



DRAFT MINUTES  
COMMUNITY DEVELOPMENT COMMITTEE  
6:00 pm, Monday, December 8, 2008

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 **December 8, 2008**. CALL TO ORDER: 6:02 p.m.

- I) **Roll Call** – Mary Schmidt, Allen Medford, John West, Jerry Albrecht. Other Aldermen Present: John Drolet, Steve Engler, Ed True, Ned Drolet, Dan Polites, . Staff: Ted Shekell, Jennifer Howland, Jeff Stehman, Walter Denton, Dean Rich, Pam Funk. Visitors: Darwin Miles, Steve Fraser, Nathan Kinney, Dan Kelley, Pat Netemeyer, Lori DeCosse, Jeff Holland, Bill Reichert, Thomas Lachien.
- II) **Approval of Minutes** – November 24, 2008. All ayes. Motion carried.
- III) **Items Requiring Council Action on** – December 15, 2008
  - A) Comprehensive Plan Future Land Use Map Amendment (2<sup>nd</sup> Reading) – see Item B.
  - B) Rock Springs Townhome Apartments Planned Use Rezoning (2<sup>nd</sup> Reading) – Staff provided an explanation of the rezoning ordinance and relocation agreement. Mr. Shekell stated that the attorneys for Rock Springs, LLC and attorneys representing some of the residents have reached a tentative agreement on the relocation package. Some terms will be included in the rezoning ordinance for enforcement purposes, but the City is not party to the relocation agreement itself. Some aldermen thought that the wording of the rezoning ordinance indicated that the City was indeed party to the relocation agreement, but Mr. Shekell assured them that Dan Vogel, the City's land use attorney, says that it is legal. Alderman True asked what would happen if the developer and tenants can't agree on a price. Mr. Shekell stated that there is a default in Option 3a of the relocation agreement to cover such a situation. The City may get involved in a dispute if there is an egregious error in following the agreement. Alderman Schmidt asked what would happen if a resident doesn't want to move their trailer. Mr. Shekell stated that such a situation is covered in Condition 3c of the relocation agreement. Steve Fraser, resident of Rock Springs, stated that the residents have not seen the relocation agreement, but they plan to meet on Wednesday to review the terms. He wants Rock Springs, LLC to address existing safety issues at Rock Springs Park. These types of issues are either private or code enforcement issues. Mr. Stehman stated that the City is following up on remaining code enforcement issues and that most are on private trailer sites. Mr. Shekell encouraged Mr. Fraser to contact the City to report code enforcement issues. The Committee recommended approval of the project with a vote of 4-0.
  - C) Regency Park Corporate Campus Planned Use Rezoning, Annexation Agreement and Ordinance, and TIF Ordinances (2<sup>nd</sup> Reading) – Staff provided an update of the project. There are some site issues that must be resolved prior to staff recommending approval of the project. City attorneys are reviewing the ordinance terms. Staff recommended placing the project on hold until the January 5, 2009 City Council meeting. The Committee unanimously agreed to place the project on hold.
  - D) New Life in Christ Interdenominational Church Road Improvement Agreement – Staff explained that the attorneys for the church and adjacent property owners continue to work on obtaining the necessary access easements along Hill Top Drive. The agreement remains on hold.

- E) Urgicare Medical Building Planned Use Rezoning (1<sup>st</sup> Reading) – Staff provided an overview of the project. Tom Lechien, attorney for the applicant, was present to answer questions. Mr. Lechien has obtained a copy of the title policy. The policy indicates that all easements are dedicated for the use of the private driveways that provide access to the Urgicare property, but he has to research the potential for an existing maintenance agreement. The plat was recorded in 1996 or 1997, before it was customary for the City to require maintenance agreements for private roads. Alderman True inquired whether lighting would be provided at the pedestrian crosswalk between the Urgicare and Chancellor buildings. Pat Netemeyer, project engineer, stated that there were no plans for special lighting. Alderman John Drolet questioned whether an off-site sign was necessary. Staff explained that it would be for directional purposes, and an amendment was made to the condition to clarify that point. The Committee recommended approval of the project with a vote of 4-0.
- F) Chancellor Retirement Community Planned Use Rezoning (1<sup>st</sup> Reading) – Staff provided an overview of the project. Alderman Schmidt was concerned that the 4-story building would not be adequately buffered from the adjacent residents. Mr. Lechien, attorney for the applicant, stated that lighting would be directed away from the residents to help with this issue. He also stated that this development would be more residential in character than the adjacent hotels. Mr. Shekell explained to the committee that the parking provided on site would prevent the building from being converted into an apartment building or hotel without significant changes to the building's interior; namely, tearing down walls to reduce the number of units – this would have to be done on any conversion since the parking lot could not be expanded given the tight nature of the site. There was some discussion about whether additional parking was warranted. Alderman Ned Drolet suggested that a shared parking agreement be recorded between the Chancellor and Urgicare properties. This condition was added to the recommendation. Alderman Drolet also requested that staff research the parking for Cambridge House, O'Fallon Apartments and Suburban Extended Stay Hotel. Mr. Lechien stated that a van and driver would be available for residents to use, which may reduce the need for personal vehicles on site. A condition was added to the recommendation to restrict the number of vehicles to 1 per unit. Staff also expressed concern about the lack of outdoor amenities on site for the residents, except for a porch in the rear of the building and balconies in each unit. There was also discussion about the likely resident demographics. Mr. Lechien believes that the majority of residents will be women over the age of 70. The Committee voted 2-2 to recommend approval of the project with the amended conditions.
- G) Schmitt Cadillac-Saab Planned Use Rezoning (1<sup>st</sup> Reading) – Staff provided an overview of the project. The Committee recommended approval of the project with a vote of 4-0.

#### IV) Other Business – none

- A) ZHO2008-30 – 117 North Lincoln Avenue Variance – The Zoning Hearing Officer approved the Variance to Section 6.040 of the Zoning Code of Ordinances for permission to rebuild a house and/or detached garage in the existing footprint s) in the event the structure(s) is/are damaged more than 50% of the structural value on November 26, 2008. The City Council has 21 days right-of-review on the decision, which would end on December 17, 2008. The Committee voted 4-0 to reaffirm the Zoning Hearing Officer's decision to approve the variance.
- B) Cell Tower Assignment Agreement with Tower Co. (aka. Green Mount flagpole) – The Sprint flagpole cell tower at Green Mount Road was sold by Sprint to Tower Co., who then leased space back to Sprint for their equipment and antenna. The attached agreement authorizes the City to accept a \$5,000 payment as a lease transfer fee per the City's lease with Sprint. The Committee voted 4-0 to recommend approval of the agreement.

- C) Balke Brown Corporate Center, Phase II – The Planned Use approval for the Corporate Center, Phase II Office Building, is being requested for a twelve month extension until November 19, 2009. The Committee voted 4-0 to recommend approval of the extension.
- D) Savannah Hills Parkland Dedication – Staff passed out a copy of the plans for the park, and explained that the developer needs a 12-month extension on completion of the infrastructure improvements for the roadway and park that is to be dedicated to the City. Staff provided an explanation of the park improvements and necessary timeline for completion prior to the City accepting the park. All improvements on the punch-out list must be completed before the end of the year. When completed, the City will accept the park. Jeff Holland, Lori DeCosse (attorney), and Pat Netemeyer (engineer) were present on behalf of Savannah Hills. Mr. Holland assured the Committee that all items would be completed before the end of the year, because his intent is to dedicate the park to the City, which is required per the annexation agreement but only after the park. Mr. Holland also stated that per the annexation agreement he would be responsible for maintaining the park for 10 years from the date the City accepts it. The Committee recommended approval of the 12-month extension with a vote of 4-0.

*Jeff Stehman provided an update on the mine subsidence incident on Highway 50 between Cambridge Boulevard and North Green Mount Road.*

MEETING ADJOURNED: 7:45 P.M.

**Next Meeting: Monday, December 22, 2008 @ 6:00 P.M. – Mayor's Conference Room**

**Prepared by:** Jennifer Howland, Senior City Planner