEVELOPMENT**

September 24, 2020

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

Dear City Council Member:

The petition listed below is hereby transmitted for your consideration at the October 6, 2020 City Council Meeting:

APPLICATION NUMBER:	PC-04-20
REQUEST:	Special Use Permit (SUP) with Site Development Plan to allow the construction of a restaurant with drive-thru at 6565 N. Illinois Avenue
APPLICANT NAME:	Raising Cane's LLC c/o Robert Vann, 6800 Bishop Road, Plano, TX 75024
ZONING:	PB-Planned Business
CITY COUNCIL ACTION:	Consider Planning Commission's recommendation to approve the SUP and Site Development Plan; adopt a Resolution.

On September 16, 2020, the Community Committee recommended this application be forwarded to City Council. Attached is the staff advisory, application materials and Plan Commission Resolution pertaining to the request.

Respectfully,

Jim Bramstedt

Jim Bramstedt, Chairman
Planning Commission

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

RESOLUTION PC 04 -20

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

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

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

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on September 8, 2020 and that said public hearing was properly conducted and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject properties are zoned "PB" Planned Business District.
3. That this permit will not require changes to traffic circulation and ingress/egress. An operational traffic circulation plan has been submitted if changes should occur and shall be refined if needed.
4. That this permit will not require minor enhancements to landscaping, lighting, landscaping and the existing site usage.
5. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
6. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
7. That the proposed use will not be hazardous or disturbing to existing neighboring uses.
8. That the proposed use will be served adequately by public facilities and services such as highways and streets.
9. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.

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

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

and the following voted against the same: None.
and the following abstained: None.
and the following were absent: Herrington,
Moats, & Carthen

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

Planning Commission Chairman

ATTEST:

Land Use Director



DEPARTMENT OF LAND USE AND DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC-04-20

REQUEST: Special Use Permit (SUP) with Site Development Plan to allow the construction of a restaurant with drive-thru at 6565 N. Illinois Avenue

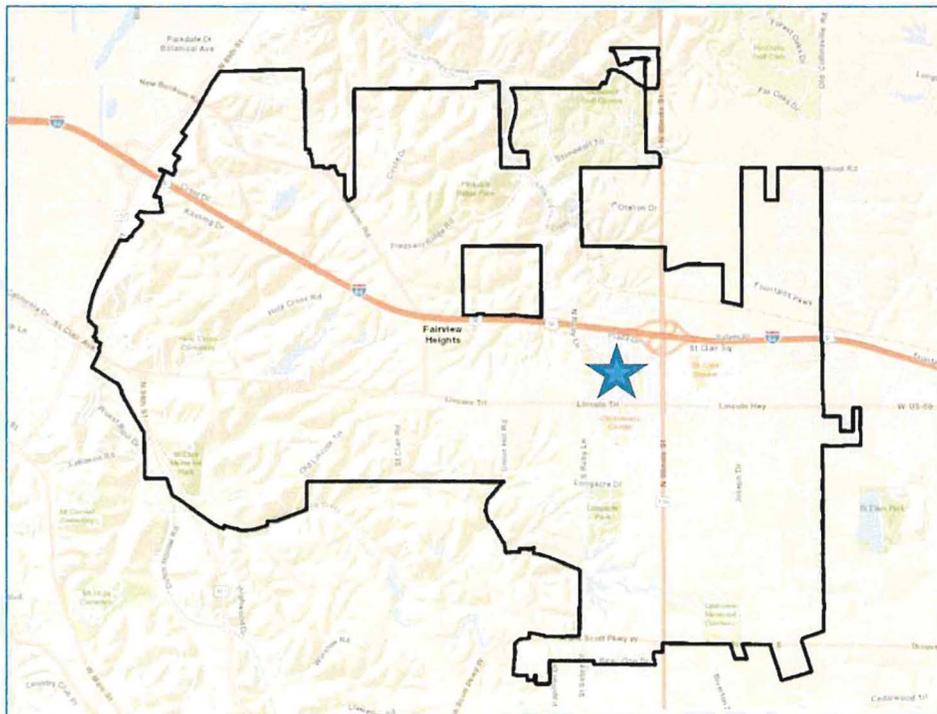
APPLICANT NAME: Raising Cane's LLC c/o Robert Vann, 6800 Bishop Road, Plano, TX 75024

MEETING DATE: September 8, 2020

ZONING: PB-Planned Business

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

GENERAL LOCATION:



STAFF ADVISORY

1. BACKGROUND

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

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

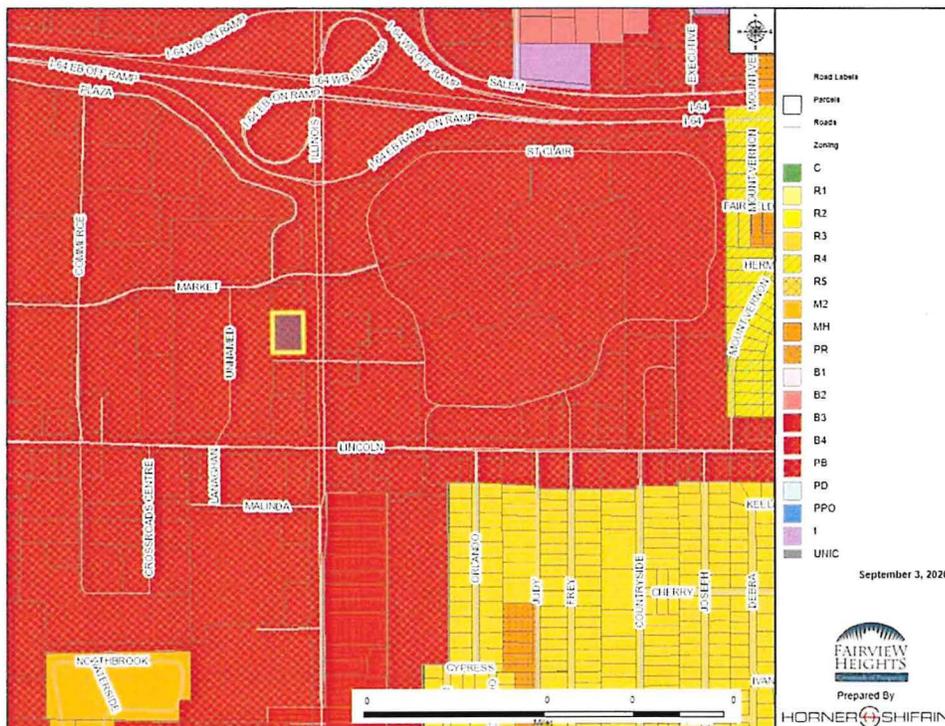
2. DISCUSSION

Context

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

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

Zoning: Site and Surrounding Areas



Aerial Map



General Project Information

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

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

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

Planning Considerations

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

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

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

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

(a) Permitted uses, including maximum floor area.

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

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

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

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

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

(c) Height limitations.

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

(d) Minimum yard requirements.

n/a

(e) Off-street parking and loading requirements

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

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

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

(f) Sign regulations

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

(g) Minimum requirements for site development plans.

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

(h) Time limitations for commencement of construction.

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

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

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

(j) *Rights of way dedication and road improvements.*

n/a

Other Development Guidelines

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

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

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

14-3-34 Stormwater management

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

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

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

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

14-4-10 Lighting Controls

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

II. Special Use Permit Analysis

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

Finding: *The City's Comprehensive Plan identifies the subject property as retail/commercial. Therefore, the proposed use is consistent with the intent of the comprehensive plan.*

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

Finding: *The project is the redevelopment of an existing site. It is not expected to impact the schools or public utilities.*

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

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

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

Finding: *N/A*

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

Finding: *N/A*

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

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

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

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

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

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

Exhibits

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

PROJECT INFORMATION FOR SPECIAL USE PERMIT

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

CONTACT INFORMATION FOR SPECIAL USE PERMIT

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

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

AUTHORIZATION

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

I consent that the entry upon the premises described in this application by an authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

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

Signature of Owner:  Date: 8/10/2020
 Printed Name: Brian Neltner

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



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

August 11, 2020

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

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

Our Project No. 20197

Dear Planning Commission,

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

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

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

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

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

Parcel 2:

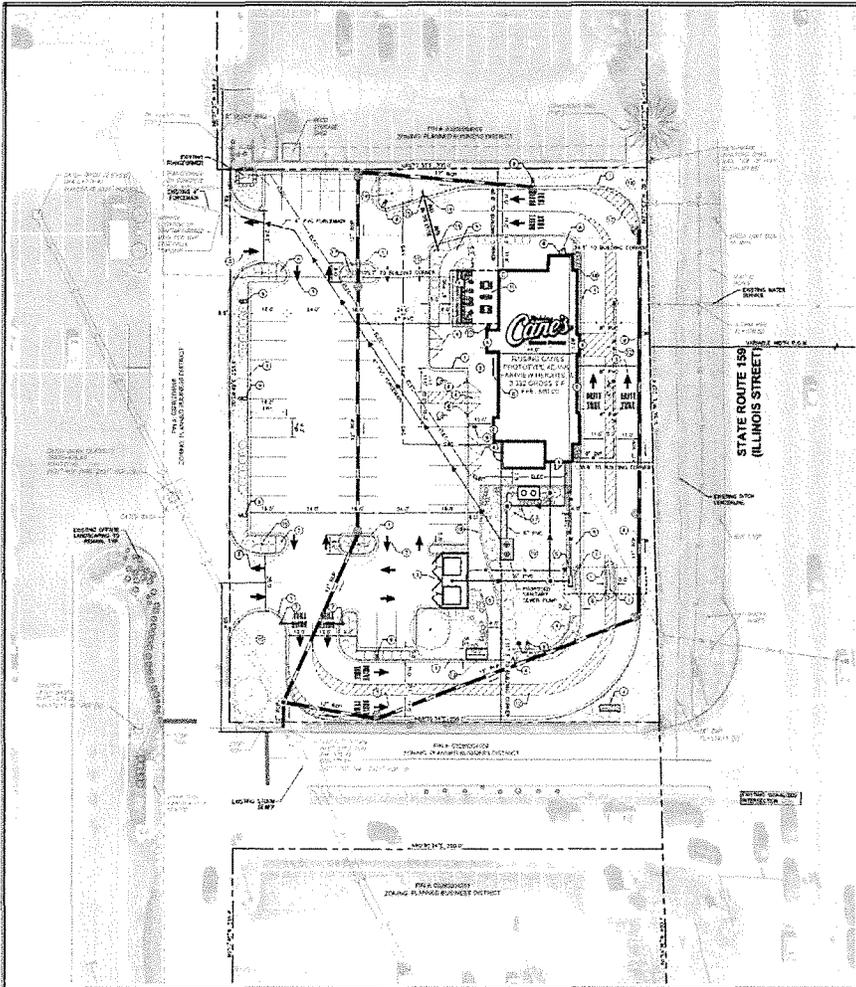
Perpetual non-exclusive easement for (1) pedestrian and vehicular ingress and egress; (ii) installation, operation, maintenance, repair and replacement of utility facilities; (iii) performing maintenance, repairs, resurfacing or replacements; and (iv) maintenance, repairs, replacement and alterations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

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

Sincerely,

Dustin Johnston

Dustin Johnston
ADA Architects, Inc



SITE KEYNOTE LEGEND

○	EXISTING TREE
○	PROPOSED TREE
○	PROPOSED TREE (10' DIA. @ 10' HGT.)
○	PROPOSED TREE (12' DIA. @ 12' HGT.)
○	PROPOSED TREE (14' DIA. @ 14' HGT.)
○	PROPOSED TREE (16' DIA. @ 16' HGT.)
○	PROPOSED TREE (18' DIA. @ 18' HGT.)
○	PROPOSED TREE (20' DIA. @ 20' HGT.)
○	PROPOSED TREE (22' DIA. @ 22' HGT.)
○	PROPOSED TREE (24' DIA. @ 24' HGT.)
○	PROPOSED TREE (26' DIA. @ 26' HGT.)
○	PROPOSED TREE (28' DIA. @ 28' HGT.)
○	PROPOSED TREE (30' DIA. @ 30' HGT.)
○	PROPOSED TREE (32' DIA. @ 32' HGT.)
○	PROPOSED TREE (34' DIA. @ 34' HGT.)
○	PROPOSED TREE (36' DIA. @ 36' HGT.)
○	PROPOSED TREE (38' DIA. @ 38' HGT.)
○	PROPOSED TREE (40' DIA. @ 40' HGT.)
○	PROPOSED TREE (42' DIA. @ 42' HGT.)
○	PROPOSED TREE (44' DIA. @ 44' HGT.)
○	PROPOSED TREE (46' DIA. @ 46' HGT.)
○	PROPOSED TREE (48' DIA. @ 48' HGT.)
○	PROPOSED TREE (50' DIA. @ 50' HGT.)
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○	PROPOSED TREE (92' DIA. @ 92' HGT.)
○	PROPOSED TREE (94' DIA. @ 94' HGT.)
○	PROPOSED TREE (96' DIA. @ 96' HGT.)
○	PROPOSED TREE (98' DIA. @ 98' HGT.)
○	PROPOSED TREE (100' DIA. @ 100' HGT.)

SIGNAGE LEGEND

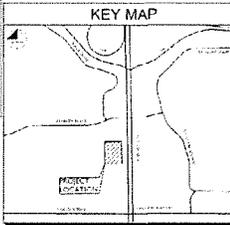
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LEGEND

○	PROPOSED DRIVEWAY
○	PROPOSED DRIVEWAY (10' WIDE)
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○	PROPOSED DRIVEWAY (14' WIDE)
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○	PROPOSED DRIVEWAY (98' WIDE)
○	PROPOSED DRIVEWAY (100' WIDE)

PLANT SCHEDULE

1	COYOTE PLUM
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100	DOGWOOD



SITE ANALYSIS TABLE

1	EXISTING DRIVEWAY	10'
2	EXISTING DRIVEWAY	12'
3	EXISTING DRIVEWAY	14'
4	EXISTING DRIVEWAY	16'
5	EXISTING DRIVEWAY	18'
6	EXISTING DRIVEWAY	20'
7	EXISTING DRIVEWAY	22'
8	EXISTING DRIVEWAY	24'
9	EXISTING DRIVEWAY	26'
10	EXISTING DRIVEWAY	28'
11	EXISTING DRIVEWAY	30'
12	EXISTING DRIVEWAY	32'
13	EXISTING DRIVEWAY	34'
14	EXISTING DRIVEWAY	36'
15	EXISTING DRIVEWAY	38'
16	EXISTING DRIVEWAY	40'
17	EXISTING DRIVEWAY	42'
18	EXISTING DRIVEWAY	44'
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20	EXISTING DRIVEWAY	48'
21	EXISTING DRIVEWAY	50'
22	EXISTING DRIVEWAY	52'
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26	EXISTING DRIVEWAY	60'
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29	EXISTING DRIVEWAY	66'
30	EXISTING DRIVEWAY	68'
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32	EXISTING DRIVEWAY	72'
33	EXISTING DRIVEWAY	74'
34	EXISTING DRIVEWAY	76'
35	EXISTING DRIVEWAY	78'
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37	EXISTING DRIVEWAY	82'
38	EXISTING DRIVEWAY	84'
39	EXISTING DRIVEWAY	86'
40	EXISTING DRIVEWAY	88'
41	EXISTING DRIVEWAY	90'
42	EXISTING DRIVEWAY	92'
43	EXISTING DRIVEWAY	94'
44	EXISTING DRIVEWAY	96'
45	EXISTING DRIVEWAY	98'
46	EXISTING DRIVEWAY	100'



RAISING CANE'S RESTAURANT
 10000 ILLINOIS STREET
 FAIRVIEW HEIGHTS, IL 60129
 PROJECT NO. 4617
 SITE PLAN



ARCHITECTS, INC.
 10000 ILLINOIS STREET
 FAIRVIEW HEIGHTS, IL 60129
 PROJECT NO. 4617
 SUP APPLICATION

Kimley-Horn
 ARCHITECTS, INC.
 10000 ILLINOIS STREET
 FAIRVIEW HEIGHTS, IL 60129
 PROJECT NO. 4617
 SUP SITE PLAN

DATE 08/11/2020

SCALE 1/8" = 1'-0"

PROJECT NO. 4617

SHEET NO. EXH.



CITY OF FAIRVIEW HEIGHTS

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

PUBLIC HEARING NOTICE

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

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

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

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

Dated this 18th day of August, 2020.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Jim Bramstedt, Chairman

PC04-20

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

RESOLUTION PC 04 -20

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

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

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

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on September 8, 2020 and that said public hearing was properly conducted and that the minutes of said public hearing are hereby incorporated by reference.
2. The subject properties are zoned "PB" Planned Business District.
3. That this permit will/will not require changes to traffic circulation and ingress/egress. An operational traffic circulation plan has been submitted if changes should occur and shall be refined if needed.
4. That this permit will/will not require minor enhancements to landscaping, lighting, landscaping and the existing site usage.
5. That the proposed use will/will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
6. That the proposed use will/will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
7. That the proposed use will/will not be hazardous or disturbing to existing neighboring uses.
8. That the proposed use will/will not be served adequately by public facilities and services such as highways and streets.
9. That the proposed use will/will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.

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

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

and the following voted against the same:

and the following abstained:

and the following were absent:

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

Planning Commission Chairman

ATTEST:

Land Use Director

PROPOSED RESOLUTION NO. 25-'20

**A RESOLUTION AUTHORIZING AN ENTERPRISE
ZONE INCENTIVE TO CA JONES, INC. FOR A
REDEVELOPMENT PROJECT AT 10890 LINCOLN
TRAIL IN THE CITY OF FAIRVIEW HEIGHTS.**

WHEREAS, the City of Fairview Heights, as a Home Rule unit of government under the Constitution of the State of Illinois, possesses the authority under its home rule powers and under the Illinois Enterprise Zone Act, 20 ILCS 655/1 et seq. ("Enterprise Zone Act"), to enter into this agreement with CA Jones, Inc. in furtherance of its redevelopment plan and project to, *inter alia*, promote the health, safety, and welfare of the City's inhabitants by promoting enhancements to the local tax base and to create employment; and

WHEREAS, on December 16, 2014, the City Council of the City approved Ordinance No. 1673-2014, entitled "An Ordinance Establishing an Enterprise Zone in the City of Fairview Heights, Illinois," which authorized application to the State of Illinois for a Fairview Heights Enterprise Zone and defined the boundaries for said Enterprise Zone as illustrated in attached hereto, made a part hereof and marked "EXHIBIT A"; and

WHEREAS, on December 17, 2015, the State of Illinois certified the Fairview Heights Enterprise Zone effective January 1, 2016 and running until December 31, 2030; and

WHEREAS, CA Jones, Inc has proposed to undertake certain improvements at 10890 Lincoln Trail, Fairview Heights, Illinois, 62208 (hereinafter referred to as "the Project"), has certified that it cannot complete the Project but for provision of a Building Materials Exemption (hereinafter "BMEC"), an Enterprise Zone incentive, and applied for said BMEC via a Business Assistance Program Application attached hereto, made a part hereof and marked "EXHIBIT B" on August 31, 2020; and

WHEREAS, the City Council of the City reviewed said application at their Community Committee meeting on September 16, 2020 at which time and date its approval was recommended;

WHEREAS, the City Council of the City has determined that the Project furthers the objectives of the Lincoln Trail District redevelopment plans and is authorized under the Enterprise Zone Act and the City's home rule powers; and

WHEREAS, the City Council of the City hereby waives a portion of the Business Assistance Program ("BAP") for good cause as allowed under Section 4, Article 14 of the BAP Application Review Procedures.

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

That the statements in the preamble above are hereby accepted as findings of fact by the City Council of the City.

That the Enterprise Zone Administrator for the City is authorized to provide contractors and subcontractors for CA Jones, Inc. such BMEC certificates according to mandated procedures attached hereto, made a part hereof and marked "EXHIBIT C" as may be required for purchase of building materials used in the Project.

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

PASSED:

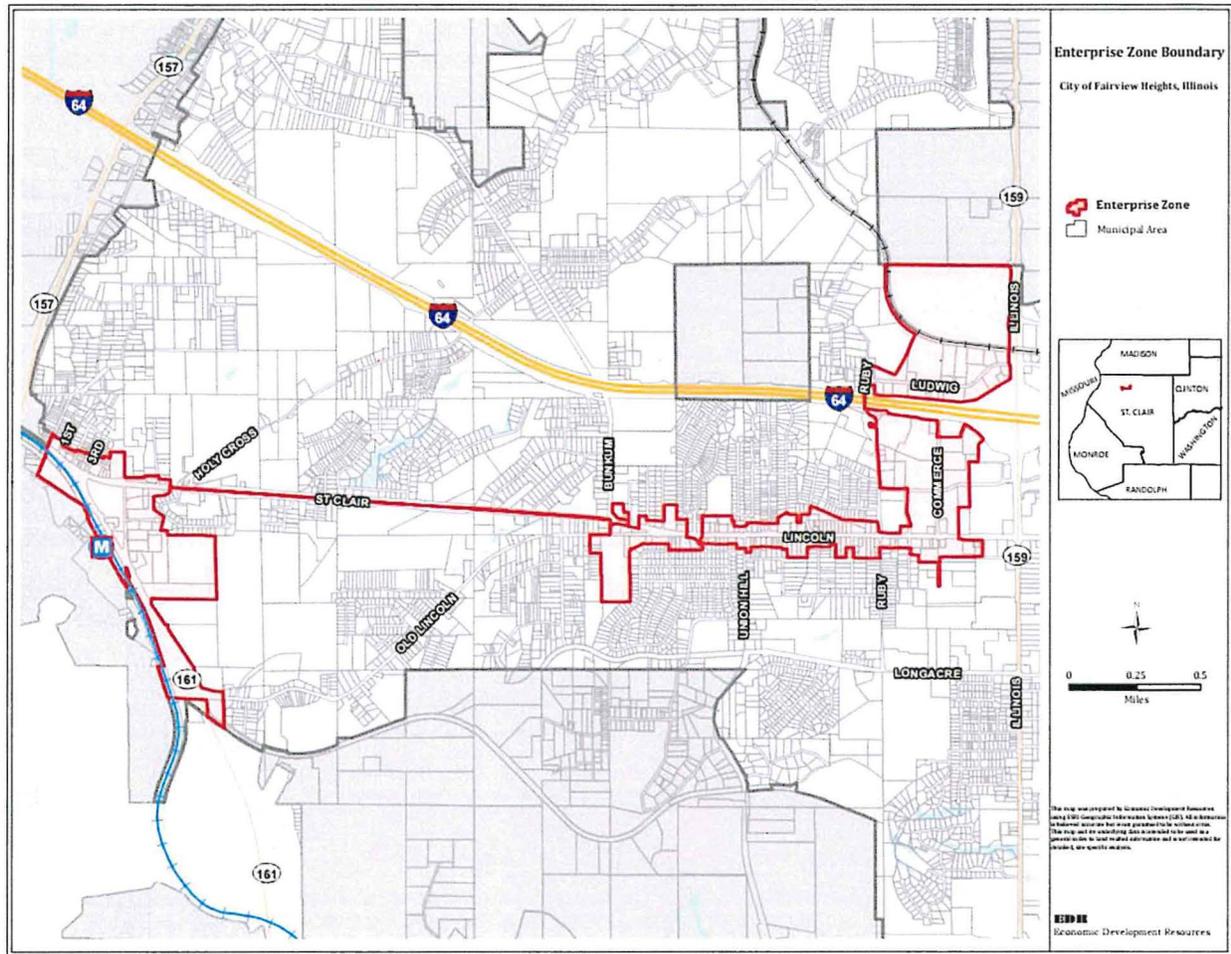
APPROVED:

MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD – CITY CLERK

EXHIBIT A



Fairview Heights Enterprise Zone

Exhibit "B"

APPENDIX 1

Application #: _____

Business Assistance Program Application

Applicant Information

1. Name of Person Completing Application: Michael Needles
2. Address: PO Box 1005 Columbia IL 62234
3. Phone Number: 618 53 8300
4. Fax Number: 618 281 7926
5. Email: Sales @ Cajones inc . com

Business Information

1. Business Name: CA Jones Inc
2. Owner: Chris Jones
 - a. Representative of owner: Michael Needles
 - b. Does Representative have a financial interest in the project? Yes No
 - c. If yes, what is the percentage level of participation? _____ %
3. State of Organization: IL
4. Address: PO Box 1005 Columbia IL 62230
5. Phone Number: 618 281 7927
6. Fax Number: 618 281 7926
7. Email: Office @ Cajonesinc.com
8. Type of Business Entity: Corporation

Project Information

Provide the Street Address of the project: 10890 Lincoln Trail Fairview Heights

1. Is project located in
- Lincoln Trail Tax Increment Finance District (See Map Exhibit A)
 - Fairview Heights Tax Increment Finance District (See Map Exhibit B)
 - St. Clair Square Shoppes Tax Increment Finance (See Map Exhibit C)
 - St. Clair Square Shoppes Business District (See Map Exhibit C)
 - City of Fairview Heights (See Map Exhibit D)
 - Lincoln Trail TIF Façade and Site Improvement Program (see Map Exhibit E)
 - Fairview Heights TIF #4 (See Map Exhibit F)
 - Ludwig Drive TIF (See Map Exhibit G)
 - State Route 159 North TIF (See Map Exhibit H)
 - Enterprise Zone (See Map Exhibit I)

2. Have you completed an application for Site Plan Review (Appendix 2)?
- YES NO
- If Yes, attach a copy of your completed Site Plan Review application, *including copies of any Site Development Plans, Maps, or any other supporting documentation*. If No, contact the Director of Land Use, Planning, and Development to obtain and complete all necessary applications.

3. What is the current zoning classification of the property? B2
- Will the proposed project require a zoning amendment, variance, or special use permit? NO
- If Yes, provide application numbers and dates for each application: _____

4. What is the nature of the proposed project?
- New Construction Expansion Occupancy of Existing Building
- If new construction specify as: Commercial; Residential; Industrial

5. Provide a narrative description of the proposed project (attach additional pages if necessary). Applicant must be as specific as possible in describing: (1) the type of business proposed to be conducted at the site; (2) current condition of the site including size and condition of any existing structures, environmental conditions, and past uses of the site; (3) proposed development/redevelopment activities, scope of work, type of construction, etc.; (4) financing; (5) why Business Assistance Program monies are necessary for completion of the project; and (6) how the project is consistent with the goals and objectives identified in the TIF Redevelopment Plan or Business District Plan.

We plan on opening up a design studio for our customers to select options being built into their new homes throughout the metro east. We will remodel the current facility to create an interactive design experience. Our marketing offices will also be located in this building.

6. Are any public infrastructure improvements required for this project to proceed?
- YES NO. If Yes, describe improvements required:
- _____
- _____

7. Will the applicant obtain competitive bids from local contractors and sub-contractors?
- YES NO

8. Identify: Project Start Date: 9/15/20 and Project Completion Date: 11/30/20

Project Costs

1. Estimated Total Project Cost: complete the following worksheet

Remodeling/Rehabilitation/Expansion (TOTAL):	\$ <u>50,000</u>
Labor	\$ <u>20,000</u>
Materials	\$ <u>30,000</u>
New Construction (TOTAL):	\$
Labor	\$
Materials	\$
Capital Equipment:	\$ <u>15,000</u>
Site Improvements (Acquisition/Preparation, etc.):	\$ <u>10,000</u>
Other:	\$
TOTAL ESTIMATED PROJECT COST:	\$ <u>75,000</u>

* Attach evidence (such as commitment letters or terms sheets) evidencing that the portion of the project funded by private investment will be financed, as well as the source of the funding.

Public Benefits

Provide the Property Identification Number (PIN) for each parcel of property comprising the proposed project area, as well as the current equalized assessed value (EAV) and property taxes as stated on the most recent tax bill for each parcel. Please provide an estimated projection of the EAV and taxes resulting from the project.

PIN	EAV	TAXES	Projected EAV	Projected TAXES
<u>03-28-0-42-012</u>	<u>98,274</u>	<u>7006.26</u>		

Existing sales subject to sales tax: _____

Proposed sales subject to sales tax: _____

Existing number of FTE jobs: 8

Proposed number of FTE jobs: 10-12

Indicate the total amount of financial assistance requested (in current dollars): \$ _____ .00

* Attach data supporting the financial feasibility of the project, the projected performance outcomes of the requested financial assistance, or any professional studies or reports supporting the viability of the project.

Describe the public benefits that will be realized by the completion of this project. Examples of public benefits include, but are not limited to, creation of affordable housing, creation of new permanent jobs, creation of new retail choices in an underserved neighborhood, rehabilitation of a historic building, catalyst for new private investment in a neighborhood, re-occupancy of a vacant building, elimination of blight, incorporation of environmentally-friendly features, job training opportunities (attach additional sheets if necessary):

This project will bring positions to full time employees w/ shop & eat in the area. We will bring new home buyers to the area from all around the Metro east introducing them to the 1-3 amenities, restaurants & shopping in Fairview Heights.

EXHIBIT C



MEMORANDUM

ECONOMIC DEVELOPMENT DEPT.

TO: Mayor & City Council

FROM: Paul Ellis, Enterprise Zone Administrator / Director of Economic Development

RE: **Procedure for Providing Building Material Exemption Certificates (BMECs)**

The Building Material Exemption Certificate (BMEC) is authorization for a contractor or sub-contractor to secure a waiver for all sales tax on building materials used in a designated project pursuant to the following guidelines:

- a. The BMEC is an Enterprise Zone incentive subject to regulation under the Illinois Enterprise Zone Act;
- b. The waiver must be approved by the City Council following the guidelines of the Fairview Heights Enterprise Zone;
- c. The waiver only applies to building materials required for the specified Project and is allocated to that Project rather than to the company or property owner undertaking the Project;
- d. In addition to state and local authorization, the developer of the Project must secure approval for waiver from the vendor(s) providing building materials;
- e. Each contractor and/or sub-contractor must contact the City's Enterprise Zone Administrator to secure a BMEC and must provide the following information:
 - Corporate name
 - Federal Employer Identification Number (FEIN)
 - Street address
 - Phone number
 - Email address
 - Contract amount for the Project
 - Percentage of contract (not \$\$) for building materials

The BMEC is awarded by the Illinois Dept. of Revenue (IDOR) upon request of the City's Enterprise Zone Administrator and upon successfully gaining approval from the City Council.

Each contractor/sub-contractor, as well as the developer for the overall Project, must report a final total spent to the IDOR by May 31 of the subsequent calendar year.