



**MINUTES
COMMUNITY DEVELOPMENT COMMITTEE
6:00 pm, Monday, October 10, 2005**

Minutes of a regular meeting of the Community Development Committee of the City of O'Fallon, held in the Mayor's Conference Room, 255 S. Lincoln, O'Fallon, Illinois on **October 10, 2005**.
CALL TO ORDER: 6:00 p.m.

I) Roll Call – Medford, Henry, Mouser, Albrecht. Staff: Shekell, Reime, Sullivan, Denton, Funk, Mitchell. Visitors: Alderman West, Alderman True, Alderman Reckamp, Alderwoman Schmidt, Rich Gorazd, Josh Flint, John Woodruff, Dan Toberman.

II) Approval of Minutes – September 26, 2005. All ayes.

III) Items Requiring Council Action on – October 3, 2005.

A) Annexation Agreement with Eric Schmitt and Patricia Schmitt (ORDINANCE 1ST READING) for 8.86 acres, two lots at 537 and 541 Scott Troy Road.

T. Shekell stated that Eric Schmitt had requested City water for his new home under construction at 541 Scott Troy Road. Patricia Smith, his mother, entered into a water service agreement with the City several years ago in order to connect the home at 537 Scott Troy Road to City water. At this time, both properties are contiguous to the City limits and should be annexed to the City. The annexation agreement is a standard agreement used for persons requesting City water. The Committee unanimously recommended that the annexation agreement with Eric Schmitt and Patricia Schmitt be approved.

B) Cobblestone Ridge, 1st Addition Final Plat (ORDINANCE 1ST READING) – Final Plat of 31 single family lots on 33.46 acres, located along Weil Road north of O'Fallon Troy Road; Petitioner is S.M.R. LLC.

T. Shekell reported that there are two remaining issues which need to be resolved prior to recording. First, the entryway to the subdivision needs to be given back to the developer through a deed. His engineer stated he would prepare documentation for the City to sign granting it back to Rich Gorazd. Also, it was determined by staff that the lots shown on the preliminary plat as being set aside for park/open space are highlighted shall be private open space/common area for the residents of the subdivision. This needs to be noted on the face of the plat and covenants recorded restricting those lots for that use only. The Committee unanimously recommended that Cobblestone Ridge, 1st Addition Final Plat be recommended for approval.

C) Text Amendments to the Zoning Code of Ordinances (ORDINANCE 1ST READING) to establish a Zoning Hearing Officer to review variances; to amend the provisions of the Code pertaining to special uses; responsibilities of the Zoning Board of Appeals and Planning Commission; and applications, notices and amendments to the Code

T. Shekell noted that the Planning Commission made very few changes to the proposed text amendments. He highlighted some of the changes which include granting the Planning

Commission the authority to review and permit Special Uses instead of the Zoning Board of Appeals. The Council still has a 21 day right of review over PC special use decisions. The text amendment also clarifies the duties of the interim Planning Commission and Zoning Board of Appeals and their procedures. The text amendment establishes a Hearing Officer in place of the Zoning Board of Appeals. He noted that the hearing officer will most likely be an attorney familiar with zoning and land use cases or a retired judge. Administrative appeals and variances can only be appealed from the hearing officer to court. He explained that if the City Council wants to review the Hearing Officers decisions, they must review all of the decisions. Much discussion followed regarding the pros and cons of the Hearing Officer and if the City Council should review all administrative appeals and variances. T. Shekell was to check with Dan Vogel, if the Council was to review decisions, would the Council have some latitude on legislative procedures. The Committee voted 3-1 to forward 1st reading of the text amendments to Council for consideration.

Alderwoman Schmidt noted that in the Special Use article that any completed application is deemed denied by the Planning Commission if no action is taken in 90 days. She stated that she did not feel that the amount of time was adequate. The Committee concurred to revise the amount of time to 120 days.

D) Special Event Permit for Central Christian Church, 1420 Illini (MOTION) to conduct an Autumn Celebration at their church on October 29, 2005.

The Committee recommended to approve Central Christian Church's request for a special event permit for the Autumn Celebration with the condition that the event be concluded by 10:00 p.m.

E) Request for 12 month extension to submit final development plan (MOTION):

- Delmar Gardens, Pierce Blvd & N Green Mount Rd – extension expired August 2, 2005; requests extension to August 31, 2006

T. Shekell stated that the developer has not been able to obtain a "Certificate of Need" for the project and is requesting the extension. It was noted that the City has the first right to purchase the property back from the developer in the event the assisted living center is not built. The Committee requested that staff verify that the sales agreement does not preclude the City from granting the planned use extensions.

IV) Other Business

A) Minor Subdivision of Adams Family Estates – Five-lot single-family residential subdivision on 6.33 acres located along Stantons Lane, north of Witte Farm Estates; Petitioners are William and Debra Adams.

T. Shekell stated that staff is waiting on additional information from the Adams Family and their attorney.

B) Spring Valley II Minor Subdivision – Two-lot single-family residential subdivision on .51 acres located at the southeast corner of Jamestown and Holliday; Petitioner is John Woodruff.

T. Shekell noted that Mr. Woodruff is requesting to subdivide his lot in Spring Valley into two residential lots. He stated that the two proposed lots meet the zoning ordinance and subdivision ordinance requirements. He added that the subdivision must include additional information such as proposed grades, finished floor elevation for the new lot and if it is to be a walk-out basement lot. The Committee did not take action at this time.

J. Albrecht stated that he would like to see the Council initiate a traffic study for the northeast quadrant.

MEETING ADJOURNED: 7:11 P.M.

Next Meeting: 6:00 p.m., Monday, October 24, 2005 – Mayor's Conference Room
Prepared by: Lisa Reime, Planner