

DRAFT MINUTES
O’FALLON PLANNING COMMISSION
July 13, 2010

Chairman Larry Sewell called the meeting to order at 6:00 p.m. in the City Council Chambers and led the Pledge of Allegiance.

ATTENDANCE: Jeffrey Baskett, present; Aaron Broyles, present; Joan Cavins, present; Ray Holden, present; Al Keeler, excused; Ray Rohr, present; Larry Sewell, present; A quorum was declared present by L. Sewell.

MINUTES: Motion was made by R. Rohr and seconded by J. Cavins to approve the minutes of June 22, 2010. All Ayes. Motion carried.

L. Sewell welcomed everyone and explained the role of the Planning Commission. The Planning Commission members introduced themselves. Also present were Director of Planning and Zoning Ted Shekell and Senior Planner Jennifer Howland. Present in the audience were City Aldermen David Snyder, John Drolet, and Jerry Mouser (arrived at 7:17 p.m.). L. Sewell gave an overview of the process that would be followed for the evening.

UNFINISHED BUSINESS: None.

PUBLIC HEARINGS:

P2010-07 - Zoning Amendment subject to the Planned Development Ordinance for “O-1(P)” Planned Office District and “A(P)” Planned Agricultural District for 51.09 acres development with office park, open space, and City detention facility. The proposed development, known as Rasp Farm, is generally located east of South Lincoln Avenue, south of Dartmouth Drive, and north of Interstate 64. The petitioner is Steve Macaluso for Porter Road LLC

Public hearing was opened at 6:06 p.m. T. Shekell presented an overview of the project. The subject property is approximately 52 acres and has an existing drainage way diagonally across the property extending to the northeast. An aerial map of the subject property and surrounding properties and their zoning was shown. The property is currently not in the City limits and the developer is in the process of annexing into O’Fallon.

T. Shekell gave a brief history of the subject property and explained that it was previously planned a few years ago as a 230 single-family lot development with alleys, and roadway access connections to the existing residential stub streets in the Southview Gardens subdivision to the north. He also explained the applicant’s office development experiences in O’Fallon.

T. Shekell presented a color rendering of the development concept citing the northern half of the development will be single-story small pad site (4-5,000 sq ft) office buildings

on approximately 15,000 sq ft lots similar to the office buildings east of St. Elizabeth's Urgicare.

The southern half of the development will have 1-, 2-, and 3-story office buildings larger than the northern buildings. T. Shekell explained that the developer plans to later remove and reconstruct a new retail center where the current center is on Lincoln near the entrance to the development. That development would, and the subdivision of the land in the southern half of Rasp Farm could, require a hearing before the Planning Commission for approval.

The detention pond area depicted on the rendering was proposed to assist with the Southview Gardens' drainage relief. T. Shekell continued that the 15 acres detention pond area is planned to be dedicated to the City as park open space after improvements have been made. As the property is in Accident Potential Zone 2 (APZ2), Staff contacted Scott Air Force Base. SAFB officials replied with concerns that the proposed lake would pose a bird-strike hazard and requested the pond be moved from the area. T. Shekell reported that in response to the concerns of SAFB officials, the developer now proposed to construct a dry detention basin rather than a pond. The dry detention basin will be significantly shallower and wider than the previously proposed pond to accommodate the drainage and grading needs. T. Shekell presented photos of The Fountains development in Fairview Heights where the area gives the appearance of a flat park.

T. Shekell reported that the public hearing for the Tax Increment Financing (TIF) Plan for Rasp Farm is scheduled for August 2nd at 7:00 p.m. before City Council. This is a proposed expansion of an existing TIF District from the east. The City's interest in this property being in a TIF is to get the detention area constructed then dedicated to the City to aid in the much needed drainage relief in the area.

Building elevations were presented. Buildings will be all brick and glass and are similar to those on Sunset and Wall Street and have a residential feel.

T. Shekell continued with the details of the Preliminary Plat. There are 29 lots proposed: one being the 15-acre detention acre, one being the large southern lot (which will be subdivided later as needed), and the remaining 27 lots are the northern half of the development. This office development does not propose access to the stub streets to the north. However, a gated emergency access will be designed at the end of De Soto for emergency public safety personnel access to the eastern end of the development.

Interconnectivity and other traffic concerns for this development were studied by Crawford, Bunte, Brammeier (CBB). T. Shekell summarized the traffic study, which was provided to the Commission in their agenda packets. Interconnectivity to Dartmouth and Edgewood is not advisable with the pavement width, residential parking on both sides of the street, and multiple driveway entrances in the existing residential development. Lincoln Avenue improvements were recommended by CBB citing a southbound left-turn lane into the development and a northbound right-turn deceleration lane as there could be significant delays within the office park at peak times once the development is built out. CBB also concluded that a traffic signal was not warranted on neither Dartmouth nor

the entrance into the Rasp Farm Development. T. Shekell reported that Lincoln is a St. Clair County road and they would have to approve those improvements.

T. Shekell concluded with the details:

- sidewalks will be built on the frontage of Lincoln per Code;
- water would be connected on Edgewood and Dartmouth - which could provide better pressure and flow for the existing residents;
- a monument entry sign will be at the entrance to the development and individual buildings will have signage in compliance with the current sign regulations;
- street lighting and full cut-off type fixtures will be shielded to minimize indirect light spillover onto adjacent properties;
- a buffer consisting of a 6-foot high privacy fence with landscaping or a combination of berming, landscaping, and fencing will be in place along the entire length of the north side of the development;
- open space of approximately 15 acres will be constructed by the developer then dedicated to the City; and,
- the sole variance requested is to allow the 2,300 feet long cul-de-sac whereas the Subdivision Code allows a maximum length of 800 feet. With the proposed change from the detention pond to the significantly larger dry detention basin, it will prove more difficult to conceive connectivity to Edgewood to the east, which has been a concern to many. The emergency-use gated access proposed from De Soto will aid in access if necessary.

T. Shekell explained for A. Broyles and J. Baskett that the emergency access off De Soto would probably not be curbed and guttered and is shown on the concept plan submitted.

R. Rohr asked what the neighbors could expect to see in the detention area after a large storm. T. Shekell replied that the area would fill up then empty into the normal drainage system at a controlled rate for a few hours and would prevent or minimize flash flooding that currently occurs in the Southview area. J. Baskett stated that drainage from Southview will drain southward then drain west to east into the detention area.

T. Shekell replied to R. Holden that these would become City streets meeting City standards and would be maintained by the City. The City Engineering Group has reviewed the proposed plans.

T. Shekell stated that the Planning Commission sits as the City Airport Zoning Commission because a portion of the proposed development being in APZ 2.

J. Baskett, T. Shekell, and R. Rohr resonated that prior concerns with the previously proposed residential development at this location have now been minimized or eliminated with this office development plan. Those concerns were drainage issues, traffic in the area, density and the size of the homes, and the impact on the local school.

Public comments were opened at 6:37 p.m.

The floor was opened to those on behalf of the project.

Steve Macaluso, developer with Porter Road Development LLC, was sworn in at this time. He summarized that the character of the development is single-story adjacent to the residential development and they are compatible with residential living. Office parks such as this are quiet neighbors. Along the interstate, 2-3 story buildings are proposed and S. Macaluso will not know what the specific developments will be until they are designed. However, similar architecture throughout the development is envisioned with brick and glass construction and similar roofs on the buildings, very similar to the Cambridge Boulevard, Wall Street, and Sunset development.

S. Macaluso continued that the change to the dry detention basin was made only after the SAFB Officials concerns were known. By redesigning the detention area, the entire 15 acres site will be lowered and that earth will be utilized across the remaining part of the development to raise the elevation. Further, S. Macaluso has received report that the newly designed drainage area will work with up to a 100-year flood event and is actually oversized. They will be re-creating an over-land ditch along the southern edge of the property which borders I-64 leading water into the detention basin. This redesigned area will be an attribute to the City, the residential neighborhood, and to the school.

The emergency access will be a Knox-keyed access control “arm” that emergency personnel will have a key for, S. Macaluso reported. He was advised that turn lanes are only necessary once they are over possibly 50% capacity. Until then, more traffic control is unnecessary and this would be worked out in the annexation agreement. S. Macaluso concluded by inviting everyone to visit the Cambridge Boulevard, Wall Street, and Sunset development to get a good visual image of how his development will look.

L. Sewell opened the floor to those with questions or concerns about the project.

Rodney Radcliff, Manors at Timbercreek Home Owners Association Trustee, was sworn in at this time. He stated objection to any possibility of Edgewood Drive connectivity to the development.

Stuart Drolet was sworn in at this time. He stated he is concerned that once the development is built out they will want connectivity to the residential development. T. Shekell explained that now this is a different land use proposal and that is unlikely. S. Drolet asked if the City will use TIF money for building drainage. T. Shekell clarified for him that the pond is required to be built at the same time as the development to handle the entire development and then turned over to the City.

Norm Hangsleben was sworn in at this time. He requested verification that Dartmouth will not be connected to the development. T. Shekell reiterated that the City Council will be making the final decision and the proposed plan does not have connectivity to the residential area other than through the emergency stub. N. Hangsleben asked if this would be developed in stages. S. Macaluso replied that 100% of the drainage area will be built at onset of the development as they need the dirt to build up the building sites.

Craig Wilkes resident of 1041 Edgewood Drive, was sworn in at this time. His and three other residential properties are needed to complete the TIF expansion. He does not want Edgewood to go through. C. Wilkes stated that when the developer approached him a

year ago regarding the TIF expansion, the proposed park was a selling feature for them and said it is much less now. He questioned who would be maintaining the field of grass and if people would be allowed to walk their dogs through the area. C. Wilkes also questioned that originally Edgewood Drive would be part of the TIF. T. Shekell responded that the park would be placed on the capital improvements schedule to obtain amenities, but originally it will be graded and seeded from the beginning and will not be a distraction.

Mark Noonan, TIF consultant for the City, was sworn in at this time and stated Edgewood Drive is no longer included in the TIF. C. Wilkes asked if the office development provided any tax benefits to O'Fallon. T. Shekell stated that there would be no sales tax benefit with an office park but the City would benefit from property taxes on 300,000 sq ft of office space. J. Baskett stated the bigger benefit would be the creation of jobs. T. Shekell pointed out approximately 150 acres just across the interstate from Rasp Farm area have recently been purchased by Memorial Hospital and Barnes Jewish and the long term development job creation potential is great in this area. T. Shekell also indicated that Frank Scott Parkway will be extended to Scott Troy Road which will make this area even more desirable. S. Macaluso spoke that within decades when they are built out, the property tax generated will be \$600,000 to \$700,000 per year in property taxes. C. Wilkes concluded that he and the three members are supportive of this project.

Richard Husted, resident at 914 Monterey, was sworn in at this time. He testified that all the water drainage goes to a creek near his property and that he loses 10-12 inches a year to erosion and has been placing rip-rap along the creek and it is becoming expensive. More asphalt parking and roof areas will cause more water to drain into the creek. R. Husted concluded that traffic getting out from Dartmouth onto Shiloh Road between 3:30 – 5:30 takes a while.

Tina Soots, resident at 919 Dartmouth, was sworn in at this time. She stated concerns with drainage and back yard flooding and suggested the developer have signed leases before beginning construction on a building. T. Soots believed the vacant office buildings in O'Fallon are becoming an eye-sore.

Public comments were closed at 7:14 p.m.

Staff Recommendation:

T. Shekell read over the Staff Recommendations as follows:

Staff recommends approval of the project with the following conditions:

1. A variance is granted allowing the main street within the development, which is approximately 2,300 feet in length, to exceed the maximum length of a cul-de-sac street of 800 feet. This street is required to have a gated, controlled emergency access at De Soto.
2. The preliminary plat is recommended for approval, as provided.
3. The planned use rezoning from Ag unincorporated to City O-1(P) and A(P) is recommended for approval as provided.

4. The parcel is recommended for annexation to the City with the development plan as provided.
5. The detention basin and all related drainage systems are constructed to meet all City requirements.
6. The building elevations of all offices will be constructed primarily of masonry and glass.
7. The office buildings proposed along I-64 on the proposed large single lot will require future subdivision and planned use approval, as applicable.
8. The proposed retail center on Lincoln will require future planned use approval since there are no conceptual plans at this time for size, building elevations, or use.
9. Roadway improvements shall be made as recommended in this report, consistent with the recommendations of CBB in their traffic report, and as otherwise approved by the City and County Engineers.
10. Utility connections and services shall be provided as identified in this report.

J. Baskett asked for clarification that the traffic report indicated no interconnectivity, except for the emergency access, in Condition #9. T. Shekell stated that is correct.

R. Holden suggested adding to Condition #5 that the detention area "...be maintained by the City in a park-like fashion." Several Commissioners agreed.

Motion was made by R. Holden and seconded by R. Rohr to approve the Staff's Recommendation with the amendment to Condition #5.

ROLL CALL: J. Baskett, aye; A. Broyles, aye; J. Cavins, aye; R. Holden, aye; R. Rohr, aye; L. Sewell, aye. All Ayes. Motion passed.

The project moves to Community Development on July 26, 2010, at 6 p.m. in the City Council Chambers rather than the Mayor's Conference Room. The project will be taken under advisement by the City Council on August 2, 2010, at 7:00 which will also be the public hearing for the TIF. The public hearing was closed at 7:21 p.m.

P2010-08 – General Text Amendments to the Zoning Code of Ordinances regarding temporary signage and temporary structures.

Public hearing was opened at 7:22 p.m. J. Howland referenced that several sections of the Zoning Code are affected by the proposed amendments and they are detailed in the Staff Report. J. Howland explained Staff receive many complaints with the restrictiveness of the current temporary sign regulations particularly in larger shopping centers. The proposed changes to the Temporary Sign regulations are:

- Each Establishment (business) can display one sign on Friday, Saturday, and Sunday, as well as on Mondays when the preceding Sunday is a federal holiday.
- No permit is required.
- If the sign is affixed to the building, it will be limited to 24 sq. ft. (This is the same maximum size we currently have.)

- If the sign is affixed to the ground, it will be limited to 6 sq. ft. (This is the typical size of the common “bandit sign”. This will address the concern about cluttering up the streetscape.)

J. Howland also noted that the sections addressing Temporary ‘Grand Opening’ Signs and Highway Corridor Non-Residential Lots will not change with this text amendment. Additionally, Temporary Signs may be a maximum of 24 sq. ft. (whether affixed to the wall or ground) only if they are associated with an approved Special Event Permit. J. Howland presented slides of the existing ordinance as written and the proposed ordinance wording.

J. Howland and T. Shekell clarified for L. Sewell and J. Baskett that there is no limit to Friday, Saturday, and holiday Mondays. Non-holiday Monday through Thursdays temporary signs are not permitted except for Special Events or during grand openings when a permit is required. T. Shekell reported that it is already common practice for businesses to place temporary signs up during the weekends without City approval and Mayor Graham has requested staff to consider this for a six-month period of time then to re-evaluate later.

J. Howland stated that she has invited many of the businesses from the multiple-tenant shopping centers to come to this public hearing. She clarified that the temporary signs will be permitted on their own property, not on public right-of-way, which will continue to be an enforcement issue.

R. Holden asked about the apartment down the street with a banner advertising leasing. T. Shekell said they are aware of the banner’s use and contact the owner repeatedly and they state they have available units to advertise.

J. Howland continued with the proposed text amendments presenting that staff also recommends an amendment clarifying the allowable location of business trailers on the business property. While the City does not regulate the location of a parked commercial vehicle that is advertising a business, staff does recommend regulating the location of a parked commercial trailer. To prevent businesses from parking their trailers along the street frontage, it is recommended the City require them to be parked no closer to the street frontage than the building wall. J. Howland presented the addition of “*Trailers associated with an Establishment may not be parked in required parking areas. They must be parked on an improved surface and be located no closer to the street frontage than the building face. All vehicles and trailers associated with an Establishment and located on the premises must be licensed and operable.*” J. Howland responded to R. Holden that business logos on vans and trucks cannot be regulated but the motor vehicle must be on-site in the business parking lot or being used in on the job.

The final proposed text amendments J. Howland presented were temporary storage structures regulations. In order for City staff to respond to inquires and complaints about temporary storage structures being utilized, the following definition and regulations are proposed:

Article 1, Division 4 “Definitions”

Storage Trailer: *Includes trucks, trailers, and other vehicles or parts of vehicles designed to be hitched or attached to trucks, tractors or other vehicles for movement from place to place that are being used as a temporary storage device.*

Portable Storage Unit (PSU): *A container designed, constructed and commonly used for non-permanent placement on property for the purpose of temporary storage of goods or personal property.*

Article 3, Division 1 “Supplementary Use and Bulk Regulations”

Section 3.28 Temporary Storage Structures

Storage Trailers are prohibited in all non-residential zoning districts in the City of O’Fallon.

Portable Storage Units (PSU) shall conform to the following:

- a) PSUs shall not be used for the storage of hazardous, flammable or toxic materials.*
- b) The area around the PSU shall be kept free of litter, debris, weeds and similar unsightly materials.*
- c) The PSU must remain closed and secured.*
- d) All storage shall occur within the PSU.*
- e) PSUs must be located entirely on private property. It shall be unlawful for any person to park or place a PSU or similar device in or upon any street, highway, roadway, right-of-way, designated fire lane or sidewalk in the City of O’Fallon. With the exception of Single-Family zoning districts, PSUs may not block drive aisles, parking areas or designated loading zones. PSUs may not be parked in required parking areas. They must be parked on an improved surface and be located no closer to the street frontage than the building face.*
- f) Single-Family Residential zoning districts: No permit is required. One PSU per Zoning Lot is permitted for a maximum of 30 days.*
- g) All other zoning districts: A permit is required. One PSU per Zoning Lot is permitted for a maximum of 90 days.*
- h) PSUs may not be used to display signage or otherwise advertise a commercial activity.*
- i) All existing PSUs must comply with this ordinance. The City will allow one (1) year from the adoption of this ordinance to comply.*
- j) Exception: This section shall not apply to structures used in association with ongoing construction activities carried out pursuant to a valid building permit*

J. Howland clarified “h)” that the PSU may have the name of the brand of the device and “Rent Me” may already be on the structure.

J. Baskett reported that PSUs are more economical than permanent storage options to many businesses. T. Shekell stated that there are more issues with PSUs in commercial areas more than in industrial areas.

R. Rohr asked if there would be issues in the industrial areas. T. Shekell stated they currently are not, however, they could address that later if it does become a concern.

J. Howland asked if the Commission wanted 30/90 days per year or 30/90 days per permit. A nominal fee, probably the Zoning Fee, would be charged and T. Shekell suggested it would be better per 12 months period.

There was discussion about the Goodwill trailer that was proposed earlier in the year and denied by City Council, and temporary clothing containers, which will be addressed at another time.

Public comments were opened at 7:48 p.m.

Emad Aftab, co-owner of Dollars for Gold with his wife, was sworn in at this time. He is in support of the temporary signage proposal as it is very helpful, especially for new businesses.

Public comments were closed at 7:50 p.m.

Staff Recommendation:

J. Howland read over the Staff Recommendations as follows:
Staff recommends approval of the text amendments as proposed and recommended the following changes:

- f) adding "...per 12-month period."
- g) adding "...per 12-month period."

J. Baskett reported that he would like a report from staff in regarding the exception of the impact in the industrial areas. T. Shekell replied that there are very few of those areas and staff have not seen problems in them.

R. Rohr pointed out that one owner or tenant moving out would utilize a PSU then the new owner or tenant moving in would use one. Discussion ensued regarding f) and g). T. Shekell and J. Howland recommended adding after "per Zoning Lot," "*per occupant*" in recommendation f) and "*per establishment*" in g). T. Shekell stated this may be complaint driven that once a complaint is received from the public, staff would notify the occupant and advise them of the time-line to comply.

Motion was made by J. Baskett and seconded by J. Cavins to approve the Staff's Recommendation with the suggested changes.

ROLL CALL: J. Baskett, aye; A. Broyles, aye; J. Cavins, aye; R. Holden, aye; R. Rohr, aye; L. Sewell, aye. All Ayes. Motion passed.

The project moves to Community Development on July 26, 2010, at 6 p.m. in the City Council Chambers. The public hearing was closed at 7:59 p.m.

REPORTS OF STANDING AND SPECIAL COMMITTEES: None.

REPORTS AND COMMUNICATION:

J. Howland gave a brief overview of the petition awaiting public hearing for the August 10th meeting:

- **P2010-09** - Zoning Amendment subject to the Planned Development Ordinance for “B-1(P)” Planned Community Business District for outdoor seating with food and alcohol sales at 1333 Central Park Drive Ste 111-115. The petitioner is Oscar P. Victoria for La Parrilla Restaurant.

R. Rohr asked if smoking in the seating area is a concern. J. Howland offered to contact the applicant and ask if they understand the smoking restrictions.

J. Baskett asked about the status of the Kingdom Hall on Obernuefemann Road. T. Shekell advised this was on a stop work order from grading until proper state permits were in place.

ADJOURNMENT:

Motion was made by J. Cavins and seconded by R. Rohr to adjourn. All ayes. Motion carried. The meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Vicki Evans, Transcriptionist