



DRAFT - MINUTES  
COMMUNITY DEVELOPMENT COMMITTEE  
6:00 pm, Monday, March 23, 2009

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 **March 23, 2009**.

CALL TO ORDER: 6:10 p.m.

- I) **Roll Call** – Jerry Mouser, Jerry Albrecht, Allen Medford, John West, Mary Schmidt. Other Aldermen Present: Ed True, John Drolet, Rick Reckamp, Nila Grogan, Ned Drolet, Dan Polites, Mike Bennett. Staff: Ted Shekell, Jennifer Howland, Jeff Stehman, Pam Funk, Walter Denton, Visitors: Dan Kelley, Pat Bennett, Luann Bennett, Herb Roach, Ms. Thurgood, Lori DaCosse.
- II) **Approval of Minutes** – March 9, 2009. All ayes. Motion carried.
- III) **Items Requiring Council Action on** – April 6, 2009
  - A) Regency Park Corporate Campus Planned Use Rezoning, Annexation Agreement and Ordinance, and TIF Ordinances (2<sup>nd</sup> Reading) – on hold
  - B) True Vine Christian Center Church Planned Use Rezoning (2<sup>nd</sup> Reading) – No change. The item will move to the City Council on 2<sup>nd</sup> Reading.
  - C) La Parilla Mexican Restaurant Planned Use Rezoning (2<sup>nd</sup> Reading) – The applicant is requesting approval to add an outdoor seating area with alcohol sales in front of the tenant space and a façade treatment. The Committee discussed the request and voted 5-0 to approve the project on 2<sup>nd</sup> Reading without the addition of the outdoor seating area or the façade treatment. The applicant will be required to apply for a Special Use Permit for the outdoor seating with alcohol sales and associated façade treatment.
  - D) OK Salon Planned Use Rezoning (2<sup>nd</sup> Reading) – No change. The item will move to the City Council on 2<sup>nd</sup> Reading.
  - E) 104 South Cherry Street Landmark Designation (2<sup>nd</sup> Reading) – No change. The item will move to the City Council on 2<sup>nd</sup> Reading.
  - F) Old Clark Station – North Lincoln & East State Street (Resolution) – Resolution requesting IEPA assistance for further environmental testing. Jeff Stehman explained that in order for IEPA to conduct a Phase 2 study of the site at no cost to the City, the City Council must pass a resolution of support. It will not be a full-blown Phase 2 assessment, but it will provide information to help the City determine whether to purchase the property, and if so, what potential remediation steps will be necessary to reuse the site. The Committee voted 5-0 to recommend approval of the resolution.
- IV) **Other Business**
  - A) Residential Lighting Discussion – This item was added to the agenda per a citizen's request at the March 16, 2009 City Council meeting. Pat and Luann Bennett were present to discuss their concerns about residential outdoor lighting. Before the discussion started, Alderman Mouser explained that the Committee's role is not to deal with code enforcement issues, but it could

discuss ordinance changes. Ted Shekell went over the City's existing lighting regulations and stated that the Bennett's complaint is the first of its kind in the 14 years Jeff Stehman has been employed by the City. The City's lighting regulations are in Section 11.090 of the Zoning Code, and they apply to residential and commercial parcels. Light levels are quantifiable and objective, but issues of glare are more subjective. After explaining their specific issues with their neighbor (who wasn't in attendance), the Bennets requested that the City consider amending their lighting ordinance to better address issues of glare and shielding of light sources. Alderman John Drolet proposed moving the lighting regulations back to the nuisance code, but Ted stated that according to the City's land use attorney, it is enforceable regardless of where the regulations are listed. Ted stated that it was not fair to the Bennett's neighbor, Mr. Monson, to discuss the specifics of the complaint against him without him being present. Mr. Bennett stated that Ted had asked if he would mind Mr. Monson being invited to the meeting, and Mr. Bennett asked Ted not to invite him. Ted stated that staff will look into ways of improving the lighting regulations, but that the complaint between the Bennett's and Mr. Monson must be dealt with on a code enforcement level. Ted also asked the Committee whether they wanted to regulate all O'Fallon households, which would be the result of a stricter ordinance. Alderman J. Drolet wants the City to be proactive and create a defined recourse for violations. Alderman Reckamp reminded the Committee that the City doesn't enforce a lot of it's regulations until there is a complaint. After Alderman Bennett asked what staff has done to date about the specific complaint, Jeff summarized its history. He stressed that the only light covered in the original complaint was Mr. Monson's spotlight, not the porch lights or the garage lights. In staff's judgment, those additional lights do not rise to the level of a nuisance. Staff will handle the code enforcement issue outside of the committee and staff will also review the ordinance materials provided by Mr. Bennett regarding residential lighting controls.

MEETING ADJOURNED: 6:55 P.M.

**Next Meeting: Monday, April 13, 2009 @ 6:00 P.M. – Mayor's Conference Room**

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