



MINUTES
COMMUNITY DEVELOPMENT COMMITTEE
6:00 pm, Tuesday, August 3, 2004

Minutes of a regular meeting of the Community Development Committee of the City of O'Fallon, held in the City Council Chambers, 255 S. Lincoln, O'Fallon, Illinois on **August 3, 2004**. CALL TO ORDER: 6:00 p.m.

I) Roll Call – Henry, Medford, Horton, Mouser, Albrecht. Staff: Stehman, Reime, Denton. Visitors: Alderman Renner, Chuck Henry, Georgia Hillyer.

II) Approval of Minutes – June 22, 2004 and July 20, 2004 (Henry/Albrecht) All ayes.

III) Items Requiring Council Action on – August 16, 2004. Reime provided an update on the following agenda items:

- A) Kevin Townsend Annexation Agreement (ORDINANCE 1st READING) – for property located at 121 Behrens Avenue. Mr. Townsend desired City water service to his business Preferred Plumbing and was informed he would have to annex into the City. Mr. Townsend's request for B-1 zoning for the property was previously denied by the City Council. Staff does not have a signed agreement from Mr. Townsend and it has been put on hold.
- B) John Kildea Annexation Agreement (ORDINANCE 2nd READING) – This will involve a 300' strip across Mr. Kildea's property that will enable the City to become contiguous to Savannah Hills Subdivision.
- C) Ron Voelkel/BDMR Property Annexation Agreement (ORDINANCE 2nd READING) – This property was needed for realignment of the entrance to Chesapeake Junction. The developers subsequently purchased the property which is now considered part of the subdivision.
- D) Begole & Schmisser Tracts Final Plat Annexation Agreement (ORDINANCE 2nd READING)– Final Plat for 281-lot subdivision to be zoned SR-1 after annexation; proposed use is a single-family subdivision located north of Milburn School Road, one-half (1/2) mile east of Old Collinsville Road; Petitioner is Denny Blumberg for SSS Land Development LLC.
- E) McDonald's Corporation (ORDINANCE 2nd READING) – Zoning Amendment Subject to Interim Development Ordinance from SR-3 & B-1 to B-1(P) - proposed rebuild of restaurant located at 108 E. Highway 50. Petitioner is Dan Hogan for McDonald's Corporation. On August 2nd, the City Council denied the petition on 1st Reading, and therefore the petition will not appear on the August 16th agenda.

IV) Other Business

- A) Occupancy Permit Program. Stehman explained the administrative procedures of the Occupancy Permit Program. He stated that the current procedure does not include registration of occupants.

Alderman Renner stated that he has brought the issue up for discussion due to hearing the school districts concerns with kids outside of the district enrolling and attending district schools. Also he noted that communities have implemented a registration program for purposes of responding to fires and other emergencies. Renner noted that the City Council has previously tried to address this issue about 5 or 6 years ago, but the issue died in the Community Development Committee.

Alderman Horton discussed the issue of determining loading capacities of both residential and commercial structures and suggested receiving a legal opinion if the City can determine and regulate occupancy of one and not the other.

Stehman responded that the department has begun determining loading capacities on some commercial development and have and will continue to determine loading capacities or maximum occupancy restrictions on residential properties.

Alderman Medford suggested that the maximum occupancy of residential properties be included on the initial occupancy permit.

Stehman responded that due to discussions with Central School, that the administrative procedures will be revised to include the following: a) in addition to the property owner, the renter will be given the maximum occupancy number of the residence, and both the property owner and renter will be responsible if the residence exceeds the maximum occupancy and b) the school district will check with the office on student registrations that include more than two children which list an address of an apartment or a trailer.

Chuck Henry informed the City Council that he serves on the District #90 School Board, but that he was speaking before the Committee as a resident. He stated that the School Board has not discussed this enrollment issue as a concern of the district, nor taken any formal votes on the issue. He further stated that he had concerns with implementing an occupancy permit program to include a registration procedure due to increase in staff time, the issue of enforcement, how the information would be handled and who would have access to the information, and the burden on residences vs. any gain from implementing a registration procedure.

Denton clarified that the goal of the Occupancy Permit Program, when initiated, was to assist with property maintenance and prevent deterioration of residential property.

The Planning and Zoning Department staff was directed to prepare a report to the Committee to share with the Council. The report is to include current

administrative procedures of the Occupancy Permit Program and anticipated revisions to the administrative procedures as a result of staff's discussions with Central School.

MEETING ADJOURNED: 6:35 P.M.

Next Meeting: 6:00 pm, Tuesday, August 17, 2004 – Mayor's Conference Room