AGENDA
PLANNING COMMISSION
NOVEMBER 20, 2019
6:00 P.M.
City Council Chambers

1. CALL TO ORDER AND ROLL CALL

2. CITIZENS COMMENTS- This is an opportunity for the public to address the Plan Commission on non-agenda related items. Comments made during this section of the agenda that require a response will be referred to the appropriate City staff member or official for follow-up at a later date.

3. MINUTES OF SEPTEMBER 10, 2019

4. PUBLIC HEARINGS
   a. Special Use Permit: PC 10-19
      Applicant: Steven and Tanya Hubbard
      Request: Special Use Permit to allow a church to operate in the B3-Community Business District at 10227 Lincoln Trail, Fairview Heights, IL and also identified as St. Clair County PIN 03-29.0-206-069.
      VOTE REQUESTED AFTER PUBLIC HEARING IS CLOSED

5. OLD BUSINESS
   a. Update on City discussions regarding recreational cannabis

6. NEW BUSINESS - None

7. ANNOUNCEMENTS
   a. Chair/Plan Commission Member Comments
   b. Director’s Report

8. ADJOURNMENT

The next regularly scheduled meeting is December 10, 2019.
The meeting may be canceled if there is no business to conduct. Please contact Department of Land Use and Development staff at (618) 489-2060 for an update.
CALL TO ORDER

The meeting was called to order at approximately 7:00 p.m. by Chairman Jim Bramstedt with (7 members) in attendance: Don Barkley, Larry Mensing, Pat Herrington, Linda Hoppe, Kelly Smith, Pat Wesemann, and Gregory Coleman. Also, in attendance were Andrea Riganti (Director of Land Use and Development), Andrew Hoerner (Attorney), and Kendra Tucker (Secretary).

1. CITIZENS COMMENTS

None

2. APPROVAL OF MINUTES

The minutes of August 13, 2019 approved as written.

3. PC09-19, Amendment to a Site Development Plan, 120 Commerce Lane

Ms. Riganti presented the staff advisory to the commission.

Mr. Bramstedt requested clarification on why this request needed the approval of the Planning Commission. Ms. Riganti clarified that the application was brought to the Planning Commission due to the applicant’s request to change of use at the property.

The applicant was present.

Todd Reyling of 4516 Boardwalk Drive, Smithton, IL was sworn in.

Mr. Reyling presented his application to the commission, giving the background of the Planet Fitness company, and stating what Planet Fitness’ intentions are for the location.

Mr. Barkley asked the applicant what business would go into the retail space neighboring the Planet Fitness. Mr. Reyling stated that there will be a good tenant selected for the space. Mr. Barkley then asked how the signage would be designed to allow for both businesses to be represented. Mr. Reyling then explained how the signage would be handled in the future. Ms. Riganti clarified
that the applicant would have to follow the city’s sign permit procedure to be have signage approved.

The commission discussed the materials that would be used on the outside of the building. Ms. Riganti stated that the materials would be consistent with the materials approved by the current city code.

None were present to speak in favor of the application.
None were present to speak against the application.

Mr. Bramstedt closed the public portion of the meeting and the commission discussed their thoughts on the application.

Ms. Wesemann made a motion to approve the application.

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

RESOLUTION PC 008 -19
A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL/DENIAL OF REQUEST TO AMEND A SITE DEVELOPMENT PLAN FOR 120 COMMERCE LANE WITHIN THE "PB" PLANNED BUSINESS DISTRICT.

WHEREAS, Bob Hamilton of PFMW Fairview Heights, Inc. hereinafter referred to as the "Applicant," has properly applied for an Amendment to a Site Development Plan for a fitness center and retail use within the "PB" Planned Business District located at 120 Commerce Lane, PIN 03-28.0-200-053, and -054.

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:

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 10, 2019 and that said public hearing was properly conducted and that the minutes of said public hearing are hereby incorporated by reference.

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

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

That this permit will require minor enhancements to landscaping, lighting, landscaping and the existing site usage.
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.

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

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

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

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.

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.

The proposed use will be consistent with the Comprehensive Plan.

That this Amended Site Development Plan approval will allow the applicant's development of a fitness center as proposed by the Applicant; with a future retail tenant to be in keeping with the permitted uses described in the PB-Planned Business zoning district.

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

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

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

That this Development Plan approval allows for the site plan as presented.

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

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

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 10th day of September 2019

4. NEW BUSINESS

Ms. Riganti informed the commission on the current status of the recreational cannabis discussion.

5. ANNOUNCEMENTS

Ms. Riganti announced there will be a City Planning Workshop on October 29th in Collinsville, IL for all who would like to attend.

Ms. Baeske announced that there would be an Open House at the city hall on Saturday, September 14th.

Ms. Riganti updated the commission on the approval of the Huck’s development.

6. ADJOURNMENT – There being no further business, the meeting adjourned at 8:10 p.m.

Respectfully,

Andrea Riganti
Director of Land Use and Development
AR/kt

The next regularly scheduled meeting of the Fairview Heights Planning Commission will be September 10, 2019 at 7:00 p.m. in the Council Chambers of the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.
TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC-10-19
REQUEST: Special Use Permit (SUP) to Allow a Church to Operate in the B-3 Community Business District at 10227 Lincoln Trail, Suite 9
APPLICANT NAME: Steven and Tanya Hubbard
MEETING DATE: November 20, 2019
ZONING: B-3 Community Business District
PROPOSED LAND USE: Church
PLANNING COMMISSION ACTION: Consideration of the SUP, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

Location Map
1. **BACKGROUND**

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

The proposal is to allow a church to operate in the B-3 Community Business District. A church is listed as a special use in this district, as per Development Code section 14-2-11.C. The church will operate during Sundays and may hold some weekday services. The congregation is +/- 30 at the moment.

**Context**
The subject property is located in the middle portion of the City at 10227 Lincoln Trail, east of Bunkum Road and west of Potomac Drive. The parcel is approximately .57 acres, and contains an 8,000 square foot strip center. There are currently nine suites in the building and it is fully occupied. Some of the other uses include a tire shop, hair salon and retail.

There are approximately 30 parking spaces on site. Two curb cuts off of Lincoln Trail provide access to the site. The zoning and land uses of adjoining properties are as follows:

- **North:** B-3 Community Business District; Parking Lot (under same ownership as subject parcel)
- **South:** B-3 Community Business District, Strip Center retail
- **West:** B-3 Community Business District, Church
- **East:** M-2 Multiple Family Residence, apartment
Site Views
**Planning Considerations**
At issue is whether or not the proposed use is reasonable as per the Development Code and SUP standards.

SUP standards:

1. The effect the proposal would have on the City’s comprehensive plan.
   
   **Finding:** The City’s Comprehensive Plan identifies the subject property as in a business district. The proposed church will not have an impact on the comprehensive plan.

2. The effect the development would have on schools, traffic, streets, shopping, public utilities and adjacent properties.
   
   **Finding:** The use will generate additional traffic. However, the anticipated traffic will not be in conflict with other businesses, as the use is primarily limited to weekend and evening hours. The anticipated number of vehicle trips is not predicted to negatively impact infrastructure or traffic patterns. If issues are discovered after operations commence, the operator should consider mitigating strategies such as shared parking with adjacent properties. The use will not be permitted to park on residential streets.

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

4. In the case of an existing nonconforming use, will a special-use permit make the use more compatible with its surroundings?
   
   **Finding:** N/A

5. Is the application so designed, located and proposed to be operated that the public health, safety, and welfare will be protected?
   
   **Finding:** The proposed operation is not expected to have a substantial impact on the factors cited in this criteria.

6. Will the application cause injury to the value of other property in the neighborhood in which it is located?
   
   **Finding:** The church is not anticipated to have a harmful impact on the neighborhood.

7. Will the special use be detrimental to the essential character of the district in which it is located?
   
   **Finding:** The church will be contained within the strip center. As such, it will not be out of character with the residential nature of surrounding uses.

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

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

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

**Exhibits**

1. Application and Supporting Documents
2. Resolution and Findings of Fact
APPLICATION FOR SPECIAL USE PERMIT OR DEVELOPMENT PLAN

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

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

Case Number Assigned: __________________________

Date Application Received: 9/26/19

Date Set for Hearing: October

Name of Newspaper and Publication Date:

Publication Fee Paid: __________________________

Date Proof of Public Notice Sign Provided:

Zoning District of Property:

Recommendation of Plan Commission:

Date of Final City Council Decision:

Action by City Council:

Development Plan: ________________ Amended Development Plan: ________________

Special Use: ________________

All information must be completed and submitted herewith. Applicants are encouraged to visit the Land Use and Development Department for any assistance needed in completing this form.

1. Name of property owner(s): Eric Gribel
   Mailing address: 1149 Recol Ave, St. Louis MO 63126
   Phone: 314-822-3700
   E-Mail: artwork@jillans.com

2. Name of applicant (if other than owner): Steven & Tanya Hubbard
   Relationship to owner (contractor, family member, lessee, etc.): lessee
   Mailing address: 10227 Lincoln Trail Suite 9
   Phone: (618) 623-5500
   E-Mail: Stevenhubbard100@yahoo.com
   Stevenhubbard100@yahoo.com
   K6FC2019@yahoo.com
3. Address of property: 10227 Lincoln Trail Suite 9 Fairview Heights IL 62209
   Parcel (Tax) ID number: ________________________________
   Present use of property: Beauty Supply
   Zoning district: B-3

4. Type of Development for which permit is requested:
   The type of development is a Church.

5. (For residential developments only)
   Density: ________________________________
   Number of structures: _____ Dwelling units per structure: _____
   Total number of dwelling units: ____________
   Estimated number of persons per dwelling unit: ______________________
   Density = Population of development = ___________ = __________ persons/acre.

6. A special use permit or development plan approval is requested for the property described above in conformity with the documents submitted herewith.
   I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate; that I have read and understand the regulations pertaining to Special Uses and Development Plans and I believe to the best of my knowledge that the proposed will not violate any portion of said code.

   I also understand that as the Applicant, it is my responsibility to obtain all other permits or licenses required by any applicable regulatory agencies for this Land Use Application.

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

Signature of Owner: ___________________________ Date: 5/3/19

Signature of Applicant: Tamara Hubbard Date: 3/11/19
Kingdom Builders for Christ Ministries
10227 Lincoln Trl Ste 9 Fairview Heights, IL 62208

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

March 26, 2019

To Whom It May Concern,

I Steven D. Hubbard Sr., pastor of Kingdom Builders for Christ Ministries am writing this letter in regards to opening a church at 10227 Lincoln Trail Suite 9. My wife and I currently are renting suites 7, 8, and 9 and have been doing so for the past five years.

Our goal is to be spiritual leaders, as well as mentors for the youth in the community. We believe that having a church in this area will be beneficial to people of all ages.

Our objective is to make all feel welcome to come worship our Lord and Savior Jesus Christ. I humbly submit this letter with hopes of working with you on behalf of our community in the near future.

Grace and peace be unto you.

Sincerely,

Pastor Steven D. Hubbard, Sr
Planning Commissioner introduced the following resolution and moved for its adoption:

RESOLUTION PC 9-19

A RESOLUTION ADOPTING FINDINGS OF FACT PC 10-19 RELATING TO A REQUEST FROM STEVEN AND TANYA HUBBARD TO APPROVE/DISAPPROVE A SPECIAL USE PERMIT WITHIN “B-3” BUSINESS DISTRICT FOR A CHURCH LOCATED AT 10227 LINCOLN TRAIL.

WHEREAS, Steven and Tanya Hubbard, hereinafter referred to as the “Applicant,” has properly applied for a Special Use permit for a church within the “B-3” Business District located at 10227 Lincoln Trail.

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 November 20, 2019, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.


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

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

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

6. That the proposed use will 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 not 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/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 the Permittee shall be responsible for all City costs incurred in administering and enforcing this Permit.

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

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

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

and the following voted for the same:

and the following 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 20th day of November 2019.

________________________________________
Planning Commission Chairman

ATTEST:

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

By: ___________________________           Its: ___________________________

STATE OF ILLINOIS)                     ) SS.
COUNTY OF __________)                   

On this _____ day of _________________, 2019 before me, a Notary Public, personally appeared ________________________________, the applicant, to be known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

______________________________